

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JANUARY 5, 2004.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, January 5, 2004 at 2:00 p.m. in the Board of County Commissioners Meeting Room located at 210 South Main Street, Trenton, Florida, with the following members present to-wit:

Commissioner Randy Durden, Chair
Commissioner Wilbur Bush
Commissioner Mitchell Gentry
Commissioner Tommy Langford

(Absent: Commissioner Suggs)

Others in attendance were: Joseph W. Gilliam, Clerk of Court, John McPherson, County Attorney, Karen Heaton, Deputy Clerk, Jaci Johnson, Deputy Clerk, Ron McQueen, EMA/County Coordinator, Ben Chumley, Planner, Linda Walker, Lee Schaltenbrand, Brenda Schaltenbrand, Dan Slaughter, Delight Curtis, John Ayers, Nathan Martin, Ron Mills.

Call to Order:

Chairman Durden called the meeting to order at 2:15 p.m. Commissioner Gentry delivered the Invocation and Commissioner Langford led the Pledge of Allegiance.

Agenda Changes:

(None)

Motion by Commissioner Gentry, seconded by Commissioner Langford, to accept the agenda. The motion carried unanimously.

Consent Agenda:

- 1) Approval of Bills
- 2) Approval of Budget Entries:
 - a) #BE4-011 / General Government (\$22,201)
 - b) #BE4-012 / Fire District Trust Fund (\$15,000)
 - c) #BE4-013 / Emergency Medical Service (\$15,000)
 - d) #BE4-014 / Solid Waste Fund (\$15,000)
- 3) Approval of Purchase Order #400670: Pentasun Professional Services, LLC / General Government (\$4,721.88)

Motion by Commissioner Bush, seconded by Commissioner Langford, to approve the Consent Agenda. The motion carried unanimously.

Attorney's Report:

Licensing Board Ordinance – Mr. McPherson advised the proposed ordinance regarding the Construction Licensing Board is scheduled to be considered on January 20th.

Resolution / Uniform Collection of Fire Assessments – Mr. McPherson recommended that this resolution be rescheduled and re-advertised for the second meeting in February. He explained that the resolution should be revised and advertised to include the incorporated areas of the County. **Motion** by Commissioner Gentry, seconded by Commission Bush, to re-advertise the Uniform Collection of Fire Special Assessment to include the incorporated and unincorporated areas of the County. The motion carried unanimously. (1/077)

Resolution / Martini Grade (SE 70th Avenue) – Mr. McPherson presented Resolution 04-08 for approval. He explained that it will be possible to file a petition for eminent domain with a certified copy of the minutes of the meeting in which the action was approved by the board. However, the approval in the form of a resolution would clarify the action and be a more typical method to use in filing. Chairman Durden read the short title of the resolution.

RESOLUTION 04-08

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA: AUTHORIZING THE USE OF EMINENT DOMAIN FOR THE TAKING OF CERTAIN PROPERTY NECESSARY FOR THE WIDENING, PAVING AND IMPROVING OF SOUTHEAST 70TH AVENUE IN UNINCORPORATED GILCHRIST COUNTY; MAKING FINDING OF PUBLIC PURPOSE; AUTHORIZING THE COUNTY ATTORNEY TO INITIATE A “QUICK TAKE” UNDER CHAPTERS 73 AND 74, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Gentry, seconded by Commissioner Langford, to approve Resolution 04-08. Commissioner Gentry recalled that the Board had unanimously approved to proceed with eminent domain in April 2003 and since that time has invested at least \$35,000 in the project. Chairman Durden explained that he was not in attendance at the time the Board voted unanimously to proceed with eminent domain. He stated that he had been in agreement to pave SE 70th but that he was never in agreement for eminent domain. Mr. McPherson stated that the approval in April for eminent domain was only for a portion of the 80-ft right-of-way but now it will include additional property for the storm water management areas. Commissioner Langford commented that he was not in favor of eminent domain either but it is the only way to proceed with the project. Commissioner Bush stated that he did not agree to eminent domain having had personal experience with it in the past. The motion failed on a vote of 2 to 2 (*Commissioner Gentry, yes; Commissioner Langford, yes; Commissioner Bush, no; Commissioner Durden, no*). (1/155)

Martini Grade (SE 70th Ave.) – Mr. McPherson reported that he has prepared the contracts for the storm water management areas and that Commissioner Gentry is working on obtaining the signatures. Commissioner Gentry advised that he has requested the property owners have these returned prior to the next Commission meeting. Mr. McPherson said the appraisal is due by

January 15th. He recommended that after the appraisal is received the Commission make an offer to the Langford's based on the appraisal. (1/318)

Solid Waste Contract – Mr. McPherson reported that he is still trying to gather information with regard to the Alachua County contract for solid waste services. Mr. McQueen related that he had talked with Arthur Ballot, Dixie County, and found out they are negotiating with Waste Management Systems to have all of their garbage brought to their facility. If this takes place, it will change the waste stream for Gilchrist County too. Mr. McQueen recalled that Alachua County is now experiencing a reduction in it's waste stream and this has caused a reduction in revenues. Therefore, Alachua County may not be agreeable to Gilchrist County terminating the contract. After discussion, Chairman Durden asked Mr. McQueen to schedule an appearance before the Alachua County Commission regarding this issue. (1/353)

Ginnie Springs v. Gilchrist County – Mr. McPherson advised an appeal was filed in the Ginnie Springs case. (1/555)

Emergency Medical Services:

Medicare Mileage Rates – Ms. Walker advised Medicare has increased the fee schedule for milage rates and she suggested the follow rates for approval:

- 2003 \$5.64 per mile (the County's rate should have increased in January 2003, it was increased to \$6 per mile beginning September 2003.
- 2004 January 1, 2004 – \$6.92 per mile (Recommendation \$7.00 per mile)
- 2005 January 1, 2005 – \$7.56 per mile (Recommendation \$8.00 per mile)
- 2006 January 1, 2006 – \$8.21 per mile (Recommendation \$9.00 per mile)

During discussion regarding the proposed rates, Commissioner Gentry suggested that the rates not be increased beyond the allowed amount by Medicare considering those persons without insurance would be paying more. **Motion** by Commissioner Gentry, seconded by Commissioner Langford, to increase the milage rate for EMS to coincide with the rates allowed by Medicare as those rates increase. The motion carried unanimously. (1/621)

Certificate of Public Convenience and Necessity – Ms. Walker presented a request to renew the EMS Certificate of Public Convenience and Necessity. It was pointed out that the document would need to be revised to state "Emergency" instead of "Non-Emergency." **Motion** by Commissioner Bush, seconded by Commissioner Langford, to approve the Certificate of Public Convenience and Necessity. The motion carried unanimously. (1/975)

Pay Rates / Part-Time On-Call – Ms. Walker recalled that at the last Commission meeting, she had presented a request to increase the pay rates for part-time on-call employees. At that time the Board asked her to bring back information concerning pay rates from surrounding counties. She provided the following information for the Board's information:

	Full Time	Part Time	Full Time	Part Time
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County	EMT	EMT	Paramedic	Paramedic
Columbia	High – \$6.00 **	\$7.25	High – \$10.50 Low – \$8.50	\$9.25
Gilchrist	High – \$7.88 Low – \$6.30	\$5.75	High – \$9.96 Low – \$8.00	\$6.75
Dixie	High – \$10.06 Low – \$6.68	\$6.50	High – \$9.98 Low – \$7.84	\$8.00
Hamilton	High – \$6.68 Low – \$6.50	\$6.00	High – \$10.50 Low – \$9.50	\$9.00
Levy	High – \$9.98 Low – \$6.40	\$7.00	High – \$12.17 Low – \$7.48	\$8.00
Suwannee	EMT I \$6.98 - \$10.69 EMT II \$7.31 - \$10.94	EMT I \$6.33 EMT II \$6.61	PM I \$7.83 – \$11.47 PM II \$8.07 – \$18.92	PM I \$7.83 PM II \$8.05

** Have more Paramedics than EMT's. They work Paramedic/Paramedic Shifts.

Ms. Walker discussed the need for an increase in order to be competitive with these surrounding counties in having part-time employees available when needed. **Motion** by Commissioner Gentry, seconded by Commissioner Bush, to increase the pay rates for part-time EMTs to \$7 per hour and part time Paramedics to \$8 per hour. The motion carried unanimously. (1/1103)

Clerk's Report:

Suwannee Valley Leagues – Mr. Gilliam referred to a letter from DEP regarding the McArthur Park, Phase II FRDAP Project. The letter included grant requirements to be maintained as outlined in the grant agreement. Mr. Gilliam also provided a copy of the letter dated November 4, 2003 that he sent to Mr. Haley, President, Suwannee Valley Leagues, at the Board's request. This letter requested a letter acknowledging agreement and compliance of the requirements. He advised that of this date the County has not received a reply. **Motion** by Commissioner Gentry, seconded by Commissioner Bush, to authorize Mr. McPherson to send a letter to Suwannee Valley Leagues requesting a letter of response to the letter from DEP and copies of the letter to each member of the Board of Directors. The motion carried unanimously. (1/2120)

Bond – Mr. Gilliam presented a bond to be signed by the Commission for Commissioner Gentry. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to execute the bond. The motion carried unanimously. (1/2353)

Resolution 04-02 (BE4-015) – Mr. Gilliam presented Resolution 04-02. This resolution amends the Local Housing Assistance Trust Fund Budget by an increased amount of \$6,416.67 which represents the payoff of the SHIP loan for Joyce P. Philman. **Motion** by Commissioner Bush,

seconded by Commissioner Langford, to approve Resolution 04-02. The motion carried unanimously. (1/2380)

Resolution 04-03 (BE4-016) – This resolution amends the Local Housing Assistance Trust Fund Budget by an increased amount of \$8,500 which represents the payoff of the SHIP loan for Tammy S. and Steven J. Gardner. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to approve Resolution 04-03. The motion carried unanimously. (1/2411)

Resolution 04-04 (BE4-017) – This resolution amends the General Fund Budget by an increased amount of \$11,253 which represents Special Projects funding from Three Rivers Regional Library System for the Gilchrist County Public Library. **Motion** by Commissioner Gentry, seconded by Commissioner Bush, to approve Resolution 04-04. The motion carried unanimously. (1/2440)

Resolution 0-05 (BE4-018) – This resolution amends the General Fund Budget by an increased amount of \$6,000 which represents a donation from Mikell A. McElroy for the Gilchrist County Public Library. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to approve Resolution 04-05. The motion carried unanimously. (1/2480)

Resolution 04-06 (BE4-020) – This resolution amends the Local Housing Assistance Trust Fund Budget by an increased amount of \$7,119.15 which represents the payoff of the SHIP loan for J. Lindsey. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to approve Resolution 04-06. The motion carried unanimously. (1/2505)

Request from Sheriff Turner – Mr. Gilliam presented a request received from Sheriff Turner for the write-off of two EMS invoices:

- | | | |
|----|----------------------|-------|
| 1) | Invoice #M2-16398154 | \$495 |
| 2) | Invoice #M2-16398168 | \$567 |

Both of these invoices were for “medical transports” of inmates. **Motion** by Commissioner Bush, seconded by Commissioner Gentry, to approve the write off of the invoices in the amount of \$495 and \$567. The motion carried unanimously. (1/2528)

Budget Recap – Mr. Gilliam presented and reviewed the first Quarter Budget Recap for FY 2004.

Lee Schaltenbrand / Spring Ridge:

Mr. Lee Schaltenbrand presented the 2003 Annual Report for the Spring Ridge Volunteer Fire Department. The report included information concerning membership, apparatus, special equipment, capabilities, training, community involvement, fire call report and other accomplishments.

He advised the Board that he is now filling the position of Assistant Fire Chief and Mr. Ron Mills is now serving as Chief. (1/2868)

Proposed Policies and Procedures for County Email:

Mr. Buddy Ellis, MIS Director, provided information regarding a website he created to archive County email (archive@gilchrist.fl.us). He explained that all email concerning County business is considered public record and needs to be retained.

Mr. Ellis provided instructions to forward or copy email to the above referenced site. Mr. McPherson suggested that he be allowed to prepare a policy concerning the retention of email as public records by County employees. Once approved, this policy would be made part of the County's Policy and Procedures. The Board agreed. (1/3060)

EMA / County Coordinator's Report:

Water Management Workshop – Mr. McQueen provided information from Suwannee River Water Management District regarding the SRWMD Quality Communities Workshop. The workshop will be held on January 15, 2004 from 9:00 a.m. until 11:30 a.m. at the district office in Live Oak. (2/052)

Federal Aid Report Inspection – Mr. McQueen presented a letter from DOT regarding the annual inspection of Federal Aid Secondary Roads. He reviewed the findings for CR 55A and CR 340. He stated that the object markers placed on CR 55A, which are the wrong size, were placed by DOT. (2/092)

Hart Springs Manager's Residence – Mr. McQueen reported that Gray Construction submitted a final pay request in the amount of \$20,288.99 for the construction of the Manager's Residence at Hart Springs. Mr. McQueen recommended approval of payment subject to Mr. Wiggins signing the Certificate of Occupancy. **Motion** by Commissioner Gentry, seconded by Commissioner Bush, to approve payment subject to Mr. Wiggins signing off on the final inspection. The motion carried unanimously. (2/264)

Hart Springs – Commissioner Gentry commented that the new Hart Spring sign to the campground needs to be redone by a professional. Mr. McQueen stated that he would advise Mr. Philman.

Mr. McQueen mentioned that the roof on the concession stand at Hart Springs needs to be replaced. The Board asked him to bring back additional information. (2/397)

Building Department Report – Mr. McQueen presented the Building Department Report for the month of December 2003.

Mobile Homes	15 Total / 7 Replacements / 8 Impacts = \$11,530.48 (Transp. = \$8,571.44 / Capital = \$2,959.04)
New Construction	9 Total / 4 Replacements / 5 Impacts = \$7,206.55 (Transp = \$5,357.15 / Capital = \$1,849.40)

Remodeling / Additions		1
Barns		0
Sheds		1
Pools		0
Roofing	0	
Miscellaneous		2

Nabors, Giblin & Nickerson – For the Board’s information, Mr. McQueen referred to a letter from Nabors, Giblin & Nickerson regarding information on Special Assessments and subdivision property.

Solid Waste Department – Chairman Durden asked Mr. McQueen for an update on the Solid Waste site on Hwy 47. Mr. McQueen advised the phone service has been installed but the hook up for the compactor is pending. Mr. McQueen reported that he received a letter from DEP advising the permit for the transfer facility has expired. Mills Engineering plans to apply for another permit and have all of the engineering completed prior to March 1st. (2/518)

Waters Lake FRDAP Project – Mr. McQueen recalled he had submitted a request to the Department of Parks and Recreation to amend the budget for the FRDAP project. He received notice that the project will have to be resubmitted. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to resubmit the Waters Lake Project. The motion carried unanimously. (2/570)

Chairman Durden suggested the Board schedule the EMS and Fire Special Assessment workshops. He also suggested a workshop be scheduled regarding the assessment procedures by the Property Appraiser. Mr. Gilliam stated that he will bring back a proposed schedule for the Board’s consideration.

County Planner:

NE 44th Avenue – Mr. Chumley recalled at the last meeting he presented an offer from a landowner, Mr. Elmer Bruce, to convey the deed for right-of-way for NE 44th Avenue to the County at no cost.

Mr. Chumley provided a description and map of the road which is currently maintained by the County. The map depicted 36-ft which was dedicated to the County in 1972 and the additional 24 feet to be conveyed to the County at this time. He advised the road serves approximately seven (7) pieces of property. Lowell Chessborough has purchased the property from Mr. Bruce. **Motion** by Commissioner Langford, seconded by Commissioner Langford, to accept the dedicated right-of-way. The motion carried unanimously.

Subdivisions / Turn Lanes – Mr. Chumley recalled, at the last meeting, the Board instructed him to bring back information regarding requirements of other counties for turn lanes into subdivisions. He explained that most of the medium to larger sized counties do require turn lanes for subdivisions if the total of number of vehicle trips generated exceed a specified number.

He stated it would be a good policy to require developers to do this if it generates enough trips to warrant it because it will preserve the capacity of the county road and will save the County money in the future in terms of road improvements. Chairman Durden suggested this issue be placed on the agenda for the second meeting in February for discussion. (2/893)

Commissioners Reports:

Commissioner Gentry recommended that the County go ahead and purchase a mower for the limbing crew as discussed at the last meeting. **Motion** by Commissioner Gentry, seconded by Commissioner Bush, to instruct the Road Department to bring back two (2) quotes for a mower and guard. The motion carried unanimously. (2/988)

Commissioner Langford reported that Mr. Martin is going to have the peanut road prepared for surfacing. (2/1076)

Chairman Durden reported that work with the sewer line to the jail will begin as soon as all of the equipment is received.

Public Hearing / Ordinance 04-01, County Administrator and County Attorney:

Chairman Durden read the short title of Ordinance 04-01:

ORDINANCE 04-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR; SETTING FORTH THE QUALIFICATIONS, POWERS, DUTIES, AND EMPLOYMENT CONDITIONS FOR THE COUNTY ADMINISTRATOR; CLARIFYING THE QUALIFICATIONS, POWERS, DUTIES AND EMPLOYMENT CONDITIONS OF THE COUNTY ATTORNEY; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

Mr. McPherson reviewed the proposed ordinance. Section 2-65 includes the powers and duties of the County Administrator and Section 2-78 describes the duties and responsibilities of the County Attorney. Discussion was held concerning the need for a transition period between the County Coordinator's position into that of County Administrator. **Motion** by Commissioner Bush, seconded by Commissioner Gentry, to approve Ordinance 04-01 and to appoint Ron McQueen to the office of County Administrator. The Board heard questions and comments from Mr. Daniel Slaughter and Ms. Delight Curtis. The motion on the floor carried unanimously. (2/1076)

Public Hearing / Budget Hearing / Resolution 04-07:

Mr. Gilliam presented Resolution 04-07 (BE4-019) for approval. This resolution amends the Transportation Fund Budget by an increased amount of \$8,847 which represents the loan amount

for the purpose of purchasing a grader for the County Road Department. This loan amount was omitted from the FY 2003-2004 budget. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to approve Resolution 04-07. The motion carried unanimously.

Old Business:

Mr. McQueen requested approval to provide nine (9) pagers for the individuals from Gilchrist County serving on the Regional Hazardous Materials Team. He explained that Dixie County, also a member of the team, can obtain the pagers at a lower cost. He requested approval to provide the pagers through Dixie County's contract at a cost of \$6.50 each/per month. The Board asked Mr. McQueen to bring back a recommendation for funding.

Mr. McQueen mentioned that Mr. Ron Mills has a pager and is required to respond on-call. He asked the Board to authorize Mr. Mills to take his vehicle home for on-call use. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to approve the request. The motion carried unanimously.

New Business:

(None)

Public Participation:

Mr. Daniel Slaughter asked the Board questions concerning the agenda and concerning obtaining the a copy of the minutes of the meetings.

Ms. Delight Curtis asked about the status of SE 70th Avenue. Mr. McPherson replied that an appraisal is pending and should be available by January 15th.

There being no further business to discuss, Commissioner Langford **moved** to adjourn at 6:36 p.m. The motion was seconded by Commissioner Gentry and carried unanimously.

APPROVED:

ATTEST:

Randy Durden, Chairman

Joseph W. Gilliam, Clerk