

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MARCH 1, 2004.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, March 1, 2004 at 1:15 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, Vice-Chair
Commissioner Tommy Langford

(Absent: Commissioner Sue Suggs)

Others in attendance were: Joseph W. Gilliam, Clerk of Court, John McPherson, County Attorney, Karen Heaton, Deputy Clerk, Sam Ferguson, Director of Finance, Ron McQueen, EMA/County Administrator, Diane Rondolet, Mike Burnett, John Ayers, Betty Jordan, Evelyn Meece, Jeff Jordan, Beth Latner, Ron Mills, Gene Parrish, Jimmy Sheffield.

Call to Order:

Commissioner Durden called the meeting to order at 1:20 p.m. Commissioner Bush delivered the Invocation and Commissioner Langford led the Pledge of Allegiance.

Commissioner Durden relinquished the gavel to Commissioner Gentry and explained that he had requested the opportunity to Chair a meeting so that he would be prepared to do so in Commissioner Durden's absence.

Agenda Changes:

(None)

Motion by Commissioner Durden, seconded by Commissioner Bush, to accept the agenda. The motion carried unanimously.

Consent Agenda:

CONSENT AGENDA

- 1) Approval of Bills
- 2) Approval of Budget Entry #BE4-030, Solid Waste Fund (\$3,250)
- 3) Approval of Minutes:
 - a. February 9, 2004, Special Meeting
 - b. February 16, 2004, Regular Meeting

Motion by Commissioner Durden, seconded by Commissioner Langford, to approve the Consent Agenda. Mr. McPherson pointed one correction needed in the February 16th minutes. Commissioner Durden amended the motion to include approval with the change. The motion was seconded by Commissioner Langford and carried unanimously.

Attorney's Report:

Ordinance, Purchasing Policy – Mr. McPherson recalled that upon approval of the ordinance establishing the County Administrator position, the purchasing procedures changed to authorize the County Administrator to sign purchase orders for amounts between \$500 and \$2,000. He advised that it will be necessary to adopt an ordinance amending the purchasing procedures.

Motion by Commissioner Durden, seconded by Commissioner Bush, to instruct Mr. McPherson to draft an ordinance changing the purchasing procedures for purchase orders up to \$2,000. The motion carried unanimously. The Board scheduled the ordinance for the April 5th meeting.
(1/100)

Martini Grade – Mr. McPherson advised that the Langfords have retained an attorney to represent them for the eminent domain petition. The petition will be filed this week and the hearing is scheduled for April 8th at 1:30 p.m. (1/156)

Five-Foot Setback – Mr. McPherson is working with Mr. Chumley to prepare an ordinance to require a minimum 5-ft setback for County roadways.

Ginnie Springs v. Gilchrist County – Mr. McPherson advised that Ginnie Springs filed a brief which was incorrect. He then filed a motion to strike the brief at which time they filed an amended brief. The County's brief is due on March 8, 2004. (1/227)

Poitevint v. Gilchrist County – A case management conference was held on February 26th. The County's Motion to Dismiss has been scheduled for hearing on March 9, 2004. (1/234)

Brooks and Strickland v. Aderholts and Gilchrist County – Mr. McPherson advised that the Duke Lang, attorney for the Brooks has withdrawn from the case and they have hired another attorney. He stated that the case will probably go to trial and he is going to attempt to have the County dismissed from that litigation. (1/245)

Constitutional Officers:

Mr. Gilliam provided a copy of the Sheriff's monthly report and advised Sheriff Turner was not able to be in attendance.

In his report, Sheriff Turner mentioned that they have not received the new toilet for the jail. Commissioner Durden recalled that this had been approved by the Board and that it was the responsibility of the Sheriff's Office to order it.

Referring to a request regarding the usage of water by the Road Department, Commissioner Durden asked Mr. McQueen to find out if the Road Department and the Sheriff's Office were on the same water meter.

Mr. McQueen discussed the request by the Sheriff to move the old generator to the jail to replace an outdated unit. Mr. McQueen stated he did not have a problem with it as it would still be serving a public purpose. Commissioner Durden recommended that the Sheriff bring back a cost for hook up.

Clerk's Report:

Resolution 04-15 – Mr. Gilliam presented Resolution 04-05 for approval.

RESOLUTION 04-15

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; POSTPONING ANY FURTHER ACTION AT THIS TIME FOR THE DESIGN, CONSTRUCTION AND FINANCING OF THE PROPOSED JUDICIAL COMPLEX; DIRECTING COUNTY OFFICIALS TO CONTINUE TO PURSUE OPTIONS FOR ACHIEVING THE GOAL OF CONSTRUCTING A NEW JUDICIAL COMPLEX AND ADDRESSING SECURITY CONCERNS IN THE EXISTING COURTHOUSE; REQUIRING PERIODIC REPORTING TO THE CHIEF JUDGE.

Motion by Commissioner Durden, seconded by Commissioner Langford, to approve Resolution 04-15. The motion carried unanimously. (1/435)

Surplus Property List – Mr. Gilliam presented a list of items to be declared surplus property and requested approval by the Board. He also requested authorization to schedule an auction for the disposal of the items. **Motion** by Commissioner Durden, seconded by Commissioner Bush, to approve the surplus property list and to schedule an auction for disposal. The motion carried unanimously. (1/477)

Tax Deed – Mr. Gilliam presented a list of County owned certificates to be placed on the “Lands Available for Taxes” list. **Motion** by Commissioner Durden, seconded by Commissioner Bush, to approve the addition of the parcels for the Lands Available for Taxes list. The motion carried unanimously. (1/519)

Road Department / Water Meter – Having checked with his office, Mr. Ferguson advised the Board that the Road Department and the Sheriff’s Office are on separate meters.

EMA/County Administrator’s Report:

American Red Cross – Mr. McQueen requested authorization to sign a Statement of Understanding between Gilchrist County Emergency Management and the North Central Florida Chapter of the American Red Cross. He explained that the Red Cross has the primary responsibility of staffing the shelters and coordinating the sheltering and meals for County residents when necessary. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to authorize Mr. McQueen to enter into the agreement with the Red Cross. The motion carried unanimously. (1/671)

Road Department Position and Observations – Mr. McQueen provided a copy of recommendations for the Road Department Superintendent position and observations for reorganization. He discussed the need to fill the new position prior to Mr. Martin’s retirement in order for that person to train. He recalled that the Board had recently approved a job description and recommended that he now be authorized to advertise for that position with a salary range of \$34,000 to \$42,000. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to advertise the position for a salary of \$34,000 to \$42,000. The motion carried unanimously.

Hart Springs – Mr. McQueen provided copies of photographs depicting damages and deterioration of the roof of the concession building at Hart Springs. He explained that the damage was due to past flooding. He recommended that the roof be replaced with a metal roof until a grant can be obtained in the future for renovations. He stated that he would bring back a cost to the next meeting. (1/913)

Tractor and Mower, Quote – Mr. McQueen presented a quote from Ring Power for a purchase/buy-back plan for a Caterpillar Tractor and mower (Sales Price, \$49,950; Buyback, \$11,000; total cost to the County, \$41,450). Discussion was held concerning the intention to use the tractor and mower for the limbing crew. The Board took no action at this time. (1/1079)

Road Department, Transmission Repairs – Mr. McQueen presented the following quotes for transmission repairs for the mechanics truck:

(1) White Ford Co., Inc.	\$2,231.50	Warranty: 3yrs or 36,000 miles
(2) Raney's Truck Parts Inc.	\$3,087.53	Warranty: 3yrs or 36,000 miles
(3) Tri-County Transmission	**	Warranty: 1yr or 12,000 miles

** would be determined upon bringing in vehicle.

Motion by Commissioner Durden, seconded by Commissioner Bush, to approve the repairs with White Ford. The motion carried unanimously. (1/1149)

Alachua County Waste Agreement – Mr. McQueen advised he is scheduled to be on the agenda with the Alachua County Commission regarding the Solid Waste Agreement. Mr. McQueen intends to request the Alachua County Commission to allow the haulers in the County, Waste Pro and Wesley Sanitation, to have the option to continue to haul to Alachua County and to allow the County to haul the tonnage to Suwannee County. Mr. McPherson stated that he would also be in attendance. (1/1276)

First Public Hearing / Application for Community Development Block Grant:

Ms. Betty Jordan, Jordan and Associates, presented information regarding the procedures to apply for the Community Development Block Grant (CDBG). She advised that the County is eligible to receive CDBG funding up to \$750,000. Ms. Jordan explained that there are four categories for which to apply: (1) Housing Rehabilitation, (2) Neighborhood revitalization, (3) Commercial Revitalization and (4) Economic Development. She recalled that the County had made application for the Housing Rehabilitation Category last year. Commissioner Gentry called for public comment and received none.

Discussion was held concerning the criteria for the Housing Rehabilitation Program. Ms. Jordan explained that this program could be used in conjunction with the SHIP Program.

Ms. Jordan advised the second public hearing has been scheduled for March 15th. Prior to that meeting, they will meet with the Citizen Advisory Committee. (1/1276)

Fair Housing Workshop:

Ms. Betty Jordan referred to the County's Fair Housing Ordinance and explained the ordinance complies with the State Fair Housing Ordinance which in turn complies with the National Fair Housing Act. The ordinance prohibits discrimination in the sale and purchase of homes. She encouraged the Board to promote the ordinance. (Ms. Jordan called for public comment and received none.)

Public Hearing / Ordinance 04-05:

Mr. McPherson presented and reviewed Ordinance 04-05 establishing the Gilchrist County Construction Regulation Board to replace the Construction Industry Licensing Board.

ORDINANCE 04-05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING THE GILCHRIST COUNTY CONSTRUCTION REGULATION BOARD TO REPLACE THE GILCHRIST COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD; PROVIDING THAT THE BOARD SHALL HAVE SEVEN MEMBERS; ESTABLISHING BOARD'S MEMBERSHIP, OFFICERS, MEETINGS, AND POWERS AND DUTIES; PROVIDING FOR FEES AND PAYMENTS; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND ESTABLISHING AN EFFECTIVE DATE.

It was pointed out that Sect. 18-181(c) should be corrected to read "the sum of \$35.00 per meeting" instead of \$20. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to approve Ordinance 04-05. The motion carried unanimously.

New Hope Advent Christian Church / Request for Waiver of Permit Fees:

Commissioner Gentry stated that he was the Chairman for the New Hope Advent Christian Church. Mr. McQueen reminded the Board that traditionally the building permit fees have been waived for churches, however, the impact fees cannot be waived.

Motion by Commissioner Durden, seconded by Commissioner Langford, to approve the request for a waiver of permit fees. The motion carried unanimously. (1/2540)

EMA/County Administrator's Report (Continued):

Safety Program – Ms. Beth Latner provided information concerning the County's workers comp claims for the period of December 1999 through December 2003. She explained that the Safety Committee is focusing on prevention and training. In the future, the Committee intends to have first aid training provided to all departments. Currently they are conducting an inventory of the first aid kits.

Building Department Report – Mr. McQueen presented the Building Department report for February 2004.

Mobile Homes	15 Total / 7 Replacements / 8 Impacts = \$11,530.48 (Transp = \$8,571.44 / Capital = \$2,959.04)
New Construction	7 Total / 2 Replacements / 5 Impacts = \$7,206.55 (Transp = \$5,357.15 / Capital = \$1,849.40)
Remodeling/Additions	2
Barns	3 (1 impact fee = \$1,441.31: Transp= \$1,071.43/Cap = \$369.88)
Sheds	2
Pools	0
Roofing	2
Garages	0
Miscellaneous	4

Code Enforcement Report – Mr. McQueen provided a copy of the Code Enforcement Report dated March 1, 2004. Ms. Diane Rondolet told the Board that she has received a positive response in dealing with the violations and she has closed out numerous files. (1/3100)

Building Department – Mr. McQueen requested authorization to hire a temporary employee to assist in the Building Department while Ms. Strickland is training for the new software for permitting. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to approve the request to hire a temporary employee for the Building Department. The motion carried unanimously. (1/3196)

Ben Chumley, Travel – Mr. McQueen advised that Mr. Chumley received notice the past week for a training session in Tallahassee. The class is scheduled for Tuesday, March 2nd. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to approve the travel request for Ben Chumley. The motion carried unanimously. (1/2366)

Resolution 04-16 – Mr. McQueen presented Resolution 04-16 for approval. He explained this resolution is requesting the reduced amount for permit fees with DEP.

RESOLUTION 04-16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA: REQUESTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO REDUCE PERMIT FEES.

Motion by Commissioner Durden, seconded by Commissioner Langford, to approve the resolution. The motion carried unanimously. (1/3310)

Central Florida Electric Cooperative – Mr. McQueen presented a letter of request from Central Florida Electric requesting to rent space on the County's cell tower north of Bell. For a monthly fee of \$150, they would like to install six (6) antennas on the tower and place an equipment rack inside the building. The antennas will be used to enhance vehicle communications in the north portion of the County which will aid in the restoration of power outages. Mr. McQueen recommended approval. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to approve the request by Central Florida Electric Coop to rent the tower space for \$150 per month. The motion carried unanimously.

Wireless 911 Grant Program Application – Mr. McQueen presented a grant application for the State of Florida Wireless 911 Board, Wireless 911 Grant Program for approval and the Chairmans signature. If approved, the grant funds, in the amount of \$152,308, will be used to upgrade from Positron to Phase II compliance. **Motion** by Commissioner Bush, seconded by Commissioner Langford, to allow the Chairman to sign the grant application. The motion carried unanimously. (2/116)

Title Four Grant – Mr. McQueen requested approval to apply for a Title Four Grant for Fire Services. He explained the grant is available though the Florida State Division of Forestry. The grant is a 50/50 match grant. He requested a match up to \$8,000. If the grant is awarded it would be used to purchase 12 mobile radios, one for each engine and one for each fire chief. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to approve the grant application for a match up to \$8,000. The motion carried unanimously. (2/210)

DCA/FEMA Project – Mr. McQueen presented a notice from the Department of Community Affairs regarding an overpayment on the FEMA Project, #11950094, Hazard Mitigation Grant Program. DCA is requesting reimbursement in the amount of \$297. **Motion** by Commissioner Langford, seconded by Commissioner Bush, to approve payment of \$297 to the Department of Community Affairs. The motion carried unanimously. (2/277)

Gene Parrish / NE 65th Avenue:

Mr. Gene Parrish appeared before the Board representing Ms. Clara Sheffield and members of her family. He provided a sketch depicting NE 65th Avenue and surrounding properties. He explained that in 1943, Ms. Clara Sheffield had deeded the County a 15-foot road right of way. Recently, in the process of deeding her property out to six (6) different family members it was discovered that the deeded right of way and the actual existing grade are in two different locations. He referred to the sketch and pointed out that this situation leaves a strip of land lying between the two. In order to resolve this issue, Mr. Parrish recommended that the County deed the right of way back to Ms. Sheffield and upon surveying the grade, the family would deed the existing right of way to the County.

Mr. McPherson referred to the sketch and pointed out that the County already owns the existing grade by prescriptive easement. Commissioner Langford asked if the family would be willing to deed a consistent 20-ft easement. Mr. Parrish replied that they did not have a problem with this as long as it stayed between the fences. Mr. Jimmy Sheffield said that he had no problem with it as long as it was on the west side.

Mr. McPherson advised the proper procedure would be to apply to have the 15-foot section closed and abandoned by the County and then it would automatically revert to the owners on either side of that roadway. He suggested, in order to clear up any prescriptive issues in the future, the County in return be provided a survey with a legal description of the existing roadway. Mr. Parrish said the family has indicated that they would be willing to have the road surveyed. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to initiate the procedures to close and abandon the existing 15-ft right of way and work on getting a current legal description for the existing grade. The motion carried unanimously.

Commissioners' Reports:

Commissioner Durden reported that he has obtained the figures for the proposed fuel depot and that he and Mr. McQueen will meet with Sheriff Turner and the City of Trenton for discussion.

Commissioner Durden reported that the project for the sewer line to the jail is pending the acquisition of one right of way.

Commissioner Durden advised he will attend the Trenton City Commission meeting. They will be proposing to meet with the County Commission regarding fire assessments.

Commissioner Durden asked Mr. McQueen for an update on the permit for Rails to Trails. Mr. McQueen advised the permit has not been issued and is pending the transfer of the trail from the Department of Parks and Recreation to Greenways.

Commissioner Langford asked for the Board's direction on moving the Road Department to the Walker Curve property. He stated he had checked on the availability of funds from the Transportation Impact Fee and the Capital Improvement funds. He suggested that the Board proceed with getting quotes for a building and develop preliminary plans for the move. Mr. Gilliam advised that the Capital Improvement funds will still be used for the future Judicial Complex project. He stated a portion of the impact fee funds could be used but not all of it. Mr. McPherson advised that in order to use the impact fee funds, the Board would have to make a finding that the reason it is being moved is growth related. Commissioner Durden recalled that at one time there was \$80,000 budgeted for the move. Mr. Gilliam explained this was absorbed into the new year's budget or moved to allow for a spending mechanism for the land acquisition on SE 70th Avenue. Commissioner Langford stated that he would do some research and bring back more information regarding the cost to move and a recommendation for funding.

Commissioner Langford asked Mr. Martin for his recommendation on the purchase of a mower for the limbing crew. Mr. Martin stated that he found out that the mower will cut 3" to 4" debri. Mr. Martin stated that the tractor they have would be sufficient but questioned whether it could be worked out to use it for both the limbing crew and for mowing. Commissioner Gentry suggested that this be scheduled seasonally. Mr. Martin stated if they purchased the mower only, a schedule could be worked out but he recommended purchasing a tractor with a mower. Mr. McQueen stated that he could bring back a quote from Ring Power for a smaller tractor.

Commissioner Langford asked Mr. Martin for the status of the Peanut Road. Mr. Martin replied that it may be necessary to conduct a density test. He advised this will cost approximately \$500.

Commissioner Bush reported that he went to look at the fuel tank at Chiefland Farm Supply. They are no longer using the tank and are willing to sell it to the County. Considering the cost of fuel, Commissioner Bush recommended that the County pursue purchasing the tank. Commissioner Durden stated that they will bring back a recommendation to the next meeting.

Old Business:

Mr. Ron Mills presented a purchase order request from the Spring Ridge VFD for engine repairs. He asked the Board to approve the purchase orders for repairs up to \$3,000. **Motion** by Commissioner Durden, seconded by Commissioner Langford, to approve the repairs up to a cost of \$3,000. The motion carried unanimously.

New Business:

(None)

Public Participation:

(None)

There being no further business to discuss, Commissioner Durden **moved** to adjourn at 4:15 p.m. The motion was seconded by Commissioner Langford and carried.

APPROVED:

_ATTEST:

Randy Durden, Chairman

Joseph W. Gilliam, Clerk