

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD FEBRUARY 7, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, February 7, 2005 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 Mitchell Gentry, Chair
Commissioner Randy Durden, Vice-Chair
Commissioner Sharon Langford
Commissioner Tommy Langford
Commissioner Kenrick Thomas

Others in attendance were: John McPherson, County Attorney, Joseph W. Gilliam, Clerk of Circuit Court, Karen Heaton, Deputy Clerk, Sam Ferguson, Director of Finance, Jacki Johnson, Ron Mills, Justin Watson, Billy Cannon, Diane Rondolet, Barney Bennette, Delight Curtis, John Ayers, Lee Schaltenbrand, Brenda Schaltenbrand, Ed Poitevint, Marion Poitevint, Evelyn Meece, Gene Parrish, Mark Gluckman, Rosanna Powers, Karen Latham.

Call to Order:

Chairman Gentry called the meeting to order at 1:20 p.m. Commissioner Tommy Langford delivered the Invocation and Commissioner Thomas led the Pledge of Allegiance.

Agenda Changes:

Additions:

- (1) Proclamation 05-03, Mental Retardation Awareness Month (*Clerk's Report*)
- (2) Suwannee River Economic Council, Letter of Support (*Clerk's Report*)
- (3) Community Budget Issue Requests (*Clerk's Report*)
- (4) Michael Pardue, RE: extension for subdivision. (*County Administrator's Report*)

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve the agenda with the changes noted. The motion carried unanimously.

Consent Agenda:

- (1) Approval of Bills
- (2) Approval of Purchase Order #500813; Mills Engineering (\$11,663.33)
- (3) Approval of Budget Entries #BE5-014 thru #BE5-019
- (4) Approval of Minutes; November 8, 2004, Regular Meeting

Mr. McPherson referred to pages 18 and 19 of the agenda packet and recommended revisions to the minutes for clarification.

"Mr. McPherson commented that there may have been a reason in the past to place the lime rock there but it doesn't necessarily make it a public road."

“Mr. McPherson stated that he did not know what action the County could take and that it would first be the responsibility of the private property owner (who dumped the sludge) to bear the expense of the cleanup.”

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the Consent Agenda with the revisions to page 18 and 19. The motion carried unanimously.

Attorney’s Report:

Ordinances - Mr. McPherson advised the Board that the following ordinances have been scheduled for the February 21 meeting: (1) Sign Regulations, continuation of adoption hearing, (2) Sludge Disposal, continuation of adoption hearing, (3) Right of Way Rental, workshop and (4) Court Fees, adoption hearing.

Resolution re Uniform Method to Collect Fire Assessment - Mr. McPherson advised the resolution for the Uniform Method to Collect Fire Assessment has also been scheduled for the February 21 meeting.

Florida Rock, Use of Right of Way - Mr. McPherson told the Board that Florida Rock has filed an application for a right of way use permit. He explained that normally the County Administrator would issue the permit but because this is such a significant project it was decided to bring it to the County Commission for approval. Staff is developing a fee proposal for the rental of the right of way. This item has been scheduled for the February 21 meeting.

Commissioner Sharon Langford asked if the property owners along CR 232 have been noticed. It was suggested that notice be posted at the major intersections in addition to the notice published in the Journal. **Motion** by Commissioner Durden, seconded by Commissioner Sharon Langford, to post notice at the intersections of SR 129/CR 232 and Hwy 47/CR 232. The motion carried unanimously.
(1/261)

Pending Litigation - Mr. McPherson reported that there has been no activity in any of the pending litigations.

Roberts Rules of Order - Mr. McPherson stated that he had received a request to discuss Robert’s Rules of Order. He provided a summary of the Rules and recommended that the Board always consider the intent of the rules rather than the letter of the rule. He explained that in local government, the responsibilities to represent the citizens should outweigh the Rules of Order if there is a conflict. Mr. McPherson pointed out that the rules as well as the County’s procedures are silent concerning whether or not the Chair is permitted to make a motion.

Mr. McPherson also discussed the issue of motions to reconsider earlier decisions by the Board. He explained that these motions are acceptable when there are new circumstances or new Board members. However, it is not acceptable when the prevailing parties in a decision are absent and the intention of the motion is to circumvent the previous action.

Chairman Gentry asked for clarification concerning the right of the Chair to participate in the debate of an issue. Commissioner Durden read the following portion of the County’s Policies and Procedures; (Rule 1.10.6) *“Remain objective, consistent with Robert’s Rules of Order. According to*

Robert's Rule against Chair's Participation in Debate, the presiding officer has, as an individual, the same rights in debate as any other member; but the impartiality required of the Chair in an assembly precludes exercising these rights while presiding. However, it has been and will continue to be the practice in Gilchrist County for the Chair to participate in debate."

Protection of County Roads - Mr. McPherson recalled he had been asked to research whether the County may impose weight restrictions on County Roads. He stated that counties may place weight restrictions on County roads but it would probably be difficult to enforce them.

Suwannee River Water Management District:

Mr. Barney Bennette, Suwannee River Water Management District (SRWMD), addressed the Board concerning the Memorandum of Agreement for the Flood Insurance Flood Maps. He explained that FEMA has been directed by Congress to update the maps.

Mr. Bennette advised the future maps would include aerial topography. Within Florida, the Water Management Districts will assist FEMA with the coordination with local communities and will manage activities associated with the production of the maps. No direct cost to Gilchrist County is associated with this agreement. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the Federal Emergency Management Agency Community Partner Memorandum of Agreement. The motion carried unanimously. (1/863)

Attorney's Report (continued):

Commissioner Durden asked Mr. McPherson if the County's policies and procedures should be amended to clarify the issue concerning whether or not the Chair may make a motion. He stated in the past, the Chairman has not been permitted to make a motion. Discussion was held concerning the procedures and the Board was in agreement that the Chairman may participate in discussion and debate but would not make a motion. Mr. McPherson stated that he would bring back proposed language to clarify the issue in the County's policies and procedures.

Road Department:

School Board - Mr. Watson stated that he has received a request from the School Board for the Department to haul six (6) loads of clay to the Bell Elementary School. The clay would be removed from the property of Paul and Sonya Ruskowski. They have also asked that the Department haul six (6) loads of dirt back to the property to replace the clay. Mr. McPherson recommended an agreement with the property owners specifying the terms. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the School Board's request upon entering into an agreement with the property owners. The motion carried unanimously. (1/1263)

Request for Signs - Mr. Watson requested authorization to post 30-mph signs on NW 57th Trail, NW 65th Street, NW 10th Avenue and NW 60th Street, within the Cybill Shepherd Subdivision. He explained the signs are needed because of the hills on these roads. He also asked for permission to post limited sight distance signs on the same roads. **Motion** by Commissioner Sharon Langford, seconded by Commissioner Thomas, to approve the request. Sheriff Turner recommended that the Board also post the roads in the Sun Springs Subdivision with similar signage. He stated that the residents in that area have expressed concern about the increased traffic. Commissioner Sharon Langford **amended the motion** to include the roads within the Sun Springs Subdivision. The

amendment was seconded by Commissioner Thomas and carried unanimously. (1/1406)

Clerk's Report:

Request for Expenditures - Mr. Gilliam presented a purchase request from the Court Facilities Trust Fund; a desk for the Judicial Assistant (\$938) and a metal detector (up to \$6,200).

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve the purchase request to be paid from the Court Facilities Trust Fund. The motion carried unanimously. (1/1536)

Insurance Reimbursement - Mr. Gilliam advised a reimbursement check in the amount of \$22,500 has been received from PGIT. This is the third and final reimbursement for lightening damage at the Sheriff's Administration Building. (1/1625)

Budget Recap - Mr. Gilliam presented and reviewed the budget recap for the period ending January 27, 2005.

Fund	Budget	YTD	%	YTD Revenue	% of
General Revenue	\$ 7,518,813	\$ 2,382,884	32%	\$ 3,268,029	43%
Law Enforcement	\$ 48	--	0%	--	1%
MSTU-Fire	\$ 508,991	\$ 64,106	13%	\$ 237,023	47%
Court Facility	\$ 35,247	--	0%	\$ 3,335	9%
Law Library	\$ 4,750	\$ 3,161	67%	\$ 434	9%
Transportation	\$ 1,230,794	\$ 485,600	39%	\$ 362,176	29%
Transp. Impact	\$ 1,809,794	\$ 1,082,593	60%	\$ 468,266	26%
Fine & Forfeiture	\$ 6,300	\$ 369	6%	\$ 780	12%
St. Atty & PD	\$ 36,632	\$ 590	2%	\$ 9,341	25%
CDBG	\$ 750,000	--	0%	--	0%
SHIP	\$ 838,742	\$ 158,302	19%	\$ 33,700	4%
Current Capital	\$ 291,450	\$ 10,479	4%	\$ 13,118	5%
Capital 301	\$ 2,129,884	\$ 119,688	6%	\$ 500,238	23%
Capital	\$ 414,431	--	0%	\$ 15,623	4%
EMS	\$ 1,542,000	\$ 284,436	18%	\$ 433,790	28%
Solid Waste	\$ 1,476,877	\$ 203,863	14%	\$ 210,218	14%
Law Enf. Educ.	\$ 8,679	--	0%	\$ 807	9%

Proclamation 05-03 - Mr. Gilliam presented Proclamation 05-03 declaring the month of March 2005 to be Mental Retardation Awareness Month. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve Proclamation 05-03. The motion carried unanimously.

Suwannee River Economic Council - Mr. Gilliam presented a letter from the Suwannee River Economic Council requesting a letter of support for the Weatherization Program. He provided a draft letter and recommended approval. **Motion** by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve the letter of support. The motion carried unanimously.

Community Budget Issue Requests - For the Board's information, Mr. Gilliam provided copies of the Community Budget Issue Requests relating to Gilchrist County. These were submitted by Representative Dwight Stancel and Senator Rod Smith: (1) Agriculture Center, project cost, \$737,500 and (2) Gilchrist County Courthouse Additions, project cost, \$300,000.

Public Hearing / Final Plat, Deerwood Subdivision:

Mr. Gene Parrish and Mr. Mark Gluckman presented the final plat for Deerwood Subdivision. Mr. Parrish pointed out that the subdivision contains five (5) tracks, each exceeding 10 acres. The plat includes a dedication of an additional 30-ft along the bordering County maintained roads. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the final plat. The motion carried unanimously. (1/1980)

Clerk's Report (continued):

Fire Special assessment - Mr. Gilliam recalled that the Resolution for the Uniform Method of Collection has been scheduled for a public hearing on February 21. He recommended that the workshops for the fire special assessment rates be scheduled soon thereafter. He stated that the data collected over the last few years may be provided to the Board for review. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to schedule the first workshop for the fire special assessment on March 7 at 5:00 p.m. to set the proposed rate.

Mr. Lee Schaltenbrand expressed concerns about the current level of fire service and the lack of public awareness and the lack of volunteers. He cited instances where volunteers were not readily available.

Mr. McQueen stated that he is in the process of setting up a few of the classes that are needed by the volunteers. Mr. Schaltenbrand stated that it would be better for many of the volunteers if the training were brought to the fire departments.

Sheriff Turner discussed the needs of all of the emergency services and recommended that funding for all of the emergency services, including Law Enforcement, be considered at this time.

Ms. Delight Curtis told the Board that she will be attending a class for grant writing and that she will attempt to find grants for the volunteer fire departments. The motion on the floor carried unanimously. (1/2400)

American Cancer Society, “Relay for Life”:

Mr. Mel Terran, American Cancer Society, presented information concerning the “Chiefland Relay for Life” to be held on May 13 - 14, 2005 at the Chiefland Elementary School. He asked for the Commission’s support for the event provided application forms for team sponsors.

EMA/County Administrator:

Lease at Hart Springs - Mr. McQueen requested the Board to authorize Chairman Gentry to execute the lease agreement for the Hart Springs Residence. Mr. McPherson asked the Board if a security deposit will be required. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to authorize Chairman Gentry to sign the lease agreement for the Hart Springs Residence without the requirement of a security deposit. The motion carried unanimously.

FEMA County Disaster Summary - Mr. McQueen provided a copy of the County Disaster Summary for Hurricane Frances. He pointed out the total amount submitted to FEMA is \$246,410. He stated that with all the Hurricanes, the cost should not exceed \$400,000. (2/531)

Storm Ready - Mr. McQueen reported that Gilchrist County has met all of the criteria for the Storm Ready Program. He explained this program is with the National Weather Service. He stated that meeting the requirements for this program is a condition of the Emergency Management Grant.

Animal Control Budget - Mr. McQueen advised that he has reviewed the Animal Control Budget and found there will probably not be sufficient funds to carry through the remainder of the fiscal year. He suggested that, since the budget was at a minimum to begin with, the Board consider financing the new Animal Control truck. **Motion** by Commissioner Durden, seconded by Commissioner Sharon Langford, to finance the Animal Control truck and to direct Finance to bring back a recommendation for the financing. The motion carried unanimously.

Small County Outreach Program - Mr. McQueen presented Resolution 05-07, authorizing the County to enter into the Small County Outreach Program for the funding of the CR 337 paving project (from SE 70th Avenue to CR 340). **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve Resolution 05-07. The motion carried unanimously.

Commissioners Reports:

Commissioner Sharon Langford recommended going out to bid for the completion of the Southeast VFD building. She stated that she would like to obtain bids to finish the inside of the station. Mr. McQueen recommended that the Maintenance Department check the building first to see if the County could do some of the work with the inmate squads. He stated he would bring back a recommendation and prices to the next meeting.

Commissioner Sharon Langford recalled at the last meeting Mr. McQueen had mentioned the availability of grant funds for bridges. She asked if the County could receive the funding to have CR 232 built up. Mr. McQueen replied that he was referring to the Hazard Mitigation Grant and that the

award amount would only be a fraction of what it would cost for such a project.

Commissioner Durden recognized Diane Rondolet and advised that she had met with the Bell Town Council recently concerning Code Enforcement. The Council agreed to enter into the program with the County on the same terms as the City of Fanning Springs, \$1,500 the first year, prorated for the remaining portion of the fiscal year.

Commissioner Durden recommended that a discussion concerning the use of impact fees be placed on a future agenda. **Motion** by Commissioner Durden, seconded by Commissioner Thomas, to place the discussion regarding use of impact fees on the March 21 agenda. The motion carried unanimously.

Commissioner Durden reminded the Board that the EMS assessment would need to be changed to M.S.T.U. Mr. McPherson advised that once the Fire Assessment is initiated, the EMS assessment could be repealed. Commissioner Durden asked Mr. McQueen to bring back information concerning the EMS budget.

Commissioner Tommy Langford commended Ms. Curtis on her efforts to obtain grants for the fire departments and thanked her for her assistance.

Commissioner Tommy Langford asked Mr. McQueen if the current year budget includes funds to hire a trainer for the fire departments. Mr. McQueen replied that it does. Discussion was held concerning a need for a trainer and for an administrator. Commissioner Langford recommended that the County hire a training coordinator first and at some point the position could become that of a fire service administrator. Mr. McQueen stated that he would prepare and bring back a recommendation for a job description and a salary range to the next meeting.

Commissioner Thomas reported that CR 232 will be opened soon and that 17th Trail at Waters Lake should be repaired with the week.

Commissioner Thomas discussed issues facing EMS. He said that he would like to see the EMS expanded toward the Spring Ridge community. He said there is a need for a quicker response in that area. Mr. Schaltenbrand stated that the Fire Department owns an acre adjacent to the station and that the Department would donate it to the County for the location of another EMS station.

Commissioner Gentry reported that he had met with the Springs Initiative Group at Hart Springs at which time an inspection of the boils was made. He explained that the boil at Big Hart and Little Hart needs to be cleaned out and the Springs Initiative Group is interested in the project.

Commissioner Gentry stated that the Hart Springs Diving Advisory Board intends to present it's annual report March.

Michael Pardue, Deer Meadows Subdivision:

Mr. McQueen recognized Mr. Michael Pardue. Mr. McQueen explained that Mr. Pardue has submitted a request for another extension for Deer Meadows Subdivision. Mr. McQueen told the

Board that about three years ago, the Commission approved the preliminary plat and then the property was sold. At that time the new owners submitted a request for an extension and the Board granted an extension to February 16, 2005.

Mr. Pardue told the Board that substantial progress has been made on the revised construction plan. The subdivision will be constructed in three (3) phases. Mr. Pardue stated that he would like to have a 12-month extension considering the size of the project. **Motion** by Commissioner Durden, seconded by Commissioner Thomas, to approve a six (6) month extension for Deer Meadows Subdivision. The motion carried unanimously.

Old Business:

Mr. Gilliam discussed the possibility of transferring the \$60,000 annual note pay-off from the Road Department to the Transportation Impact Fee Fund. He explained that several years ago, the County widened CR 232 (from Hwy 47 to the County Line). The cost was between \$400,000 and \$500,000. At the time, a bond issue was being paid off at the rate of \$60,000 per year and would be paid within the next two (2) years. To cover the cost of the widening the Board had decided to pay the \$60,000 from Transportation Impact for the first two (2) years until the bond issue rolled off. Afterward the payment was placed in the Road Department budget to be paid annually through 2009. Mr. Gilliam stated that at the time the Commission thought the Road Department Budget would be the best source for the pay-off. Considering the current issues facing the Road Department Budget, Mr. Gilliam asked if the Board would want to consider moving the bond payment to the Transportation Impact Fee Fund.

Commissioner Durden stated that he would agree to transfer the funds from the Road Department to the Transportation Impact Fee Fund. He stated that this would help the Road Department budget at this point and would possibly fund another position. Commissioner Durden stated that he felt it was time to consider increasing the impact fees for the coming year and to reevaluate the impact fees for commercial. **Motion** by Commissioner Durden, seconded by Commissioner Thomas, to transfer the \$60,000 payment from the Transportation Fund to the Transportation Impact Fee effective the current budget year due to the fact the expense for the widening of CR 232 was found to be growth related..

Commissioner Tommy Langford discussed the need to look at the future needs for road widening. It was suggested that the widening and resurfacing of CR 232 from SR 129 to HWY 47 be placed on the next list for the Small County Outreach Program.

Commissioner Gentry stated that he had thought that when Mr. Watson was hired as Superintendent, during his first year, the Road Department's budget was sufficient. He said that he feels that changing this \$60,000 from the Road Department Budget to Transportation Impact will give the illusion that that the expense is for a Transportation Impact project but it will actually be funding the Road Department with the Impact Fee Funds. Commissioner Gentry stated that he did not believe all of the facts are clear enough at this time for him to agree to the action.

Discussion was held concerning the Impact Fee Fund and allowing this decision after the fact. Mr. McPherson advised that it would be permissible considering the fact the widening was related to growth and that the same had been determined when the first two annual payments had been paid from the Fund. Commissioner Gentry expressed concern about future road projects if the Impact Fee

Fund is depleted further. He stated that after the \$30,000 payment for the bulldozer and the proposed \$60,000 payment, there would be an approximate balance of \$80,000. Commissioner Tommy Langford pointed out if the money were transferred to the Road Department Budget it would only change the way in which it can be used. The motion on the floor carried with Commissioner Gentry voting “no.”

Citizen’s Request / Rosanna Powers:

Mr. Gilliam introduced Ms. Rosanna Powers and explained that she had submitted a request to rename a portion of SR 26 to “Marine Sgt. Ricky Lord Memorial Road.” Sgt. Ricky Lord, a citizen of Gilchrist County, was killed in Iraq on August 18, 2004.

Mr. Gilliam advised that he had contacted Representative Stancel and found that the Board could make a recommendation to the Legislature but it does not have the ability to rename the State Road. Mr. Gilliam recommended that a request be submitted to the Gilchrist County Historical Society to recognize Sgt. Lord on Memorial Day.

Ms. Powers addressed the Board concerning Sgt. Lord’s residency and involvement in Gilchrist County and his service for his country. Mr. Gilliam provided Ms. Powers with contact information for the Historical Society. **Motion** by Commissioner Durden, seconded by Tommy Langford, to refer a request to the Historical Society for a recommendation. The motion carried unanimously.

New Business:

Mr. McQueen advised he had been contacted by SRWMD concerning Log Landing. SRWMD owns the property South of Log Landing and they are willing to do some bank restoration if the County will proceed with the boat ramp repairs. Mr. McQueen advised a survey will first have to be completed and the submittal deadline for the project is March 15. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to move forward with the project. The motion carried unanimously

Public Participation:

There being no further business to discuss, Commissioner Tommy Langford moved to adjourn at 4:20 p.m. The motion was seconded by Commissioner Sharon Langford and carried.

APPROVED:

ATTEST:

Mitchell Gentry, Chairman

Joseph W. Gilliam, Clerk

