

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD APRIL 4, 2005.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, April 4, 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, Janice Wasson, Deputy Clerk, Sam Ferguson, Director of Finance, Ron McQueen, Justin Watson, Billy Cannon, Diane Rondolt, Delight Curtis, Susan Bryant, Supervisor of Elections, John Ayers, Sheriff David Turner, Murray Read, and Buddy Vickers.

**Call to Order:**

Chairperson Gentry called the meeting to order at 1:15 p.m. Commissioner Randy Durden delivered the Invocation and Commissioner Tommy Langford led the Pledge of Allegiance.

**Agenda Changes:**

Additions:

1. Mills Engineering, Co., PO#501170, \$3,831.53 (*Consent Agenda*)
2. Mills Engineering, Co., PO#501172, \$3,821.29 (*Consent Agenda*)
3. Replacement of Antennas, Hurricane Damage, Sheriff (*Clerk's Report*)
4. Code Enforcement Monthly Report
5. Small County Courthouse Funding Recommendation
6. Auditor General, Report #2005-161, E911 Funds
7. Fiscally Constrained Bill 2132
8. Budget Adjustment, Fund 180 (SHIP) #BE05-073, \$66,000 (*Consent Agenda*)

Amendments:

1. School Committee Report to be heard at 4:00 p.m.

Deletions:

1. Personnel Issue, Wayne Gothard, scheduled for 3:30 p.m.

**Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve agenda changes. Motion carried unanimously.

**Motion** by Commissioner Durden, seconded by Commissioner Sharon Langford, to include #BE05-073 in the Consent Agenda. Motion carried unanimously.

**Consent Agenda:**

1. Approval of Bills.
2. Approval of Budget Entry #BE05-036, Trans Project/Impact Fees
3. Approval of write-off; Solid Waste to Road Department; \$328.80
4. Approval of Minutes; February 7, 2005

**Motion** by Commissioner Durden, seconded by Commissioner Sharon Thomas, to approve consent agenda with noted changes. Motion carried unanimously.

**Attorney Report:**

Ordinances & Resolutions – Mr. McPherson advised the Board that Ordinance 05-05, Revised Speed Limit on CR 340, had been scheduled for the April 18 meeting.

Status Reports –

1. Florida Rock Use of Right of Way for Gas Piping: Mr. McPherson advised the board that no response has been received from Florida Rock on the draft permit approved by the Commission.
2. Fire Special Assessment: Mr. McPherson advised the Board that the initial resolution is being drafted for presentation to the Commission at the May 2 meeting. He stated a rough draft for adoption would be presented at the April 18 meeting, and the resolution will be set for adoption at the May 2 meeting.
3. Permitting Telephone Use of Right of Way: Mr. McPherson advised the Board that the draft ordinance has been placed on hold until the special assessment resolution is complete.
4. Bell Code Enforcement: Mr. McPherson advised the Board that an Inter Local Agreement is to be entered into with the Town of Bell, Florida by the April 18 meeting.
5. Thomas Property Donation: Mr. McPherson advised the Board that a survey has been ordered in anticipation of the donation.
6. McArthur Property Lease: Mr. McPherson advised the Board that negotiations have been initiated with the attorney for Mr. McArthur. He stated that there is a question of whether the County needs the entire acreage. Mr. McQueen is drawing up a sketch to determine if all or part of the acreage is needed.

Pending Litigation -

1. Brooks & Strickland v. Aderholts & Gilchrist County: Mr. McPherson advised the Board that there has been no activity in the case.
2. Bailey Code Enforcement Appeal: Mr. McPherson advised the Board the application for the Amendment is pending.

3. Gilchrist County v. Langford: Mr. McPherson advised the Board that the County is still awaiting the final settlement proposal from the attorney for the Langfords, and the installation of the permanent fencing is underway.

### **Road Department:**

SCRAP Program: Mr. Watson submitted to the Board the following priority for resurfacing projects:

1. CR 344, Hart Springs to US 129, approximately 4.38 miles.
2. CR 313, SR 26 to CR 344, approximately 3.58 miles.
3. CR 344A and CR 344, approximately 1.52 miles.

Chairperson Gentry discussed CR 342, from the Bell Library to CR 340, being in disrepair. Mr. McQueen stated that CR 342 had been widened, but never resurfaced. Chairperson Gentry requested Mr. Watson to look at CR 342 and consider it as a replacement for CR 344A before a final decision is made by the Board. Mr. McQueen stated that CR 232 had already been approved as the primary road under the SCOP Program, but a second road had not been submitted, and stated that in reference to item #3 of the priorities, two roads cannot be resurfaced together.

Dead Animals on County Right of Way: Mr. Watson advised the Board that the road department is responding to the majority of these calls, and spending a lot of time burying animals. Discussion was made on a prior Board action which stated that the policy of other counties, call-outs, dispatch and department cooperation in responding to these calls.

Some discussion was made regarding the requirements of burying the animals vs removing them, and conclusion was that the animals cannot be placed onto private property.

**Motion** by Commissioner Durden, seconded by Commissioner Thomas, the Animal Control Department is to have primary responsibility for removal of dead animals on County right of way. Motion carried unanimously.

Mr. Watson advised the Board of the Timberjack expense. He stated that the equipment was using approximately \$500 in belts in one month, and that a pump can be installed at a cost of \$6,576, eliminating the belt expense. Chairperson Gentry stated Timberjack had changed the design, and that he had spoken to John Martin about compatibility. Mr. Watson also added that the new design will take the equipment from a five blade down to a single blade, and the blades cost \$250 each.

**Motion** by Commissioner Durden, seconded by Commissioner Sharon Langford, directing the Road Department to meet with the Finance Department, and bring a recommendation on funding back before the Board. Motion carried unanimously.

### **Constitutional Officers:**

Susan Bryant, Supervisor of Elections, advised the Board of the receipt of the Voting Assistance Grant check in the amount of \$45,153.76 for Disabled Voting. The Grant is to be used towards purchasing equipment to be placed in the voting precincts. Ms. Bryant stated that she is still negotiating prices for the new equipment required by Federal Mandate, replacing the punch-card systems with Optical Scan plus a Computerized System. She said that if the proposals come in and this money can buy the new systems, she will spend this money before the next budget, and that each polling site had to be modified.

**Motion** by Commissioner Tommy Langford, directing the Clerk's Office and Finance Department to schedule a budget adjustment hearing. Mr. Ferguson advised that he had discussed this grant with the auditors and found it will not be necessary to hold a Budget Adjustment Hearing. Commissioner Tommy Langford withdrew his motion.

### **Clerk's Report:**

Department Of Revenue Distribution Percentages (Gas Tax) – The Clerk advised the Board of his recommendation to continue with the statutory distributions, and to notify D.O.R. by letter. **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to keep distribution percentages the same and to notify D.O.R. by letter. Motion carried unanimously.

Department of Revenue, Ordinance 95-08 – The Clerk advised the Board of the \$.06 Optional Fuel Tax renewal deadline by August 31, 2005. **Motion** by Commissioner Sharon Langford, seconded by Commissioner Thomas, to renew Ordinance 95-08 for 10 years. Motion carried unanimously.

Byrne Grant – The Clerk advised the Board of the upcoming Byrne Grant deadline. He also advised the Board of his recommendation for acceptance of the grant, if awarded, and the need to accept the coordinating of the grant applications. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to accept the Edward Byrne Memorial Justice Assistance Grant and to accept the coordinating Grant applications. Motion carried unanimously.

S.H.I.P Loan Review Committee Recommendations – The Clerk advised the Board of the last meeting of the Loan Review Committee, and of the Committee's recommendations as follows:

**Justin and Nicole Barron:** SW CR 341, New Construction, Moderate Income Category, Lender, Tri-County Bank, Loan Amount, \$10,000. The Loan Review Committee recommends approval subject to: (1) first mortgage closing, (2) insurance binder at closing, (3) availability of S.H.I.P. funds, and (4) participant's contribution of \$1,000. **Motion** by Commissioner Thomas, seconded by Commissioner Sharon Langford, to approve application of Justin and Nicole Barron subject to conditions of the Committee. Motion carried unanimously.

**Susan Joa:** SE 3<sup>rd</sup>, Purchase with Rehabilitations (cost of rehab to be paid by seller of home), Moderate Income Category, Lender, Alternative Mortgage, Loan Amount, \$10,000. The Loan Review Committee recommends approval subject to: (1) first mortgage closing, (2) insurance binder at closing, (3) availability of S.H.I.P. funds, and (4) down payment of

\$6,875 being gift. **Motion** by Commissioner Sharon Langford, seconded by Commissioner Thomas, to approve application of Susan Joa subject to conditions of the Committee. Motion carried unanimously.

**Kathryn Houser:** Waccassa Flats, Rehabilitation, Low Income Category, Participant contribution of \$500, Loan Amount, \$17,500. The Loan Review Committee recommends approval subject to (1) applicant's contribution of \$500, (2) signed contract by the contractor, (3) availability of S.H.I.P. funds, and (4) verification of insurance. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve application of Kathryn Houser subject to conditions of the Committee. Motion carried unanimously.

**Nicholas Burniewicz:** NW 56<sup>th</sup> Trail, New Construction, Very Low Income Category, Lender, Capital City Bank, Loan Amount, \$28,500. The Loan Review Committee recommends approval subject to (1) appraisal of \$75,000 or less, (2) availability of S.H.I.P. funds, and (3) closing of first mortgage of no more than \$55,500. **Motion** by Commissioner Thomas, seconded by Commissioner Tommy Langford, to approve application of Nicholas Burniewicz subject to restrictions of the Committee. Motion carried unanimously.

**Francis Jordan:** Waccassa Flats, Purchase with Rehabilitation, Very Low Income Category, Lender, Gainesville Mortgage, Loan Amount, \$28,500. The Loan Review Committee recommends approval subject to (1) first mortgage closing, (2) availability of S.H. I.P. funds, (3) insurance on residence, (4) rehabilitation cost of approximately \$10,535 being bid. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve application of Francis Jordan subject to restrictions of the Committee. Motion carried unanimously.

Value Adjustment Board – The Clerk asked Mr. McPherson about the annual Value Adjustment Board organizational meeting, and asked if the Board needed to schedule a meeting. Mr. McPherson stated that he would include this issue within his Attorney Report for the next Board meeting.

Sheriff Department Antenna Damage – Mr. Ferguson advised the Board of the damage the Sheriff's Department received during the last hurricane, and stated that a claim had been submitted to the insurance company. If the insurance company declines the claim, the claim will be submitted to FEMA. He requested permission from the Board to replace the antenna, and if money is reimbursed by the insurance company or by FEMA, place the funds back into Reserve.

**Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve funding out of General Fund Reserve to replace antenna for the Sheriff Department, replacement cost \$17,206. Mr. Gilliam stated the insurance company denied the initial claim due to the 2% wind deductible. Motion carried unanimously.

**Proclamation, Child Abuse Prevention:** Sheriff David Turner requested approval from the Board of Proclamation 05-04, recognizing the month of April as Child Abuse Prevention Month. Proclamation 05-04 was read aloud by Chairperson Gentry. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve Proclamation 05-04. Motion

carried unanimously.

**Public Hearing, Transportation Budget Amendment:** The Clerk requested the Board approve Resolution 05-11. This resolution amends the Transportation fund Budget by an increased amount of \$18,310, which represents the additional loan proceeds (\$7,262) and the proceeds from the Surplus Property Sale (\$11,048). **Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-11. Motion carried unanimously.

**Citizen's Request:** Mr. Gilliam advised the Board that the 3:15 p.m. time certain item scheduled had been cancelled by Mr. Knott. Mr. Knott will contact the Board and re-schedule at a later date.

**Murray Read:** Mr. Read requests the Board maintain the road from Shaddy Grove Road to the dead-end, being a County line road. Discussion was made of the history and maintenance of the road. Mr. Watson and Mr. Cannon advised they neither have no recollection of this road being maintained by the County. Discussion was made about the benefit to the County in maintaining this road, any gates that are across road, condition of the road, and the possible feeling of the other residents in the area.

The Board requested that the Road Department investigate, and bring the results back to the Board for consideration.

**EMA/County Administrator Report:** Mr. McQueen advised the Board of the following:

**Comprehensive Economic Development Survey:** Mr. McQueen presented the CEDS Update Survey to the Board, and discussion was made. Addition of Relocation of Road Department, Addition of Fuel Depot, and deletion of #5, Downtown and #11, Parking Downtown Trenton were made. **Motion** by Commissioner Tommy Langford, seconded by Commissioner Durden, to submit the CEDS Update Survey with deletions and changes as noted. Motion carried unanimously.

**Legislative Day:** Mr. McQueen advised the Board that three Commissioners attended Legislative Day, and asked those Commissioners to make comments. **Commissioner Durden** stated that he received a lot of useful information, and presented copies to the Board. He discussed the Bills that he felt were of importance and how those Bills could affect small counties. **Commissioner Tommy Langford** stated that he learned a great deal by attending, and that he had the opportunity to speak with some important individuals in attendance. He discussed the GICP Fund, and was able to voice the County's situation. **Commissioner Thomas** stated that he appreciated the opportunity to attend and represent the citizens of Gilchrist County. He stated that he hopes to attend again next year and is excited about being able to learn more.

**F.R.D.P. Grant (Hart Springs):** Mr. McQueen advised the Board of a discussion he had this morning unofficially funding this grant. He also advised the Board of \$250,000 for courthouse funding, and a total of \$450,000 for projects for the County.

**CDBG:** Mr. McQueen requested the Board allow the Chairperson to sign a letter with enclosed

copy of advertisement and stated that the County only received one bid from Jordan & Associates. He requested permission to use the sole respondent for the administration portion of the contract.

**Motion** by Commissioner Durden, seconded by Commissioner Tommy Langford, to allow Chairperson Gentry to sign the letter for CDBG. Motion carried unanimously.

### **Commissioners Reports:**

Commissioner Sharon Langford advised the Board that Bell High School has asked if the Board was interested in purchasing a banner with the names of the new members, as purchased in the past. The banner would cost \$150, and would be displayed at the football field and moved to the baseball field. All Commissioners agreed to share in the cost of the banner.

Commissioner Thomas stated that he had attended the RC&D Council Meeting, and discussed some findings. He also mentioned the boat ramp on Butler Grade, and discussed his attendance of Legislative Day. He voiced his appreciation to the Road Department for their recent efforts on roads within the County.

Commissioner Tommy Langford thanked the Road Department for working so hard. He discussed Small County Coalition, and property rolling off the tax rolls after 10 years. He also discussed other Grants that could possibly be beneficial to the County.

Commissioner Durden advised that the hills were cut down at CR 340 and CR 129. He also commended Karen Heaton for her work in bringing the Board into the 20<sup>th</sup> Century, and asked Mr. Gilliam and Mr. Ferguson do something nice for her.

### **Code Enforcement:**

Diane Rondolet presented the Board with a memorandum Re: James Lee, and his current fines for non compliance with the Final Order to remove vehicles. She advised the Board of her efforts in contacting companies, and obtaining estimates for removal. Mr. McPherson questioned removing property with value, and offered to research the issue for the Board. Discussion was made on the lien recorded, and the Board was advised that the property owner had not been notified in writing by Code Enforcement of the lien and fines. Mr. McPherson stated that Ms. Rondolet has the authority to notify any property owner as a matter of course, of fines accruing and inform the property owner that the fines are negotiable with the Board.

### **School Committee Report:**

Mr. Gilliam gave a brief description of the Shared Services Committee that he is a member of. He also presented the Board with growth data and population information from the Florida Kids Care booklet received for the State of Florida.

Mr. Vickers advised the Board of the school issues affecting the County, and of the School Board's intention to assess impact fees and a special assessment. Mr. Gilliam discussed the fuel depot, teacher shortages, and the nursing program within the school. He discussed the Board of County Commissioners cooperating with the School Board on alternative property, which would benefit both the County and the School Board.

Mr. Gilliam advised the Board that he is to meet with School Committee (Jim Surrency and David Dose) on issues effecting the County and Community, and advised the Board that on April 11<sup>th</sup> himself, Commissioner Sharon Langford and Ron McQueen will be making a presentation to Lake City Community College Board of Trustees.

Mr. Vickers stated that the Fuel Depot issues needed to be addressed first, and that the School Board is open to discussion on this issue. He stated that the School Board is planning to place another Elementary School behind the present Elementary School. He also advised the Board of the desire of Lake City Community College to place a central training facility within the County, and expansion of the services the college provides. Sheriff Turner stated that the central location of the training center would also impact law enforcement, and that Lake City Community College would be willing to provide other training that will benefit the County.

Discussion was also made on turning lanes at the Alternative School on Walker Curve, and the increases in school enrollment each year. Mr. McPherson stated that the School Board did not have authority to impose impact fees, and discussion was made concerning assessment.

### **Flooding Areas:**

Mr. McQueen requested that the Board allow the Sheriff's Office to place signs as needed in flooded areas. He stated that due to the rising of the Suwannee River, there are problems with flooding, evacuation in low lying areas, and trespassing. He also stated that the Sheriff's Office has not fully assessed the safety of the property owners in these areas.

**Motion** by Commissioner Sharon Langford, seconded by Commissioner Durden, to authorize the Gilchrist County Sheriff's Office and the Road Department to post and restrict traffic in flooded areas because of any emergency action needed to protect the health and safety of its citizens. Motion carried unanimously.

### **Old Business:**

No old business was announced.

### **New Business:**

No new business was announced.



There being no further business, Commissioner Tommy Langford moved to adjourn at 5:00 p.m.  
The motion was seconded by Commissioner Durden and carried.

APPROVED:

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Mitchell Gentry, Chairperson

ATTEST:

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Joseph W. Gilliam, Clerk