

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JULY 6, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Wednesday, July 6, 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 Kenrick Thomas
Commissioner Tommy Langford

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, John Ayers, Tim Bracewell, Justin Watson, Billy Cannon, Jerry Kiernan, Diane Rondolet, Susan Bryant, Sheriff David Turner, Alan Mikell, Gene Parrish, Albert J. Thompson, Johnorman Knott, Marjorie Knott, Johnorman E. Knott, and Mr. And Mrs. Knott.

Call to Order:

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

Agenda Changes: (1/34)

Mr. Gilliam advised the Board of the following additions:

1. Susan Bryant, Supervisor of Elections, 1:45 p.m. (Time Certain)
2. Authorization of Courthouse Survey, \$2,485 (Clerk's Report)

Mr. Mills advised the Board of the following additions to the County Administrator's Report:

1. CodeRED Contract

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve agenda changes. The motion carried unanimously with a 5-0 vote.

Consent Agenda: (1/76)

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve consent agenda. Motion carried unanimously with a 5-0 vote.

Attorney Report:

Ordinances and Resolutions:

Closure of Portion of NW 87th Place: (1/128) Mr. McPherson advised the Board that the Resolution is scheduled for this meeting.

Opposition to Energy Bill: (1/133) Mr. McPherson advised the Board that the Resolution had been prepared and signed by Chairperson.

Ordinance 05-09, MSTU: (1/142) Mr. McPherson advised the Board of the Ordinance establishing the MSTU for EMS scheduled for adoption at this meeting.

Ordinance 05-01, Sludge: (1/144) Mr. McPherson advised the Board of the Ordinance set for adoption at this meeting.

Ordinance 05-10, Driveway: (1/145) Mr. McPherson advised the Board of the Ordinance set for

adoption at this meeting.

Ordinance, Impact Fees: (1/146) Mr. McPherson advised the Board that a draft Ordinance is being prepared for review.

Subdivision Regulations: (1/149) Mr. McPherson advised the Board that new regulations are being reviewed by the Planning and Zoning Board.

Status Reports:

Florida Rock Use of Right of Way for Gas Pipeline: (1/155) Mr. McPherson advised the Board that Ron McQueen, County Administrator, and Lee Mills are working to finalize certain standards in the permit.

Fire Special Assessment: (1/166) Mr. McPherson advised the Board that he had met with Duke Lang to discuss the imposition of the Fire Special Assessment, Impact Fees, and EMS/MSTU within the municipalities. He stated that they both agreed on the law and had been invited to the Impact Fee Committee Meeting scheduled for July 6, 2005, and that it will be voluntary for the Cities to agree to join the Fire Special Assessment or not.

Land Swap with School Board: (1/185) Mr. McPherson advised the Board that after review of the survey, there is more land than 15.0 acres at the Walker Curve than property. He stated that the survey has been forwarded to Sherree Lancaster, and a report will be presented to the Board.

Thomas Property Donation: (1/202) Mr. McPherson advised the Board that Ron McQueen was having a survey of this property prepared in anticipation of the donation.

McArthur Property Lease: (1/203) Mr. McPherson advised the Board that negotiations are underway with the attorney for Mr. McArthur.

Philpot Park: (1/207) Mr. McPherson advised the Board that the heirs are considering whether to release the County from the restrictions.

Pending Litigation:

Brooks and Strickland v. Aderholts and Gilchrist County: (1/238) Mr. McPherson advised the Board that the trial is set for August 11-12, 2005, and that there remains little at stake for the County.

Gilchrist County v. Langford: (1/241) Mr. McPherson advised the Board that full Settlement Agreement proposals have been received, including attorney fees, from Ray and Edgar Langford. He recommended that he make an initial attempt to negotiate with the attorney for the Langfords, accompanied by Ron McQueen and Joe Gilliam, and a recommendation be brought back to the Board. Mr. McPherson stated that a Shade Meeting would be held with a Court Reporter, a transcript of the meeting be retained as secret until the litigation is over, and then the transcript be made public. He stated that if a Settlement Agreement is not reached, Mediation would become the next step in the process, followed by Trial if necessary. No objections were received from the Board.

Miscellaneous: (1/308) Mr. McPherson advised the Board of his vacation plans for July 20, 2005 through August 3, 2005.

Road Department:

Tree Trimming: (1/397) Chairperson Gentry discussed the method of trimming of the trees on SE 70th, and suggested a possible compromise of a canopy/wall, maintaining a character to the trees. Several Board members discussed their opinion of the best method to be used.

New Pavement: (1/543) Mr. Watson discussed the new portion of pavement installed by Cragg's Construction, and requested direction from the Board as to responsible party to repair. The Board recommended that the County Attorney contact Mills Engineering Company to discuss corrective methods.

Clerk's Report:

SHIP Loan: (1/645) Mr. Gilliam advised the Board of the last meeting of the Loan Review Committee, and of the Committee's recommendations as follows:

Anthony Craft: New Construction with RBE Construction; Very Income Category; Lender, Tri-County Bank; Loan Amount, \$17,500. The Loan Review Committee recommends approval subject to: (1) first mortgage of 72,600, (2) \$500 contribution from applicant, and (3) availability of S.H.I.P. funds.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve SHIP Loan application of Anthony Craft subject to conditions of the Committee. Motion carried unanimously with a 5-0 vote.

Mr. Gilliam advised the Board of the new SHIP employee, Johnny Martin, and hours.

Gilchrist County Historical Society: (1/717) Mr. Gilliam advised the Board of the letter received regarding Sgt. Ricky Lord. He discussed the Memorial Day events, and presented the request to the Board for consideration to rename SR 26, from County line to County line, Veteran's Memorial Highway.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to direct County Attorney to draft Resolution renaming SR 26 to Veteran's Memorial Highway. Motion carried unanimously with a 5-0 vote.

Gilchrist County Journal: (1/808) Mr. Gilliam advised the Board of Invoice #29199 in the amount of \$16,631.50, for the publication of the Tangible Taxes for the County.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve invoice #29199 for \$16,631.50 to Gilchrist County Journal for the publication of Tangible Taxes. Commissioner Tommy Langford commented on the Tax Collector's efforts in regards to the collection rate for the County. **Motion carried unanimously with a 5-0 vote.**

Solid Waste: (1/885) Mr. Gilliam advised the Board of the Invoice and Purchase Order in the amount of \$3,338 to Jones Masonry, Inc. The Board requested that the Invoice and Purchase Order be retained for Mr. McQueen to advise the Board of quote activity prior to approval.

Constitutional Officer, Susan Bryant (1:45 p.m.): (1/928) Susan Bryant, Supervisor of Elections, requested the Board of approve Budget Transfer of \$11,974 from Personal Services to Capital Outlay.

Motion by Commissioner Sharon Langford, seconded by Commissioner Thomas, to approve transfer request of \$11,974 from Personal Service to Capital Outlay. Motion carried unanimously with a 5-0 vote.

Clerk's Report (Cont'd):

Tax Collector: (1/1042) Mr. Gilliam advised the Board of the County Held Certificates Report and the Corrections Register (Additions & Deletions) Report. He stated that this is an annual report, and that the decrease of \$16,693.09 and County Held Certificate \$518.73.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to accept Errors and Omissions Report and the County Held Certificate Report from Tax Collector. Motion carried unanimously with a 5-0 vote.

Wolfe Plumbing, Inc: (1/1111) Mr. Gilliam advised the Board of Invoice #5766 and Purchase Order #501633 for stainless steel toilets and installation for the jail for \$2,538.

Motion by Commissioner Thomas, seconded by Commissioner Durden, to approve Invoice #5766 and Purchase Order #501633 to Wolfe Plumbing, Inc. for \$2,539. Motion carried unanimously with a 5-0 vote.

Law Library: (1/1168) Mr. Gilliam advised the Board of Invoices in the amount of \$1,247 and \$860, and requested approval. The Board discussed an option of an Online Law Library, placement of a public access terminal within the new Judicial Complex, and the next Library Committee annual meeting.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve the two invoices (\$1,247 and \$860) for Law Library out of General Revenue Fund Reserve. Motion carried unanimously with a 5-0 vote.

Three Rivers Regional Library: (1/1334) Commissioner Durden advised the Board of the request by Three Rivers Regional Library regarding land available for purchase. The Board discussed addressing this issue during Budget, availability of funds through the State, and the circumstances surrounding the library space.

Motion by Commissioner Thomas, seconded by Commissioner Sharon Langford, for approval of Commissioner Durden to negotiate the purchase of land for Three Rivers Regional Library under next year's budget. Motion carried unanimously with a 5-0 vote.

Proclamation 05-06, Florida Water, Wastewater and Systems Operations Week: (1/1575) Mr. Gilliam advised the Board of the preparation as directed of Proclamation 05-06.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve Proclamation 05-06. Motion carried unanimously with a 5-0 vote.

HIPP Construction: (1/1612) Mr. Gilliam advised the Board of the Contract for CR 319.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve Contract with HIPP Construction for paving CR 319 with grant funds. Motion carried unanimously with a 5-0 vote.

Byrne Program: (1/1649) Mr. Gilliam advised the Board of the letter received within the Byrne Program (\$38,400).

Sheriff David Turner advised the Board of the Federal Grant to purchase AFIS machines for the County, and requested approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve the acceptance of the Byrne Grant. Motion carried unanimously with a 5-0 vote.

Courthouse Contract: (1/1829) Mr. Gilliam advised the Board of the necessity of a survey of the existing building relative to new construction for:

- Finished floor elevations of the existing 1st and 2nd floors
- Lower roof elevations east side of building
- Parapet heights
- Face brick opening in the areas of the new expansion
- Exterior condenser location in the area of the new expansion
- Exterior downspout locations in the area of the new expansion
- Spot floor elevations
- Survey of the eastern third of the site including existing sidewalk locations, trees, pump house, and curbs
- North east exit stair from the second floor (location of stair, dimensions for stair, landing elevations, clearance under roof connector, and support footing location)

He stated that the cost proposal received is \$2,485, and requests permission to proceed with survey.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Survey Contract for \$2485. Motion carried unanimously with a 5-0 vote.

2005-2006 Budget: (1/1917) Mr. Gilliam advised the Board of the Proposed Budget being submitted. He requested the Board members to review the budget and to begin scheduling Budget Workshops.

Budget Workshops: (1/2033) The Board scheduled the following workshops:

1. Constitutional Officers Budget Workshop on July 11, 2005 at 4:00 p.m.
2. Board Department Budget Workshop on July 13, 2005 at 10:00 a.m.
3. Board Projects Budget Workshop on July 18, 2005 at 1:15 p.m.

Constitutional Officer, Sheriff, Fund Transfer: (2/92) Sheriff David Turner requested approval to transfer \$29,000 from Corrections (523) Personal Services to Corrections, Capital Outlay, and \$42,000 from Law Enforcement (521) Personal Services to Law Enforcement, Operating Expenses.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve transfer of \$29,000 and \$42,000. Motion carried unanimously with a 5-0 vote.

EMA/County Administrator Report:

Storm Update: (2/199) Mr. Mills provided the Board with an update of the location of Tropical Storm Dennis and discussed preparations status.

Disasters, Strategies and Ideas Group (Homeland Security): (2/225) Mr. Mills advised the Board of Invoice #1 for \$25,554.93 for the Standard Operating Guide (SOG) and survey, and requests approval.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Invoice #1 for \$25,554.93 to Disasters, Strategies and Ideas Group, LLC. Motion carried unanimously with a 5-0 vote.

Bell Fire Department: (2/258) Mr. Mills advised the Board of the Purchase Order for Bell Fire Department in the amount of \$6,050 to Bennett Fire Products, Inc., and requested approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve Purchase Order for Bell Fire Department in the amount of \$6,050 to Bennett Fire Products, Inc. Motion carried unanimously with a 5-0 vote.

Mr. Gilliam advised the Board of a prior year audit finding regarding purchasing procedures, and stated that it remains an issue for the County, and that he is working with Ron McQueen to rectify the issue.

Mr. Mills also advised the Board of the Invoice and Purchase Request (Southeast Volunteer Fire Department) in the amount \$80 to Bennett Fire Products, Inc., for batteries, and requests approval. He stated that the vendor has been notified that if a Purchase Order is not attached to the contract, the County will not be responsible for the invoices.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve Invoice and Purchase Request for \$80 to Bennett Fire Products, Inc. and the directed Ron Mills to prepare a letter to the vendor as notification that another violation of unauthorized purchasing will result in removal from the Vendor's List. Motion carried unanimously with a 5-0 vote.

Fire Chief Position: (2/600) Commissioner Thomas requested a status from Mr. Mills on the hiring of the Fire Chief. Mr. Mills advised the Board of interviews scheduled for the week of July 11 – 13, 2005.

Public Hearing, Ordinance 05-01, Sludge (2:45 p.m.): (2/635) Mr. McPherson advised the Board of the Ordinance 05-01, Sludge. He also reviewed the Ordinance for the Board, including changes.

ORDINANCE 05-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING THE REQUIREMENT FOR OBTAINING A SPECIAL PERMIT FOR DISPOSAL OF SLUDGE WITHIN GILCHRIST COUNTY; PROVIDING DEFINITIONS; PROVIDING PROCEDURES, STANDARDS AND CONDITIONS FOR ISSUANCE OF PERMITS; PROVIDING FOR ENFORCEMENT; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND ESTABLISHING AN EFFECTIVE DATE.

Chairperson Gentry called for public comment, and none was received.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve Ordinance 05-01. Motion carried unanimously with a 5-0 vote.

Public Hearing, Approval of Plat, Chesborough's Corner Minor Subdivision (3:15 p.m.): (2/1514) Mr. Gene Parrish requested approval of plat.

Justin Watson, Road Department, requested a requirement of paving 969 feet of the Dixie Grade.

The Board discussed the burning of materials at the landfill, and that the Board may have to alter their methods/procedures.

Mr. McPherson recommended that the issue of access roads be addressed during the Subdivision Workshop to be held on July 11, 2005 at 7:00 p.m.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve plat for Chesborough's Corner Minor Subdivision. Motion carried unanimously with a 5-0 vote.

Public Hearing, Approval of Plat, Bright Meadows Minor Subdivision (3:30 p.m.): (2/2250) Mr. Gene Parrish requested approval of plat.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve plat for Bright Meadows Minor Subdivision. Motion carried unanimously with a 5-0 vote.

EMA/County Administrator's Report (Cont'd)

CDBG Grant: (2/2428) Mr. Mills advised the Board of the Contract for the CDBG Program, and requests approval with change on Page 6, 5 year contract.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to accept CDBG contract with change. Motion carried unanimously with a 5-0.

Mid-Year Work Session: (2/2512) Mr. Mills advised the Board of Mr. McQueen's request for authorization to attend the Mid-Year Work Session, tentative agenda for July 25 through July 27, 2005, and requests approval.

Motion by Commissioner Thomas, seconded by Commissioner Tommy Langford, to approve attendance for Ron McQueen to the Mid-Year Work Session . Motion carried unanimously with a 5-0 vote.

State Service Council: (3/4) Mr. Mills advised the Board of Pre-Conference and Conference to be held July 24 – July 25, 2005.

Motion by Commissioner Thomas, seconded by Commissioner Tommy Langford, to approve attendance for Ron McQueen to State Service Council. Motion carried unanimously with a 5-0 vote.

CodeRED Service Agreement: (3/105) Mr. Mills advised the Board of the two-year contract, stated

that grant money provides the funding, and requests approval. The Board discussed Paragraph 9 regarding the exhaustion of the Pre Paid Minutes, and cost of Additional System Minutes. The Board also discussed the renewal option after two (2) years.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to enter into the CodeRED Service Agreement and Gilchrist County Emergency Management for two (2) years to be funded by DSI (Homeland Security) Grant. Motion carried unanimously with a 5-0 vote.

Public Hearing, Resolution 05-26, Road Closing (3:45 p.m.): (3/433) Mr. McPherson advised the Board of Resolution 05-26.

RESOLUTION NO. 05-26

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; MAKING CERTAIN FINDINGS WITH REGARD TO THE CLOSING OF A PORTION OF NW 87TH PLACE, A PUBLIC ROAD IN UNINCORPORATED GILCHRIST COUNTY; CLOSING A PORTION OF NW 87TH PLACE WEST OF US HIGHWAY 129; DISPOSING OF THE ASSOCIATED COUNTY-OWNED ROAD SPACE AND/OR RIGHT-OF-WAY; DIRECTING THAT NOTICE OF THIS RESOLUTION BE PUBLISHED IN THE GILCHRIST COUNTY JOURNAL; DIRECTING THAT DOCUMENTS ASSOCIATED WITH THIS ROAD CLOSING BE RECORDED IN THE OFFICIAL RECORDS; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve Resolution 05-23. Motion carried unanimously with a 5-0 vote.

EMA/County Administrative Report (Cont'd):

Bell Fire Department: (3/477) Mr. Mills advised the Board of the Budget Entry, in the amount \$2,000, from Operations/Equipment to Machinery/Equipment, and requests approval.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve Budget Entry for \$2000 fund transfer for Bell Fire Department. Motion carried unanimously with a 5-0 vote.

Code Enforcement: (3/515) Diane Rondolet presented the Board with her Monthly Report, and advised the Board of continual non-compliance of James Lee, and discussed the Money Judgment and Injunction through County/Circuit Court.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve seeking a Money Judgment and Injunction in County/Circuit Court. Motion carried unanimously with a 5-0 vote.

Public Hearing, Ordinance 05-09, MSTU/EMS (4:00 p.m.): (3/756) Mr. McPherson advised the Board of Ordinance 05-09.

ORDINANCE 05-09

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, CREATING AN MUNICIPAL SERVICES TAXING UNIT FOR EMERGENCY MEDICAL SERVICES; AUTHORIZING THE IMPOSITION OF AD VALOREM TAXES WITHIN THE DISTRICT; PLACING A CAP ON THE MILLAGE; DESCRIBING THE USES TO WHICH THE TAX REVENUES MAY BE PUT; PROVIDING FOR COLLECTION OF THE TAX WITHIN MUNICIPALITIES UPON APPROVAL OF THE MUNICIPALITIES; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Ordinance 05-09. Motion carried unanimously with a 5-0 vote.

Commissioners Reports:

Commissioner Sharon Langford: (3/1140) did not have a report.

Commissioner Durden: (3/1148) discussed his disappointment in the response to his concerns regarding personnel policy, and requested the issue be brought back before the Board at the next meeting. The Board set a time certain on July 18, 2005 at 7:15 p.m., for answers concerning personnel policy.

He also discussed the last Impact Fee Committee Meeting held this morning.

Commissioner Tommy Langford: (3/1340) discussed the Small County Growth Coalition Meeting held in Ocala, and discussed the topics.

Commissioner Thomas: (3/1469) discussed the stinger blades and drag being used by the Road Department.

Chairperson Gentry: (3/1515) discussed the Florida Association of Counties Conference, and stated that he felt headway was made. He discussed his conversation with Chris Doolin, Small County Coalition, regarding the Sludge issue.

Public Hearing, Ordinance 05-10, Driveways (4:45 p.m.): (3/1652-4/787) Mr. McPherson advised the Board of Ordinance 05-10.

ORDINANCE 05-10

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AMENDING THE COUNTY'S DRIVEWAY REQUIREMENTS; REQUIRING THE INSTALLATION OF DRIVEWAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION; REQUIRING DRIVEWAYS FOR TEMPORARY USES; SETTING FORTH STANDARDS FOR DRIVEWAY CONSTRUCTION; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

Mr. Justin Watson advised the Board of the meeting he had with Lee Mills and Ron McQueen last week regarding the regulations for driveways. He stated that the apron was not required if there was at least 12 inches of limerock in place, to protect the paved roads. Mr. Watson stated that the Road Department's recommendation would be to increase the requirement ~~from 6 inches to 12 inches~~ as stated by the Road Department in regards to an apron. Mr. Watson was directed to bring design standards back to be adopted by Resolution.

~~The Board discussion the application process and the permitting process.~~ After the Board discussed the application process and the permitting process, the Board approved a change that the permitting shall be completed by the Building & Zoning instead of the Road Department.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve Ordinance 05-10 with changes as stated. Motion carried with a 4-1 vote with Commissioner Thomas voting yes; Commissioner Tommy Langford voting yes; Commissioner Durden voting yes; Commissioner Sharon Langford voting yes; and Chairperson Gentry voting no.

Old Business: (4/787) None.

New Business: (4/788) None.

Public Participation: (4/792) Gene Parrish requested the Board review the process with Subdivision submission. Mr. Gilliam stated the need for timely filing and processing. Commissioner Durden

discussed the possibility of increasing the salary for the position of a planner to ensure that Gilchrist County is protected.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to make the hiring of a County Planner the number one priority for the Board. Motion carried unanimously with a 5-0 vote.

Adjournment: (4/832)

There being no further business, Commissioner Tommy Langford ***moved*** to adjourn at 5:35 p.m. Motion was seconded by Commissioner Thomas, and carried unanimously.

APPROVED:

Mitchell Gentry, Chairperson

ATTEST:

Joseph W. Gilliam, Clerk