

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD AUGUST 15, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, August 15, 2005 at 4:05 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, Justin Watson, Billy Cannon, Alan Mikell, Evelyn Meece, Pam Sanders, Karen Heaton, Julian Weeks, Lois Fletcher, Mike Fletcher, Linda Disch, Joan Williams, Jon Gray, Janice Gray, Thomas Hurley, Gene Parrish, Jim Troke, Todd Gray, and Kenneth Copeland.

Call to Order:

Chairperson Gentry called the meeting to order at 4:05 p.m. Commissioner Durden delivered the Invocation, and Commissioner Tommy Langford led the Pledge of Allegiance.

Agenda Changes: (1/30)

Mr. Gilliam advised the Board of the following additions:

1. Constitutional Officers, Sheriff Davis Turner
2. EMS Write-off
3. SHIP application

Commission Sharon Langford advised the Board of the following addition:

1. Florida Crown Workforce, Two-Year Agreement

Mr. McQueen advised the Board of the following additions:

1. Hazardous Analysis Contract
2. Travel Request for County Planner

Mr. Sam Ferguson advised the Board of the following addition:

1. Resolution 05-38, and Promissory Note for Solid Waste, \$132,112

Ms. Lois Fletcher requested to be added to agenda under Public Participation.

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

Consent Agenda: (1/105)

Mr. Gilliam advised the Board of the Consent Agenda.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve consent agenda. Mr. McPherson requested a correction to the August 1, 2005 Regular Minutes, which he was not in attendance. Commissioner Durden amended his motion, seconded by Commissioner Tommy Langford, to include changes. Motion carried unanimously with a 5-0 vote.

Attorney Report:

Ordinances & Resolutions:

Impact Fees: (1/187) Mr. McPherson advised the Board that a draft Ordinance is being prepared for one of the September meetings. The Board requested an Impact Committee Meeting be set for September 19, 2005 at 4:00 p.m. in the Board of County Commission Meeting Room.

Subdivision Regulations: (1/257) Mr. McPherson advised the Board that new regulations are being reviewed by the Planning & Zoning Board.

Status Reports:

Drainage Problem on SE 70th: (1/276) Mr. McPherson advised the Board that the area had been secured to prevent children from playing in the washed out area, and advised that discussions are underway with Lee Mills regarding corrective action.

EMS/MSTU: (1/314) Mr. McPherson advised the Board that Trenton, Bell and Fanning Springs had all passed an Ordinance on the first reading which would authorize the collection of the EMS tax within the city limits of each town/city. He stated that if each town/city passes the Ordinance on the second reading, the EMS/MSTU tax will be effective on October 1, 2005.

Land Swap with School Board: (1/330) Mr. McPherson advised the Board that the survey of the County's property had been located, and the comparable School Board acreage had been identified. He stated that he would be meeting with Sheree Lancaster, Esquire, Attorney for the School Board, to discuss the swap.

Mr. McQueen advised the Board that the landfill site was contained to two (2) acres, and the maximum area that could be impinged is two (2) acres.

Thomas Property: (1/355) Mr. McPherson advised the Board of a survey that had been obtained, and stated that documents are being prepared for the transfer of the property to the County.

Kinsey Property (next to Gilchrist County Library): (1/362) Mr. McPherson advised the Board that the property had been obtained and the documents are being prepared.

McArthur Property Lease: (1/373) Mr. McPherson advised the Board of the negotiations that are underway with the attorney for Mr. McArthur, and stated that an appraisal had been ordered from Brad Smith.

Philpot Park: (1/382) Mr. McPherson advised the Board that the Water Management District had shown interest in purchasing the property for continued use as a park, and stated that he had been referred to the Philpot's attorney for continued discussions.

Pending Litigations:

Brook and Strickland v. Aderholts and Gilchrist County: (1/412) Mr. McPherson advised the Board of the trial held August 11-12, 2005. He stated that the Circuit Judge converted the trial into mediation, and that the settlement would remove two (2) oak trees. Mr. McPherson will be meeting with the representative regarding the easement. He stated that because neither party trusted the other, he would be attempting to finalize the issue.

Gilchrist County v. Langfords: (1/471) Mr. McPherson advised the Board that settlement proposals had been received and discussions were underway with the Langfords' attorney.

Code Enforcement Action Against James Lee: (1/476) Mr. McPherson advised the Board that documents were being prepared for filing enforcement action in Circuit Court against Mr. James Lee.

Clerk's Report:

SHIP Application: (1/190) Mr. Gilliam advised the Board of the following SHIP loan application:

Amanda Fouts: 8640 SE 70th Ave; Purchase; Low Income Category; Lender, Family Mortgage; Loan Amount, \$15,414.32. The Loan Review Committee

recommends approval subject to: (1) Appraised value equal to or in excess of purchase price, (2) Repairs completed by seller prior to closing, (3) Availability of SHIP funds, (4) Closing of first mortgage, (5) SHIP class attendance before closing.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve SHIP application of Amanda Fouts with SHIP Loan Review Committee's conditions. Motion carried unanimously with a 5-0 vote.

Mr. Gilliam advised the Board of the current SHIP position being vacant again, and that he will again be searching for a part time employee.

Stacy Brown: (1/571) Chairperson Gentry requested a status report of Mr. Gilliam on the request of the Board to coordinate inspection of the roof, to determine compliance. Mr. Gilliam stated that Mr. McQueen was coordinating the inspection, and that he would be better able to answer the Board's inquiry. Mr. McQueen stated that, due to rain delays, they are awaiting adequate weather conditions to complete the inspection.

Resolution 05-37, Budget Entry: (1/648) Mr. Gilliam advised the Board of Resolution 05-37, and Budget Entry BE05-074, amending General Fund (001) in the amount of \$32,230 for the FDLE Terrorism Prevention Grant funding received to purchase tactical body armor for the Sheriff Office.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-37. Motion carried unanimously with a 5-0 vote.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Budget Entry BE05-074. Motion carried unanimously with a 5-0 vote.

S.C.A.A.P. Application: (1/705) Mr. Gilliam advised the Board of the S.C.A.A.P. Application (State and Criminal Alien Assistance Program), requested authority to submit the application and authorization for the Chairperson to sign the application.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the submission of the S.C.A.A.P. application, and to authorize the Chairperson to sign. Motion carried unanimously with a 5-0 vote.

Terrorism Grant Application (Page 41): (1/734) Mr. Gilliam advised the Board of the Terrorism Grant application for \$15,300, and requested approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve application for the Terrorism Grant, \$15,300. Motion carried unanimously with a 5-0 vote.

Courthouse Doors, South Entrance: (1/759) Mr. Gilliam advised the Board of the condition of the Courthouse doors (*South entrance*), and requested approval to receive bids for the repair.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve bidding the repair of the South entrance doors to the Courthouse up to \$4,280. Motion carried unanimously with a 5-0 vote.

Mr. McPherson stated that some discussion had been made with the architect regarding the replacement of the doors within the Courthouse project. Mr. Gilliam advised that the architect wanted to replace the glass doors with solid oak wood doors, and that the architect's replacement may exceed the \$4,280 expense. He stated that he would raise the issue again at the next Judicial Space Committee Meeting scheduled for August 19, 2005 at 9:30 a.m.

Write Off-EMS: (1/853) Mr. Gilliam advised the Board of the write-off for the Gilchrist County Emergency Medical Service totaling \$79,254.04. He stated that this covered a period from December 30, 2004 through July 26, 2005.

Motion by Commissioner Durden, second by Commissioner Sharon Langford, to approve EMS

write-off of \$79,254.04. Motion carried unanimously with a 5-0 vote.

Sheriff Office: (1/904) Mr. Gilliam advised the Board of the Communications Fund that collects \$12.50 of each civil citation written within the County. He stated that Sheriff David Turner is requesting approval for the replacement of the 911 RMS server out of this fund.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve up to \$7,500 from Communications Fund (190), to replace 911 RMS server. Motion carried unanimously with a 5-0 vote.

Public Hearing, Transportation Budget: (1/1006) Mr. Gilliam advised the Board of the budget amendment in the amount of \$23,344, to balance the Transportation budget for 2005.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the amendment of the Transportation Budget in the amount of \$23,344. Motion carried unanimously with a 5-0 vote.

Resolution 05-38: (1/1055) Mr. Sam Ferguson advised the Board of the Resolution and Promissory Note for Solid Waste in the amount of \$132,112 for a Route Truck, Front-End Loader, and Lechate Tank, and requested approval.

Motion by Commissioner Durden, seconded Commissioner Tommy Langford, to approve Resolution 05-38, \$132,112, and to authorize the Chairperson to sign. Motion carried unanimously with a 5-0 vote.

EMA/County Administrator Report:

D.O.T. County Incentive Grant: (1/1140) Mr. McQueen advised the Board of the D.O.T. County Incentive Grant, and requested approval to submit an application. He also requested that Commissioner Tommy Langford present an update report for the Board of the Transportation Committee Meeting.

Commissioner Tommy Langford discussed the NE 30th Street road project, and also discussed the Dusty Road Bill. The Board discussed the matching funds to be provided by the County, and the possible funding limitations.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve submitting the D.O.T. County Incentive Grant Application for NE 30th Street, and to list SW 10th Street as an alternate road. Mr. Gilliam asked Mr. McQueen if there were any application fees, with Mr. McQueen stating no fees would be required prior to approval. The Board discussed the option to use right-of-way property as a portion of the matching fund. Motion carried unanimously with a 5-0 vote.

S.C.T.A.S. Committee Meeting: (1/1980) Mr. McQueen withdrew the issue from the agenda.

Mike Grogan's Response: (1/1989) Mr. McQueen advised the Board of the response received from Mike Grogan, and stated that the emails were not attached. He recommended that he meet with Commissioner Durden and review the information received from Mr. Grogan.

Lancaster Waiver of Cleanup Fees: (1/2035) Mr. McQueen advised the Board of the Solid Waste fees for cleanup totaling \$1,719.60, and advised that Lancaster is requesting a waiver of the fees.

Motion by Commissioner Sharon Langford, seconded by Commissioner Thomas, to approve write off of \$1,719.60 for Florida Department of Corrections, Lancaster to Solid Waste & Recycling Department. Motion carried unanimously with a 5-0 vote.

Travel Request, County Planner: (1/2118) Mr. McQueen advised the Board of the Florida Association of Planners Conference in St. Petersburg, and requested approval for Stacey Winfield to attend.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve request for travel for County Planner, Stacy Winfield. Motion carried unanimously with a 5-0 vote.

Funds Transfer: (1/2161) Mr. McQueen requested to transfer \$500 from Professional Services to Travel/Per Diem in order to allow for the County Planner to attend the Conference, and \$1,600 to be transferred from Professional Services to Machinery/Equipment for the purchase of a laptop for the County Planner.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve transfer of funds, \$500 from Professional Services to Travel/Per Diem and \$1,600 from Professional Services to Machinery/Equipment, totaling \$2,100. Motion carried unanimously with a 5-0 vote.

Hart Springs, Provilion Roof: (1/2238) Mr. McQueen advised the Board of the inspection of the roof of the provilion at Hart Springs, and stated that the repair efforts were unsuccessful. He advised that \$2,911 could be transferred from Other Buildings to cover the cost (*materials only*) of installing a metal roof, and stated that John Philman (*along with his inmate crew*) and Gerald Lanier would complete the work.

Motion by Commissioner Thomas, seconded by Commissioner Durden, to approve transferring \$2,911 out of Other Buildings fund to cover materials only for the installation of a metal roof on the provilion at Hart Springs. Commissioner Durden stated that he would second the motion, but stated that he is concerned that the County is continuing to spend money at Hart Springs while the County continues to loose revenue due to the park being closed. He also stated that the provilions are a guaranteed source of revenue at Hart Springs lately, and suggests the County strongly examine the park's revenue sources. Motion carried unanimously with a 5-0 vote.

The Board discussed the last several years, weather conditions, other possible concerns for the park, and revenue reports for the park.

Hazardous Analysis, Department of Community Affairs: (2/24) Mr. McQueen requested approval from the Board to execute the agreement for Hazardous Analysis Data (\$1,642 base allocation formula) and stated that these funds are received for providing the data for the County.

Motion by Commissioner Durden, second by Commissioner Tommy Langford, to approve executing the Hazardous Analysis Data Agreement for \$1,642. Motion carried unanimously with a 5-0 vote.

Small County Coalition: (2/52) Commissioner Durden requested that Chairperson Gentry write a letter of support from the County for the newly elected officers, Linda Myers, John Cooper, and Randy Hatch. The other Board members agreed.

Bell Fire Department: (2/70) Mr. McQueen requested approval to purchase 14 fire hoses to replace the old hoses at a cost of \$1,085 and six (6) pagers at a cost \$1,962, totaling \$3,047 out of their 2005 budget.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve the purchase of pagers and replacement hoses for \$3,047 out of the current budget for the Bell Fire Department. The Board discussed the old pagers purchased by the Fire Department, and Mr. McQueen stated that the new pagers are supplied to the fire fighters who are first to respond to the calls. The Board suggested that old equipment be turned in when replacement equipment is received, and that an inventory is kept current. Motion carried unanimously with a 5-0 vote.

Equipment Request, Fire Department: (2/151) Mr. McQueen requests to receive bids for purchasing ten (10) SCDA Packs, breathing apparatus cylinders, stating that two (2) Fire Departments are not up to standards.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve accepting bids to purchase ten (10) breathing apparatus cylinders, and for the bids to be brought to the Board for approval. Motion carried unanimously with a 5-0 vote.

Senator Nelson's Office: (2/211) Ms. Mary Chiles advised the Board that Senator Nelson would be in

the area on September 3, 2005, and reminded the Board that Senator Nelson is in support of their efforts for Gilchrist County.

EMA/County Administrator (Continued):

Fire Training Van: (2/274) Mr. McQueen requested authorization for Billy Careccia, County Fire Trainer, to purchase a van to assist in training procedures. Mr. McQueen stated that the purchase and deliver would be prior to September 30, 2005.

Motion by Commissioner Tommy Langford, seconded by Commissioner Thomas, to approve purchase of a van, up to \$2,800 out of General Fire Fund for the County Fire Trainer. Motion carried unanimously with a 5-0 vote.

Road Department: (2/392) Mr. Justin Watson did not have a report for the Board, however, Mr. Gilliam commented on the satisfaction of the stinger blade operation on the road to his residence.

Randy Wiggins, Inspector:

Electricity Re-Connection: (2/444) Mr. Wiggins requested direction from the Board on Code Compliance for the re-connection of electricity when Code Enforcement violations are present. The Board asked the County Attorney if the County could withhold re-connection of electricity due to code enforcement violations. Mr. McPherson further questioned the Inspector as to the points of inspection for a normal re-connect of electricity. Mr. Wiggins and Mr. McPherson will bring a recommendation to the Board at a later date.

Skirting Ordinance: (2/587) Mr. Wiggins requested the Board's opinion on a skirting Ordinance for unincorporated areas. He stated that the City of Fanning Springs and the City of Trenton currently have an Ordinance in place. The Board requested that Mr. Wiggins bring a recommendation to Board at a later date.

LDR's: (2/612) Mr. Wiggins discussed seasonal residents, park model home size requirements, and requested clarification from the Board on the Policy for the County. The Board discussed other counties' requirements, and requested that Mr. Wiggins bring a recommendation back to the Board.

Out of County Inspections: (2/688) Mr. Wiggins requested permission to allow out of county inspections for mobile homes and site built houses. He also recommended that a list of approved individuals be kept for out of county inspections instead of certified contractors. The Board requested that Mr. Wiggins bring requested back to the Board.

Driveway Requirement/911 Posting: (2/731) Mr. Wiggins recommended that any permit issues for the County trigger a 911 posting and driveway permit. Again the Board requested that Mr. Wiggins bring a recommendation back to the Board.

Flood Plain Management, Water's Lake: (2/779) Mr. Wiggins requested the County to require builders to comply with a height requirement. He asked if the County could require a resident to build one foot above the established flood plain if the height is not published on the FEMA Flood Plain map. Mr. McPherson suggested a review of the issue, and a recommendation be brought back to the Board. He referred to a County Ordinance that allowed for the County to require construction one foot above what the believed flood elevation is for the area.

Mobile Home Construction Permitting/Regulations: (2/912) Mr. Wiggins requested clarification on repairs and licensing for mobile homes. Mr. Wiggins advised that construction or repairs and funds received under the CDBG Program will not fall under the jurisdiction of the Gilchrist County Building Department as far as Florida Building Codes.

Commissioner Durden recommended that Mr. McQueen, Mr. Wiggins, and Mr. McPherson meet, and bring a list of recommendations back for the Board, on all of the areas that Mr. Wiggins has addressed.

Florida Crown Workforce: (2/996) Commissioner Sharon Langford advised the Board of the Interlocal Agreement that she had received, and requested Board approval. The Board requested that Mr. McPherson reviewed the document, and make a recommendation.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve proposed two year Interlocal Agreement with the Florida Crown Workforce, subject to the County Attorney's review. Motion carried unanimously with a 5-0 vote.

Public Hearing, Approval of Plat, Spring Run Village Major Subdivision (6:45 p.m.): (2/1202)

Ms. Winfield advised the Board of the subdivision plat, and requested approval.

Motion by Commissioner Thomas, seconded by Commissioner Tommy Langford, to approve Spring Run Village Major Subdivision preliminary plat. Motion carried unanimously with a 5-0 vote.

Commissioners Reports:

Commissioner Sharon Langford: (2/1346) None.

Commissioner Thomas: (2/1349) None.

Commissioner Tommy Langford: (2/1351) discussed his conversation with Loncala regarding the property on CR 138 for a Solid Waste Station. He stated that Loncala agreed to sell the property at the appraisal price, but not exceed \$5,000. The Board recommended that Commissioner Tommy Langford contact neighboring property owners, and bring back recommendation to the Board.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to send the CR 138 Solid Waste Project to the Finance Department for a funding recommendation. Motion carried unanimously with a 5-0 vote.

Commissioner Tommy Langford (2/1599) discussed the sink hole on the County line road, down from Craig Watson's home, where trash is being dumped. He stated that he had spoken to Diane Rondolet, Code Enforcement, and that a recommendation of action will be presented to the Board at a future meeting.

Commissioner Tommy Langford (2/1660) discussed the doors to the Courthouse, and the possibility of including the replacement within the Courthouse project.

Commissioner Tommy Langford (2/1681) discussed the Board reviewing a noise ordinance for the County, and requested a Workshop be scheduled as soon as possible. Mr. McPherson suggested a draft ordinance be prepared for the workshop. A Public Hearing was set for the September 8, 2005 Meeting, and will be advertised prior to the hearing.

Commissioner Tommy Langford (2/1807) raised the issue of driveway compliance execution in regards to the Driveway Ordinance passed for the County. The Board discussed the driveway standards to be set by the Board, and stated that no draft listing of standards had been presented to the Board by the Road Department at present.

Public Hearing, Approval of Plat, Deer Meadows Major Subdivision (7:00 p.m.): (2/1984)

Ms. Winfield advised the Board of the construction plan, and requested approval. Commissioner Sharon Langford inquired about the School Board representative being invited and attending the Planning & Zoning meetings due to the size of the subdivision.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Deer Meadows Major Subdivision construction plan as submitted. Motion carried unanimously with a 5-0 vote.

Commissioner's Report (Continued):

Commissioner Tommy Langford: (2/2314-3/55) advised the Board of the recent Transportation Committee meeting, and stated that the Committee recommended reviewing Spring Ridge Subdivision roads, Rolling Oaks Subdivision roads, SW 70th Street, and NW 47th Place (*Wayfair Church Road*). He stated that road length research, a traffic study, and household counts would be conducted, and consider completing projects under the Dusty Roads Bill.

Commissioner Tommy Langford stated that the goal of the Committee is to maintain a list of the top

ten (10) roads in the County, and make the list available for review by the Board at all times.

Agenda Change, Lois Fletcher: (3/60) Lois Fletcher appeared before the Board to address what she felt were false statements made regarding her term at the Gilchrist County Chamber of Commerce. Ms. Fletcher played an audio recording of the July 25, 2005 Budget Workshop that she had received from the Clerk of Court Office. After playing the recording for the Board, she presented the Board with documentation regarding these statements.

Mr. Mike Fletcher addressed the Board, and requested that the following questions be addressed:

1. What direction was the Chamber going that the members did not want it to go?
2. Where did the calculations that were presented come from?
3. Who made the newsletter?
4. Who came up with the Discount Card?
5. Who made Down Home Days what it is today?
6. What other Civic Organization in this County has a County Commissioner and the Clerk of Court sitting on its Board?

Mr. Fletcher requested that an apology be made to the County, an apology be made to the Board, and a public apology be made to Lois Fletcher. He stated that his wife had done more in her six (6) years at the Chamber than most had done in a lifetime.

Commissioner Durden addressed the Board, and stated that if any statements were made falsely, he does apologize. However, the Chamber set up a Budget Committee to review expenses, and that he was one of several other members sitting on that Committee.

Mr. Gilliam stated that if he personally offended Ms. Fletcher, he sincerely apologizes for that. He did state that he and Commissioner Durden sit on other Committees within the County, and reiterated the fact that the Committee established by the Chamber of Commerce consisted of more than two members.

New Business: (3/2128) None.

Old Business: (3/2129) None.

Kenneth Copeland, Hurley's Waccasassa Plantation: (3/2138) Mr. Kenneth Copeland addressed that Board because he was informed that Hurley's Waccasassa Plantation was on the agenda for tonight's meeting. Mr. Copeland stated that they are donating barricades and guard railing for the Road Department. Commissioner Durden requested that a thank you letter be prepared for the donation. The Board discussed placing the Plantation on the agenda for September 8, 2005.

Public Participation: (3/2449) None.

Commissioner Tommy Langford: (3/2483) thanked Lois and Mike Fletcher for their appearance tonight, and for everything they have done.

Chairperson Gentry: (3/2530) advised Lois and Mike Fletcher that he appreciated them.

Commissioner Sharon Langford: (3/2548) thanked Lois and Mike Fletcher for their appearance, and also advised that she appreciated them.

Adjournment: (3/2556)

There being no further business, Commissioner Tommy Langford *moved* to adjourn at 8:12 p.m. Motion carried unanimously.

APPROVED:

Mitchell Gentry, Chairperson

ATTEST:

Joseph W. Gilliam, Clerk