

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD SEPTEMBER 8, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Thursday, September 8, 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 was unable to attend due to a medical procedure.

Others in attendance were: John McPherson, County Attorney; Joseph W. Gilliam, Clerk of Circuit Court; Janice Wasson, Deputy Clerk; Sam Ferguson, Director of Finance; Jacki Johnson, Finance Department; Ron McQueen, John Ayers, Justin Watson, Billy Cannon, Ron Mills, Jerry Keirnan, Buddy Vickers, Sheree Lancaster, Esquire, Julie Harrison, Diane Rondolet, Harvey Montgomery, Tony Cruze, Molly Brannen, Jeff Fellers, Alan Mikell, Don Bennick, Nathan Martin, Michael R. Wilkinson, Lee Shaltenbrand, Brenda Shaltenbrand, Gene Parrish, Rick Weder, Dona Paulsen, Christ Paulsen, Jeff Feller, T. G. Robertson, Tori Sherrard, Joyi Ginel, Mitch James, Kathy Fink, Joe Fink, Jennifer Sherrard, Donald Sherrard, Danielle Barry, Debbie Taylor, James Rhode, Georgia Sherry, Pete Butt, Mr. & Mrs. L. D. Junt, Geraline C. Reid, Alton Howard, Bobby J. Woodall, Bruce Lenfesty, Douglas Weilbrenner, Donald Asbury, Wayne Taylor, Sheri Taylor, Christ Woods, Donald G. Gindlesperger, Kenneth L. Taylor, Jeff L. Sherrard, Curly Teye, Meveree Carlisle Pope, Betty Ramey, Kenneth Copeland, and Bud Riffle.

Call to Order:

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

Agenda Changes: (1/50)

Mr. Gilliam advised the Board of the following additions:

1. Constitutional Officers, Sheriff David Turner
2. Bids for Motor Grader
3. Approval for Advertisement for Hart Springs
4. Website and Links, Clerk's Report
5. Purchase Order, Solid Waste, to Alachua County, \$3,780

Mr. Gilliam advised the Board of the following deletions:

1. Sabel Boland, Citizen's Request, 4:15 p.m.

Mr. McQueen advised the Board of the following additions:

1. Approval of Governor's Recommendations for Energy Consumption
2. Review of FRDAP Grants Prior to Submittal
3. Contract for Point of Distribution, Smith's Watermelon Shed
4. Approval of Two (2) Classes for County Planner
5. Cost Saving Measures for Board Departments
6. Purchase Orders, Spring Ridge, Close out Funding

Mr. McPherson, County Attorney, advised the Board of the issue of the scheduled Board of Adjustment Hearing concerning the Hurley property. Mr. McPherson stated that this is a Re-Zoning issue and does not require the Board of Adjustment to hear. He stated that he had prepared an Ordinance for the Board to review, and requested it to be added to the Agenda:

1. Public Hearing, Hurley Property, Ordinance 05-12.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve agenda with changes. The motion carried unanimously with a 4-0 vote.

Consent Agenda: (1/165)

Chairperson Gentry advised the Board of the Consent Agenda.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve consent agenda. Motion carried unanimously with a 4-0 vote.

Constitutional Officers, Sheriff David Turner: (1/174) Sheriff David Turner addressed the Board regarding the land swap between the County and the School Board, and played a recording received from the Clerk of Court's Office of the February 3, 2003 Regular Board Meeting. He stated that the firing range has a history, and that his interpretation of the recording is that the firing range was not included within the land swap between the County and the School Board. Sheriff Turner stated that the Firing Range saves the County hundreds to thousands of dollars in training costs. He stated that the Sheriff Office had previously negotiated usage of the firing range, and that he must uphold the contract with the Department of Treasury, Federal Equitable Sharing Guidelines.

Sheriff Turner referred to letters written in previous years, and requested that the Board reconsider the finalization of the land swap with the School Board. The Board held a lengthy discussion with comments made by Sheriff David Turner, Chairperson Gentry, Commissioner Sharon Langford, Commissioner Durden, Mr. Gilliam, Clerk of Court, Commissioner Tommy Langford, and Mr. McPherson, County Attorney.

Dispatch Position: (1/2165-2/365) Sheriff Turner addressed the issue of the Dispatch Position proposed during the budget process, and requested reconsideration for funding of the position within his Budget. He referred to the justification as presented within the Annual Report submitted to the Board.

Mr. Gilliam addressed Constitutional Officers scheduled for the August 15, 2005 Budget Workshop with the Sheriff Office, and made reference to the August 8, 2005 Budget Workshop regarding the funding given by the Board for the Sheriff to use those as he saw fit.

Molly Brannen, Communications Supervisor, addressed the Board on the issue of the Dispatch Position, stating that due to scheduled holidays (11 days per year), annual days (12 per year), sick days (12 per year), personal holiday for each dispatcher, training (6 weeks for new dispatchers), the minimal pay for a dispatcher (\$18,000 per year), and shift work make an additional dispatcher necessary. Ms. Branner stated that there are nine dispatchers for Gilchrist County, including herself. (*Eight working dispatchers.*)

Motion by Commissioner Sharon Langford, seconded by Commissioner Tommy Langford (for discussion), to hire one additional dispatch position at \$18,000 (\$30,976.86) plus benefits to be funded from General Reserve. Motion carried with a 3-1 vote, with Commissioner Sharon Langford voting yes, Commissioner Durden voting no, Commissioner Tommy Langford voting yes, and Chairperson Gentry voting yes.

Buddy Vickers, School Board: (2/368) addressed the Board, and stated that he would like for the Board and the Sheriff to consider the benefit of Lake City Community College having a campus in Gilchrist County, and the impact to the community. He stated that the issue of the firing range was addressed at one meeting, and never addressed after that. He stated that it was his understanding that the firing range was included within the land swap. Mr. Vickers stated that the Walker Curve location is the traditional center for the County, and stated that he does not feel participation would be as good if the firing range is not included within the land swap. He urges the Board to consider the long-term future benefits to the County when making their decision.

Sheriff Turner, when asked how much acreage would be required to make a new location for a firing range, answered the same amount of acreage (*exact amount unknown*) as contained within the fence

at the present location.

Chief Montgomery addressed the OCSA regulations in regards to the cost of construction of a new firing range, but stated that he would be unable to give an estimate of cost.

Sheree Lancaster, Esquire stated that she had attended the meeting in Bell, and understood LCCC was excited about the existing building at the Walker Curve property until a new building could be constructed. She stated that property and buildings are considered one in the same, and asked the Sheriff if he would require control of the building and the firing range.

Mr. McPherson addressed the three options for the Board.

1. Go ahead with land swap, and see what happens.
2. Cut out the firing range and see if the school board would agree.
3. Try to come to an agreement before the next Board Meeting.

Chairperson Gentry stated that he would like to appoint a Committee consisting of Commissioner Tommy Langford, a Sheriff Representative, Clerk, Sam Ferguson, Finance Director, and a School Board Representative, to address negotiations and possible relocation options. The Clerk declined his position on the Committee. Mr. McPherson and Sheree Lancaster will not be members of the Committee established to ensure that Sunshine Laws are upheld.

Commissioner Durden recommended that appraisals should be completed on the land for the Road Department relocation property and Walker Curve property.

Recognition of Nathan Martin: (2/1067) The Board recognized Nathan Martin and stated the Board's appreciation for his 37 years of service.

Public Hearing, Draft Noise Ordinance (2:45 p.m.): (2/1396-3/134) Mr. McPherson advised the Board of the draft ordinance prepared, and discussed the ordinance in its entirety. He requested guidance from the Board on any changes and deletions to the draft ordinance.

Diane Rondolet, Code Enforcement, asked if the officer/code enforcement department would be required to witness the violations, or would the officer/code enforcement department be allowed to take the word/testimony/affidavit of the complainant.

Ben Poitevent asked the County Attorney if the dirt bike track behind his residence would be considered a violation. Mr. McPherson stated that if the track falls within the description of the Ordinance.

Diane Rondolet, Code Enforcement, discussed abuse of the ordinance from disgruntled citizens, and citizens who over react to the noise issues. The Board voiced their concerns of the qualification of violations. Ms. Rondolet's recommendation would be to have the complainant be required to file the required complaint forms at the Code Enforcement Office, deterring the undedicated complaints.

The Board scheduled a Workshop to be held on October 3, 2005 during the regular meeting.

Road Department:

Speed Limit Sign, CR 232: (3/135) Mr. Justin Watson advised the Board of speed limit issue on CR 232, and requested placement of a 45 MPH Speed Limit sign on CR 232, on the East side of Hwy 129, by North Florida Holstein Dairy. Discussion was made regarding the boundary under the proposed reduction with Mr. Don Bennick, North Florida Holsteins, addressing the Board and giving comments. Billy Cannon, Road Department, also commented on the speed limit boundaries, and suggested extending the speed limit past the Church for the safety of the citizens in the area.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to direct the County Attorney to prepare an Ordinance for review by the Board, and to set a Public Hearing for the adoption of the Ordinance. Motion carried unanimously with a 4-0 vote.

Fuel Shortage: (3/315) Mr. Watson addressed the Board on the fuel cards limits for the Road

Department, and requested direction by the Board on the fuel card adjustments due to the rising cost of fuel. The Board discussed the limitations of amount, purchases per day, and allowed grade of fuel.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to allow Ron McQueen, County Administrator, to adjust fuel cards for Board Departments. Motion carried unanimously with a 4-0 vote.

Mr. Gilliam and Mr. McQueen discussed the eligible stations within the County that accept the Fuel Man Cards.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to direct County Administrator to place the Fuel Depot and acquisition of land as top priority for FY2006. Motion carried unanimously with a 4-0 vote.

Fuel Depot Site Plans: (3/485) Mr. Watson advised the Board that he had met with Chairperson Gentry on alternate options for the site plans, and that he would bring a recommendation to the Board at a later date.

Citizen's Request, Rick Weder (3:00 p.m.): (3/497) Mr. Weder addressed the Board regarding assistance for the Gilchrist Continuous Care facility within the County, and requested a letter of support from the Board. The Board discussed a letter prepared earlier by the Board.

Mr. Weder also discussed the Senior Citizen's Food Pantry administered by the Wacasassa Volunteer Fire Departments, and requested a one time donation from the Board. Mr. Weder stated that food is purchased at the Bread of the Mighty Food Bank in Gainesville at \$.18 per pound, and that approximately 1,500 citizens are served within the County. Commissioner Durden suggested that members make individual donations, and requested that Mr. Weder make a funding request during the budget process for FY2007.

Public Hearing, Transportation Budget Increase: Mr. Ferguson advised the Board of the need to increase the budget for the Transportation by \$157,622, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve increasing the Transportation budget by \$157,622 for FY2005. Motion carried unanimously with a 4-0 vote.

Bids for Motor Grader: Mr. Ferguson advised the Board of the bids received from Capital City Bank (4.24%) and Tri County Bank (4.29%), and requested approval of accepting the lowest bid from Capital City Bank.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve acceptance of the Capital City Bank bid of 4.24% interest for the grader loan. Motion carried unanimously with a 4-0 vote.

Citizen's Request, Ben T. Poitevint (3:45 p.m.): Mr. Pointevint addressed the Board regarding a road issue on NW 93rd Lane, and commended the Board and Road Department for the work completed. He also addressed road damage from ATV's and presented the Board with photographs of the area.

Leman Wells addressed the Board on the legal requirements for ATV's, and requested action by the County. The Board acknowledged State Law in respect to operation of ATV's, and stated that this issue would be addressed with the Sheriff by Commissioner Langford.

Public Hearing, Approval of Plat, Matthews Farm Minor Subdivision (4:00 p.m.): Mr. McQueen advised the Board of the Plat for Matthews Farm Minor Subdivision, and requested approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve plat for Matthews Farm Minor Subdivision with the request to group the mail boxes together in one

location, in conjunction with the U.S. Postal Service regulations and requirements. Motion carried unanimously with a 4-0 vote.

Citizen's Request, WellFlorida Council (4:30 p.m.): Mr. Jeff Feller, WellFlorida Council, advised the Board of the updated information for the County, and thanked the Board for the continued support.

Attorney Report:

Ordinances & Resolutions:

Impact Fees: Mr. McPherson advised the Board that a draft Ordinance is being prepared.

Subdivision Regulations: Mr. McPherson advised the Board that he had been directed to prepare amendments to the Subdivision Regulations to deal with the method Minor Subdivisions are being developed. He advised that the Planning & Zoning Board reviewed the changes, but that the P&Z Board concluded that the subdivision regulations should remain essentially as they are. Mr. McPherson stated that some planning staff had voiced concerns with the draft he had prepared, and suggested that a Workshop be scheduled to address the concerns.

Final Rate Resolution: Mr. McPherson advised the Board of the Final Rate Resolution prepared for the current meeting.

Status Reports:

Drainage Problem on SE 70th: Mr. McPherson advised the Board that he had been informed that repairs had been completed, including the placement of additional asphalt, and that the problems had been rectified.

EMS/MSTU: 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: Mr. McPherson advised the Board that the surveys of the County and School Board properties had been prepared, and that discussions were underway with Sheree Lancaster, Esquire, Attorney for the School Board. He stated that the goal was to conclude the land swap at the September 19, 2005 Meeting.

Thomas Property Donation: Mr. McPherson advised the Board that a survey that had been obtained, and stated that a title search had been ordered. He stated documents would be prepared and a closing scheduled. Mr. McPherson also stated that the County is seeking a determination by Smith Appraisals as to the approximate value of the property.

Kinsey Property: Mr. McPherson advised the Board that a property description had been obtained and a title search had been ordered. He stated that documents would be prepared for the transfer and a closing scheduled.

McArthur Property Lease: Mr. McPherson advised the Board of the negotiations underway with the attorney for Mr. McArthur, and that an appraisal had been ordered from Smith Appraisals.

Philpot Park: Mr. McPherson advised the Board that he had contacted Charlie Houser, Suwannee River Water Management District, with regard to the parcel, and that Mr. Houser was not interested in purchasing the property, however, Mr. Houser would like to cooperate in the execution of a maintenance program for the property. The Board requested an answer be received from the Philpot Family.

Floyd Property: Mr. McPherson advised the Board that a survey had not been ordered due to the tentative decision by the Board to purchase 10.0 acres for the new location of the Road Department not taking place in the current budget year.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to order survey for Floyd property by October 1, 2005. Motion carried unanimously with a 4-0 vote.

Pending Litigations:

Brook and Strickland v. Aderholts and Gilchrist County: Mr. McPherson advised the Board that the trial held August 11-12, 2005 had been converted to a mediation hearing by the Judge, and that an agreement had been reached, calling for the removal of two (2) oak trees, and the use of the cleared area being an access easement. He stated that Loncala had agrees to the removal of the trees and the license to Brooks/Strickland for access. He also stated that the agreement only needs to be reduced to writing and being entered by the Court into the Final Order.

Mr. McPherson advised the Board that Loncala had expressed continued interest in providing the land necessary to move NE 2nd Court off of the Aderholt's' property and onto the section line.

Gilchrist County v. Langfords: Mr. McPherson advised the Board that settlement proposals had been received and discussions were underway with the attorney for the Langfords, and that a Meeting in the Shade may be required.

Code Enforcement Action Against James Lee: Mr. McPherson advised the Board of the draft complaint included within his report requesting the Circuit Court enter an injunction ordering Mr. Lee to remove the unlicensed vehicles and other unlawful junk from his property. He stated that he required direction from the Board as to whether to proceed with the injunction. Mr. McPherson stated that it would be his recommendation for the Board to authorize proceeding.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to authorize Mr. McPherson to proceed with the injunction against Mr. James Lee. Motion carried unanimously with a 4-0 vote.

Public Hearing, Approval of Plat, Southern Oaks Minor Subdivision (4:45 p.m.): Mr. McQueen advised the Board of the Plat for Southern Oaks Minor Subdivision, and requested approval. Mr. Gene Parrish addressed the question of the Board, with the property owner also present.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve plat for Southern Oaks Minor Subdivision. Motion carried unanimously with a 4-0 vote.

Clerk's Report:

2005 Population Estimate: (4/1942) Mr. Gilliam advised the Board of the letter received from the University of Florida, and of the estimates for Gilchrist County (16,221) and for Unincorporated Areas (13,786 including prison population at Lancaster Correctional) used for distribution percentages for revenue sharing.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve estimate of population and to authorize Chairperson to sign. Motion carried unanimously with a 4-0 vote.

Health Department: (4/2022) Mr. Gilliam advised the Board of the requested received by the Gilchrist County Health Department for the need of a refrigerator for the staff lunch area.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve purchase of a refrigerator (not to exceed \$500) and to check at Babcock's. Motion carried unanimously with a 4-0 vote.

Resolution, Septic Tank Permit Fee Increase: (4/2099) Mr. Gilliam advised the Board of the Resolution to increase permit fees, but stated that Ms. Boling wishes to address the Board during an October meeting, and was absent due to her assignment in Mississippi. He requested that this item be removed from the Clerk's Report. The Board discussed the requirement of a Public Hearing, and will address when item is brought back before the Board.

Resolution 05-45, Permit Fees, Suwanne River Water Management District: (4/2134) Mr. Gilliam advised the Board of Resolution 05-45, and requested approval.

RESOLUTION NO. 05-45

**REQUEST TO THE SUWANNEE RIVER WATER
MANAGEMENT DISTRICT TO REDUCE PERMIT FEES**

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve Resolution 05-45, to reduce permit fees and to authorize Chairperson to sign. Motion carried unanimously with a 4-0 vote.

Board Agenda Procedure: (4/2200) Mr. Gilliam discussed the current Rule #1.22, and requested direction by the Board. He suggested that agenda changes be limited to emergency changes or time restraint items, with the Board agreeing that the policy must be followed.

Value Adjustment Board Hearing Date: (4/2397) Mr. Gilliam advised the Board that a date and time for the Value Adjustment Board Hearing needed to be set.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve scheduling the Value Adjustment Board Hearings for October 5, 2005 at 1:00 p.m. Motion carried unanimously with a 4-0 vote.

Alexander Group, Invoice #3: (4/2521-5/4) Mr. Gilliam advised the Board of Invoice #3, in the amount of \$50,044.05, for design development and reimbursable allowance, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Invoice #3, Alexander Group, \$50,044.05. Motion carried unanimously with a 4-0 vote.

Land Purchase Request, Sun N Fun: (5/4) Mr. Gilliam advised the Board of the letter received from Donovan Lenaghan, Virginia Beach, Virginia regarding Parcel No. 14-10-16-0554-0002-0080 and 14-10-16-0554-0007-0080 in Sun N Fun. The Board stated that they do not have an interest in selling the property at this time, and requested that a letter be prepared and mailed.

Budget Entry, #BE05-086: (5/29) Mr. Gilliam advised the Board of Budget Entry #BE05-086, amending the Transportation Fund (140) in the amount of \$225,744.70.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve Budget Entry #BE05-086, transferring \$225,744.70. Motion carried unanimously with a 4-0 vote.

Budget Entry, #BE05-089: (5/62) Mr. Gilliam advised the Board of Budget Entry #BE05-089, amending the General Fund (001) in the amount of \$55,396.23.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Budget Entry #BE05-089, transferring \$55,396.23. Motion carried unanimously with a 4-0 vote.

Agenda Change, Advertisement for Hart Springs: (5/85) Mr. Gilliam advised the Board of the purchase order #502045 in the amount of \$2,105. Chairperson Gentry explained that the advertising deadline would not allow the issue to be brought before the Board at a regular scheduled meeting. He also stated that the Board had already approved a transfer of funds for advertising. Commissioner Durden voiced concern of Hart Springs' revenue and of the Policies and Procedures for the County being violated by a Board when the Board monitors Department Supervisors for the County on this same issue. He also stated that the Chairperson has the ability to approve purchase orders in the case of an emergency, and he did not feel that this warranted emergency status. Mr. Ferguson advised that the Accounts Payable computer crashed, and due to that event, the check had not been sent.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve PO #502045 in the amount of \$2,105. Commissioner Sharon Langford advised the public that a Motion can only be discussed with a second, and requested and received verbal revenue information for Hart Springs. Motion failed with a 2-2 vote (no vote), with Commissioner Tommy Langford voting yes, Commissioner Durden voting no, Commissioner Sharon Langford voting no, and Chairperson Gentry voting yes.

Purchase Order, Solid Waste, Toxic Roundup: (5/403) Mr. Gilliam advised the Board of the need to approve bill from Alachua County in the amount of \$3,780.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve payment of \$3,780 to Alachua County. Motion carried unanimously with a 4-0 vote.

Website Change: (5/448) Mr. Gilliam advised the Board of the change in website providers, and requested approval for the County Website hosting the Chamber of Commerce, at no cost to the County.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve the County Website hosting the Chamber of Commerce. Motion carried unanimously with a 4-0 vote.

Public Hearing, Resolution 05-39, Tentative Ad Valorem Millage Rate (5:30 p.m.): (5/195) Chairperson Gentry advised the Board, and the public in attendance, of Resolution 05-39.

RESOLUTION 05-39

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADOPTING A TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2005-2006.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-39, Tentative Ad Valorem Millage Rate. The tentative ad valorem tax millage rate to be levied for the fiscal year beginning October 1, 2005 shall be ten (10) mills (\$10.00 per \$1,000). Said millage exceeds the rolled-back rate (\$ 9.0294 per \$1,000) computed pursuant to Section 200.065 Florida Statutes, which amount is characterized as the percentage increase in property taxes adopted by the governing body, said percentage increase being 12.17%. Chairperson Gentry opened the floor for public discussion, with Don Paulsen, Meveree Carlisle, Bob Well, Joey Jannell, S. D. Hunt, and Floyd Thompson all addressed the Board and voiced disapproval of the tax increases. Mr. Leggett, Property Appraiser, explained to the public how the assessed values are calculated, and referred to the Florida Statutes regulating the Property Appraiser's Office. ***Motion carried unanimously with a 4-0 vote.***

Public Hearing, Resolution 05-40, Tentative Budget: (5/1625) Chairperson Gentry advised the Board of Resolution 05-40.

RESOLUTION 05-40

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADOPTING A TENTATIVE BUDGET FOR FISCAL YEAR 2005-2006.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-40, Tentative Budget. The proposed tentative budget commencing October 1, 2005 is necessary to fund Personal Services, Operating Expenses and Capital Outlay expenditures, for the General Revenue Fund, Law Enforcement Trust Fund, Fire District Trust Fund, Court Facilities Trust Fund, Law Library Fund, Transportation Trust Fund, Transportation Project Impact Fee Fund, Fine & Forfeiture Fund, State Attorney & Public Defender Trust Fund, Community Development Block Grant, SHIP Fund, Current Capital Obligations Fund, Capital Projects Fund, Capital Construction Fund, Capital Impact Fees Fund, Solid Waste Fund, and Law Enforcement Education Fund. Chairperson Gentry opened the floor for discussion, with Mr. Gilliam addressing the public in regards to the budget process for the County. Fred Teague addressed the Board, and voiced disapproval to the distribution of the revenue for the County. ***Motion carried unanimously with a 4-0 vote.***

Public Hearing, Resolution 05-41, Tentative MSTU/EMS Millage Rate: (5/2151) Chairperson Gentry advised the Board of Resolution 05-41.

RESOLUTION 05-41

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADOPTING A TENTATIVE NEW

**MILLAGE RATE FOR MUNICIPAL SERVICE TAXING UNIT (M.S.T.U.)
FOR EMERGENCY MEDICAL SERVICE FOR THE FISCAL YEAR
COMMENCING OCTOBER 1, 2005.**

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-41, Tentative MSTU/EMS Millage Rate. The tentative millage rate for the New Municipal Services Taxing Unit (M.S.T.U.) for Emergency Medical Service beginning October 1, 2005, shall be one (1) mill (\$1.00 per \$1,000). Said millage rate is newly established and the rolled-back rate is (\$ 0.00 per \$1,000) computed pursuant to Section 200.065, Florida Statutes. Chairperson Gentry opened the floor for discussion, and no public comments were received. *Motion carried unanimously with a 4-0 vote.*

Public Hearing, Resolution 05-42, Tentative MSTU/EMS Budget: (5/2561-6/87) Chairperson Gentry advised the Board of Resolution 05-42.

RESOLUTION 05-42

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE NEW MUNICIPAL SERVICE TAXING UNIT (M.S.T.U.) FOR EMERGENCY MEDICAL SERVICE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2005.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve Resolution 05-42, Tentative MSTU/EMS Budget. The proposed tentative budget is necessary to fund Personal Services, Operating Expenses and Capital Outlay expenditures for Emergency Medical Service throughout the County. Chairperson Gentry opened the floor for discussion, with no public comments received. Commissioner Tommy Langford made a statement to the public. *Motion carried unanimously with a 4-0 vote.*

Public Hearing, Resolution 05-43, Solid Waste Annual Rate (5:45 p.m.): (6/92) Chairperson Gentry advised the Board of Resolution 05-43.

RESOLUTION 05-43

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, KNOWN AS THE SOLID WASTE ANNUAL RATE RESOLUTION, RELATING TO THE PROVISION OF SERVICES AND FACILITIES FOR SOLID WASTE COLLECTION AND DISPOSAL; ESTABLISHING THE RATE OF ASSESSMENT FOR THE FISCAL YEAR 2005-2006; IMPOSING SERVICE ASSESSMENT AGAINST ASSESSABLE PROPERTY LOCATED WITHIN BOTH THE UNINCORPORATED AND MUNICIPAL AREAS OF GILCHRIST COUNTY; APPROVING THE SERVICE ASSESSMENT ROLL; APPROVING AN EFFECTIVE DATE.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Resolution 05-43, Solid Waste Annual Rate. Chairperson Gentry opened the floor for discussion. Mr. McQueen read aloud a letter from Commissioner Thomas regarding his absence at this meeting, and gave a brief explanation of the assessment. Mr. Wells addressed the Board and voiced his disapproval to the Solid Waste Rates. Mr. Gilliam raised the issue of the reduced rate for City of Trenton residents. *Motion carried unanimously with a 4-0 vote.*

Public Hearing, Resolution 05-44, Fire Annual Rate: (6/666-7/222) Chairperson Gentry advised the Board of Resolution 05-44.

RESOLUTION NO. 05-44

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, RELATING TO THE PROVISION OF

FIRE PROTECTION SERVICES AND FACILITIES AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR IN THE UNINCORPORATED AREA OF GILCHRIST COUNTY; SETTING FORTH PURPOSE AND DEFINITIONS; MAKING LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; SETTING FORTH A PROPOSED SCHEDULE OF ASSESSMENT RATES; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve Resolution 05-44, Fire Annual Rate. Chairperson Gentry opened for discussion. Mr. Gilliam asked if Bell should be included within the short title of the Resolution. Douglas Wilborough addressed the Board and voiced his disapproval of the increase. Mr. McQueen gave a brief explanation of the requirements for volunteer firefighters, and stated the benefits to the Town of Bell. Mr. McQueen read aloud the second section of Commissioner Thomas' letter to the public. Mr. McPherson stated that Bell should be included, and that Section 3C needed to be modified to include Bell. *Motion amended by Commissioner Durden, seconded by Commissioner Tommy Langford, to include modifications to Section 3C. Amendment carried unanimously with a 4-0 vote.* Mr. Hunt addressed the Board regarding the political representation for Gilchrist County, and Commissioner Durden explained the efforts of the Board to ensure Gilchrist County received their fair share of the tax revenues. Commissioner Sharon Langford stated that she is in favor of the overall plan for fire, however, she feels that the fees for vacant property should be taken from other sources and is unfair. Mr. Gilliam advised the Board and the public of the phone calls that he had received regarding the Fire Special Assessment. Commissioner Tommy Langford stated that the vacant property of the County used and benefit the fire services within the County. Joey Jannell, Joe Spfink, Lee Sheltenbrand, and Bud Riffle addressed the Board. The Clerk and County Attorney presented a revised residential definition for property, and requested clarification from the Board. *Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to amend the definition of a dwelling unit to mean a building or portion thereof available to be used for residential purposes consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, this shall not be interpreted to include a residential structure that is uninhabitable due to being disconnected to water, sewer, and electric utilities. Amendment carried unanimously with a 4-0 vote.* The Board further discussed vacant properties, and the Property Appraiser's Office determination of those properties. He also called for any further public comments, with none received. *Amended motion carried unanimously with a 4-0 vote.*

Public Hearing, Hurley: (7/223) Mr. McQueen advised the Board of the request for a rezoning for Thomas F. Hurley from an A5 to commercial neighborhood, and recommended approval with the recommendations and conditions of the Planning & Zoning Board (*the property owner would apply for the Special Exception for the automotive service station and all other requirements are adhered to*). Kenneth Copeland addressed the Board regarding the plans for the site, and stated that the automotive service station would be for assistance in emergencies, but a full time mechanic would not be on duty.

ORDINANCE 05-12

AN ORDINANCE OF GILCHRIST COUNTY, FLORIDA, AMENDING ORDINANCE NO. 93-04, AS AMENDED; RELATING TO THE REZONING OF FEWER THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION BY THOMAS HURLEY, TO AMEND THE OFFICIAL ZONING ATLAS OF THE GILCHRIST COUNTY LAND DEVELOPMENT REGULATIONS, PROVIDING FOR A REZONING FROM AGRICULTURAL-5 (A-5) TO COMMERCIAL NEIGHBORHOOD (CN) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF GILCHRIST COUNTY, FLORIDA; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve Ordinance 05-12 for the rezoning for Thomas F. Hurley. Motion carried unanimously with a 4-0 vote.

EMA/County Administrator Report:

County Incentive Grant Program Status: (7/480) Mr. McQueen advised the Board of the cover letter as included within the agenda package, and stated that the Chief Financial Officer must certify that all funds are available. This could not be included as the matching funds for this Grant are not currently available or identified.

Loncala Property Update: (7/525) Mr. McQueen advised the Board of the pit with trash being dumped into it; however, Commissioner Tommy Langford volunteered to communicate with Alachua County Road Department Assistant Supervisor regarding the clean-up. Mr. McQueen suggested that the Board could participate in the clean-up through other means (*placing dumpsters or waiving fees*).

Health Department Request: (7/612) Mr. McQueen advised the Board of the request by the Health Department for a refrigerator for the employee's lunch area, but stated that the Clerk had addressed the issue in his report.

Uniform Service Agreement: (7/616) Mr. McQueen advised the Board of the Uniform Service Agreement, and recommended approval to negotiate a contract, and the Board agreed.

Statewide Mutual Aid Agreement: (7/699) Mr. McQueen advised the Board of the Statewide Mutual Aid Agreement, and of the Gilchrist County School Board's approval at the July 19, 2005 meeting. Mr. McQueen recommended Board approval of this agreement.

Motion by Commissioner Sharon Langford, seconded by Commissioner Tommy Langford, to approve the Statewide Mutual Aid Agreement between the Department of Community Affairs, the State of Florida, Gilchrist County School Board and the Board of County Commissioners. Motion carried unanimously with a 4-0 vote.

County 4-H Position: (7/736) Mr. McQueen advised the Board of the letter submitted to Dr. Baldwin. He advised that the Board will have the final decision on the position; however the advertisement is not limiting the position to a Master's Degree.

Emergency Management Preparedness and Assistance (EMPA) Base Grant Agreement: (7/768) Mr. McQueen advised the Board of the EMPA Agreement between the County and the Department of Community Affairs for Fiscal Year 2005-2006 (\$105,000), and recommended approval.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Emergency Management Preparedness Agreement (EMPA) (\$105,806), for FY2005-2006. Motion carried unanimously with a 4-0 vote.

Part-Time Position: (7/818) Mr. McQueen advised the Board of the Driveway Permit Procedure for the County, and recommended full-time part-time positions (\$13,371). The Board discussed the length of employment, and benefit requirements. The Board requested more information be brought back for review.

Driveway Permit Procedure: (7/961) Mr. McQueen advised the Board of the procedure created from the Ordinance passed for the County, and provided Driveway Permit Procedure within the agenda packet as information. Mr. McPherson stated that Driveway Standards are being prepared for approval by the Board.

Blanket Easement, Proposed Telephone Right-of-Way (BellSouth): (7/1038) Mr. McQueen advised the Board of the Blanket Easement, and recommended approval.

Motion by Commissioner Durden, second by Commissioner Tommy Langford, to approve blanket easement for proposed telephone right-of-way (BellSouth) at Hart Springs. Motion carried unanimously with a 4-0 vote.

Rudd Transfer, Impact Fees: (7/1144) Mr. McQueen advised the Board of the request to transfer impact fee, and requested approval.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve transfer of impact fee for Rudd. Motion carried unanimously with a 4-0 vote.

EMS Generators: (7/1175) Mr. McQueen requested approval for EMS to be allowed, with Finance Department approval, to get a third generator.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve EMS upgrading generator with conditions of quotes received, Finance Department approval, and that the funds come out of original Grant approved. Motion carried unanimously with a 4-0 vote.

Governor's Recommendation: (7/1290) Mr. McQueen advised the Board of the Energy Conservation Guidelines, and recommended approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve Energy Conservation Guidelines and authorizing Chairperson to sign letter. Motion carried unanimously with a 4-0 vote.

County Planner, Tuition Request: (7/1346) Mr. McQueen advised the Board of the request to enroll in graduate level courses (*Housing Public Policy & Planning and Development Review*) and recommended approval.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve County Planner's enrollment in nighttime Housing Public Policy & Planning and Development Review classes. Motion carried unanimously with a 4-0 vote.

Spring Ridge VFD: (7/1439) Mr. McQueen advised the Board of request to purchase fire hoses, and recommended approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve purchase request for fire hoses (\$3550 and \$3195). Motion carried unanimously with a 4-0 vote.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve transfer of funds within Spring Ridge VFD's budget. Motion carried unanimously with a 4-0 vote.

Point of Distribution Contract: (7/1557) Mr. McQueen advised the Board of the Contract Agreement with Smith's Watermelons, and recommended approval.

Motion by Commissioner Tommy Langford, seconded by Commissioner Sharon Langford, to approve Contract Agreement with Smith's Watermelons at \$600 per day. Motion carried unanimously with a 4-0 vote.

Solid Waste/Mobile Routes: (7/1666) Mr. McQueen advised the Board of the recommendation by Pat Fischer, Solid Waste, regarding mobile routes. The Board discussed spotters as required for route schedules, the reduction of services to the public after the Solid Waste Fee Increase, and further review of this issue.

No Action Taken by the Board.

Board Departments/Energy Conservation: (7/1899) Mr. McQueen advised of his review to conserve operating expenses at Hart Springs, due to the reduction in revenue. He stated that a recommendation will be brought to the Board at a future meeting.

Hart Springs: (7/1959-8/84) Mr. McQueen requested that Julie Harrison address the Board regarding the prior invoice for advertising which failed by a split vote earlier in the meeting. Ms. Harrison requested guidance from the Board on advertising the springs. Mr. Gilliam stated that the advertisement alone was not the only issue.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to reconsider the original motion for approval of purchase order #502045 for Hart Springs advertising in Trailer Life Directory. Commissioner Sharon Langford advised Ms. Harrison that it helps if the Department Supervisor is available for explanation in issues such of this. Motion to reconsider carried unanimously with a 4-0 vote.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve

*purchase order #502045 for Hart Springs to advertise in Trailer Life Directory. The Board requested records be monitored of revenues received from this advertisement. Commissioner Durden restated the fact that he does not support a purchase order being approved without first coming before the Board for approval. The Board also requested a copy of the magazine. **Motion carried unanimously with a 4-0 vote.***

FRDAP Grant Summary: (8/85) Mr. McQueen advised requested approval to submit two (2) FRDAP Grant applications for Hart Springs, and recommended approval. Julie Harrison addressed the Board regarding the projects within the Grant applications.

Motion by Commissioner Tommy Langford, seconded by Commissioner Durden, to approve submission of two (2) FRDAP Grant applications for Hart Springs. Motion carried unanimously with a 4-0 vote.

Insurance Open Enrollment: (8/246) Mr. McQueen advised the Board of the open enrollment dates for changes in insurance coverage.

Commissioners Reports:

Commissioner Tommy Langford: (8/265) discussed advertising energy conservation efforts in local paper.

Commissioner Tommy Langford discussed the Transportation Committee, and advised the Board of the Committee's status. He discussed the road at SE 70th and stated that an estimate had been received from the Road Department.

Mr. McQueen voiced Commissioner Thomas' concerns regarding a Board of County Commissioner sitting on the Road Committee and the Board making a decision on SE 70th. The Board decided that this issue needed to be addressed when Commissioner Thomas is in attendance.

Commissioner Tommy Langford discussed the Emergency Management position, and asked about the status of advertisements and applications. Mr. McQueen stated that after the adoption of the Final Budget, the job descriptions will be presented to the Board.

Commissioner Tommy Langford discussed Board Departments being allowed to work 4-day work week to conserve gas. Discussion was made regarding who has the authority to set the Constitutional Officers' schedule in regards to the Tax Collector and Property Appraiser Office, and discussed the Tax Collector's inquiry to close on Mondays and work 10-hour days from Tuesday through Friday.

Commissioner Sharon Langford: (8/697) discussed the report of the condition of the parks within the County, and requested if the cleanup had been completed. Mr. McQueen stated that John Philman's inmate crew had been sent.

Commissioner Durden: (8/727) discussed contacting the County Attorney regarding the Town of Bell.

Commissioner Durden made a statement regarding his representation to the Board regarding the Chamber of Commerce, and would stand by this statement from here forward.

Chairperson Gentry: (8/766) discussed the Character First Counsel, and stated that a Seminar will be held in Gainesville. He discussed the attendance of representation, with the Board agreeing that if a member wishes to attend, they should finance their attendance (\$175 per person) without Board support.

New Business: (8/837) None.

Old Business: (8/840) None.

Public Participation: (8/842) Mr. Bud Riffle, representing North Gilchrist VFD, requested approval of purchase of a generator and 200 amp generator switch at the cost of \$6,025. He stated that there is money within his budget that he had saved, and stated that a vendor had offered waiving the shipping cost and applying a 2% discount from the purchase price if the check accompanied the order. The Clerk stated that he recommended paying the 2% to ensure verification of order. Mr. Riffle stated that \$2,000 would be taken from funds raised through breakfast funds to pay for the

electrical switchover.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve request for purchase of generator as long as quotes are received and delivery can be made prior to September 30, 2005. Motion carried unanimously with a 4-0 vote.

Mr. Bud Riffle (8/1004) also requested approval to purchase fire hose (15 rolls of 1 3/4" hose at \$1,200 and 10 rolls of 3" hose at \$1,400) plus freight.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford, to approve request to purchase fire hoses as long as the cost does not exceed \$3,000. Motion carried unanimously with a 4-0 vote.

Adjournment: (8/1128)

There being no further business, Commissioner Tommy Langford ***moved*** to adjourn at 9:06 p.m. Motion carried unanimously.

ATTEST:

APPROVED:

Mitchell Gentry, Chairperson

Joseph W. Gilliam, Clerk