

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD DECEMBER 05, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, December 05, 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 Tommy Langford, Chairperson
Commissioner Durden, Vice-Chairperson
Commissioner Kenrick Thomas
Commissioner Sharon Langford
Commissioner Mitchell Gentry

Others in attendance were: John McPherson, County Attorney, Joseph W. Gilliam, Clerk of Court, Janice Wasson, Deputy Clerk, Ron McQueen, EMA/County Administrator, Stacy Winfield, County Planner, Jacki Johnson, Finance Department, Lee Mills, Justin Watson, Gene Parrish, Lee Scheltenbrand, Brenda Scheltenbrand, Don Alexander, Evelyn Meece, Melon Meece, Rick Dolna, Matthew Johnson, and Jeff Watson.

Call to Order:

Chairperson Tommy Langford called the meeting to order at 1:15 p.m., with Commissioner Gentry delivering the invocation and Commissioner Durden leading the Pledge of Allegiance.

Agenda Changes: (1/34) Mr. Gilliam advised the Board of the following agenda changes:

Additions:

1. Supervisor of Elections, Canvassing Board Appointment
2. Judge Philman to attend Workshop on January 19, 2006
3. Alexander Group and Judge Philman, Judicial Complex
4. TRIM Certification Acceptance

Mr. McQueen advised the Board of the following agenda changes:

Additions:

1. Approval for Florida Emergency Preparedness Association Conference in January
2. Advertisement for Zoning Board position

Mr. McPherson advised the Board of the following agenda changes:

Additions:

1. Capital Facilities Impact Fee

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

Consent Agenda: (1/106)

1. Approval of Bills
2. Approval of Budget Entries:

#BE06-011, Transportation Project Impact Fee Fund, \$69,379.00
#BE06-012, General Fund, \$60,045.00
#BE06-013, General Fund, \$69,379.00

3. Approve Minutes:
November 21, 2005, Regular Meeting

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Consent Agenda. Motion carried unanimously with a 5-0 vote.

Attorney Report:

Ordinances and Resolutions:

Subdivision Regulations: (1/121) Mr. McPherson advised the Board this Ordinance is set for adoption at the current meeting.

County Building Use Policies: (1/138) Mr. McPherson advised the Board that a draft Resolution is contained within this packet for review, and is set for time certain at the current meeting.

Status Reports:

McArthur Property donation: (1/140) Mr. McPherson advised the Board that a survey had been ordered.

Philpot Park: (1/145) Mr. McPherson advised the Board that Mr. Gilliam had been in contact with the Philpot family with regard to the possible disposition of this property. Mr. Gilliam added that he had spoken to Sidney Philpot, and stated that he would report to the Board when more information is received.

Land Development Code Update: (1/164) Mr. McPherson advised the Board that, as mentioned in his last report, Article IV, Impact Fees, were reviewed and approved by the Planning and Zoning Board at its November meeting. He stated that Chapter 163, Florida Statutes, refers to impact fees as land development regulations that belong in the land development code, thus, this article merely takes existing fee regulations (as modified by the current ordinances) and places them in the land development code., Mr. McPherson stated that the draft is contained within this packet for the Board to review.

Pending Litigation:

Brooks and Strickland v. Aderholts and Gilchrist County: (1/187) Mr. McPherson advised the Board that arrangements for the removal of the tree(s), and the entry of a Final Court Order are proceeding. He stated that the question had arisen regarding a member of the County Road Department supervising the removal, and that it should not be an all day event. Commissioner Tommy Langford advised the Board that this was a specific request of Loncala, with Commissioner Durden commenting that he did not want the Road Department to become involved in any confrontation. Commissioner Gentry asked about a Deputy being present, with Commissioner Durden stressing his disagreement with the Road Department being present at all.

The Board directed Justin Watson to be present to ensure that the process begins, but was told not to get involved in any way or to rearrange his schedule for this process.

Gilchrist County v. Langfords: (1/354) Mr. McPherson advised the Board that the Court had signed the Final Order based on the stipulation of the parties. He stated that this concluded the litigation between the County and the Langfords, and that the last step would be to obtain a release from the Federal Government of lien on the property. Mr. Gilliam advised that the stipulation had been received, and the checks had been cut and sent to the Attorneys.

Gilchrist County v. James Lee: (1/371) Mr. McPherson advised the Board that the complaint against Mr. Lee had been filed, but that the Sheriff of Lake County had not been able to locate Mr. Lee at the address provided. Mr. McPherson stated that a current address would have to be found for service.

Miscellaneous:

Three Rivers Legal Services Funding: (1/376) Mr. McPherson advised the Board that he is still working on this issue. Mr. McPherson recommended that the balance of the monies not used to fund the legal aid program be sent to Three Rivers Legal Services.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to send the balance of the monies received (not used to fund the Pro Se Program) to Three Rivers Legal Services. Motion carried unanimously with a 5-0 vote.

Trenton Community Redevelopment District Expansion: (1/471) Mr. McPherson advised the Board that discussion of this issue is set for time certain at the current meeting.

Impact Fee: (1/476) Mr. McPherson advised the Board that Bell had tabled this issue, and Commissioner Durden updated the Board on the last meeting of the Town of Bell. Mr. McPherson stated that the County needed the municipalities to opt back into the agreement, and that this would require a County Ordinance, changing the language to state that the Capital Facilities Impact Fee is imposed County wide. This would allow the collection of the Impact Fee on building permits within the municipalities.

Mr. David M. Lang, Jr., Esquire addressed the Board and gave a brief history on fees and revenues. The Board, Mr. McPherson, and Mr. Lang agreed that the language within the newly passed Ordinance needed amending due to the underlying Ordinance containing different language in regards to the services receiving revenue from the impact fees collected.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to direct the County Attorney to amend the language within Ordinance 05-14. The Board discussed the fairness and financial hardship to the citizens of the municipalities. Motion amended by Commissioner Durden, seconded by Commissioner Thomas, to include authorization for advertisement. Motion carried unanimously with a 5-0 vote.

Public Hearing, Community Redevelopment: (1/964) Mr. Ottenwess, City Manager, City of Trenton, addressed the Board and advised the Board of utilization of the funds being collected.

The Board and Mr. Ottenwess discussed several development ideas that are being considered by the City of Trenton. Mr. Ottenwess stated that the main development would be concentrated on Main Street, but that other areas were being looked at. The Board and Mr. Ottenwess discussed the expansion noted in the mailing received by Commissioner Gentry to mean the expansion of the projects, not the expansion of the annexed land surrounding the City of Trenton.

Mr. Lang reviewed the plan as passed by the City of Trenton, and discussed the direction of the City Commission Board as to the future plans, including an agreement with the Florida Greenways and Trails concerning the control of the Train Depot.

Alexander Group/Judicial Complex: (1/1643-2/530) Mr. Gilliam advised the Board of the budgeting issues that have arisen in regards to the Judicial Complex, and asked Mr. Kelly to address the Board.

Lloyd Kelly addressed the Board and discussed the revisions to the plans and cost of the project regarding the increase in expenses due to the recent hurricanes and increase in supplies.

Judge Philman addressed the Board and explained the intention of the Chief Judge, and the public safety factors in regards to the holding cells and safety within the courthouse and courtroom itself.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to proceed with the Courthouse project with a maximum cost of \$2,790,000, to allow Mr. Kelly to go out for bid, bring the actual maximum price back to the Board for approval, and funding not affect General Revenue Funds. Motion carried unanimously with a 5-0 vote.

Division of Forestry, Annual Report: (2/533) Mr. Richard Dolan advised the Board of the Annual Report of the Division of Forestry. Mr. Matt Johnson presented the Board

with Division of Forestry Annual Fire Control Report and Annual Report/Forestry's Cooperative Forestry Assistance Program.

Clerk Report:

Use of Chamber Office: (2/700) Mr. Gilliam advised the Board of recent request by Workforce Development to use office space within the Chamber of Commerce building three (3) days per week, and recommended approval.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve allowing the Workforce Development to use Chamber office within the office hours of the Chamber. Motion carried unanimously with a 5-0 vote.

Resolution 05-65, Budget Entry #BE06-015: (2/764) Mr. Gilliam advised the Board of Resolution 05-65, accompanied by Budget Entry #BE06-015 for \$18,901.74 representing an insurance reimbursement, and recommended approval.

Motion by Commissioner Thomas, seconded by Commissioner Sharon Langford, to approve Resolution 05-65 for \$18,901.74. Chairperson Tommy Langford read the Resolution aloud for the public in attendance. Motion carried unanimously with a 5-0 vote.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve Budget Entry #BE06-015 for \$18,901.74. Motion carried unanimously with a 5-0 vote.

Sheriff Office, DARE Supplies: (2/828) Mr. Gilliam advised the Board of the Sheriff Office's request to purchase DARE supplies for the school in the amount of \$2,324.06.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve the Sheriff Office request to purchase DARE supplies for the school in the amount of \$2,324.06. Motion carried unanimously with a 5-0 vote.

Sheriff Office, Homeland Security Grant: (2/877) Mr. Gilliam advised the Board of the grant award in the amount \$15,300, and requested approval of the acceptance and allow Chairperson to sign.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve and accept the Homeland Security Grant Award for \$15,300, and allow Chairperson to sign. Mr. Gilliam stated that the grant stated the purpose was to enhance local domestic security and response capabilities. Motion carried unanimously with a 5-0 vote.

Sheriff Office, Justice Assistance Grant (JAG): (2/917) Mr. Gilliam advised the Board of the grant and of the Sheriff Office's request to purchase firearms in the amount of \$3,305, and also requested authorization for the Chairperson to sign.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve the application for Byrne Grant Justice Assistance Grant (JAG) for \$3,305, and authorize chairperson to sign. Motion carried unanimously with a 5-0 vote.

Canvassing Board Appointment: (2/964) Mr. Gilliam advised the Board of the requirement of an appointment of a Commissioner to the Canvassing Board, with the Commissioner Thomas volunteering to serve.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to authorize the appointment of Commissioner Thomas, and to authorize Commissioner Thomas and Judge Philman to attend the Canvassing Board Seminar on January 19, 2006. Motion carried unanimously with a 5-0 vote.

County Planner Report:

Recreational Vehicles: (2/1057) Ms. Winfield addressed the issue of permitting recreational vehicles, and requested the issue be placed as a time certain on a future agenda. A workshop was scheduled for January 16, 2006 at 5:15 p.m.

Public Hearing, Approval of Plat, Saddlebrooke Minor Subdivision: (2/1227) Ms. Winfield advised the Board of the resubmittal of a plat for Saddlebrooke Minor Subdivision, and recommended approval.

Mr. Gene Parrish addressed the Board and discussed the additional lots outside of any dedicated right-of-way.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve plat as submitted for Saddlebrooke Minor Subdivision.

Motion Amended by Commissioner Gentry, seconded by Commissioner Thomas, to replace the original plat submitted and approved on July 18, 2005, and to change the spelling of the subdivision name to Saddlebrook Minor Subdivision. Motion carried unanimously with a 5-0 vote.

Motion by Commissioner Gentry, seconded by Commissioner Durden, to approve making the fee 50% of the original application fee. Commissioner Gentry stated that his reason being that the original plat was not recorded prior to the replat. Don Alexander addressed the Board regarding maintaining the roads within the subdivision. Motion carried unanimously with a 5-0 vote.

County Agent, Recommendation for 4-H County Agent: (2/1984) Mr. McQueen advised the Board of the hiring process for the County Agent position, and stated that the final selection would be brought for Board approval.

Citizen's Request, Arlene Cameron: (2/2211) Mr. McQueen addressed the Board on behalf of Ms. Cameron due to her illness, and advised that the breakfast Ms. Cameron was requesting for the Community Volunteer Response Team could be funded under the grant, and the Board agreed.

Road Department Report:

John Deere 850C/Bull Dozier: (2/2302-3/144) Mr. Watson advised the Board of resubmitted quotes as requested by the Board, and presented new quotes from HeavyQuip, Ring Power, and Highland Tractor Company to the Board. Mr. Watson recommended approval of the quote from HeavyQuip for \$6,236.94.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to accepting the bid from HeavyQuip not to exceed \$6,236.94. Motion carried unanimously with a 5-0 vote.

Speed Limit Signs: (3/156) Mr. Watson advised the Board of need for speed limit sign on Florida Street at the request of Greenway Trails. He stated that it would be his recommendation to place a 35 mph speed limit sign from Florida Street to US 19.

Motion by Commissioner Gentry, seconded by Commissioner Durden, to approve placement of a 35 mph signs and curve signs by the County Road Department extending from Florida Street, Fanning Springs to US 19. Motion carried unanimously with a 5-0 vote.

Signs: (3/268) Mr. Gilliam advised the Board that he had been asked if there were many intersections of graded roads within the County that do not have stop signs posted, with Mr. Watson stating that there are a few, but not many. Mr. Watson stated that on County Roads, the replacement or placement of stop signs is being handled as they are found, and that all 911 signs are maintained by the County as a form of identification for emergency services.

Purchase of Motor for Truck: (3/333) Mr. Gilliam advised the Board of quote received from Piedmont Farms, Inc. for the purchase of a truck motor, and requested approval. He advised that the Road Department has knowledge of the motor, and recommended approval. Commissioner Thomas submitted Form 8B, Voting Conflict.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve the purchase of a 1987 7.3L diesel motor from Piedmont Farms, Inc. (as is) for \$2,500. Commissioner Gentry stated for the record that the motor had been replaced, and that it was originally a 6.9L. Motion carried unanimously with a 4-0 vote, with Commissioner Thomas abstaining from the vote.

Public Hearing, Impact Fees Land Development Code, Article Review: (3/438) Mr. McPherson advised the Board of Article IV, with Commissioner Durden requesting a change of the language within the Imposition of Public Capital Facilities Impact Fee section, paragraph (a). Chairperson Tommy Langford called for public comments, with none received.

Public Hearing, Resolution 05-63, County Building Usage Policies: (3/512) Mr. McPherson advised the Board of Resolution 05-63, and requested approval. The Board discussed rental fees and deposits, with the Board agreeing on \$30 rental fee per use, with a \$50 cleanup deposit. The Board must approve any waiver of fees granted for building usage.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve Resolution 05-63, County Building Usage Policies, with changes and authorize Chairperson to sign. Chairperson Tommy Langford called for public comment, with none received. Motion carried unanimously with a 5-0 vote.

County Administrator Report:

Engineers Report, Courthouse: (3/920) Mr. McQueen advised the Board of inspection of cracked brick arches.

EMS Inspection: (3/1002) Mr. McQueen advised the Board of the unannounced inspection completed by the Department of Health, and advised that no deficiencies were found. Mr. McQueen commended Ms. Linda Walker on her management, and Beth Latner's assistance.

Solid Waste Truck: (3/1039) Mr. McQueen advised the Board of the resubmital of the truck bid per Board request, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve purchase of truck on Sheriff Association State Contract for \$19,500 for Solid Waste. Motion carried unanimously with a 5-0 vote.

Boat Ramp Grant: (3/1095) Mr. McQueen advised the Board of the previous direction of the Board to apply for the grant, and updated the Board of the cost. He stated that if the grant is funded, the County may be required to match a portion of the funds.

Purchase Order, SCBA Repairs: (3/1169) Mr. McQueen advised the Board of repair needed on 15 air packs, and requested approval.

Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve repairs for air packs not to exceed \$5,600. Motion carried unanimously with a 5-0 vote.

Site Plan Approval Fee: (3/1263) Mr. McQueen advised the Board of the site plan approval fee that needs to be established within the County, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve Site Plan Approval Fee of \$75. The Board did not want anyone to be charged twice. Motion carried unanimously with a 3-2 vote, with Commissioner Thomas voting yes, Commissioner Gentry voting no, Commissioner Durden voting yes, Commissioner Sharon Langford voting no, and Chairperson Tommy Langford voting yes.

Fire Truck Approval: (3/1405) Mr. McQueen advised the Board of the proposed contract with Hallmark for the purchase of a fire truck for Spring Ridge VFD, and requested approval to proceed with the order.

Motion by Commissioner Gentry, seconded by Commissioner Sharon Langford, to approve purchase of a fire truck on State contract for \$242,005. Mr. Gilliam stated that he would request an answer from the auditors regarding funding. Motion carried unanimously with a 5-0 vote.

Miscellaneous: (3/1754) Mr. McQueen advised the Board of advertisement for the position on the Planning & Zoning Board due to the resignation of Jonathan Kincaid, and requested direction from the Board.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve advertisement for the position on the Planning and Zoning Board. Motion carried unanimously with a 5-0.

Impact Fees: (3/1862) Mr. McQueen requested clarification that anyone who submitted a full set of construction plans prior to January 1, 2006 would be charged the old impact fees, with a three (3) weeks approval period for those plans. The Board agreed.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve Gilchrist County impact fees for building permits to increase January 1, 2006. Complete plans MUST be submitted for approval prior to January 1, 2006 to qualify the old impact fee rate, and approved within the first three (3) weeks of January, 2006. Motion carried unanimously with a 5-0 vote.

Loraine Lightner: (3/2009) Mr. McQueen requested, on behalf on Loraine Lightner, to be employed as the acting Town Clerk for the Town of Bell. He stated that the hiring of a Town Manager will alleviate any conflict with her current duties with the County. The Board did not object.

Mills Engineering Updates

Jail Update: (3/2126) Commissioner Durden updated the Board on the process and permitting at the jail for sewer installation.

Mills Engineering/CR 337 & CR 340: (3/2186) Commissioner Durden updated the Board on the progress on CR 337 and CR 340.

Space Needs: (3/2262) Mr. McQueen advised the Board that a report on space would be addressed at the December 19, 2005 meeting.

Payment in lieu of Taxes: (3/2287) Mr. Gilliam advised the Board of the check received from Suwannee River Water Management, and advised of the amount.

Commissioner Reports:

Commissioner Sharon Langford: (3/2322) discussed the auditor's findings regarding the budgeting of the Gilchrist County Soil & Water Conservation Office, with Mr. Gilliam advising the Board of the issues surrounding the funding.

Commissioner Durden: (3/2480) discussed the parade over the weekend, and commended the Board's participation, with Sam Ferguson, Finance Director, driving the Board in the parade.

Commissioner Durden also discussed the Delegation Hearing held on November 30, 2005.

Commissioner Thomas: (3/2548-4/217) discussed grading church entrance roads, and the paving of other roads within the County. He also discussed the County possible increasing the amount of graders to be utilized within the County to ensure better service and maintenance for the citizens of the County.

Commissioner Thomas also discussed a negative comment received from a citizen regarding the sign made for the Board's vehicle in the parade.

Mr. Gilliam discussed the grader that will be rolling off in February, and discussed the buy back policy. Commissioner Durden commented on the John Deere equipment and repair service, and would not be in favor of the County purchasing any more John Deere equipment. Mr. McPherson advised the Board that the Board can waive the bidding requirements to purchase on a State contract, and that the Board is not required to accept the lowest bid received as long as the bid documents state that the County reserves the right to reject any and all bids.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve bidding out the grader that would be rolling off in February. Motion carried unanimously with a 5-0 vote.

Commissioner Gentry: (4/218) discussed the paving of graded roads within the County, and discussed the decision of the Transportation Committee.

Chairperson Langford: (4/306) discussed Committee assignments, with several changes, and stated that he would present an updated list to all of the Board members.

Chairperson Tommy Langford discussed the purchase of land from Loncala, and presented a written agreement to sell 3.0 acres at the rate of \$5,000 per acre.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to order survey for the three acres to be purchased from Loncala. Motion carried unanimously with a 5-0 vote.

Judge's Luncheon: (4/438) Mr. Gilliam requested a head count of the Board members that would be in attendance of the Judge's luncheon on December 14, 2005.

Keys: (4/450) Mr. Gilliam requested the Board members to check the key provided for the side entrance. He stated that several keys did not work properly, and we would be ordering more keys for the Board.

Old Business: (4/460) None.

New Business: (4/463) None.

Public Participation: (4/465) None.

Adjournment: (4/470)

There being no further business, Commissioner Thomas *moved* to adjourn at 5:03 p.m. Motion seconded by Commissioner Gentry, and carried unanimously.

APPROVED:

Tommy Langford, Chairperson

ATTEST:

Joseph W. Gilliam, Clerk