

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JANUARY 17, 2006.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Tuesday, January 17, 2006 at 4:00 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, County Administrator, Sam Ferguson, Finance Director, Stacy Winfield, County Planner, Justin Watson, Ron Mills, Allen Mikell, Larry Rogers, Lee Scheltenbrand, Brenda Scheltenbrand, Greg Sanchez, Don Alexander, Leon Wyszowski, Alex Wyszowski, Melvin Meece, Evelyn Meece, Ed Poitevient, Marion Poitevient, Lanie Crespo, James Wilkerson, Ellie Wheeler, Mel Wheeler, Jack Diepersloot, Walter Jarvis, and Jerry Kiernan.

**Call to Order:**

Chairperson Tommy Langford called the meeting to order at 4:00 p.m., with Commissioner Sharon Langford delivering the invocation and Commissioner Durden leading the Pledge of Allegiance.

**Agenda Changes:** (1/32) Mr. Gilliam advised the Board of the following agenda changes:

Additions:

1. School Board Invoice, Shared Services Network, \$5,000 *(Clerk Report)*
2. Bid Opening for Tractor for Solid Waste *(Clerk Report)*
3. Repair to Dragline *(Road Department Report)*
4. Larry Rogers, SE 100<sup>th</sup> *(Road Department Report)*

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

Additions:

1. Purchase Order, Roll off bin for Solid Waste
2. Homeland Security Grant

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

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

Deletions:

1. Workshop, Ordinance for Permitting Recreational Vehicles
2. Easley Place First Addition Major Subdivision

***Motion amended by Commissioner Durden, seconded by Commissioner Thomas. Motion carried with a 5-0 vote.***

**Consent Agenda:** (1/121)

1. Approval of Minutes:  
January 3, 2006
2. Approval of Budget Entries:

#BE06-032, State Attorney/Public Defender Fund, \$306.72

***Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve Consent Agenda with one minor correction to the minutes of January 3, 2006. Motion carried unanimously with a 5-0 vote.***

**Road Department Report:** (1/153) Mr. Watson advised the Board that Ring Power had notified him that they would be waiving the invoice for the fire damage to the grader.

**Dragline Repair:** (1/180) Mr. Watson advised the Board of the estimated cost to repair the dragline located at the pit for \$13,460.15, and requested approval. The Board discussed funding, and agreed for funds to be taken from General Reserve.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve repair of the dragline and funds to be transferred from General Reserve. Motion carried unanimously with a 5-0 vote.***

**Road Closing:** (1/365) Mr. Gilliam advised the Board of the request for clarification on the road closing, with Mr. Rogers addressing the Board. Mr. Rogers advised of several issues that had arisen from the confusion on the address. He also discussed the maintenance of the road in question, and requested clarification if the road was a private road or a County road. Mr. McQueen stated that he spoke to the Property Appraiser's Office, and the correction had been made to the current maps, but that the street signs are correct.

Mr. McPherson stated that unless a Resolution can be provided, the road will be determined as a County owned and maintained road. He also stated that maps must be corrected, gates removed and the road should be placed on the Road Department maintenance schedule.

***Motion by Commissioner Gentry, seconded by Commissioner Durden, to declare that the road is SE 100<sup>th</sup> Street; the road is a County (public) road, and the level of maintenance to be determined by the County Road Department. Motion carried unanimously with a 5-0 vote.***

**S & T Service's Bid:** (1/1174) Mr. Sanchez addressed the Board and discussed S & T Service's bid increase due to the increase in the price of asphalt. Mr. McPherson clarified that a bid is accepted by the Board, it is considered a contract, and suggested that a statement of duration of the bid needed to be added to his bidding documents.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve paying 50% of the bid increase for S & T Service (\$4,132 each). Motion carried unanimously with a 5-0 vote.***

Road Department Employees: (1/1488) Commissioner Thomas discussed the difficulty in maintaining employees within the Road Department, and discussed the requirement of a CDL classification. The Board discussed the current Board policy containing the requirement, with the Board agreeing to allow Mr. McQueen to research the laws.

Agenda Change: Commissioner Thomas raised the issue that the change agreed upon by the Board at the previous meeting, and stated that Mr. Watson's day off is Monday, and he is attending the meeting on his day off.

**Land Development Code, Article 13 Review:** (1/1814) Mr. McPherson advised the Board of Article 13, and deferred the review until the Board has a time to review the information presented. The Board agreed to schedule a time certain for the mid-month meeting in February.

**Public Safety Director, Department Presentation:** (1/1881-2/131) Mr. Willis addressed the Board to discuss the Department of Public Safety, including policies and procedures.

Lee Scheltenbrand addressed the Board in support of the direction of the Public Safety.

***Motion by Commissioner Durden, seconded by Commissioner Thomas, to direct County Attorney to create a draft ordinance establishing the Public Safety Department and schedule Public Hearing for review and adoption. Motion carried unanimously with a 5-0 vote.***

EOC (Emergency Operations Center) Grant: (2/132) Mr. Willis addressed the Grant application with a deadline of February 1, 2006, and requested approval to submit an application centralizing the location of the public safety department and its public services.

***Motion by Commissioner Gentry, seconded by Commissioner Durden, to authorize the Public Safety Director proceeding with the application of the EOC Grant. Motion carried unanimously with a 5-0 vote.***

**Public Hearing, Hidden Oaks First Addition Major Subdivision:** (2/722) Ms. Winfield advised the Board of the preliminary plat for Hidden Oaks Major Subdivision, and recommended approval. Mr. Gene Parrish addressed the Board regarding access to the subdivision.

Chairperson Tommy Langford called for public comment, with Mr. Leon Wyszowski addressing the Board in regards to the numbering of the lots being determined by placement of the mail receptacles.

***Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve preliminary plat for Hidden Oaks First Addition Major Subdivision per staff recommendations. Motion carried unanimously with a 5-0 vote.***

**Public Hearing, Woods of Alchrist Major Subdivision:** (2/1052) Ms. Winfield advised the Board of the preliminary plat for Woods of Alchrist Major Subdivision, and recommended approval.

Chairperson Tommy Langford called for public comment, with one gentleman questioning the speed limit of the access road and closure of the constructed road.

***Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve preliminary plat for Woods of Alchrist Major Subdivision per staff recommendations. Motion carried unanimously with a 5-0 vote.***

**Attorney Report:**

**Ordinances and Resolutions:**

None: (2/1412) Mr. McPherson advised the Board that there were no Ordinances set for adoption at the current meeting.

**Status Reports:**

McArthur Property Donation: (2/1425) Mr. McPherson advised the Board that a survey had been ordered.

Land Development Code Update: (2/1429) Mr. McPherson advised the Board that the draft of Article 13, Administrative Procedures, had been prepared and reviewed by staff, and had been presented to the Planning and Zoning Board on January 12, 2006 for review. Mr. McPherson also stated that a review of Article 13 was scheduled for the current meeting. He also discussed the Board of County Commission serving as the Board of Adjustment.

**Pending Litigation:**

Brooks and Strickland v. Aderholts and Gilchrist County: (2/1511) Mr. McPherson advised the Board that there had been no new activity.

Gilchrist County v. Langfords: (2/1514) Mr. McPherson advised the Board that he is still waiting for the release of lien from the Federal government.

Gilchrist County v. James Lee: (2/1520) Mr. McPherson advised the Board that he is still awaiting notification of the service of Mr. Lee.

**Miscellaneous:**

Townsend Agreement: (2/1539) Mr. McPherson advised the Board that a draft license agreement with Mr. Clyde Townsend for the extraction of limerock from his property was included within the agenda packet for review including a 5 year renewal and 1 year termination.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to direct the County Attorney to meet with Mr. Townsend and review the license agreement. Motion carried unanimously with a 5-0 vote.***

Contract with Alexander Group: (2/1667) Mr. Gilliam advised the Board that he had met with Mr. Lloyd Kelly regarding the preparation and execution of Part Two (2) of the Design/Build Contract. He stated that Mr. Kelly would be receiving bids as of January 31, 2006, and recommended postponing the contract review until February 6, 2006 at 2:15 p.m.

Disposal of County Real Property: (2/1758) Mr. McPherson advised the Board of his recommendation for the sale of County Property and the exchange with the School Board.

***Motion by Commissioner Durden, seconded by Commissioner Gentry, to direct Attorney to create a legal description and publish notice for the sale of the Barrow Pit, 1.0 acre. Motion carried unanimously with a 5-0 vote.***

The Board also discussed the land swap with the School Board following these same requirements. Further discussion would proceed after Mr.

McQueen returns from the School Board meeting tonight.

Fire Protection, Town of Bell: (2/1839) Commissioner Durden advised the Board that the Town of Bell agreed, at their regular meeting, and that an Interlocal Agreement would be prepared and reviewed on February 6, 2006 at 1:45 p.m.

**Clerk Report:**

SHIP Recommendation: (2/1929) Ms. Charlotte Pedersen advised the Board of the recommendation by the SHIP Loan Review Committee to approve an increase in the maximum purchase price for SHIP loans as follows, and recommended approval.

Very Low Income \$100,000 maximum purchase price  
\$40,000 SHIP loan

Low Income \$100,000 maximum purchase price  
\$29,000 SHIP loan

Moderate Income \$100,000 maximum purchase price  
\$21,500 SHIP loan

***Motion by Commissioner Sharon Langford, seconded by Commissioner Gentry, to approve SHIP Loan Review Committee's recommendation to increase the maximum purchase price for SHIP loans and Board of County Commissioners participation amount as presented. Motion carried unanimously with a 5-0 vote.***

Recess for BOA @ 6:09 pm  
Reconvened as BOCC at 7:20 pm

**Public Hearing, Sycamore Farms Major Subdivision:** (2/2257) Ms. Winfield advised the Board of the preliminary plat for Sycamore Farms Major Subdivision, and recommended approval. Chairperson Tommy Langford called for public comment, with none received.

***Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve preliminary plat for Sycamore Farms Major Subdivision per staff recommendations. Motion carried unanimously with a 5-0 vote.***

**Public Hearing, Tyler Creek Business Community Major Subdivision:** (2/2441-3/1239) Ms. Winfield advised the Board of the preliminary plat for Tyler Creek Business Community Major Subdivision, and recommended approval.

Commissioner Gentry stepped down, and abstained from participation as a Commission member and abstained from the vote, filing Form 8B, Memorandum of Voting Conflict.

Mr. Gene Parrish and Mr. Mitchell Gentry addressed the Board and clarified the rezoning, with the Board completing a lengthy discussion. The Board requested that the zoning needed to be in place prior to the approval of the preliminary plat by the Board.

***Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to postpone the approval of the preliminary plat for Tyler Creek Business Community Major Subdivision until after the zoning change is approved. Mr. Mitchell Gentry advised that***

his conflict being that he is the owner of the property, and therefore he abstained from the vote. He also stated that the delay in the approval contingent on the zoning change would place an additional 30 days on the process. Ms. Winfield stated that the preliminary plat approval was not placed on the current agenda due to advertisement requirements. ***Motion failed with a 2-2 vote, with Commissioner Sharon Langford voting yes, Commissioner Durden voting yes, Commissioner Thomas voting no, and Chairperson Tommy Langford voting no.***

Chairperson Tommy Langford turned the gavel over to the Vice Chairperson, Randy Durden.

***Motion by Commissioner Thomas, seconded by Chairperson Tommy Langford, to approve the preliminary plat for Tyler Creek Business Community Major Subdivision.*** Mr. Mitchell Gentry addressed the Board and requested approval of the preliminary plat. Mr. McPherson advised the Board that if it is the desire of the Board, the Board can direct staff not to bring any further preliminary plat before the Board until the zoning and land use is in place. Commissioner Sharon Langford called for question. ***Motion failed with a 2-2 vote, with Commissioner Thomas voting yes, Commissioner Durden voting no, Commissioner Sharon Langford voting no, and Chairperson Tommy Langford voting yes.***

Commissioner Durden, and Commissioner Sharon Langford, expressed that the denial was due to zoning being incorrect at the present time.

**Scheduling of Land and Zoning Items:** (3/1240) Mr. Gilliam addressed the Board and requested direction of the Board on the scheduling of land and zoning issues at the first meeting of the month. Ms. Winfield stated that she would like an across the board decision so that she would not be placed in the decision making position. The Board agreed to leave the scheduling as it is.

**Public Hearing, Easley Place First Addition Major Subdivision:** (3/1668) The Public Hearing was removed from the agenda, to be addressed at a later date, however Ms. Winfield clarified the right-of-way issue.

**Clerk Report (Continued):**

Resolution 06-01 and Budget Entry #BE06-033, Terrorism Prevention Grant: (3/1720) Mr. Gilliam advised the Board of Resolution 06-01, and #BE06-033, which represents the grant being awarded to the County by the State in the amount of \$15,300, and recommended approval.

***Motion by Commissioner Sharon Langford, seconded by Commissioner Durden, to approve Resolution 06-01 and budget entry #BE06-033, \$15,300, for the Terrorism Prevention Grant. Motion carried unanimously with a 5-0 vote.***

Resolution 06-02 and Budget Entry #BE06-034, Byrne State and Local Law Enforcement Grant: (3/1797) Mr. Gilliam advised the Board of Resolution 06-02, and #BE06-034, which represents a grant awarded in the amount of \$28,823, and recommended approval.

***Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve Resolution 06-02 and budget entry #BE06-034, \$28,823, for the Byrne State and Local Law Enforcement Grant. Motion carried unanimously with a 5-0 vote.***

Resolution 06-03 and Budget Entry #BE06-035, Judicial Assistance Grant (JAG): (3/1854) Mr. Gilliam advised the Board of Resolution 06-03, and #BE06-035, which represents a grant awarded in the amount of \$3,305, and recommended approval.

***Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve Resolution 06-03 and budget entry #BE06-035, \$3,305, for the Edward Byrne Memorial Judicial Assistance Grant. Motion carried unanimously with a 5-0 vote.***

Resolution 06-04 and Budget Entry #BE06-036, SHIP: (3/1913) Mr. Gilliam advised the Board of Resolution 06-04, and #BE06-036, amending the Local Housing and Assistance Trust Fund for payoff of the second mortgage for Elizabeth Story.

***Motion by Commissioner Gentry, seconded by Commissioner Durden, to approve Resolution 06-04 and budget entry #BE06-036, \$25,175, for Elizabeth Story (SHIP). Motion carried unanimously with a 5-0 vote.***

Budget Recap for 2006: (3/1984) Mr. Gilliam advised the Board of the budget recap contained within the agenda packet, and reviewed the budget status to date with the departments.

Building Reports: (3/2057) Commissioner Durden requested that the Building Department Reports be provided to the Board, with Mr. McQueen stating that the Building Department is working on preparation.

Supervisor of Elections Check: (3/2073) Mr. Gilliam advised the Board of check #5423 in the amount of \$12,447.76 received from the Supervisor of Elections, which represents excess funds for FY04-05 yearend closeout.

Purchase Request, Clyde Townsend: (3/2094) Mr. Gilliam advised the Board of the purchase request in the amount of \$2,230 for 223 loads of limerock for the month of December, and requested approval.

***Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve purchase request in the amount of \$2,230 to Clyde Townsend for 223 loads of limerock. Motion carried unanimously with a 5-0 vote.***

Proclamation 06-01, Burn Awareness: (3/2124) Mr. Gilliam advised the Board of Proclamation 06-01, and recommended approval.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Proclamation 06-01, and proclaiming the week of February 2-8, 2006 as Burn Prevention and Awareness Week in Gilchrist County. Motion carried unanimously with a 5-0 vote.***

Bid Opening, Tractor for Solid Waste: (3/2183) Mr. Gilliam advised the Board of bids received for the purchase of an agricultural tractor and mower, and recommended approval of low bid from Alachua Tractor & Equipment for \$33,310.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve accepting bid of \$33,310 from Alachua Tractor and Equipment for the purchase of a New Holland tractor for Solid Waste. Motion carried with a 4-1 vote, with***

**Commissioner Thomas voting yes, Commissioner Gentry voting no, Commissioner Durden voting yes, Commissioner Sharon Langford voting yes, and Chairperson Tommy Langford voting yes.**

School Board Invoice, Shared Services Network: (3/2354) Mr. Gilliam advised the Board of the invoice received in the amount of \$5,000, and recommended approval.

**Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve invoice for the School Board in the amount of \$5,000 for the Shared Services Network. Motion carried unanimously with a 5-0 vote.**

**County Administrator Report:**

No Wake Rule, Suwannee & Santa Fe Rivers: (3/2405-4/5) Mr. McQueen advised the Board of the upcoming meeting, and recommended Commissioner Attendance.

**Motion by Commissioner Durden, seconded by Commissioner Gentry, approved submitting a letter in support of the recommended rule, wake zone being 2 foot lower of at Wilcox. Motion carried unanimously with a 5-0 vote.**

Health Department Vandalism and Security Issues: (4/16) Mr. McQueen advised the Board of the incident report on the vandalism discovered January 9, 2006 at the Gilchrist County Health Department. He also advised the Board of recent vandalism of vehicles located near the Weeks Building.

Chamber Office: (4/164) Mr. McQueen advised the Board of the indoor air quality evaluation performed on the Chamber of Commerce building on November 3, 2005. Mr. Gilliam explained that the evaluation resulting from a health concern to an employee, and advised of the corrective actions recommended within the evaluation. The Board requested estimates. Mr. Gilliam also advised that the rear doors are in need of repair.

CR 337 Bidding: (4/227) Mr. McQueen advised the Board of Mills Engineering Company's readiness to advertise for bids, and recommended approval.

**Motion by Commissioner Durden, seconded by Commissioner Gentry, to direct Mills Engineering Company to go out for bid on CR 337. Motion carried unanimously with a 5-0 vote.**

NE 80<sup>th</sup> Right-of-Way: (4/251) Mr. McQueen advised the Board of the right-of-way issue, and recommended a survey of the property to establish the right-of-way lines.

Miscellaneous: (4/379) Mr. McQueen advised the Board of the School Board Meeting earlier tonight, and advised that the triple wide was donated to the County by the School Board, excluding the aluminum handicap ramps.

School Board: (4/411) Mr. McQueen advised the Board of the action taken by the School Board regarding the land swap, and that a survey would be needed. He also stated that the School Board would like the easement moved due to the location. Mr. McQueen stated that the School Board may negotiate the use of the firing range for future educational purposes.

***Motion by Commissioner Durden, seconded by Commissioner Gentry, to authorize the County Attorney to proceed with the preparation of the resolution to complete the land swap with the School Board. Motion carried unanimously with a 5-0 vote.***

Commissioner Durden also advised the Board of the letter received by the Sheriff which states that FHP is no longer using lead ammunition on the firing range.

Roll Off Bin at Solid Waste: (4/718) Mr. McQueen advised the Board of a roll off bin at Solid Waste that is in disrepair, and requested the Board declare the property as surplus to allow for the disposition.

***Motion by Commissioner Gentry, seconded by Commissioner Durden, to declare roll off bin as surplus property and allow for disposition. Motion carried unanimously with a 5-0 vote.***

Purchase Order, Solid Waste: (4/773) Mr. McQueen advised the Board of a purchase order for the replacement roll off bin for \$3,100.

***Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve the purchase order for a roll off bin, \$3,100, for Solid Waste. Motion carried unanimously with a 5-0 vote.***

Purchase Order, Tractor for Solid Waste: (4/864) Mr. McQueen requested approval of the purchase order for a tractor for Solid Waste, and advised that the bid was accepted earlier at the current meeting.

***Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve purchase order for \$33,310 for the purchase of the tractor for SW. Motion carried unanimously with a 5-0 vote.***

DSI Grant: (4/901) Mr. McQueen advised the Board of the Disaster Strategy Ideas, LLC (DSI) grant, along with the scope of work, and requested approval.

***Motion by Commissioner Gentry, seconded by Commissioner Durden, to approve submitting application for DSI Grant. Motion carried.***

CDBG: (4/974) Mr. McQueen advised the Board of the recent CDBG workshop and status. He stated that Sam Ferguson and he would be attending each walk-through completed.

SHIP: (4/1112) Mr. Gilliam proposed moving the SHIP Program under the County Administrative Office, and the proposal would be submitted during the upcoming budget to accomplish this task.

**Commissioner Reports:**

Commissioner Thomas: (4/1143) None.

Commissioner Gentry: (4/1145) discussed letter regarding a complaint received. Mr. McQueen stated that there were several issues in question regarding the permit applicant, and that he had stressed to Mr. Wiggins that discussions on behalf of the County would be courteous and professional. The Board agreed that Mr. Wiggins' qualifications are not in question.

Commissioner Durden: (4/1342) discussed Dixie County's increase in Impact Fees.

Commissioner Sharon Langford: (4/1388) discussed a safety issue on CR 340 in regards to the speed limit. She stated that she had received inquiries about reducing the speed limit to ensure the safety of the travelers. Commissioner Sharon Langford suggested that the County may check into the cost of placing a “stop ahead” flashing light before you reach the intersection.

Commissioner Sharon Langford discussed the updating of 911 maps, and asked Mr. McQueen about the status of the Artie Powers incident.

Chairperson Tommy Langford: (4/1546) discussed the sink hole cleanup scheduled for February 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and stated that they are looking for volunteers.

Mr. McQueen reminded that the Board would provide a dumpster for the cleanup operations. The Board also discussed the placement of reflectors, fencing and guard rails at the location.

Chairperson Tommy Langford discussed Craig Watson’s farm, and the manure recycler. He stated that Mr. Watson had invited the Board to visit and inspect his operation.

**Old Business:** (4/1772) None.

**New Business:** (4/1776) None.

**Public Participation:** (4/1778) None.

**Adjournment:** (4/1781)

There being no further business, Commissioner Sharon Langford ***moved*** to adjourn at 9:13 p.m. Motion seconded by Commissioner Gentry, and carried unanimously.

APPROVED:

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Tommy Langford, Chairperson

ATTEST:

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Joseph W. Gilliam, Clerk

