

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD FEBRUARY 20, 2006.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, February 20, 2006 at 3:00 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, Jacki Johnson, Stacy Winfield, County Planner, Gene Parrish, Justin Watson, Tony Cruze, Jerry Kiernan, Evelyn Meece, Melvin Meece, Delight Curtis, Rob Willis, Public Safety Director, John Ayers, Lee Mills, Diane Rondolet, Ron Mills, Sheriff David Turner, Betty Ramey, Bud Riffle, Billy Careccia, Lee Scheltenbrand, Mark DeChamplain, D. Ray Harrison, Gene Parrish, Cliff Wilkerson, Bill Dean, James Johnson, Leon Wyszowski, Alex Wyszowski, Sheree Lancaster, Dean Lancaster, Howell Lancaster, Billy Cannon, Ray Sanders, Toney Sullivan, David R. Stinson, Paula Cunningham, Frank Cunningham, Larry Rohan, Georgia Rohan, Carol Payne, Dick Payne, Ginger Groot, Bill Groot, Thomas Hurley, B. J. Pinun, Kenneth Copeland, Cloud Haley, Kristy Philman, Libby Estes, Mike Barron, Paresh Doshi, Milton Weeks, and Danielle Green.

Call to Order:

Chairperson Tommy Langford called the meeting to order at **3:00 p.m.**, with **Commissioner Durden** delivering the invocation and **Commissioner Sharon Langford** leading the Pledge of Allegiance.

Agenda Changes: (1/44) Mr. Gilliam advised the Board that he did not have any agenda changes.

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

Additions:

1. Bid Opening, CR 337 *(addressed first)*
2. Public Safety Director Discussion *(County Administrator Report)*

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

Consent Agenda: (1/82)

1. Approval of Minutes:
February 6, 2006
2. Approval of Budget Entries:

#BE06-045, General Fund, \$399.85
#BE06-046, State Attorney/PD Fund, \$1,420.00
#BE06-047, State Attorney/PD Fund, \$132.00
#BE06-048, General Fund, \$5,000.00
#BE06-050, Capital Projects Fund, \$248,259.00

Chairperson Tommy Langford asked if a determination had been made on the County of residence for Jimmy Durden for the appointment to the Construction Committee, with Mr. McQueen stating that he had not received confirmation yet from the County Building Inspector.

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

County Administrator/Department Reports:

CR 337 Project: (1/125) Mr. Lee Mills addressed the Board in regards to the CR 337 project, bids received from Anderson Columbia Co, Inc., \$2,863,512.41, John C. HIPP Construction Equipment Co., \$3,165,498.00, and APAC Southeast, \$3,177,700.35, however the total budget by the State is \$2,176,433.00 (leaving a deficit of \$687,079.41 with no funding for engineering or construction supervision). Mr. Mills also discussed the shortage of, and the increase in the price of, asphalt. The Board discussed submitting an increase request to DOT, turn around response from DOT, and the expiration of the bids.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to direct Mr. McQueen to contact D.O.T regards increasing the funding amount, with a report being presented at the March 6, 2006 meeting. Mr. McQueen suggested that D.O.T. be asked to revisit the site, and re-estimate the total cost. Motion carried unanimously with a 5-0 vote.

Contract (CR 337) Extension: (1/522) Mr. Lee Mills requested an extension of the contract for the CR 337 Project.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve the extension of the contract until January 12, 2007. Motion carried unanimously with a 5-0 vote.

Jail Status Report: (1/549) Mr. Mills advised the Board of the status of the permitting for the water/sewer lines at the jail, including the submittal to DOT. He also stated that he would be proceeding with the location of additional water lines and DEP drawings.

Housing Assistance Plan (HAP): (1/652) Mr. McQueen advised the Board of the revisions to the HAP, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve revisions to the HAP, Housing Assistance Plan, within 4.5.1., 4.5.2., and 4.5.3. Motion carried unanimously with a 5-0 vote.

CDBG Bids: (1/747) Mr. McQueen advised the Board of the bids received and the bid tabulation sheet pending SHIP approval, and stated that a recommendation would be presented at the March 6, 2006 meeting under the County Administration/Departments Report.

Toxic Roundup & Amnesty Days: (1/868) Mr. McQueen advised the Board of the upcoming dates of Household Hazardous Wastes, March 18th, Small Business Wastes, March 18th, and Amnesty Days for tires and appliances, March 20th through April 1st. He also stated that tires had been limited to 5 per person, per day, to ensure that excess is not collected.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve March 18, 2006 as the Toxic Roundup date, and March 20, 2006 through April 1, 2006 as the Amnesty Days dates. Motion carried unanimously with a 5-0 vote.

License Agreement, Clyde Townsend: (1/1006) Mr. McQueen advised the Board of the agreement sign by Mr. Townsend, and requested approval.

Motion by Commissioner Durden, seconded by Commissioner Thomas, to approve License (Limerock) Agreement with Clyde Townsend, and authorize Chairperson to sign. Motion carried unanimously with a 5-0 vote.

Transportation Enhancement Projects: (1/1057) Mr. McQueen advised the Board of the sample applications for the Transportation Enhancement Projects (old Ice Tea Grants), and stated that no applications had been submitted yet.

Resolution 06-09, EMS Grant: (1/1161) Mr. McQueen advised the Board of Resolution 06-09, and requested approval.

RESOLUTION 06-09

A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS ACCEPTING THE 2005-2006 EMERGENCY MEDICAL SERVICES COUNTY GRANT AWARDED BY THE FLORIDA DEPARTMENT OF HEALTH FOR THE IMPROVEMENT AND EXPANSION OF THE COUNTY'S PREHOSPITAL EMERGENCY MEDICAL SYSTEM.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to approve Resolution 06-09, EMS Grant, \$4,303. Motion carried unanimously with a 5-0 vote.

Miscellaneous: (1/1238) Mr. McQueen advised the Board his attendance of the meeting with Water Management on Geographic Information System (GIS) as it relates to wetlands and County permitting.

Miscellaneous: (1/1273) Mr. McQueen also advised the Board of the article on springs cleanup, and stated that Commissioner Langford may want to discuss under the Commissioner Reports.

EOC Center Report: (1/1280) Mr. Willis presented the Board with the report of benefits in the construction, as requested, and also presented a survey of other counties contacted.

Sheriff David Turner addressed the Board and stated that the Communications division would not be moved from the Sheriff's Office, and stated that Florida Statutes covers this issue under the Constitutional Officers Duties and Responsibilities. He stated that he had been informed by the Governor's Office of the Grant funds which

could be used to bring the current EOC Center up to standards.

Mr. McQueen clarified for the Board the specifications of the funds under the EOC Grant submitted, and stated that the Sheriff Office had been identified as a critical facility in regards to a harden facility. He also stated that the current EOC Center does not meet the State criteria for a dedicated facility *(even with improvements)*. Mr. Willis requested that a decision be made in regards to the EOC, Center no matter where it is established or maintained.

The Board requested a report from the Sheriff by March 1, 2006 to be included within the March 6, 2006 Agenda.

Citizen's Request, Frank Cunningham: *(1/2477-2/893)* Mr. Cunningham addressed the Board regarding the land use at the Waccasassa Plantation, and presented the following list of questions he requested to be addressed by the Board:

1. What is the length of time a permit for a gun range is granted?
2. When does this particular permit, for the Hurley Plantation gun range, come up for renewal?
3. Does Gilchrist County have a definition of "public nuisance"?
4. Is there a provision in this county for petitioning to revoke the permit of a public nuisance?
5. What ordinances does Gilchrist County have regarding disturbing the peace?
6. Does the EPA recognize noise a pollutant?
7. When do the commissioners come up for reelection?

The Board asked Mr. Cunningham if he desires Waccasassa Plantation to close down permanently, with Mr. Cunningham stating that he desires that the gun range itself be closed permanently.

Kenneth D. Copeland, Thomas Hurley, David Summerall, and Tom Tatum addressed the Board in support of the Waccasassa Plantation gun range.

Mr. McPherson advised the Board that the Agriculture-6 zoning district does not require Board approval for the establishment of a gun range.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, directed the County Attorney to draft an answer to the list of questions presented by Mr. Cunningham, and to present this draft at the March 6, 2006 meeting to be followed by a mailing to Mr. Cunningham. Motion carried unanimously with a 5-0 vote.

Public Hearing, Article 13, Land Development Code Update: *(2/900)* Chairperson Tommy Langford announced that the time certain scheduled for 4:15 p.m. would be addressed later in the meeting.

Road Department Report: *(2/911)* Mr. Watson addressed the Board with a request for permission to run for an elected office within Levy County.

Motion by Commissioner Thomas, seconded by Commissioner Durden, to authorize Justin Watson, Road Superintendent, to run for public office within his County of residence, Levy County. Mr. Watson stated that he works four 10 hour days per week with Gilchrist

County, and would use his off day to attend meetings in Levy County if elected. ***Motion carried unanimously with a 5-0 vote.***

Public Hearing, Ordinance 06-01, Public Safety: (2/1080) Mr. McPherson advised the Board of Ordinance 06-01, and requested approval.

ORDINANCE 06-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING GENERAL PROVISIONS RELATING TO DEPARTMENTS WITHIN THE GOVERNMENTAL STRUCTURE FOR GILCHRIST COUNTY AND CREATING THE DEPARTMENT OF PUBLIC SAFETY; CREATING WITHIN THE DEPARTMENT OF PUBLIC SAFETY THE DIVISIONS OF EMERGENCY MEDICAL SERVICES, FIRE RESCUE, 911 SERVICES, EMERGENCY MANAGEMENT, AND ANIMAL CONTROL SERVICES; SETTING FORTH THE ORGANIZATION, FUNCTION AND DUTIES OF EACH DIVISION; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Ordinance 06-01, Public Safety, with the correction within 2-235(a) and 2-232(c), and authorize Chairperson to sign. Chairperson Tommy Langford called for public comments, with D. Ray Harrison addressing the Board. ***Motion carried unanimously with a 5-0 vote.***

N Gilchrist VFD: (2/1677) Mr. Willis, Billy Careccia, and Mr. Riffle reported to the Board in regards to the meeting concerning the new brush truck.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to approve the process of the purchase order for the purchase of a truck for N Gilchrist VFD, as long as the purchase is on State contract. Motion carried unanimously with a 5-0 vote.

Death of George Cole: (2/1799) Chairperson Tommy Langford advised the death of a long time firefighter within the County.

Public Hearings, Land Use:

Public Hearing, Ordinance 06-05, Hurley Rezoning: (2/1938) Mr. McPherson advised the Board of Ordinance 06-05 for the rezoning of Thomas Hurley's property, and requested approval.

ORDINANCE 06-05

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 F. 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 Durden, seconded by Commissioner Thomas, to approve Ordinance 06-05, Hurley Rezoning, and authorize Chairperson to sign. Chairperson Tommy Langford called for public comments, with none received. **Motion carried unanimously with a 5-0 vote.**

Easley Place First Addition Major Subdivision: (2/1976-3/159) Ms. Winfield advised the Board of the construction plans for Easley Place, and requested approval. Gene Parrish addressed the Board to discuss the formal dedication of easements for access.

The Board requested that the County Planner, Road Superintendent, and County Attorney to meet and bring a back recommendations regarding dedication of easements.

Motion by Commissioner Gentry, seconded by Commissioner Durden, to approve Construction Plans for Easley Place First Addition Major Subdivision per staff recommendations, excluding recommendation #2. Motion carried unanimously with a 5-0 vote.

Hidden Oaks Major Subdivision: (3/160) Ms. Winfield advised the Board of the construction plans for Hidden Oaks, and requested approval. Gene Parrish addressed the issue of total number of lot in regards to access.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Construction Plans for Hidden Oaks Major Subdivision per staff and County Engineer recommendations excluding recommendation #2, and authorize the Chairperson to sign. Leon Wyszowski was present to answer questions by the Board. Chairperson Tommy Langford called for public comments, with none received. **Motion carried unanimously with a 5-0 vote.**

Redefining Urban Development Areas (Density): (3/460-4/532) Ms. Winfield presented the Board, and all in attendance, of the proposed maps, requesting public comments regarding the boundaries. Chairperson Tommy Langford called for public comments, with James Johnson, Tony Sullivan, Kristy Philman, April Simmons, Danniell Green, Ray Sanders, Tony Sullivan, Libby Estes, and D. Ray Harrison addressing the Board.

Another workshop was scheduled by the Board at the March 20, 2006 meeting at 5:00 p.m.

Recess for Board of Adjustment @ 6:51 p.m.

Reconvene as Board of County Commissioners @ 6:57 p.m.

Attorney Report:

Ordinances and Resolutions:

Hurley Rezoning Ordinance: (4/539) Mr. McPherson advised the Board that this Ordinance is set for adoption at the current meeting.

Department of Public Safety: (4/547) Mr. McPherson advised the Board that this Ordinance is set for adoption at the current meeting.

Status Reports:

McArthur Property Donation: (4/549) Mr. McPherson advised the Board that a title report had been obtained for the property, and that this report shows that the property is included in a lease to the Florida Board of Forestry. He stated that this lease, as it relates to the donated parcel,

would need to be canceled, and that staff would be working on this issue.

Loncala Property: (4/638) Mr. McPherson advised the Board that a price had been agreed upon for the three (3) acres, and that a survey had been ordered.

Land Development Code Update: (4/641) Mr. McPherson advised the Board that a draft of Article 13, Administrative Procedures, had been included within the current agenda packet, and had been scheduled for review at 4:15 p.m. He stated that review of this article had been completed by the PZB, and a revised memo setting forth the main issues had also been attached. A workshop was scheduled by the Board for Thursday, February 23, 2006 at 5:30 p.m.

Mr. McPherson also stated that a draft of Article 8, Supplementary Standards, had been prepared and that the PZB would review this article at their next meeting.

Townsend Agreement: (4/759) Mr. McPherson advised the Board that he had mailed a revised license agreement to Mr. Townsend containing the language allowing for the request of an annual review of the rates during the budget process.

Disposal of County Sand Pit: (4/767) Mr. McPherson advised the Board that he had received the necessary legal description for newspaper advertisements and publication in the coming weeks.

Exchange with School Board: (4/777) Mr. McPherson advised the Board that he is waiting for a survey or description of the firing range portion of the Walker Curve property so that the firing range portion could be excluded from the exchange.

Pending Litigation:

Brooks and Strickland v. Aderholts and Gilchrist County: (4/817) Mr. McPherson advised the Board of the recent set back in regards to the Final Order. He stated that for the Board's reference, copies of correspondences had been attached, and that a hearing is scheduled for March 7, 2006 at 9:30 a.m.

Gilchrist County v. Langfords: (4/840) Mr. McPherson advised the Board that he is still waiting for the release of lien from the Federal Government.

Gilchrist County v. James Lee: (4/843) Mr. McPherson advised the Board that Mr. Lee had been served with the complaint, and had filed an answer. He also stated that a Motion for Summary Judgment would be filed in the near future.

Ground Breaking Ceremony: (4/846) Mr. McPherson apologized to the Board for missing the ceremony on Friday, February 17, 2006.

Miscellaneous:

Philpot Park: (4/856) Chairperson Tommy Langford requested a status on the progress, with Mr. Gilliam advising.

Clerk Report:

Chamber Mixer: (4/883) Mr. Gilliam suggested that a mixer, hosted by the Board, would be an opportunity to introduce new employees to the

community, and discussed possible dates.

The Board scheduled April 10, 2006 from 5:00 until 6:30 at the Board of County Commissioners Meeting room.

SHIP Foreclosures: (4/996) Mr. Gilliam advised the Board of a SHIP foreclosure for Mark Ferguson, and requested direction.

CDBG: (4/1075) Mr. Gilliam advised the Board of a proposal for a line of credit to pay invoices for CDBG and reimburse General Revenue when CDBG funds are received.

Motion by Commissioner Durden, seconded by Commissioner Gentry, to authorize the Finance Department to establish a line of credit from General Revenue Reserve for payment of CDBG invoices. Motion carried unanimously with a 5-0 vote.

HIPP Construction: (4/1131) Mr. Gilliam advised the Board of purchase Order #600831, \$148,890.13, for pay request #2, and recommended approval.

Motion by Commissioner Durden, seconded by Commissioner Sharon Langford, to approve Purchase Order #600831, \$148,890.13, to HIPP Construction for payment of Pay Request #2, CR 340 Road Project. Motion carried unanimously with a 5-0 vote.

Suwannee River Economics Council: (4/1184) Mr. Gilliam advised the Board of the request for a letter of support for the Rural Development Grant proposal, and recommended approval.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to authorize the Chairperson to sign a letter of support from the Board. Motion carried unanimously with a 5-0 vote.

DHSMV Lease Renewal: (4/1229) Mr. Gilliam advised the Board of the request for a copy of the lease between the County and Department of Highway Safety and Motor Vehicles.

Commissioner Reports:

Commissioner Sharon Langford: (4/1277) discussed shrubbery to be planted at the SE Solid Waste Center.

Commissioner Langford also discussed a possible tourism tax for the County, with the Board discussing several contacts. The Board directed Mr. McQueen to make some contacts and report back to the Board.

In conclusion, Commissioner Langford discussed the recreational center at McArthur Park, and stated the Mr. Todd Bryant had voiced his interest in Hart Springs Board.

Commissioner Durden: (4/1431) None.

Commissioner Gentry: (4/1432) None.

Commissioner Thomas: (4/1440) None.

Chairperson Tommy Langford: (4/1442) discussed the Character Council payment request.

Chairperson Langford also asked the Board their desire to make a formal donation to the Union Baptist Church Cemetery Fund in the memory of Austin Martin.

Chairperson Langford also mentioned George Cole's death.

Chairperson finally discussed the clean up activity at the phosphate pit, and stated that a future meeting with DEP had been scheduled. He advised that a request had been made regarding a dump truck being donated by both Gilchrist and Alachua County.

Old Business: (4/1716) None.

New Business: (4/1719-5/629) Mr. McQueen advised the Board of Mr. Cloud Haley who was in attendance, and addressed the Board. Mr. Haley requested Board permission to hold a Bluegrass Festival April 14 & 15, 2006 at the Hart Springs Campground and every year after under agreement with the County.

Motion by Commissioner Sharon Langford, seconded by Commissioner Thomas, to authorize the Suwannee Valley League to hold a Bluegrass Festival at the Hart Springs Campground on April 14 & 15, 2006, with a guaranteed 10 camping spots, and camping fees on Thursday and Sunday nights be collected by the County. Motion failed unanimously with a 5-0 vote.

Motion by Commissioner Gentry, seconded by Commissioner Thomas, to authorize Suwannee Valley Leagues to use Hart Springs Campground April 14 & 15, 2006 for a Bluegrass Festival, County staff to collect camping proceeds for the entire weekend, an amount to be determined by the Board and donated to the SVL, and a list of entertainers to be provided to camp at no charge. Motion carried unanimously with a 5-0 vote.

Public Participation: (5/635) None.

Adjournment: (5/638)

There being no further business, Commissioner Sharon Langford ***moved*** to adjourn at 8:00 p.m. Motion seconded by Commissioner Durden, and carried unanimously.

APPROVED:

Tommy Langford, Chairperson

ATTEST:

Joseph W. Gilliam, Clerk