

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD OCTOBER 16, 2006

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, October 16, 2006 at 2:00 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, Chairman
Commissioner Randy Durden, Vice Chairman
Commissioner Kenrick Thomas
Commissioner Sharon Langford
Commissioner Mitchell Gentry

Others in attendance were: John McPherson, County Attorney, Joseph W. Gilliam, Clerk of Court, Jacki Johnson, Finance Director, Patty McCagh, Deputy Clerk, Ron McQueen, County Administrator, Stacy Winfield, County Planner, John Ayers, Ron Mills, Tony Crews, Sheriff Turner, Billy Cannon, Mollie Branning, Gary Hale, Betty Ramey, Wayne & Susan Carrigan, Philman Family and Carol Sessler.

Call to Order:

Chairman Tommy Langford called the meeting to order at 2:04 p.m.; Commissioner Mitchell Gentry lead a word of prayer and Commissioner Kenrick Thomas led the Pledge of Allegiance.

Agenda Changes:

Mr. Gilliam presented the following additions:

1. Proclamation: VFW, Wayne Carrigan
2. Board of Adjustments at 6:00

Mr. McQueen presented the following additions/deletions:

3. Surplus Equipment Request
4. Travel Requests
5. High Springs Hills (5:00p.m.)

Mr. McPherson presented the following addition:

6. Sheriff's Appeal

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to accept the agenda as is with changes made. Motion carried unanimously.

Consent Agenda:

1. Approval of Budget Entries as follows:
 - BE07-001, Fund 180, \$ 80,000.00
 - BE07-002, Fund 001, \$144,515.00
 - BE07-003, Fund 001, \$ 2,460.00
2. Maintenance for Community Plus
 - Sungard Pentamation Invoice #55370; 10-01-06; \$7,391.28
Maintenance for Community plus software and support
(All Building and Zoning Programs) October 1, 2006 thru September 7, 2007

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Kenrick Thomas to approve the Consent Agenda. Motion carried unanimously.

County Administrator’s Report

Public Safety: Mr. McQueen presented a Letter of Resignation from Mr. Rob Willis. Mr. McQueen asked the Board for approval to advertise for the position of Public Safety Director with the salary range of \$50,000-\$60,000.00.

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to allow the County Administrator to advertise for the position of Public Safety Director with the salary range of \$50,000.00-\$60,000.00. Motion carried unanimously.

Crosier & Son Roofing, Inc.: Mr. Mills advised the Board that he had authorized emergency repairs for the roof on the Sheriff’s Administration Building. He explained that considering the condition of the roof and an approaching storm, the work was necessary to prevent possible damage to the 911 and other equipment. Mr. Mills presented the following invoices from Croiser & Son Roofing, Inc. for approval.

• Invoice #5488	09/27/06	\$22,105.00
• Invoice #5491	09/29/06	<u>\$ 4,897.00</u>
	Total	\$27,002.00

Commissioner Gentry stated that he was voting NO because of the concern of the tar paper being a vapor barrier being next to the under side of the tin; also because of the lack of responsibility of behalf of the roofing company causing a need for this extra work.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve invoices totaling the amount of \$27,002.00 to Crosier & Son Roofing, Inc., for roof repair at the Sheriff’s Office. Motion carried 4-1; Commissioner Mitchell Gentry voting NO.

Land Development Code Workshop: (2:30p.m.-4:30p.m.)

Mr. John McPherson presented the Land Development Code (LDC) updates and changes as follows:

Article 1: This Article has already been reviewed by the County Commission. No changes have been made and so no further review should be needed.

Article 2: The new LDC would use a single map for determining allowable uses. That map will be the land use map in the comprehensive plan. This will alleviate the current practice of having two identical maps, zoning and land use, and having to amend each map for every land use change.

Article 3: An earlier version of this Article had already been reviewed by the County Commission. The new version includes revisions to the Subdivision Overlay District (SOD) requested by the County Commission as follows: (1) The procedures for applying for a SOD are clarified; and (2) It is clarified that a SOD may be used for either a recorded or unrecorded subdivision.

Article 4: An earlier version of this Article has already been reviewed by the County Commission. The new version adds the state-mandated provisions relating to Proportionate Fair Share. Proportionate Fair Share relates to concurrency requirements and is a concept that the state now requires local governments to adopt. The basic way that Proportionate Fair Share works is that if a proposed development was found to violate concurrency, the developer would have the option of proposing to alleviate the problem by paying the Aportionate fair share@ of the cost of the needed improvement that would alleviate the concurrency problem.

Article 5: This Article had not been previously reviewed by the County Commission, but it makes no significant changes to existing County regulations. The Flood Damage Prevention regulations are the regulations recently adopted by the County Commission to meet a FEMA deadline.

Article 6: This Article had not been previously reviewed by the County Commission. For the most part it does not change existing development design standards, but does make the following significant changes: (1) all off-street parking areas would have to be paved. (2) All off-street parking areas would have to be lighted, unless a finding was made that lighting was not necessary. (3) All off-street parking areas would have to be landscaped. (4) Buffer zones are required between certain uses. A flexible buffer standard is provided whereby the developer can choose to provide a wider buffer with fewer plants, or a narrower buffer with more plants.

The Planning and Zoning Board recommended against the following changes suggested by staff: (1) All utilities (electric, phone, cable) in new subdivisions would have to be placed underground. This would not apply where a lot fronted on existing utility lines that were overhead. (2) Developers would be required to install street trees within new residential subdivisions. The trees would be planted along the right of way every 100 feet on each side of new streets.

Staff agreed that the requirement of street trees may not make sense in the large-lot subdivisions that are typical in Gilchrist County, but believe that the Commission should consider the requirement that all utilities be placed underground.

Article 7: This Article had not been previously reviewed by the County Commission. Mr. McPherson reviewed the sections of the article where new regulations would be adopted in the following areas: Artificial Pond; Bed and Breakfast Inns; Excavation; Family Lots; Flea Market; Incompatible Uses: Family-oriented and Sexually-oriented; Mobile Homes; Nonconformities; Non-livestock Animals; Permanent Accessory Dwelling Structure; Racing Vehicles; Recreational Vehicles; Salvage Yard; Setback Areas; Vehicular Service and Vehicular Repair; and Miscellaneous.

Article 8: This Article would create a new classification for development and has not been previously reviewed by the County Commission. The new classification is ADevelopment of Major Impact.@ This new classification is needed to distinguish between those uses which the Planning Commission will be able to approve by Special Use Permit, and those which will still need to come to the County Commission for approval. The approach is to require only the most significant types of uses to come before the County Commission, and to classify such uses as ADevelopments of Major Impact.@ The uses included in this draft as Developments of Major Impact include the following: Intensive Agricultural Uses; Landspread of Domestic Sludge; Overnight Recreational Park; Schools; Telecommunications Towers and Antennas; and excavation activities covering greater than 10 acres.

Article 9: This Article was previously reviewed by the County Commission, but needed further review due to changes necessitated by new first amendment cases out of the federal courts. A summary of the changes is as follows: (1) clarifies the permit procedure and adds a time limit on the issuance of sign permits. (2) Clarifies the intent that if any part of the sign regulations are declared unconstitutional, the remainder shall remain in effect. (3) Re-defines the definition of A sign@ to exclude A holiday decorations” (4) Clarifies what it means for a A sign@ to be A exempt@ and reduces the number of exemptions. (5) Language relating to portable signs being used as temporary signs deleted. (6) Changes allowable content of temporary signs. (7) Time and Temperature exception to general prohibition on signs that flash is removed.

Article 10: This Article had not been previously reviewed by the County Commission, but few changes have been made to existing regulations. The substantial changes are as follows: (1) the street improvement schedule is amended to require sidewalks for commercial and small-lot residential subdivisions. (2) Adds review of preliminary plats by the Technical Review Committee. (3) Transfers review of construction plans from the County Commission to the Technical Review Committee. (4) Re-writes the final plat procedure to clarify the rules with regard to installation and maintenance of improvements. Clarifies the rules with regard to private improvements and obtaining final plat approval prior to the installation of improvements (5) Establishes new rules for how the dedications should read on final plats. (6) Clarifies the notice requirements for subdivisions.

Article 11: To ensure compliance with state law, Mr. McPherson recommended that the impact fee regulations be adopted as part of the Land Development Code and removed from the General Code. No changes were made to the substance of the impact fee regulations.

Article 12: This Article had already been reviewed by the County Commission, but needed to be reviewed again due to the following significant changes: (1) Clarifies what activities require development approval from the County (2) Clarifies the circumstances under which site plan review is required (3) Procedures for approval of Developments of Major Impact (4) Procedures for ASpecial Mapping Decisions@ and (5) Creation of the Technical Review Committee.

Mr. McPherson recommended an adoption hearing be scheduled for mid month November.

Mr. Gilliam proposed moving the mid month meeting from Monday, November 20th to Tuesday, November 21st allowing the swearing in of the new Board Members.

Road Department Report

Mr. Billy Cannon, Assistant Supervisor, presented a request to extend the speed limit on CR 340 west of Highway 129. The Board recommended that Mr. Cannon meet with Mr. McPherson, County Attorney to discuss speed limit extensions along with other speed limit issues that are being considered to be included in a draft ordinance.

Mr. Cannon presented a payment request from Wilkerson Construction on the construction of the Fuel Tank Foundation in the amount of \$8,827.00.

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Sharon Langford to approve the payment request to Wilkerson Construction in the amount of \$8,827.00 for concrete. Motion carried unanimously.

Mr. Gilliam presented an invoice from Wilkerson Construction in the amount of \$66,767.33 for the second draw on the contract dated August 2, 2006, for site work at the new Road Department Operations Center.

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Randy Durden to approve the invoice in the amount of \$66,767.33 subject to Lee Mills, County Engineer, approving the scope of the work being done. Motion carried unanimously.

Mr. Cannon presented a request to purchase a Bush Hog mower/trimmer for the amount of \$3,000.00. He explained the need for the mower and the benefits it would have for the Road Department. Mr. Gilliam brought to the Boards attention that the amount of this request is under \$5000.00 and can be approved by the County Administrator at the time the decision is made to purchase.

Time Certain

Proclamation 06-11, VFW: Mr. Wayne Cairignan representing the Veteran's of Foreign War presented Proclamation 06-11, declaring the week of November 5-11, 2006, as Veteran's Appreciation Week.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve Proclamation 06-11 declaring the week of November 5-11, 2006, as Veteran's Appreciation Week. Motion carried unanimously.

County Administrator's Report

Update on CR 337: Mr. McQueen updated the Board on the CR 337 Project. Mr. McQueen advised that he had applied for an extension through August 31, 2006 with the Department of Transportation on this contract due to the contractor had requested more days.

Update on Sewer Extension to Jail: Mr. Lee Mills said that he would be starting the sewer project within the next two (2) weeks.

Refund Policy Request: Mr. McQueen requested a policy for refunds in the Building Department be established. He presented a request for refunds on the impact fees and mobile home permits from 2005, by Tyler and Lindsey Burns. Mr. McQueen asked the Board for direction.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to refund the impact fees request from Tyler & Lindsey Burns. Motion carried unanimously.

BOCC advised they would address refunds on a case by case basis.

Geotechnical Report for Commissioners Building: Mr. McQueen updated the Board on the issue of the settlement in the basement of the Commissioners Building. Two test bores were done, and it was determined that the problem was caused by the foundation didn't compact causing the settlement. Mr. Lee Mills, County Engineer, recommended that pressure grouting be used to prevent any further damage. Mr. McQueen is getting prices to bring back to the Board.

Ameris Hospital Application Update: Mr. McQueen discussed the fact that there have been communication problems among those participating in the interest of supporting the proposed hospital. Considering this, he recommended that future communications and correspondences be relayed through him.

Annual Contract for Engineering Services: Mr. McQueen presented and recommended approval of the annual contract, including addendums, for engineering services with Mills Engineering and to allow the Chairman to sign.

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to approve the renewal of the contract from Lee Mills for Engineering Services. Motion carried unanimously.

Interlocal Agreement; Suwannee River Water Management District: Mr. McQueen made a recommendation to approve the Interlocal Agreement No. 05/06-356, Geographical Information System with Suwannee River Water Management District. The "District" is willing to provide computers, software (for the purpose of providing more information to the public along with wet land management; flood plain management) and bearing the expense of all the equipment and information, the only requirement the County has is to maintain a license for the software.

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Kenrick Thomas to approval the Interlocal Agreement 05/06-356 from Suwannee River Water Management District for the Geographical Information System. Motion carried unanimously.

Solid Waste: Mr. McQueen presented quotes for the purchase a gooseneck equipment trailer and the installation of a hideaway hitch on a truck for the Solid Waste Department. The following bids were received:

	<u>Trailer</u>	<u>Hitch</u>	<u>Total</u>
• Langford Farms	\$6,880.00	\$375.00	\$7,255.00
• ALL Pro Trailer	\$7,150.00	\$850.00	\$8,000.00
• Texas Trailers	\$7,600.00	\$440.00	\$8,040.00

The low bid was from Mr. Jackie Langford, Langford Farms in the amount of \$6,880.00 for the trailer and the hitch installation, in the amount of \$375.00.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Randy Durden to approve the purchase of a equipment trailer for Solid Waste in the amount of \$6,880.00 from Jackie Langford, Langford Farms and the hitch installation in the amount of \$375.00. Motion carried unanimously.

F.A.C. 2007 Legislative Conference: Mr. McQueen presented information for the Florida Association of Counties Conference to be held November 29 through December 1, 2006, to be held at Sandestin Golf and Beach Resort. Mr. McQueen recommended that Board members, along with him, attend. The Board authorized Mr. McQueen and any other Board members that may choose attend.

Fire Training: Mr. McQueen requested authorization for Billy Careccia to attend training in Volusia County for Live Fire Training on November 13-17, 2006.

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Randy Durden to allow Billy Careccia to attend Live Fire Training in November. Motion carried unanimously.

Public Safety: Mr. McQueen requested permission to attend a one (1) day 911 conference.

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to approve one (1) day attendance at 911 Conference for Public Safety. Motion carried unanimously.

Small County Coalition Conference: Mr. McQueen requested approval for travel for new Commissioners and representatives and any other members wanting to attend on November 15th & 16th, 2006.

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to approve the travel for Commissioners and County Administrator for the Small County Coalition Conference. Motion carried unanimously.

C.D.B.G. Changes: Mr. McQueen presented the changes made in the Local Housing Assistance Plan Square Foot and Cost:

800 sq ft to 900 sq ft	\$54,000
1000 sq ft to 1100 sq ft	\$66,000
1200 sq ft to 1300 sq ft	\$78,000

Mr. McQueen recommends approval of changes and asks for Chairman to be allowed to sign.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve the Local Housing Assistance Plan with changes and to allow the Chairman to sign. Motion carried unanimously.

Mr. McQueen addressed the issue of using four (4) manufactured homes as replacement housing in order to meet both budget and the number of citizens served.

Motion made by Commissioner Mitchell Gentry seconded Commissioner Randy Durden to allow the usage of mobile homes for replacement housing. Motion carried unanimously.

Republican Executive Board Request: Ms. Betty Ramey requested the use of the lawn at the County Commissions Building on October 28, 2006, for booths to be set up to provide literature on candidates that are running for office. They will also be providing hot dogs and beverages.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the request from Betty Ramey to use the lawn and parking lot on October 28, 2006. Motion carried unanimously.

Chairman Tommy Langford recessed the Board of County Commissioners Meeting at 6:18 p.m. to convene the Board of Adjustments Meeting. Board of Adjustments adjourned at 6:23 p.m. and the Board of County Commissioners Meeting reconvened at that time.

Urban Development

The County Planner, Stacy Whitfield, presented various options for changing areas around Fanning Springs and Bell from A-2 zoning to R-1 zoning. She explained that the A-1 zoning/land use district has a minimum lot area of two (2) acres per dwelling and has a minimum lot width of 175-feet. The proposed addition to the zoning/land use map is the Residential-1 (R-1) district. This district is currently included in the Land Development Regulations under established zoning districts; however, it has not been utilized in the County.

The Board voted not to change any zoning or land use around the town of Bell; however, Proposal #2 was chosen for the City of Fanning Springs.

County Attorney's Report

School Board Easement: Mr. McPherson presented the draft Interlocal Agreement between the County and the Gilchrist County School District. Mr. McPherson explained that they requested the access road connect both State Road 26 and County Road 307. Mr. McPherson asked the Board for approval of the agreement.

Motion made by Commissioner Mitchell Gentry seconded by Commissioner Randy Durden to agree to the Interlocal Agreement with the School Board as written and if there are any changes Mr. McPherson will bring them back before the Board. Motion carried unanimously.

New Jail: Mr. McPherson presented a proposal from Mr. Mark Mustian to provide bond counsel services. Mr. Mustian's proposal included a fixed fee in the amount of \$17,500.00.

Motion made by Commissioner Sharon Langford seconded by Commissioner Randy Durden to approve Mr. Mustian's proposal for bond counsel services and to waive bidding procedures. Motion carried unanimously.

Sheriff's Appeal: Mr. McPherson advised that once the Sheriff's Appeal is received, the Board would only have five (5) days to respond. Mr. McPherson handed out a draft response for the Commissioners review. He asked that the Board advise him of any changes needed.

Clerk's Report

Board Meeting Date Change: Mr. Gilliam reminded the Board that the November 20th meeting rescheduled to Tuesday, November 21st. This will be the first day of the new term for newly elected Commissioners. The new Commissioners will be sworn in and the Board will elect a new Chairman and Vice Chairman.

Generator for Courthouse: Mr. Gilliam made a recommendation to go forward with a proposal for the jack & bore and transfer switch in the amount of \$26,525.40 and to allow him to continue working on the issue of funding a generator.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve \$26,525.40 for the jack & bore and transfer switch for the installation of a generator for the new addition at the Courthouse. Motion carried unanimously.

Proclamation 06-12, Weatherization: Mr. Gilliam presented Proclamation 06-12 from the Suwannee River Economic Council Program requesting the Board to recognize October 30th, as National Weatherization Day.

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to approve Proclamation 06-12 recognizing October 30th as Weatherization Day providing correction is made by changing "Suwannee County" to "Gilchrist County". Motion carried unanimously.

Resolution 06-73: Mr. Gilliam presented Resolution 06-73, a request from Collier County supporting the election of the Governing Boards of the Florida Water Management Districts.

RESOLUTION 06-73

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY FLORIDA, IN SUPPORT OF THE AMENDMENT OF THE FLORIDA STATUTES TO REQUIRE ELECTION OF THE GOVERNING BOARDS OF THE FLORIDA WATER MANAGEMENT DISTRICTS

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry that we DO NOT approve Resolution 06-73. Motion carried unanimously.

Funding Agreements: Mr. Gilliam presented the Funding Agreement for Meridian Behavioral Health Care for FY 06/07, \$10,000.00 per quarter for fiscal year. Mr. Gilliam requested action from the Board to approve the funding agreement and to allow the Chairman to sign.

Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve the Funding Agreement in the amount of \$40,000.00 FY 06/07 to Meridian Behavioral Health Care. Motion carried unanimously.

Pay Request for CDBG/SHIP Programs: Mr. Gilliam presented the pay requests for the CDBG/SHIP Program payable to the order of A & R construction as follows:

	<u>Pay Request</u>	<u>Funds</u>
• Harlyn Pfaffenberger	#2	<u>\$12,160.00</u> SHIP

Motion made by Commissioner Randy Durden seconded by Commissioner Mitchell Gentry to approve the pay request of \$12,160.00 SHIP funds for Harlyn Pfaffenberger. Motion carried unanimously.

• Harlyn Pfaffenberger	#3	<u>\$6,080.00</u> SHIP <u>\$6,080.00</u> CDBG
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Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve pay request #3 in the amount of \$12,160.00 (\$6,080.00 SHIP funds and \$6,080.00 CDBG funds) for Mr. Harlyn Pfaffenberger. Motion carried unanimously.

• Mattie Koon	#3	<u>\$12,800.00</u> CDBG
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Motion made by Commissioner Sharon Langford seconded by Commissioner Randy Durden to approve pay request #3 in the amount of \$12,800.00 CDBG funds for Mattie Koon. Motion carried unanimously

• Mattie Koon	#4	<u>\$12,800.00</u> SHIP
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Motion made by Commissioner Mitchell Gentry seconded by Commissioner Kenrick Thomas to approve pay request #4 in the amount of \$12,800.00 SHIP funds for Mattie Koon. Motion carried unanimously.

Final Pay Request: Mr. Gilliam presented the Final Pay Request (3#), approved by Lee Mills, County Engineer, for John C. Hipp Construction Co., in the amount of \$21,803.18 for the Gilchrist County Road Project 319.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve the Final Payment Request (#3) in the amount of \$21,803.18 to John C. Hipp Construction Company for the County Road 319 Project. Motion carried unanimously.

Pay Request: Mr. Gilliam presented Pay Request #1, approved by Lee Mills, County Engineer, for V.E. Whitehurst & Sons, Inc. in the amount of \$265,037.74 for the Gilchrist County Road Project 339.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve Pay Request #1 in the amount of \$265,037.74 to V.E. Whitehurst & Sons, Inc. for the County Road Project 339. Motion carried unanimously.

There being no further business, Chairman Tommy Langford adjourned the meeting at 7:57p.m.

Approved:

Tommy Langford, Chairman

Attest:

Joseph W. Gilliam, Clerk