

## **MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MARCH 19, 2007.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, March 19, 2007 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 Randy Durden, Chairman**  
**Commissioner Tommy Langford, Vice Chairman**  
**Commissioner Kenrick Thomas**  
**Commissioner Sharon Langford**  
**Commissioner D. Ray Harrison, Jr.**

**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, Stacey Winfield, County Planner, John Ayers, Gilchrist County Journal, Diane Rondolet, Code Enforcement, Justin Watson, Road Department Supervisor, Billy Cannon, Assistant Supervisor Road Department, Lee Mills, County Engineer, Sheriff Turner, Captain Tony Cruse, Damon Leggett, Property Appraiser, Mr. Burns, Todd Troyer, Gene Parrish, Lee Schaltenbrand, Alachua County Crime Stoppers (Lou Newman, Steve Jeppson, Leann Slaughter), Cully & Donna Edwards, Mike & Mary Myers, Bob & Joyce Neilson, Marcy McGehee, Patricia Long, Rachel & Mar Hanna, Luther Amory, George C. & Nancy Hastie, Ancil & Donna Albright, Tom Wright, M. Sterling, Trail, Laura & Barry Brandon, John & Mary Puglise, Sheri Mathery, Shawn Davis, Samuel & Bertha Ebanks, Fred & Lorraine Koeper, Diane Landis & Mike Smith, Dwayne Selph, Terri & Derrick Wooten, AJ & Sandra Davis, Renate-Vernon Bartz, Donagh DeNezya, and David Cerlanek, Alachua County Engineer.

### **Call to Order**

Chairman Randy Durden called the meeting to order at 4:01 p.m. and Commissioner D. Ray Harrison, Jr. delivered the invocation and Commissioner Tommy Langford led the pledge of allegiance.

### **Agenda Changes**

Mr. Gilliam presented the following agenda changes:

1. Omit: Time Certain 5:30 p.m. Stephen Hurley
2. Name Tags
3. Addition: Commissioner Harrison will address Alachua County Engineer

Mr. McQueen presented the following agenda changes:

4. Addition: Lee Mills, County Engineer
5. Addition: CDBG Bids
6. Clarification for Maximum D.P.L. \$40,000 for Housing Assistance Plan
7. Travel Request for Mr. Perez

Mr. McPherson presented the following agenda change:

8. Ordinance 07-04 will be presented as a workshop

***Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to accept the agenda as presented with changes noted. Motion carried unanimously.***

### **County Line Road**

Alachua/Gilchrist County Line Road: Mr. David Cerlanek, Alachua County Engineer, addressed the Board on the issue of the possibility of County Line Road being paved as a joint partnership project between Alachua County and Gilchrist County Commissions. He presented a brief cost estimate of the chip seal application for County Line Road and which roads Alachua County would propose to include in the initiative and felt that choosing roads closer to the area was more appropriate. The distance of several roads were measured and tabulated, they are as follows:

- County Line Road from SR 26 to SW 30<sup>th</sup> Avenue.....1.4 miles
- County Line Road From SR 26 to SW 46<sup>th</sup> Avenue.....2.35 miles
- County Line Road From SR 26 to South End (CL).....4.2 miles
  
- SW 30<sup>th</sup> Ave from County Line to CR 337.....1.0 mile
- SW 46<sup>th</sup> Ave from County Line to CR 337.....1.0 mile

Mr. Cerlanek stated that they proposed including SW 30<sup>th</sup> Ave and SW 46<sup>th</sup> Ave in the partnership as Alachua County’s chip seal roads instead of the northern section of County Line road because they felt these roads would be more appropriate to include in this initiative. He also presented estimates based on a per mile costs specifically for the roads proposed as part of this initiative. Several options were presented.

If the Board should choose to have an interest in the proposed partnership, Mr. Cerlanek recommended that the committees of Alachua and Gilchrist Counties meet to further discuss to prepare a plan to present to the Alachua County Commission. Commissioner Durden suggested that this idea be discussed at the next Road Committee Meeting and be brought back to the Board, maybe for the road project plan to be amended and be considered in the upcoming budget. Mr. Lee Mills, County Engineer, shared his opinions of the proposed project. No action needed at this time.

**Consent Agenda**

Approve Budget Entries

- BE07-035, Fund 001, General Fund..... \$ 10,000.00
- BE07-036, Fund 170, CDBG..... \$ 84,421.00
- BE07-037, Fund 180, SHIP..... \$277,769.00
- BE07-038, Fund 434, Solid Waste..... \$ 11,500.00

Approval of Minutes

- February 5, 2007..... Regular Meeting

CDBG/SHIP Payment Requests

- Daphine Jenkins CDBG Funds.....\$265.00
- Wilton & Mary Philman CDBG Funds.....\$10,348.80
- Kenneth & Karen Turner CDBG Funds.....\$265.00
- Ronald Rudd CDBG/CSHIP Funds.....\$1,000/\$15,000
- Raymond & Joann Jordan CDBG Funds.....\$8,736.00

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the Consent Agenda as presented. Motion carried unanimously.***

## **County Engineer Report**

County Road 342; Supplemental Agreement: Mr. Lee Mills, County Engineer, presented the Supplemental Agreement for reflective pavement markers for John C. Hipp Construction which has been fully executed by Hipp, and needing the Chairman to sign. Signatures were obtained and copies distributed accordingly.

County Road 344; Reflective Pavement Markers: Mr. Mills brought back a quote from John C. Hipp Construction for reflective pavement markers for CR 344 as directed by the Board. The quote is for 900 markers @ \$6.33 each, totaling \$5,697. This is the same unit price that was charged for the CR 342 project; funds are available and have been budgeted. Mr. Mills stated that he will get a Supplement Agreement form Hipp for these pavement markers and asks that Chairman be allowed to sign.

***Motion made by Commissioner Harrison seconded by Commissioner Tommy Langford to approve the amendment to the contract with John C. Hipp Construction on CR 344 for reflective pavement markers in the amount of \$5,697, which has been already budgeted, and to allow the Chairman to sign. Motion carried unanimously.***

Exploratory Drilling; at proposed Limerock Site at Ray Langford's place: Proposals from several different testing companies have been requested to do exploratory drilling on Ray Langford's property. Mr. Mills has asked for eight holes to be bored to a depth of between fifty and seventy feet. The holes will be scattered across the eighty acres so there will be a test site at about every 660 feet. No quality testing will be done at this time; quality testing to just to drill the hole would be at least three times what the exploratory hole would be. Once rock is encountered, a sample will be pulled so visual inspection can be done. At that point, a determination of what the anticipation of the quantity and quality will be. The unit cost was asked to be included in the proposal; auger boring \$7.00/ft, mobilization, and results will be an approximate total of \$4,815 for exploratory drilling; with a total project cost, including testing and engineering fees being approximately no more than \$10,000. The funding for this project will be determined by the finance department after consultation with the Road Department.

***Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to approve the funds of up to \$10,000 to come out of General Reserve and transferred into the Road Department Fund for the exploratory drilling project. Motion carried unanimously.***

County Road 337; Update on Final Surface: Mr. Mills updated the Board on the situation of the final surface of County Road 337. At this time, Mr. Mills is not satisfied with the quality of the work that has been done nor does it meet the criteria of the contract. Mr. Mills is asking for the Board to instruct him on what direction to take on this issue.

Knowing that the Board wants a quality road, Mr. Mills made the recommendation that if in fact they have corrected the surface deficiencies, and they don't show up in the final inspection, Mr. Mills would like to do the testing and satisfy himself that the road is not going to fail there quicker than anywhere else do to damaged fractured rock or loss of density, accept it. If not, the locations are marked and they can both mill it and replace it or overlay it.

Mr. McPherson questioned that is there anyway of getting some kind of guarantee if some kind of problem should come up in the future they would be responsible for coming back and correcting it. Mr. Mills stated that under the specifications that there is a one year recovery period. If a special agreement should be adopted for a warranty for a longer period of time then the contractor would be obligated. The Board agreed for Mr. Mills to discuss with the contractor some type of leverage to get a longer warranty period. Mr. Mills will keep the Board updated.

## **County Administrator Report**

**Patrick Burns; Fine for Code Enforcement:** Mr. Patrick W. Burns purchased a piece of property, 4240 NW 55<sup>th</sup> Avenue, Bell, Florida. Unknowingly, at the time of purchase, there had been a lien on the property in question. After much discussion on the costs/fees that had accrued, the Board tried to come to a conclusion of what Mr. Burns should pay if anything. Mr. Burns requested that the Board alleviate the issue of the satisfaction of lien on the said property. He just wants the issued settled and out of his life once and for all.

***Motion made by Commissioner Kenrick Thomas seconded Commissioner Tommy Langford not to levy any sort of fines against the lien on the property of Patrick Burns. Motion carried 2-3, with Commissioners Harrison, S. Langford and Durden voting NO.***

***Motion made By Commissioner Harrison seconded by Commissioner Sharon Langford to accept a \$500 administrative fee for Patrick & Catherine Burns Property to satisfy satisfaction of lien. Motion carried 4-1, with Commissioner Tommy Langford voting NO.***

## **Time Certain**

**Ordinance 07-02; Parking on County Right-of-Way:** Chairman Durden read the short title as follows:

### ORDINANCE 07-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADDING REGULATIONS RELATING TO PARKING WITHIN THE RIGHT OF WAY OF COUNTY ROADS; PROHIBITING ALL PARKING WITHIN THE TRAVEL LANES OF COUNTY ROADWAYS; PLACING RESTRICTIONS ON THE USE OF COUNTY RIGHT-OF-WAY FOR CERTAIN TYPES OF PARKING; REQUIRING THAT ALL PARKED VEHICLES TO BE AT LEAST FIVE FEET FROM THE EDGE OF ANY COUNTY TRAVEL LANE; AUTHORIZING THE COUNTY ADMINISTRATOR TO CREATE NO-PARKING ZONES; PROVIDING EXCEPTIONS; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE.

Mr. McPherson asked for any questions from the Board and from public participations.

***Motion made by Commissioner Harrison seconded by Commissioner Tommy Langford to approve Ordinance 07-02. Motion carried unanimously.***

**Ordinance 07-04; Capital Improvement Element:** This ordinance was presented during a time certain workshop for review and discussion. Chairman Durden read the short title as follows:

### ORDINANCE 07-04

AN ORDINANCE OF GILCHRIST COUNTY, FLORIDA, AMENDING THE GILCHRIST COUNTY COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE 04-04, RELATING TO THE CAPITAL IMPROVEMENTS ELEMENTS FIVE YEAR SCHEDULE OF IMPROVEMENTS, PROVIDING FOR A FINANCIALLY FEASIBLE UPDATE TO THE COMPREHENSIVE PLAN; PROVIDING SEVERABILITY; AND PROVIDING AS EFFECTIVE DATE.

Ms. Stacey Winfield, County Planner, informed the Board that the Capital Improvement Element needs to be passed by December of this year. Ms. Stacey Winfield explained how the Capital Improvement Element works; the Board reviewed and determined if there were any changes to be made. If there are any additions to be made to the CIE, it has to be **committed** as revenue.

Chairman Durden asked for any more questions...and any public comment. None noted.

### **County Administrator's Report**

**Impact Fees; James Lavett Roberts:** Mr. McQueen presented the issue of old impact fees that were accessed on a building permit for the construction of a pole barn to be built by Mr. James Lavett Roberts. Mr. Roberts had never constructed the pole barn that the permit had been applied for. At the present time, he has a RV, second dwelling, on the power pole that was permitted for the construction of the pole barn and as of now, the permit has expired and he doesn't feel that he should have to pay impact fees again, now that he is ready to construct the pole barn, although he is in violation of County Ordinance. He has to apply for a new building permit for the construction of the pole barn.

Mr. McPherson, stated that the only way he can build the pole barn, is to come in and apply for a new building permit because the old one has expired, when he applies for the new building permit, what impact fees should be charged, all impact fees because the old one has expired or the balance. Direction from the Board has been requested on what impact fees should be charged.

***Motion made by Commissioner Tommy Langford to charge the balance of the old impact fee verses the new impact fee...***

**MOTION FAILED DUE TO LACK OF A SECOND...**

***Motion made by Commissioner Harrison seconded by Commissioner Sharon Langford to NOT charge any additional impact fees, and only collect impact fees on the expired building permit, on the case of James Lavett Roberts, construction of a pole barn. Motion carried 3-2 with Commissioners Durden and T. Langford voting NO.***

Mr. McPherson stated that Mr. Roberts will be given a certain amount of time to come in and apply for the new permit and if he does not come in with in that certain amount of time, the power to that pole will be turned off and Code Enforcement will be instructed to write a citation.

### **Time Certain**

**Alachua County Crime Stoppers:** Lou Newman, Chairman of the Alachua County Crime Stoppers, addressed the Board with an overview what the organization is all about. Mr. Newman is asking the Board to consider for Gilchrist County to merge with Alachua County in joining Crime Stoppers. The state judicial system funds a grant to utilize advertising and such for tips to help law enforcement get fugitives to justice. Chairman Durden advised that Mr. Newman meet with Sheriff Turner and Captain Cruse and bring back suggestions to the Board at the April 2<sup>nd</sup> meeting.

**Property Line Change; Cully & Donna Edwards:** Mr. Gene Parrish was here to represent the Edward's. He presented their request for the property line between two tracks of land to be changed due to a family illness. Mr. Parrish explained that the two tracks, 10.39 acres each, be rearranged to where the lines are changed ending up with two lots, each being differently configured.

Mr. McPherson stated that right now under the Land Development Code this would not be allowed because two new non conforming lots are being created. He also stated that there could be an

ordinance drafted to change the language to amend the Land Development Code and this could be brought back to the April mid month meeting for adoption.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to instruct the County Attorney to draft an ordinance to amend the Land Development Code to allow this property line change. Motion carried unanimously.***

Rolling Oaks Paving, Mike Myers: Mr. McPherson addressed the issue, whether or not to create a Special Assessment District under the Counties ordinances. He stated that the way to initiate the process is to get at least 70% of the owners of the property along any given street of the improvement being requested, to sign a petition. Because the costs are so high, different options are being considered. The County has agreed to provide the limerock. Mr. Mike Myers has received estimates for the cost for doing the paving if the County provides the limerock. The floor was turned over to Mr. Mike Myers. He presented the following quotes options:

### **ROLLING OAKS ROAD PAVING**

#### **OPTION A - COUNTY SUPPLIES ROCK**

THE COST OF ASPHALT TO PAVE OUR STREETS IS \$8.00 PER SQUARE YARD.

EACH ROAD IS 3,850' LONG, AND WOULD BE 20' WIDE. IT WILL TOTAL 8556 SQAURE YARDS PER ROAD.

THERE ARE 50 PARCELS AFFECTED BY THIS PROPOSAL, IF BOTH ROADS ARE INVOLVED.

TOTAL COST PER ROAD WOULD BE ( ASPHALT PRICES, OIL AT \$70.00.00 A BARREL)

A. ASPHALT = \$68,448.00	(BOTH ROADS \$136,896.00)
B. SCRAPE AND CLEAN SHOULDER OF ROAD = \$1,250.00	(BOTH ROADS \$2,500.00)
C. SPREAD AND ROLL ROCK FOR ASPHALT = \$4,600.00	(BOTH ROADS \$9,200.00)

TOTAL COST PER ROAD = \$74,298 (BOTH ROADS \$148,596.00)

COST PER PARCEL IS \$2,971.92 (BOTH ROADS \$2,971.92)

#### **OPTION B - COUNTY DOES NOT SUPPLY ROCK**

THE COST FOR ROAD JOB IS \$20.00 PER SQ. YARD

TOTAL COST PER ROAD WOULD BE

A. 8556 SQ YARDS = \$171,120.00	(BOTH ROADS \$342,240.00)
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COST PER PARCEL WOULD BE \$6,844.80 ( MORE THAN TWICE THE COST OF OPTION A)

AS YOU CAN SEE, OPTION B IS REALLY NOT AN OPTION. IF OPTION A IS SUITABLE, THEN YOU WOULD HAVE AN OPTION TO PAY THE \$2,971.00 UP FRONT, AND HAVE NO ADDITIONAL TAXES.

WE HAVE TRIED TO KEEP THE COST TO FAMILIES BELOW \$200.00. THE ACTUAL COST BEFORE INTEREST IN OPTION A IS \$2,971.00, OR \$148.55 PER YEAR, OVER A 20 YEAR PERIOD. INTEREST IS APROX. \$112.00 PER YEAR, FOR TOTAL OF \$260.55 PER YEAR.

THIS PROJECT CAN BE DONE ON ONE OR BOTH ROADS. IT CAN ALSO BE CANCELLED ON ALL ROADS. THE COUNTY WOULD HAVE TO AGREE WITH OPTION A, AND THE RESIDENTS WOULD HAVE TO AGREE WITH THE ABOVE TOTALS. AFTER ALL THE STUDIES AND PLANNING, THESE ARE THE FIGURES WE HAVE TO WORK WITH. I KNOW MANY AMOUNTS AND FIGURES HAVE BEEN MENTIONED, BUT UNTIL WE HAD 70% OF SIGNATURES, THE BOARD OF COUNTY COMMISSIONERS COULD NOT GO FORWARD.

THESE ARE THE FIGURES (IN OPTION A) THAT WERE PUT BEFORE THE BOARD IN THEIR MEETING. IT IS ALREADY KNOWN BY OUR COUNTY COMMISSIONERS, THAT THE RESIDENTS WOULD DECLINE OPTION B. OUR COUNTY COMMISSIONERS DID AGREE TO PROVIDE THE ROCK, AND OFFER OPTION A TO ROLLING OAKS.

After receiving 70% of the signatures required by petition, the project would be put out for bids, trying to keep the cost around \$200. At this time the cost seems to be around \$262/263 per year.

Mr. McPherson asked what financing assumption the cost of \$262/263 came from. Mr. Myers replied that's what the County proposed at 6.5% for twenty years. Mr. McPherson stated that for the purpose of this hearing, this still hasn't been decided, but let's assume that the County will provide financing as such.

Chairman Durden invited the public to participate. Several home owners addressed the Board. After everyone had the opportunity to voice their concern whether they are in favor for or against the paving of SE 62<sup>nd</sup> Ct and SE 7<sup>th</sup> CT in Rolling Oaks, Chairman Durden requested a show of hands. Twenty six (26) were in favor and nine (9) against, with none that were unsure.

Financing by the County, for the homeowners, on the Rolling Oaks Road Paving project will now be considered and the County Engineer will be asked to draw up specifications and get bids. This should take approximately 30 days and will be scheduled for a final hearing with financing to be set for 25 years, making sure that everyone is noticed and given an opportunity to reply. After this is complete, a final decision will be made.

## **County Administrator Report**

### **Public Safety**

Fire Truck Bids: Mr. Perez presented quotes for Fire Truck as requested by the Board as follows:

- KME                      \$249,000.00    (similar to Spring Ridge Unit)
- E-1                        \$232,640.00\*
- Rosenbauer            \$199,500.00
- Pierce                    \$256,462.00

\* The chassis looks like Spring Ridge unit but is a light duty vs. heavy duty, must add 10-15k to match chassis

Mr. Perez recommended for purchase the fire truck from the KME in the total amount of \$249,000. The amount of the grant for the purchase of a new fire truck is \$249,000.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the purchase of a fire truck from KME, pending verification of bids/state contract by finance. Motion carried unanimously.***

Proclamation 07-03; Volunteer Firefighter Appreciation Day & Appreciation Week: Chairman Durden presented Proclamation 07-03 recognizing April 14, 2007 to be declared as Volunteer Firefighter Appreciation Day and April 15-21, 2007 being declared as Volunteer Firefighter Appreciation Week for Board approval.

***Motion made by Commissioner Sharon Langford seconded by Commissioner Tommy Langford to approve Proclamation 07-03. Motion carried unanimously.***

The Appreciation Day will be held on April 14<sup>th</sup> at Hart Springs from 10am-1pm. The Commissioners will be cooking hamburgers and hot dogs served with sides.

Travel Request; Area 3 EMA Meeting: Mr. Perez requested permission for travel for himself to attend the Area 3 EMA meeting on April 19<sup>th</sup> in Jacksonville.

***Motion made by Commissioner Harrison seconded by Commissioner Sharon Langford to approve travel request for Mr. Perez to attend EMA meeting on April 19<sup>th</sup>. Motion carried unanimously.***

Animal Control: Chairman Durden directed Mr. Perez to proceed as soon as possible to build the Animal Control facility. Mr. Perez will be out of town so Mr. McQueen will see to it that either he or someone else will ride to Clay County to check out their Animal Control facility.

Maintenance Equipment Quotes: Mr. McQueen presented two quotes for a backhoe and a trencher, for the maintenance department. They are as follows:

- Bobcat & Kubota of Ocala (Backhoe \$9,300./Trencher\$3,800/freight\$700.00) \$13,800.00
- Highland Turf & Tractor/John Deere (Backhoe/Trencher) \$11,393.38

Because both of the quotes are over \$10,000 this equipment needs to be either put out for bid or on state contract.

Mr. McQueen also presented quotes for a 60” mower for the maintenance department. They are as follows:

- Tri-County Rentals x6 2703-60 Dixie Chopper \$6599
- Greensouth Equipment 757 Commercial Mower Z-TRAK 60” \$7,675
- Gilchrist Building Supply STT 61”v 27hp Kohelp \$9,300

*Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve the quote from Tri-County Rentals & Sales, in the amount of \$6,599 for the purchase of a 60” Dixie Chopper Commercial Mower for the Maintenance Department. Motion carried unanimously.*

SHIP Loan Review Committee Requests: Mr. McQueen presented the SHIP Loan Review Committees request for **New Applicants** as follows:

- Charles P. Turner Very LOW Income New Construction \$40,000

*Motion made by Commissioner Tommy Langford seconded by Commissioner Sharon Langford to approve the SHIP Loan (subject to the availability of SHIP Loans), in the amount of \$40,000, new construction for Charles P. Turner. Motion carried unanimously.*

- Blake Sundberg Very LOW Income New Construction \$40,000

*Motion made by Commissioner Sharon Langford second by Kenrick Thomas to approve the SHIP Loan (subject to appraisal and availability of SHIP Loans), in the amount of \$40,000 for new construction for Blake Sundberg. Motion carried unanimously.*

- Mr. McQueen presented the SHIP Loan Review Committees request for **Subordination of loan** for John W. and Sherrie E. Deen.

Mr. McQueen recommended denying the request for the subordination of the loan based on the request of the Deen’s to consolidate debts, but not including the pay off the SHIP Loan. Mr. Deen’s request is not what the SHIP Program is to be used for.

*Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to DENY the subordination for John W. and Sherrie E. Deen for the reasons stated. Motion carried unanimously.*

Deferred Payment Loan-Housing Assistance Plan: Mr. McQueen stated that previously it was brought before the Board that the HAP changes in the dollar amounts. This week, a Housing Closeout Audit was performed. When the minutes were reviewed to verify that the dollar amount changes were approved by the Board, it is not specifically stated. Mr. McQueen requested that the Board clarify for the record and approve the dollar amount changes as follows:

- Single-Family Dwelling..... change from \$25,000 to \$40,000
- Owner-Occupied, 2/4 Unit Dwelling..... change from \$20,000 to \$30,000
- Mobile/Manufactured Single Wide Dwelling..... change from \$15,000 to \$25,000
- Mobile/Manufactured Double Wide Dwelling..... change from \$20,000 to \$40,000
- Rehabilitation Costs..... change from \$25,000 to \$40,000

These changes will reflect on page seven of the Gilchrist County Housing Assistance Plan.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to change the amounts of the DPL from \$25,000 to \$40,000; \$20,000 to \$30,000; \$15,000 to \$25,000; \$20,000 to \$40,000; and \$25,000 to \$40,000; in the Gilchrist County Housing Assistance Plan as stated on page seven. Motion carried unanimously.***

Temporary Housing Request: Mr. McQueen presented the request for approval of payment of CDBG funds in the amount of \$500 for temporary relocation for Tammy Hazelwood.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve CDBG funds in the amount of \$500 for temporary relocation for Tammy Hazelwood. Motion carried unanimously.***

CDBG Bid Awards: Mr. McQueen presented the following CDBG bid awards:

- James & Jeanette Sparkman    \$14,900 Rehabilitation            A&R Construction

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the construction award of \$14,900 to A&R Construction for James & Jeanette Sparkman. Motion carried unanimously.***

- Nelda Jane Brown                    \$19,700 Rehabilitation            A&R Construction

***Motion made by Commissioner Harrison seconded by Commissioner Tommy Langford to approve the construction award of \$19,700 to A&R Construction for Nelda Jane Brown. Motion carried unanimously.***

- Kaye Carlisle                            \$12,255 Rehabilitation            DJ Daube Construction

***Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve the construction award of \$12,225 to DJ Daube Construction for Kaye Carlisle. Motion carried unanimously.***

- Terry Ann Holder                    \$16,800 Rehabilitation            Crossfire Construction

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the construction award of \$16,800 to Crossfire Construction for Terry Ann Holder. Motion carried unanimously.***

**County Attorney Report**

Sheriff’s Appeal: The final hearing before the Administration Commission (Governor and Cabinet) is scheduled for April 3 in Tallahassee. In the meantime, the County and the Sheriff have been encouraged by the Governor’s staff to engage in negotiations to try to resolve the

matter before it goes to final hearing. Mr. McPherson made an appointment and met with the Sheriff in an attempt to initiate settlement negotiations. Sheriff Turner has responded to this meeting with a letter addressed to Mr. McPherson dated March 12, 2007. The letter is as follows:



**DAVID P. TURNER, SHERIFF**  
GILCHRIST COUNTY SHERIFFS OFFICE  
9239 South U.S. Highway 129  
Trenton, Florida 32693  
Telephone 352/463-3181

[www.gilcso.org](http://www.gilcso.org)

March 12, 2007

John McPherson, Gilchrist County Attorney  
703 N. Main St., Suite C  
Gainesville, Fla. 32601

Ref: Sheriff's Appeal

Honorable John McPherson,

I would like to thank you for taking an hour and a half out of your busy schedule and meeting with me regarding the budget appeal. I, like you, still wish that the whole Board of Commissioners would have had the opportunity to hear our justifications for the budget requests. There are several points that I am uncertain that the whole commission is un-aware, ie. Florida Department of Management Services recommendation that pursuit vehicles be replaced at 65,000 miles or 5 yrs. of age, or the liability associated with not providing the security that should be implemented within the new court facilities.

As I stated at the committee hearing in Tallahassee, my projected figure if all items were approved would now be \$298,416 ( 6 months) instead of the original \$365,519 which was for a nine (9) month period of the remaining fiscal year. As you stated, next years budget will be even more difficult to fund and therefore your suggestion of purchasing a few vehicles now and carrying over the other budget requests (recurring costs; new personnel) to the next budget year is not feasible.

When I inquired if the BOCC was willing to address the issue (addressed by the Cabinet committee) of possibly bringing our funding up from our \$209 per citizen to the 5 comparison counties average of \$224 per citizen, you advised that the BOCC would rather take their chances with the Governor's appeal process.

2007 MAR 14 A 8  
FILED  
JOSEPH W. GILLIAM  
CLERK CIRCUIT COURT  
GILCHRIST COUNTY

As pointed out in the Florida Association of Counties (FAC) study, "Where Did the Money Go?" a major function of government is to protect and serve its population. The majority of counties recognize the importance of its law enforcement services. With over

a 21% increase in our population over the 6yr period of the study I would hope that more attention be given to our requests and not just that of the other general government accounts.

Thank you again for your time and attention.

Sincerely,



David P. Turner,  
Sheriff

Cc: Board of County Commissioners  
Gilchrist County

Mr. McPherson believes this letter accurately reflects the meeting, except for the line stating that he said that "the BOCC would rather take their chances with the Governor's appeal process" rather than agree to a funding level of \$224 per citizen. Mr. McPherson recalls saying "I thought the Commission would probably allow the appeal to proceed if the only way to settle would be to fund the Sheriff's full budget request." Mr. McPherson stated that he's not sure whether agreeing to a funding level of \$224 per citizen would require the same funding as would agreeing to the Sheriff's full request. (Jacki Johnson and the Sheriff arrive at a different number for how much it would cost the County to bring the funding up to \$224 per citizen).

Mr. McPherson also stated that he interprets the letter to mean, at least for the ideas he suggested, which were basically that the board might agree to fund some of the non reoccurring costs, such as automobiles, as a way to resolve this, but after reading the letter the Sheriff is not interested in negotiating on that basis.

Mr. McPherson stated that Randy Ball, Policy Coordinator/Office of Policy & Budget/Governors Office, be kept apprised of any negotiations that took place between the BOCC and the Sheriff. So Mr. McPherson drafted a letter to Mr. Ball per his request. Mr. McPherson's response letter is as follows:

March 16, 2007

Mr. Randy Ball  
Policy Coordinator, Public Safety Unit  
Office of Policy and Budget  
Office of the Governor  
The Capitol  
Tallahassee, FL 32399-0001

Re: Gilchrist County Sheriff's Appeal

Dear Mr. Ball:

At the March 5<sup>th</sup> hearing in Tallahassee, you suggested that the parties discuss settlement of the Gilchrist County Sheriff's appeal prior to the matter going before the Administration Commission. You have also requested that we keep you posted on settlement negotiations.

On behalf of the County, I made an appointment with Sheriff Turner to determine whether he thought there was any room for negotiation of this matter. The Sheriff and I met on March 9<sup>th</sup> at his offices in Trenton. During our 1 1/4 hour discussion, I asked whether he thought he might be willing to agree to a settlement whereby the County provided certain of the non-recurring budget requests, such as patrol vehicles, and left the recurring items, such as the new employees, for consideration as part of the 2007-2008 budget process (or earlier in the case of the requested benefits).

Although the Sheriff did not give me a definite answer at the meeting, he has followed up with a letter dated March 12 which I have enclosed. In that letter, the Sheriff makes clear that the only concession he is willing to make is the reduced employment costs resulting from the passage of a portion of the budget year. This is consistent with the Sheriff's position, consistently taken since making his original 2006-2007 budget request, that there is no room in his request for reductions.

The County Commission will be meeting in regular session on Monday, March 19, and I intend, notwithstanding the Sheriff's March 12<sup>th</sup> letter, to raise the issue whether the Commission wants to make a formal, written offer of settlement to the Sheriff. I will let you know the Commission's action on this as soon as possible, and keep you advised of any further settlement negotiations.

Please feel free to call me with any questions you may have.

Sincerely,

John E. McPherson  
County Attorney

cc: Sheriff David Turner  
Randy Durden, Chairman  
Joe Gilliam, Clerk

Mr. McPherson stated that Randy Ball is going to have his recommendation to the Governor and Cabinet available on Wednesday. Mr. Gilliam stated that there will be a meeting on March 28<sup>th</sup>, 2007 at 9:00 a.m. in the Cabinet Room. More information will be forth coming in the mail.

Legislative Day is the same day in Tallahassee, so the Commissioners will be there to attend this meeting in the Cabinet Room pertaining to the Sheriff's Budget Appeal.

### **Clerk's Report**

For Letter re: FY 07/08 Budget & Tax Reform: Mr. Gilliam presented to the Board a draft letter informing Constitutional Officers, ALL Board Departments and ALL Budget Entities that when preparing their FY 07/08 Budget Proposal limit all increases for funding and be prepared to justify the need for any and all increase to the Board of County Commissioners during the budget process. Mr. Gilliam asked for direction on when to mail out letters. Board agreed for mail out of letter to take place now.

Capital Impact Fund Update (Judicial vs. Jail): Mr. Gilliam wanted to make the Board aware that in some point in time that there maybe a short fall of funds in the Capital Facilities Impact Fee Fund; due to the revision of the impact fee ordinance. The revision made the Jail number one priority and \$200,000 was pledged from capital impact fees to pay for architectural services for the Jail. As of today, no monies have been paid out of capital impact fees for FY07, but bills are going to start coming to the Board for approval and there is not enough money unless capital impact fee picks up. The percentage of impact fees collected is down compared to previous years. To fund both the Judicial Project and the \$200,000 for the architect for the Jail, the money is not there to complete both projects.

Bid for Financing on Track hoe: Mr. Gilliam presented the only bid received from the bids that were solicited from the three local banks for the financing on the track hoe that was purchased for the Road Department. The bid received was from Ameris Bank with 4.78% for either six (6) or eight (8) years. Mr. Gilliam made the recommendation to go with Ameris Bank, 4.78% for six years.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve the bid of 4.78%, for six years, to finance the purchase of the track hoe for the Road Department. Motion carried unanimously.***

Mr. Gilliam presented the following invoices/pay requests for payment:

- Anderson Columbia Co., Inc. Pay Request #3; CR 337 \$249,451.30

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve pay request #3 in the amount of \$249,451.30 to Anderson Columbia Co., Inc. for CR 337 project. Motion carried unanimously.***

- John C. Hipp Construction Pay Request #1; CR 342 \$293,306.35

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve pay request #1 in the amount of \$293,306.35 to John C. Hipp Construction for the CR 342 project. Motion carried unanimously.***

- Mills Engineering Company Inv # 2006052; CR 342 \$7,926.38

***Motion made by Commissioner Sharon Langford seconded by Commissioner Harrison to approve invoice #2006052 in the amount of \$7,926.38 to Mills Engineering Company for the CR 342 project. Motion carried unanimously.***

- Mills Engineering Company Inv #2005037; CR 337 \$18,815.08

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve invoice #205037 in the amount of \$18,815.08 to Mills Engineering for the CR 337 project. Motion carried unanimously.***

Mr. Gilliam presented a request from Mills Engineering as follows:

- Final Pay Request for S & T Services;  
Gilchrist County Jail Wastewater Collection System \$18,440.00

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve final pay request in the amount of \$18,440.00 to S & T Services for the Gilchrist County Jail Wastewater Collection System. Motion carried unanimously.***

Alexander Group Reduction in Project Retainage: Mr. Gilliam presented a request for reduction in project retainage from 10% to 5%. After discussion, the Board agreed.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve the reduction of the retainage from 10% to 5% for the Alexander Group. Motion carried unanimously.***

### **Commissioner Reports**

Commissioner Kenrick Thomas: On CR 307, concerned citizen brought to his attention about reducing the speed limit to 45 mph. This road will be resurfaced in the near future and concerns of speeding may even worsen. Mr. McPherson stated that if this is a paved, widen road through an agricultural area, we are suppose to have some rationale for reducing it. The Board will consider CR 307 speed reduction to 45 mph especially on the stretch of CR 344 to US 129 to the recreation park.

Commissioner Tommy Langford: RTAG meeting on Thursday to talk about SR 26 again, Road Committee Meeting tomorrow at 1:30p.m. Commissioner Langford and Mr. McQueen had a conference call with the representative from The Community Trust Fund, Hank, and he said that Gilchrist County qualifies for 10% of the money which comes out to about \$6,000,000. If an application can be returned back to him by May 9<sup>th</sup>, he would review for proper completion. Commissioner Langford and Mr. McQueen felt like they should go for it all and ask for at least 100 acres. The next step would be to find the property. At this time, Commissioner Langford is talking with the property owner of Loncala, Mr. Don Bennett. The owner, Mr. Bennett doesn't want to sell but would be willing to trade land. The Board agreed to pursue land to submit for the application with the Community Trust Fund.

Commissioner D. Ray Harrison, Jr.: Asked for Laptop request update. Mr. McQueen stated that a laptop that was already on hand is being looked at to see if it can be upgraded to serve the needs that are being requested. It is being taken care of as of today.

Commissioner Sharon Langford: None

Commissioner Randy Durden: Three Rivers Regional Library System. The County owns the property adjacent to the library. There is a possibility of getting a grant to expand the library. Commissioner Durden stated that Steven Hurd, Director of Three Rivers Regional Library System,

requested that if we apply and receive that grant could the BOCC provide office space for the Regional Library in Trenton. If so, the Board needs to write a letter of interest in housing the Regional Library. Board agreed to write a letter of interest.

**Old Business:** None

**New Business:** None

**Public Participation:** None

**Adjourned**

There being no further business, Chairman Randy Durden adjourned the meeting at 8:35 p.m.

Approved:

\_\_\_\_\_  
Randy D. Durden, Chairman

Attest:

\_\_\_\_\_  
Joseph W. Gilliam, Clerk