

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF  
COUNTY COMMISSIONERS HELD JULY 16, 2007.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, July 16, 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 A. Langford**  
**Commissioner D. Ray Harrison, Jr.**

**Others in Attendance**

John McPherson, County Attorney, Jacki Johnson, Finance Director, Joseph W. Gilliam, Clerk, Patty McCagh, Board Secretary, Ron McQueen, County Administrator, John Ayers, Gilchrist County Journal, Justin Watson, Road Department Supervisor, Clement Lindsey, John T. Aulick, Lee Schaltenbrand, Kevin Kirby, Anderson Columbia, Martha Strawn and Elayne Dubin, Our Santa Fe River, Lee Mills, County Engineer, Kim Davis, Francis Terry and Matt Brown.

**Call to Order**

Chairman Randy Durden called the meeting to order at 4:00 p.m. with Commissioner Harrison delivering the invocation and Commissioner Tommy Langford leading the pledge of allegiance.

**Agenda Changes**

Mr. Gilliam, Clerk presented the following agenda changes:

1. Dixie County Inmate Housing Invoice, \$7,297.80

Mr. McQueen, County Administrator presented the following agenda changes:

2. Hart Springs Boat Ramp Bid Applications
3. Animal Control Letter
4. School Board – Road at Bell School
5. County Engineer, Lee Mills

Chairman Durden presented the following agenda change:

6. Suwannee River Economical Council, Ms. Francis Terry

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

**Consent Agenda**

**Approval of Minutes**

- Regular Meeting..... June 4, 2007

## **Budget Adjustments**

• BE07-057, Fund 001, General Revenue.....	\$2,603.83
• BE07-058, Fund 140, Transportation.....	\$7,000.00
• BE07-059, Fund 122, Fire Control.....	\$20,000.00
• BE07-060, Fund 190, Capital Projects.....	\$6,375.00
• BE07-061, Fund 180, Local Housing.....	\$161,331.00
• BE07-062, Fund 170, CDBG.....	\$145,624.00
• BE07-063, Fund 160, ST ATT / PD.....	\$6,700.00
• BE07-064, Fund 141, Transportation Impact.....	\$326,952.43
• BE07-065, Fund 001, General Fund.....	\$31,982.00

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

Suwannee River Economical Council: Ms. Francis Terry, Director of the Suwannee River Economical Council addressed the Board requesting for permission to submit a grant application for construction of a Senior Center in Gilchrist County. There is a required 25% match from the County. The match does not have to be a “cash” match. It was determined if county land and site work could be used as the 25% match the Board would be interested in this project. Ms. Terry was directed to bring back more information to the Board.

## **County Administrator’s Report**

### **Public Safety**

Fire Truck Paint Quotes: Mr. McQueen presented four (4) quotes for a paint job on the 1990 Ford Tanker fire truck as follows:

• University Collision Center, Inc.	\$5,050.00
• Fanning Springs Auto	\$5,500.00
• Givens Auto Body	\$5,737.12
• Texas Trailers Sales and Service	\$9,705.00

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to award low bid to University Collision Center, Inc., in the amount of \$5,050.00 for fire truck paint job. Motion carried unanimously.***

Travel Approval for Preconstruction Meeting: Mr. McQueen asked for permission to approve Mr. Perez to be allowed to attend the Preconstruction Conference to be held July 18-20 in Allentown, PA, for the fire truck that is being built.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve travel for Mr. Perez to attend the preconstruction conference in Allentown, PA, July 18-20 for the fire truck. Motion carried 4-1, with Commissioner Harrison voting NO.***

Site Plan Approval for EOC: Mr. McQueen presented the revised site plan for the relocation of the Emergency Operations Center building and request permission to move forward with plans.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve the site plan change for the EOC and permission to move forward. Motion carried unanimously.***

Vehicle Use: Mr. McQueen presented a list of county vehicles that are driven home. Upon review of the list the Board determined to leave the list "As Is", except for only one (1) Animal Control truck for the officer on call.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to leave the vehicles driven home as is except for only one animal control truck for on call duty. Motion carried 4-1, with Commissioner Harrison voting NO.***

Julian Weeks; Impact Fee Transfer Request: Mr. McQueen presented a request from Mr. Julian Weeks to transfers the impact fees from a non conforming use piece of property (3089 NW 30<sup>th</sup> Avenue, Bell, Fl) to another piece of property that is conforming (Lot 16 & Lot 17, Block 6, Unit 3, Sun N Fun located in Wacassassa Campsites).

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to allow the request from Mr. Julian Weeks to transfer impact fees. Motion carried unanimously.***

Driveway Policy: Mr. McQueen addressed the issue of a driveway policy. He stated that whether a driveway is on a paved road, private or public, is to be inspected by the Road Department for determination on a case-by-case basis, if a driveway is required or not. He also requested that the Board make if a formal policy that the Road Department make the call if a driveway is required.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to allow the Road Department to make the determination if a driveway is required or not on paved roads, private or public.***

Mr. McPherson stated that the current ordinance reflects that a driveway permit has to be obtained for ANY connection to a county road, whether it's in an incorporated or unincorporated area. He stated that within the unincorporated area any connection to a private road way (street) providing access to one or more lots within a recorded or unrecorded subdivision requires a permit.

**There was NO vote on this motion. The Board directed Road Department to enforce the current ordinance.**

CR 337; Sod Issues: Mr. Lee Mills, County Engineer, addressed the issue of the dead sod on CR 337. He introduced Mr. Kevin Kirby with Anderson Columbia, Inc. who discussed options with the Board as far as resolving this problem.

Mr. Kirby asked the Board to consider allowing them (Anderson Columbia) to correct this problem by bringing in more dirt and planting grass seed to replace the dead sod. He requested 90 days with the Board holding Final Payment funds until satisfied with the grass on CR 337. The shoulder has dropped due to the lack of water and care of the sod on CR 337. If the grass doesn't take, more sod will be laid, all with in the 90 days (November 1, 2007).

Mr. McQueen said he would contact Ms. Katrina Sadler with the Florida Department of Transportation to establish a time extension on this project in order to resolve the grass situation on CR 337. The time extension request will be November 1, 2007.

***Motion made by Commissioner Harrison seconded by Commissioner Tommy Langford to allow the Contractor to work with the County Engineer to rectify the sod/grass situation on CR 337 within 90 days. Motion carried unanimously.***

Jail Update: Mr. McQueen asked Mr. Mills to report on the current condition of jail building. Mr. Mills stated that he contacted other consultants for quotes.

Mr. Mills stated that the engineer that he had spoken with suggested that he contact a Mechanical Contractor and have them scope the project from a contractors stand point. Mr. Mills asked the Board for a budget to work out of to cover consultant expenses. The amount of \$15,000.00 was set up as a budget line item out of General Revenue Reserve for life safety, health and structural issues at the jail.

***Motion made by Commissioner Tommy Langford seconded by Commission Harrison to set up a budget line item, \$15, 000.00 for life safety, health and structural issues at the jail. Motion carried unanimously.***

CR 232 Update: Mr. Mills stated that he received a survey on CR 232 that delineates the wetlands. He stated the plan profile for SR49 and SR 47 shows that we are affected by 3.3 acres of wetlands if the entire right-of-way was to be regained and that District (SRWMD) will need to be contacted to determine a plan and be brought back to the Board for consideration.

Hart Springs Boat Ramp Renovation: Mr. McQueen asked the Board for permission to allow Mr. Mills to move forward with the bidding on the Hart Springs Boat Ramp.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to allow County Engineer, Lee Mills to move forward with bidding on Hart Springs Boat Ramp. Motion carried unanimously.***

CR 337 Update: Mr. Mills updated the Board on the sod/grass issues, drop offs, washouts, cleanup, gating and removal of debris on CR 337. Mr. Mills stated that this project is still under contract and it is the responsibility of the contractor to bring all issues up to standards and will be reminded of such until it meets the criteria of the contract.

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

The Rickman Partnership, Inc.: Mr. McQueen presented for payment invoice #4 from The Rickman Partnership, Inc. in the amount of \$89,235.30 for the construction document phase for the Public Safety Complex (EOC project).

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve invoice #4 in the amount of \$89,235.30 for construction documents for the EOC project from The Rickman Partnership, Inc. Motion carried unanimously.***

FRDAP Grants: Mr. McQueen requested permission from the Board to be allowed to go out for bids on two (2) FRDAP (Florida Recreation Development Assistance Program) grants which needs to be expedited. The grants will be used for Hart Springs which includes a baseball fields, baseball lighting, additional pavilion, recreational area, and bathrooms. He stated that we have already accepted the grants and we only need to go out for bids.

Commissioner Harrison has stepped out.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Sharon Langford to allow Mr. McQueen to go out for bids on the FRDAP Grant for Hart Springs. Motion carried 4-0.***

Commissioner Harrison returned.

Gilchrist County School Board: Mr. McQueen stated that he had been contacted by Mr. Buddy Vickers, School Board Superintendent, inquiring if the County would be interested in participate in building a road within the city limits of Bell. The Board agreed that a proposal be put together and be brought back before the Board for further review.

Posting and Cost of Signs: Mr. McQueen explained the County Attorney is preparing language to be displayed on signs. Forty eight (48) need to be posted. A cost will be brought back to the Board.

### **County Attorney's Report**

Ordinance 07-09; Land Development Code Subdivision Glitch: Mr. McPherson stated that Ordinance 07-09 is included in agenda packet and set for adoption hearing as a time certain at this meeting.

Ordinance 07-10; Land Development Code General Glitch: Mr. McPherson stated that Ordinance 07-10 is included in agenda packet and set for adoption hearing as a time certain at this meeting.

Ordinance 07-11; Agricultural Sludge Disposal: Mr. McPherson stated that Ordinance 07-11 is included in agenda packet and set for adoption hearing as a time certain at this meeting.

New Jail: Mr. McPherson stated that the new jail project has been previously discussed.

Rolling Oaks Special Assessments District: Mr. McPherson stated that this project is to be put out for bid to get definite construction price. Mr. Myers had been out of town and Commissioner Sharon Langford stated that she would contact Mr. Myers to see if he has been in contact with Lee Mills, County Engineer, to discuss price.

Gilchrist County v. Jesse White: Mr. McPherson stated that a court order (FINAL Order) has been issued against Jesse White and the deadline is July 26, 2007.

Saunders v. Gilchrist County: Mr. McPherson stated that an appeal of the decision of the Code Enforcement Hearing Officer finding that Ms. Gail Saunders did not have a farm and therefore was not exempt from the building permit requirements.

Enforcement at Santa Fe Park: Mr. McPherson stated that the sign issue for the park was previously discussed.

### **Clerk's Report**

Proposed Millage Rate for TRIM Notices: Mr. Gilliam asked for guidance from the Board on the proposed millage rate for the TRIM notices. He recommended that the rate needs to be somewhere between the roll-back rate and 10 mills. Once the TRIM Notices are printed, the millage can be decreased but not increased. The millage rate of 8.75 was proposed for the TRIM notices and the budget is to be calculated at 8.2695.

***Motion made by Commissioner Kenrick Thomas to go with the proposed millage rate of 8.5253, with a 2/3 vote, for the TRIM Notices.***

During further discussion, Commissioner Kenrick Thomas withdrew his motion. Chairman Durden recommended that the Board think about the millage rate and the issue will be addressed during a later part of the meeting.

## Time Certain

Ordinance 07-09; Land Development Code Subdivision Glitch: Chairman Durden read the short title of Ordinance 07-09 as follows:

### **ORDINANCE 07-09**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AMENDING THE SUBDIVISION REGULATIONS IN THE GILCHRIST COUNTY LAND DEVELOPMENT CODE; PROHIBITING PRIVATE STREETS AND OTHER FACILITIES IN RESIDENTIAL SUBDIVISIONS; AMENDING THE PREAPPLICATION CONFERENCE REQUIREMENTS; CLARIFYING SURETY REQUIREMENTS DURING THE ONE-YEAR MAINTENANCE PERIOD FOR SUBDIVISION IMPROVEMENTS; PROVIDING THAT BUILDING PERMITS **SHALL** BE ISSUED PRIOR TO THE INSTALLATION OF IMPROVEMENTS WITHIN A SUBDIVISION; AUTHORIZING THE COUNTY COMMISSION TO ALTER RIGHT OF WAY WIDTHS UNDER UNUSUAL CIRCUMSTANCES; REQUIRING THAT ALL UTILITIES BE PLACED IN DESIGNATED UTILITY EASEMENT AREAS; REQUIRING A STATEMENT ON PRELIMINARY PLATS REGARDING MINERAL RIGHTS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Mr. McPherson stated that the language “**SHALL**” be changed to “**SHALL NOT**” in the short title. He also stated that the ordinance has been reviewed in workshops and has been recommended by the Planning Commission for adoption. Chairman Durden called for any public comment. None noted.

*Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to adopt Ordinance 07-09 with the correction noted in the short title. Chairman Durden again called for any public comment...none noted. Motion carried unanimously.*

Ordinance 07-10; Land Development Code General Glitch: Chairman Durden read the short title of Ordinance 07-10 as follows:

### **ORDINANCE 07-10**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AMENDING THE GILCHRIST COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR RETENTION OF DEVELOPMENT RIGHTS AFTER LAND IS DEVOTED TO PUBLIC PURPOSE; CLARIFYING WHERE NEIGHBORHOOD COMMERCIAL, OUTDOOR SALES, AND LANDSCAPING BUSINESSES ARE ALLOWED; PROHIBITING THE USE OF MANUFACTURED BUILDINGS FOR STORAGE IF SUCH BUILDING WAS DESIGNED FOR RESIDENTIAL USE; CLARIFYING THE MINIMUM LOT SIZE WHERE SEPTIC TANKS ARE TO BE USED; REQUIRING CHECK FOR CONFLICT WITH RESTRICTIVE COVENANTS PRIOR TO APPROVAL OF ACCESSORY DWELLINGS; CLARIFYING THE DEADLINE FOR REMOVAL OF REPLACED DWELLINGS; ADDING SPRING WATER BOTTLING PLANTS AS A USE TO BE REVIEWED AS A DEVELOPMENT OF MAJOR IMPACT; CLARIFYING THAT FLAG LOTS MAY BE CREATED BY A LOT SPLIT; PROHIBITING VARIANCES TO PARENT TRACT AND SIGN SIZE REGULATIONS; CLARIFYING THAT VARIANCES MAY BE GRANTED AS PART OF DEVELOPMENT REVIEW; MAKING CERTAIN EDITORIAL CORRECTIONS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Mr. McPherson stated that this ordinance has been reviewed in workshops and there are concerned citizens interested in Section 9, which adds spring water bottling plants to the list of developments of major impacts which would come to the BOCC for approval, rather than getting Final Approval by the Planning Commission.

Chairman Durden called for any public comment...

Kim Davis, concerned citizen asked the question “How does this change the rezoning for the water bottling plant?” Mr. McPherson stated that the water bottling plant wouldn’t need a rezoning they would need a special use permit.

Chairman Durden called for anymore questions...none noted.

***Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve Ordinance 07-10. Motion carried unanimously.***

Ordinance 07-11; Agricultural Sludge Disposal: Chairman Durden read the short title of Ordinance 07-11 as follows:

#### **ORDINANCE 07-11**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING THE REQUIREMENT FOR OBTAINING A SPECIAL PERMIT FOR DISPOSAL OF AGRICULTURAL SLUDGE WITHIN GILCHRIST COUNTY; PROVIDING DEFINITIONS; PROVIDING PROCEDURES, STANDARDS AND CONDITIONS FOR ISSUANCE OF PERMITS; PROVIDING FOR ENFORCEMENT; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND ESTABLISHING AN EFFECTIVE DATE.

Mr. McPherson stated that more recently the problem of sludge from agricultural operations has come up and the Board had directed Mr. McPherson to prepare an ordinance that expanded the already existing land spread of sludge ordinance to include the spreading of agricultural sludge. It is the responsibility of the land owner, not the dairy, to acquire a special permit for the spreading of sludge on their property.

Mr. McPherson asked the Board to “table” this issue and to allow him to draft a sentence of definition on what requires a permit. Chairman Durden moved forward with agenda.

#### **Road Department Report**

Equipment Repair List/Fund Increase Request: Mr. Justin Watson, Road Department Supervisor, presented a list of equipment repairs needed by the road department. He explained what each piece of equipment is used for and how often it is used. He had requested an increase in the road department budget in the amount of \$58,365.14 (which would come from General Fund Reserve) with actual equipment repairs totaling \$10,015.14 with the balance to fund the departments Repairs & Maintenance, Operating Supplies, Operating Supplies/Uniforms, Civil Penalties, Communication & Freight and Fuel & Lube through the end of this fiscal year. It was determined to transfer funds to the Road Department from General Fund Reserve in the amount of \$53,365.14 (\$5,000.00 less than total amount requested).

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to transfer \$53,365.14 from General Fund Reserve to the Road Department. Motion carried unanimously.***

#### **Clerk’s Report**

Road Department & Fuel Depot Project: Mr. Gilliam presented a transfer of funds from Transportation Impact, in the amount of \$22,356.58 to Capital Outlay Projects for completion of the Fuel Depot. The Fuel Depot was constructed to meet County needs due to growth.

***Motion made by Commissioner Sharon Langford seconded by Commissioner Tommy Langford to approve the transfer of funds, in the amount of \$22,356.58 from Transportation Impact to Capital Outlay Projects. Motion carried unanimously.***

### **Attorney's Report**

Ordinance 07-11: Chairman Durden readdressed the Attorney's issue on Ordinance 07-11 that had been "tabled".

Mr. McPherson explained the change to be made as follows: Section 8.03.04, Permitting Requirement (a)...the first sentence would stay the same except instead of "domestic" being struck out it would be put back in making the rule staying as it is now. Also adding two (2) new sentences...*A permit shall be required for all new or existing offsite disposal of agricultural sludge. The owner of land on which there is existing offsite disposal of agricultural sludge shall apply for a special use permit by October 1, 2007.*

If special use permits are not applied for, the Code Enforcement Officer will issue a notice of violation.

The Board directed Mr. McQueen, County Administrator to send letters to the dairies and place ad in newspaper in reference to Ordinance 07-11, Agricultural Sludge Disposal and changes made.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Harrison to approve Ordinance 07-11 with the added content stated by County Attorney. Motion carried unanimously.***

### **Clerk's Report**

Proposed Millage Rate for TRIM Notices: Mr. Gilliam readdressed the issue of millage rates for TRIM Notices.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to set the proposed millage rate of 8.75 for the TRIM Notices and Finance to calculate budget at 8.2695. Motion carried 3-2 with Commissioner Harrison and Commissioner Sharon Langford voting NO.***

Chairman Durden stated that *all* Board Departments and Constitutional Officers need to be notified that their budgets need to be cut (keeping operating expenditures the same as last year and figure salaries at 2% increase); no new positions and any capital outlay needs to come before the Board. Finance department to draft letters to all departments and constitutional officers and adjust budgets that were previously submitted.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Sharon Langford for all Board Departments and Constitutional Officers to refigure their budgets at last years operating rate with a 2% increase for salaries and no new positions. Motion carried unanimously.***

Purchase Orders after the Fact: Mr. Gilliam addressed the issue of invoices that are submitted for payment that do not have a purchase order number. This has been and has continued to be a problem. It is policy for all invoices to have a purchase order number which should be provided at the time the order is placed or purchased to all vendors.

Commissioner Harrison made the recommendation for the Board to take action for all departments to enforce our purchasing policy and that department heads will be required to appear before the Board for corrective measures if policy is not thoroughly followed. Board agreed.

EMS; Renewal of Certificate of Public Convenience & Necessity: Mr. Gilliam presented the Renewal of Certificate of Public Convenience & Necessity for approval and to allow the Chairman to sign. This is to be renewed annually.

***Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve the Certificate of Need and to allow the Chairman to sign. Motion carried unanimously.***

Quote on the X-Ray System for the Judicial Complex: Mr. Gilliam presented a quote for the purchase of the X-Ray System for the Judicial Complex in the amount of \$22,807.00 from Astrophysics, Inc. He explained that after receiving bids on the generator, the amount funded for that purchase isn't as much as planned and the balance of the money could be used for the purchase of the X-Ray machine which is on state contract.

***Motion made by Commissioner Harrison and seconded by Commissioner Tommy Langford to approve the quote from Astrophysics, Inc. in the amount of \$22,807.00 funded by Small County Courthouse Grant Fund for an x-ray system for the Courthouse. Motion carried unanimously.***

Dixie County Inmate Housing Invoice: Mr. Gilliam presented an invoice for the housing of inmates in the amount of \$7,297.80 to Dixie County for the month of June 2007.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the invoice to Dixie County for inmate housing in the amount of \$7,297.80. Motion carried unanimously.***

### **Commissioners Reports**

Commissioner D. Ray Harrison, Jr.: None noted.

Commissioner Tommy Langford: Commissioner Langford inquired about the Florida Communities Trust Grant and Mr. McQueen stated that a representative from Synergy would be present at the August 6<sup>th</sup> meeting at 1:30 p.m. to present services to the Board.

Commissioner Kenrick Thomas: None noted.

Commissioner Randy Durden: Commissioner Durden stated that when he attended the City of Trenton meeting it was discussed to adopt the Transportation Impact Fee, Interlocal Agreement and asked the County Attorney if there was something we needed to do and Mr. McPherson to contact the city attorney to find out.

Commissioner Sharon Langford: None noted.

**Old Business:** None noted.

**New Business:** None noted.

**Public Participation:** None noted.

**Adjourn:**

There being no further business, Chairman Durden adjourned the meeting at 7:58 p.m.

Approved:

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Randy D. Durden, Chairman

Attest:

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Joseph W. Gilliam, Clerk