

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF
COUNTY COMMISSIONERS HELD AUGUST 6, 2007.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, August 6, 2007 at 1:15 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, Mike Burnett and Lynn Watson, Animal Control, Charlie Perez, Public Safety, Ron Mills, Emergency Management, Diane Rondolet, Code Enforcement, Gene Parrish, Stacey Winfield, County Planner, Jered Ottenwess, Manager City of Trenton, Duke Lang, City Attorney, John Canoda, John Aulick, Clement Lindsey, Karen Jordan, Pete Randolph, Joyce Ferrante, J.M. Everett, Dan Taylor, Natalie Rankin, Evelyn Richards, David Sumrall, Marianne Bennink, Don Bennink, Dave Temple, David Pope, Ron St. John, and John Gray.

Call to Order

Chairman Randy Durden called the meeting to order at 1:15 p.m. with Commissioner Durden delivering the invocation and leading the pledge of allegiance.

Agenda Changes

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

1. Animal Control Monthly Report
2. Department of Community Affairs (CDBG)
3. Department of Environmental Protection; FY07/08 Small County Grants Agreement

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

Consent Agenda

Budget Adjustments

- BE07-066, Fund 001, General Fund..... \$15,000.00
- BE07-067, Fund 001, General Fund.....\$53,365.00
- BE07-070, Fund 141, Transportation Impact Fund.....\$22,357.00
- BE07-071, Fund 001, General Fund.....\$12,600.00

Approval of Bills

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

County Administrator's Report

Public Safety

EOC Billings for Grant Closeout: Mr. McQueen presented Pay Request #1 in the amount of \$24,852.60 for The Alexander Group and Change Order #1 from the Alexander Group in the amount of \$21,954.81 to Dean Steel Buildings, Inc. for the new Emergency Operations Center.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve invoices for the Emergency Operations Center in the amount of \$24,852.60 to the Alexander Group and \$21,954.81 to Dean Steel Buildings, Inc. Motion carried unanimously.

Small County Technical Assistance Program: Mr. McQueen requested approval to submit two (2) projects, Integration of GIS and 911 addressing and Education of Certification of Training, to the Small County Assistance Program.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Tommy Langford to approve the request to submit two (2) projects, Integration of GIS and 911 addressing and Education of Certification of Training to the Small County Technical Assistance Program. Motion carried unanimously.

S.H.I.P. Local Housing Assistance Plan: Mr. McQueen presented the LHAP, which has already been approved by the Board, with corrections as noted. He stated that there was one major change that needed to be addressed, that NO-loan repayment for MODERATE income category be required.

Motion made by Commissioner Tommy Langford seconded by Commissioner Sharon Langford to approve the amended LHAP with the change to NOT require the MODERATE income category to repay loan. Motion carried unanimously.

Small County Road Assistance Program; Shady Grove Road and Rolling Oaks: Mr. McQueen presented two (2) agreements from S.C.R.A.P. for projects that were submitted for assistance two years ago for resurfacing on Shady Grove Road, in the amount of \$463,320.00 and Rolling Oaks, in the amount of \$594,000.00. Mr. McQueen requested permission to accept agreements and forward to the county engineer as soon as possible.

Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve the S.C.R.A.P. Agreement with the State for the resurfacing of Shady Grove Road, in the amount of \$463,320.00. Motion carried unanimously.

Motion made by Commissioner Harrison seconded by Commissioner Sharon Langford to approve the S.C.R.A.P. Agreement with the State for the resurfacing of Rolling Oaks, in the amount of \$594,000.00. Motion carried unanimously.

CR 337; Time Extension: Mr. McQueen stated that he had requested a time extension on CR 337 and Ms. Sadler with the FDOT didn't see a problem with it.

Time Certain

1:30 pm; Synergy Solution, LLC: Mr. John Canada presented the services performed by Synergy

Solutions, LLC; grant writing, grant management, financial solutions, comprehensive planning, real estate, urban design and architecture. Board agreed to waive request for proposals (RFP'S) for Grant Services and to negotiate a contract with Synergy Solutions.

Motion made by Commissioner Tommy Langford seconded by Commissioner Sharon Langford to allow the County Administrator to work with the Synergy Solution, LLC and bring back a proposal on possible projects. Motion carried unanimously.

County Administrator's Report

Influenza Control Exercise: Mr. McQueen presented a Special Invitation to an Influenza Workshop. This exercise will be held at the Gilchrist County Sheriff's Office training Room on August 15, 2007 at 8:30 am. This exercise presents a unique opportunity to demonstrate that Florida community leaders are prepared to respond to serious health threats whether these originate from natural or bioterrorism sources.

National Incident Management Systems (NIMS) Course ICS 300: Mr. Ron Mills presented the training notice for the ICS 300 Course by NIMS. This training is for County Responders, Emergency Personnel and Supervisory Positions. This course is being administered locally at the Dixie County Health Department on September 10th-12th, 2007. Class times are from 8:00 am to 5:00 pm. Interested parties were to contact Mr. Mills.

NACO Drug Card Program: Mr. McQueen presented the application/contract from NACO (National Association of Counties) offering at no expense to the County, a Drug Card Program. He asked the Board for permission to move forward allowing him to apply for this program and bring back a more definite game plan on how much involvement the County will be responsible for.

Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to instruct the County Administrator to apply for the NACO Drug Card Program. Motion carried unanimously.

Consolidated Small County Grant Agreements FY 07-08: Mr. McQueen addressed the issue of receiving the grant award of \$277,316 from the Florida Department of Environmental Protection for Consolidated Small County Solid Waste. He requested approval and to allow the Chairman to sign.

Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the FDEP Consolidated Small County Solid Waste Grant, in the amount of \$277,316 and allow the Chairman to sign. Motion carried unanimously.

ATV problems at Hart Springs Park: Mr. McQueen informed the Board that there is a major problem with the issue of ATV's at Hart Springs. He stated that John McPherson, Julie Harrison and himself have scheduled a meeting and will bring back a report at the next board meeting on a solution to resolve this problem.

Time Certain

2:00 pm; Son's of the Confederate Veteran's: Mr. Clement Lindsey, Commander of Camp 770 Son's of the Confederate Veteran's came before the Board to request that a confederate monument be erected on the Courthouse lawn in the honor of confederate veterans. He explained the plans for this request and for future monuments. The Board agreed for a committee to be formed to recommend site placement for Civil War monument with recommendations to be addressed at the September 6, 2007, Board meeting. This committee will be made up of the following members; Court

Administrator, Jan Chesser, Judge Philman, Clement Lindsey, Commissioner D. Ray Harrison, Jr. and County Administrator, Ron McQueen.

Motion made by Commissioners Tommy Langford seconded by Commissioners Kenrick Thomas to approve a committee to be formed for preparation of recommendations to be presented to the Board for monument placements and future expansions. Motion carried unanimously.

2:15 pm; City of Trenton Community Redevelopment Plan and Streetscape Master Plan: City Manager, Jered Ottenwess, updated the Board with the recommendations that were made on the community redevelopment plan and the streetscape plan since last year.

2:45 pm; Variance 07-02; an Appeal by Paul Richards:

Mr. McPherson brought to the Boards attention that this is an appeal of a decision made by the Planning Commission on Variance 07-02.

Ms. Stacey Winfield presented Variance 07-02; the variance of yard setback requirements applied for by Paul Richards. She stated that this has originally been presented to the Planning Commission requesting a variance from the setback, and is now being appealed.

- Outstanding Issues: Planning Commissions Denial of Variance

Ms. Winfield stated that the subject property is 1.11 acres and is in the A-2 zoning districts and the property currently contains one (1) dwelling and one (1) tin barn. She also stated that the Gilchrist County building inspector was driving by this property and noticed that a carport was being constructed on the property without a building permit. Work was stopped immediately and the property owners were directed to obtain a Variance for the carport since it encroached on the minimum yard setback requirements. Ms. Winfield stated that if a Variance was approved they would be eligible to obtain a building permit for the structure.

Ms. Winfield stated that according to the site plan the carport/barn that they are applying to construct is 24' x 30'. This structure would be 5-feet from the neighboring property line.

Ms. Winfield stated that since the Building Department cannot find any permit for the expansion of the tin barn, it is considered an illegal structure until proven otherwise. Staff does not recommend granting a Variance to continue construction on an illegal structure; however, if the carport/barn were to be constructed separate from the illegal structure then a Variance could be granted from the minimum yard setbacks. She also stated that even with a Variance approval the applicants would have to adhere to all requirements set forth by the building department in order to build their proposed structure to code. She presented the Staff recommendations as follows:

1. Denial of the Variance unless the proposed structure is built separate from the illegal tin barn.
2. Or...If the structure is built separate (free standing), Staff would recommend the Variance for a decrease in the minimum yard setback of 25-feet to 5-feet on the north property line.
3. Or...If the existing illegal structure were to obtain a building permit and brought up to code then Staff would recommend the addition onto the existing structure.

Ms. Winfield stated that the Planning Commission recommended DENIAL of the Variance. The Variance was denied since the existing barn was not legally constructed, and the proposed variance does not meet the standards set forth above for approval of Variances.

Ms. Natalie Rankin was present representing Mr. Paul Richards who was not able to be here due to

health reasons. Mrs. Richards was also present.

Mr. McPherson stated that the purpose of the variance has nothing to do with the building code; you cannot grant variances to the building code, you can grant a variance to a setback. If a variance is granted to the setback and it was illegal under the building code to have it attached to an illegal structure then it will have to be separated. A variance can be granted but compliance with the building code will have to be met and if the building code requires it to be separated it will have to be separated.

Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to grant the Variance (07-02) for Paul and Evelyn Richards on setback and to allow the Chairman to sign the Final Order. Motion carried unanimously.

3:00 pm; Spring Run Village; Final Plat: Ms. Winfield presented the Final Plat proposal for Spring Run Village. She stated that the proposed plat encompasses about 77.98 acres of land, and consists of fourteen (14) lots, all of which comprise at least five (5) acres.

Ms. Winfield stated that the construction approval passed inspection and final plat had been submitted and reviewed by ALL Staff, and consistent with Chapter 177, Gilchrist County Land Development Code with no changes or recommendations. Staff recommends approval on final plat as submitted.

Motion made by Commissioner Tommy Langford seconded Commissioner Harrison to approve Final Plat for Spring Run Village. Motion carried unanimously.

3:15 pm; Mr. Don Bennink, Request to REVOKE Ordinance 07-11, Ag Sludge: Mr. Bennink along with several other concerned citizens and small business owners of the County were present to address the issue of Agricultural Sludge, Ordinance 07-11.

Motion made by Commissioner Harrison seconded by Kenrick Thomas to instruct the County Attorney, John McPherson to prepare a ordinance revoking the Agricultural portion of the current Ordinance 07-11 for the September 6th meeting. Motion carried unanimously.

Chairman Durden suggested that the Ag Committee members be contacted to see if they are willing to serve again and any new members who would like to serve. New members are as follows: Billy Smith, Jim Floyd, Ron St. John, John Gray, David Sumrall and Kelly Philman. Randy Durden was appointed Chairman, member Marvin Weaver, Secretary, and Staff John McPherson, County Attorney, Ron McQueen, County Administrator and Roy Wilson, Farm Bureau.

Mr. McPherson, County Attorney stated that the rules of the Sunshine Law will be required to be followed by the Ag Committee.

Clerk's Report

Civil Infractions, Animal Control: Mr. Gilliam advised the Board of the procedures involved in processing Animal Control Infractions. He stated that the Clerk's office will start receiving money for Animal Control Infractions.

Invoices WITHOUT Purchase Orders; Animal Control: Mr. Gilliam presented two (2) invoices that were billed to Animal Control from Gilchrist County Journal and one (1) from Dr. Darlene Ester, DVM that did not have purchase order numbers.

Lynn Watson and Mike Burnett were present to explain why these invoices were presented for payment without a purchase order.

Chairman Durden asked both Lynn and Mike if they understand the purchase order policy and if they are willing to abide it. They agreed. He also stated that from now on if the purchase order policy is not implemented, severe action will be taken by the Board.

Attorney's Report

Animal Control Regulations: Chairman Durden addressed the issue of the revised Animal Control Regulations. All the changes and corrections were to be reviewed by the Animal Control Committee, Animal Control Officers and Mr. McPherson before presenting to the Board for final adoption. A meeting will be scheduled for review of the revisions to be made to the Animal Control Ordinance.

Time Certain

4:15 pm; Public Hearings

Resolution 07-26 & BE07-069: Chairman Durden read Resolution 07-26 Amending the Capital Projects Fund (301) for Fiscal Year 2006-2007; Resolution 07-26 states that the Gilchrist County Board of County Commissioners approved the construction of the Fuel Depot, in order to provide fuel for all Gilchrist County departments at a cost savings and provide for future growth with the potential cost avoidance for future fuel purchases; the amount of the project exceeded the budget by \$22,357.00 in FY06-07 Capital Projects Funds budget which is hereby amended with an increased amount of \$22,357.00 by the accompanied budget entry #BE07-069.

Motion made by Commissioner Sharon Langford seconded by Commissioner Tommy Langford to approve Resolution 07-26 and BE07-069. Motion carried unanimously.

Resolution 07-27 & BE07-068: Chairman Durden read Resolution 07-27 Amending the Transportation Fund (140) for Fiscal Year 2006-2007; Resolution 07-27 states that the Gilchrist County Board of County Commissioners have approved the transfer of funds in the amount of \$53,365.00 from General Fund reserve for contingency, to provide additional funds for general operations; amending the Transportation Fund (140) with the increased amount of \$53,365.00 by the accompanied budget entry #BE07-069.

Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve Resolution 07-27 and BE07-068. Motion carried unanimously.

Road Department Report

Monthly Townsend Pit Limerock Report: Mr. Justin Watson, Road Department Supervisor, presented the July 2007 monthly limerock report as follows:

•	District 1	11	Loads
•	District 2	8	Loads
•	District 3	216	Loads
•	District 4	116	Loads
•	District 5	5	Loads
•	Shop Stock Pile	55	Loads
•	Solid Waste SR 47	<u>70</u>	<u>Loads</u>
		481	Loads

Speed Limit Requests: Mr. Watson presented the requests of speed limit changes on the following roads:

- The speed limit of 35 mph was requested on SE 97th Trail for 1.71 miles. The reasons for this decrease in speed is due to sharp curves, narrow road, cows, cattle gaps and a request from the landowner

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve the speed limit change to 35 mph on SE 97th Trail. Motion carried unanimously.

- The speed limit of 35 mph was requested on NW 47th Place for 0.98 mile (from 129 to the cemetery). The reason for the decrease in speed is due to hills, bad visibility, maintenance and safety of church traffic.

Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to approve the speed limit change to 35 mph on NW 47th Place. Motion carried unanimously.

- The speed limit of 30 mph was requested on SW 56th Trail for 0.99 mile (off of CR307, residential). Request was made by Mr. Reed.

This request is for *authorization* to post a new speed limit sign of 30 mph on SW 56th Trail because this road meets our standards for residential zones, not requiring an ordinance for speed limit change.

Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to approve the speed limit change to 30 mph on SW 56th Trail. Motion carried unanimously.

Rolling Oaks: Mr. Watson presented the issue of Rolling Oaks addressed by Commissioner Sharon Langford. Commissioner Langford stated that she spoke with Mr. Lee Mills, County Engineer, stating that the only way for them to afford to get the road paved is for us to mix it our self. Mr. Mills agreed and Justin said it would take 2-3 days taking care of the base problem. This would possibly eliminate some of the cost for bid requests. Mr. McQueen is to contact Mr. Mills to move forward with bids.

Time Certain

5:00 pm; Ordinance 07-15; Small Scale Land Use Map Amendment; Wilbur Thomas LUC 07-04:
Chairman Durden read the short title as follows:

ORDINANCE 07-15

AN ORDINANCE OF GILCHRIST COUNTY, FLORIDA, AMENDING ORDINANCE No. 94-01, AS AMENDED, RELATING TO AN AMENEDMENT OF TEN OR FEWER ACRES OF LAND, TO THE FUTURE LAND USE MAP OF THE GILCHRIST COUNTY COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY WILBUR THOMAS, UNDER THE SMALL SCALE PLAN AMENDMENT PROCEDURES ESTABLISHED IN SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR A CHANGE IN LAND USE CLASSIFICATION FROM AGRICULTURE-2 TO INDUSTRIAL ON CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF GILCHRIST COUNTY, FLORIDA; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Stacey Winfield presented an application for a land use change from the current designation Agriculture-2 (A-2) to Industrial (I). The subject property is located off SR 47/US HWY 129 north of Bell. She stated that this change is requested to accommodate the light warehousing and use of the property for storage allowed in an Industrial land use district.

Ms. Winfield stated that the Staff recommends that the requested future land use change be approved due to the fact that the application is consistent with the Land Development Regulations and the Comprehensive Plan and furthermore, the change would be compatible with the surrounding land uses. She also stated that the Planning Commission voted to recommend this Future Land Use Change in a unanimous vote.

Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to approve Ordinance 07-15. Motion carried unanimously.

County Attorney's Report

Ordinance 07-15: Thomas Small-Scale Land Use Map Amendment: Mr. McPherson stated that Ordinance 07-15 is included in the agenda packet and is set for adoption hearing at this meeting.

Animal Control Regulations: Mr. McPherson clarified that the Animal Control Ordinance will be revised and then reviewed by the Committee and brought back to the Board for final approval.

New Jail: Mr. McPherson stated that the project is on hold pending a report on condition of existing jail.

Publication of New Land Development Code: Mr. McPherson stated that the proofs have been received from the Municipal Code Corporation and are being reviewed.

Gilchrist County v. Jesse White: Mr. McPherson stated that the deadline for Mr. White to comply with the court order was July 26, 2007. Diane Rondolet, Code Enforcement, reported that Mr. White is making progress in cleaning up the property.

Saunders v. Gilchrist County: Mr. McPherson stated the record on appeal is being prepared by him and Diane Rondolet.

Code of Ordinances: Mr. McPherson asked that if any Commissioners have a black "Code of Ordinances of Gilchrist County" book to bring it in and let him review it to see if it is up to date.

Clerk's Report

SRWMD; Payment in Lieu of Taxes (PILT): Mr. Gilliam presented the receipt of an annual check received from the Suwannee River Water Management for PILT, in the amount of \$17,819.96...for information purposes only. No action required.

NFRMC Inmate Hospital Bill: Mr. Gilliam presented for payment an inmate hospital bill from North Florida Regional Medical Center in the amount of \$17,015.40 for inmate Jerry Rourks.

Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve payment of inmate hospital bill, \$17,015.40 to NFRMC. Motion carried unanimously.

Interlocal Agreement: Mr. Gilliam presented for approval the Interlocal Agreement between the City of Trenton and Gilchrist County on Road Impact Fees and to allow the Chairman to sign.

Motion made by Commissioner Tommy Langford seconded by Commissioner Harrison to approve the Interlocal Agreement with the City of Trenton and to allow the Chairman to sign. Motion carried unanimously.

Commissioner's Reports

Commissioner Sharon Langford: Commissioner Langford asked the set of rules to be provided for campers at Hart Springs at the time of entrance.

Commissioner Tommy Langford: Commissioner Langford asked for Mr. McQueen to contact Lee Mills on the mowing on CR 337. He also addressed the mixing process on county roads that it is looking good. Commissioner Langford stated that maybe the allocation of funds could be addressed for any maintenance projects that they be included in this year's budget. A list will be provided.

Commissioner Kenrick Thomas: Commissioner Thomas would like to vehicle maintenance logs kept updated to help keep up with the needed maintenance of county vehicles. He also asked about the dock repairs at Hart Springs.

Old Business: None

New Business: None

Public Participation: None

Adjourn:

With there being no further business there was a motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to adjourn, motion carried unanimously. Meeting adjourned at 5:46 pm.

Board of County Commissioners
Gilchrist County, Florida

Randy Durden, Chairman

Attest:

Joseph W. Gilliam, Clerk