

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD
OF COUNTY COMMISSIONERS HELD JUNE 2, 2008.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, June 2, 2008, 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 Tommy Langford, Chairman
Commissioner Sharon A. Langford, Vice Chairman
Commissioner Randy Durden
Commissioner Kenrick Thomas
Commissioner D. Ray Harrison, Jr.

Others in Attendance

Joseph W. Gilliam, Clerk of Court; Jacki Johnson, Finance Director; Patty McCagh, Board Secretary; John K. McPherson, County Attorney; Ron McQueen, County Administrator; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement; Chief Perez, Public Safety; Julee Brideson, Administrative Assistant; Ron Mills, Emergency Management; Lynn Watson, Animal Control Official; Justin Watson, Road Department Superintendent; and Taylor Brown, County Planner.

Public participation included Lee Schaltenbrand; Joyce Ferrante; Jan Chesser, J.M. Everett and Clement Lindsey representing the Monument Committee; Lynn Johnson with Animal Rescue Friends; Kyle Stone, Executive Director for the Chamber of Commerce; Jose Cintron; Bryant Frye; and Fifty (50) people including concerned citizens and representatives on the Oak Tree Landing Transmittal Hearing.

Call to Order

Chairman Tommy Langford called the meeting to order at 1:16 p.m. with Commissioner Randy Durden delivered the invocation and he led the pledge of allegiance.

Agenda Changes

- Mr. McQueen, County Administrator presented the following agenda changes:
 1. Addition: Class reimbursement request for Bruce Thompson
 2. Addition: Hart Springs; FRDAP Grant
 3. Addition: BOCC Room Awning Purchase Order
 4. Addition: Monument Courtyard Bid Results

- Mr. McPherson, County Attorney presented the following agenda change:
 5. Addition: Sign Ordinance Enforcement

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to accept the agenda as presented with changes noted. Motion carried 4-0.

Consent Agenda

- Approval of Minutes
 - Regular Meeting May 05, 2008
 - Regular Meeting May 19, 2008

- Approval of Bills
 - Supplement to the Agenda Packet May 2008

- Request for Purchase Approval
 - Davis Monk & Company \$10,000.00
(Progress billing for audit work completed on 2007 annual audit)
 - The Alexander Group, LLC..... \$ 1,315.88

- Owner Direct Purchases
 - Central Material Co., Inc..... \$ 9,365.84
 - Lennox Industries, Inc..... \$ 6,884.71
 - Tom Barrow Company..... \$ 7,020.00
 - Taylor, Cotton & Ridley, Inc. \$53,563.00
 - Taylor, Cotton & Ridley, Inc. \$ 1,116.00
 - Anderson Columbia \$15,632.16

- Request for Purchase Approval
 - Petroleum Traders \$43,000.00
 - L.V. Heirs \$43,000.00
 - Bell Concrete Products, Inc. \$ 8,001.40
 - A-1 Pest Control, Inc. \$ 207.36

Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve the Consent agenda as presented. Motion carried 4-0.

County Administrator’s Report:

Mr. McQueen, County Administrator, presented the following documents, and/or addressed the following issues, for the consideration of the Board.

Agenda Change; Memorial Courtyard

- Mr. McQueen presented the bid results for the Courthouse Parking Improvement/Memorial Courtyard as follows:
 - Wilkerson Construction..... \$149,047.95
 - Sanchez-Chesser..... \$151,513.75
 - Curt's Construction, Inc. \$212,494.14
 - S & T Service..... \$197,000.00
 - Gray Construction..... \$174,887.00

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve apparent LOW bid from Wilkerson Construction, in the amount of \$149,047.95 for the Parking Improvements and Memorial Courtyard, with upfront monies from General Revenue Reserve; contingent of the Interlocal Agreement with the City of Trenton. Motion carried 4-0.

1:30 pm Time Certain; Chamber of Commerce

- **Request for Donation:** Ms. Kyle Stone, Executive Director for the Chamber of Commerce addressed the Board requesting the donation of one Family Season Pass to Hart Springs. The donation would be part of the “Sun & Spring” package to be given away at the end of the “June Membership Drive” being held by the Chamber.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the donation of a Family Season Pass to Hart Springs for the Chamber of Commerce “Sun & Spring” package. Motion carried 4-0.

County Administrator’s Report Continues...

Public Safety

- **Hurricane Preparedness Update:** Mr. Ron Mills, Emergency Management, addressed the Board stating that the Annual Awareness Meeting will be held tomorrow, June 3rd, 8:30am – NOON, at the Sheriff’s Office, and extended an invitation to all the Commissioners.
- **EOC Update:** Chief Perez updated the Board on progress of construction at the new Emergency Operations Complex and presented a power point presentation showing pictures of the progress to date.
- **Animal Shelter Construction Update:** Chief Perez updated the Board on the progress of the construction at the new Animal Shelter and presented a power point presentation. He also asked Ms. Lynn Johnson with Animal Rescue Friends to update the Board with the results of the fundraiser that was held on May 24, 2008, benefiting the Gilchrist County Animal Shelter. The event raised approximately \$8,000.00 and several animals were adopted. Another event is already under way. The Board commended Ms. Johnson and her team on the efforts and support for Gilchrist County Animal Control.
- **Firefighters Pay Percentage Split:** Chief Perez addressed the issue of splitting the pay for the two (2) positions of the Squad between the EMS budget and Fire budget. He stated that the most equitable ratio formula would be to base it on the first four (4) months of calls in 2008.

He presented a list of calls for this time period and found that 75% of the calls were for medical and accident while the other 25% the calls were for Fire; this would appear to be the best way to allocate the salary and benefits in the budgets.

Chief Perez stated that he recommends that the Board consider the split of 75% - 25% for the two positions.

Motion made by Commissioner Sharon Langford seconded by Commissioner Randy Durden to approve the recommendation from Chief Perez to split the budget between EMS and Fire to 75% - 25% for the pay costs; EFFECTIVE June 1, 2008.

Chairman Langford called for any discussion...

Commissioner Durden stated as a reminder, that the percentages need to be monitored for any future changes.

Motion carried 4-0.

- Reimbursement for Bruce Thompson: Chief Perez recommended approval for Bruce Thompson, District Chief of Station 4, to attend the Strategy and Tactics 1 and 2 Classes being held on June 9-20, 2008, at the Florida State Fire College, in Ocala.

He also requested that Mr. Thompson be reimbursed for the two (2) courses, a fee of \$65.00 each and a book fee of \$35.00, a total of \$165.00. Chief Perez stated that NO reimbursement will be granted unless class is successfully passed.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to allow Bruce Thompson to attend the Strategy and Tactics Classes recommended by Chief Perez and upon passing successfully the request for a reimbursement on the cost for classes/book, in the amount of \$165.00, will be granted. Motion carried 4-0.

- Purchase Order Approval for Milton Weeks: Chief Perez presented a purchase order, in the amount of \$5,000.00, to Milton Weeks, for the work performed to repair, repaint and restoration of a brush truck at Station 1.

Chief Perez stated that this project has been in progress for a couple of years now. He recommended approval for this purchase order.

Commissioner Durden asked if this is an “after the fact” purchase order request.

Discussion continued on the issue of how long this project has been in progress and why now, after all this time, that the approval of a purchase order request is just now being presented.

Mr. McQueen and Chief Perez were directed to meet with Milton Weeks to determine and put in writing who authorized him or if he took it on his own initiative to do this project.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Randy Durden to DENY the request for payment on the work done to restore, repair and repaint the brush truck at Station 1 until next meeting, 06/16/08, to allow research on why no purchase order was requested prior to work being done. Motion carried 4-0.

Animal Control

- Monthly Report: The Animal Control Monthly Report was provided as an additional handout for the Boards’ information for the month of May 2008.

- Request for Part-Time Help: Mr. McQueen updated the Board on the issue of hiring part-time help for Animal Control.
- Distribution on proceeds from Fundraiser: Mr. Gilliam asked how the funds, the \$8,000.00, from the fund raiser would be distributed. Ms. Lynn Johnson explained that when the need for funds is presented, they will be reviewed and a check will be cut. The Board will determine how to coordinate the request for funds for the Animal Shelter project.

Road Department Report

- Estimate for Townsend Mine Expansion Permit Application: Mr. McQueen addressed the issue of the request from the Road Department on the estimate for the Townsend Mine expansion permit application. He stated that this issue will be readdressed when Mr. Justin Watson arrives.
- Library Parking Lot: Mr. McQueen addressed the issue of the parking lot at the library. He recommended that the parking lot be stripped to help reduce accidents. Also, that the Road Department is authorized to clear the trees and any brush from the vacant lot adjacent to the library and utilizing this space for additional parking.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to allow the Road Department to stripe the parking lot at the library and to remove trees on the adjacent property for additional parking. Motion carried 4-0.

Parks & Recreation:

- Log Landing Grant Application: Mr. McQueen addressed the issue of the Florida Boating Improvement Program Grant Application (#08-048). He stated the Fish and Wildlife Conservation Commission (FWC) has received our application and Staff will review for completeness, notifying us if any additional information is needed. The Evaluation Committee is tentatively scheduled to meet in July to score and rank all applications by project category. *No Board action required.*

Courthouse

- C & S Building Maintenance: Mr. McQueen recommended that the Board consider the dissolution of the contract with C & S Building Maintenance. Their services have not been satisfactory. Mr. McQueen notified Mr. Tom Sperring, C&S Maintenance, in writing that the County wishes to put C & S on notice that their services will be terminated as soon as possible, no later than 30 days (June 20, 2008).

Mr. McQueen also asked that he be allowed to use the funds that have been budgeted for these services to hire part-time help for night-time cleaning services. This extra help will also be considered to clean at the EOC.

Motion made by Commissioner Kenrick Thomas seconded Commissioner Sharon Langford to approve the dissolution of C & S Building Maintenances' contract with the County and pursue hiring part-time help. Motion carried 4-0.

Code Enforcement

- Monthly Report: Mr. McQueen presented the monthly Code Enforcement Report submitted by Ms. Diane Rondolet, Code Enforcement Officer, for the Boards' information.

Agenda Changes presented by the County Administrator

- Chiefland Aluminum: Mr. McQueen presented a quote from Chiefland Aluminum, in the amount of \$2,800.00 for an aluminum awning over the basement stairwell and a hand rail, at the Commissioners Building (connecting to the adjacent building).

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the quote from Chiefland Aluminum, in the amount of \$2,800.00 for the awning and hand rail at the Commissioners Building. Motion carried 4-0.

- FRDAP Grant, Bid Approval: Mr. McQueen stated that we have a FRDAP grant and it requires a pool at the camp ground area at Hart Springs. The pool has to be designed by an engineer, and has to be approved by the state and the health department. Two (2) quotes have been received and both included the engineering. The funds of \$100,000.00 have been budgeted in the FRDAP Grant. The quotes received are as follows:

1. Superior Pool Services of N. Central Florida, Inc.	\$89,000.00
2. Florida Bonded Pools, Jacksonville, Florida	\$91,000.00

Costs for this pool project are 100% grant funded.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the bid from Superior Pool Services, in the amount of \$89,000.00, to install pool at Hart Springs. Motion carried 4-0.

Attorney's Report

Mr. John McPherson, County Attorney, presented the following documents, and/or addressed the following issues, for the consideration of the Board.

Resolution 2008-50; Procedures for Collection of Cell Phone Charges: Mr. McPherson stated that Mr. Gilliam, Clerk, requested that the collection for cell phone charges be put in the cell phone policy. Mr. McPherson drafted a resolution with the short title as follows:

RESOLUTION 2008-50

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING POLICIES AND PROCEDURES FOR THE COLLECTION OF CHARGES FOR PRIVATED USE OF COUNTY CELL PHONES; AND ESTABLISHING AN EFFECTIVE DATE

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve Resolution 2008-50. Motion carried 4-0.

Political Activity by County Employees: Mr. McPherson stated that he is continuing to work with Mr. McQueen and Mr. Gilliam to develop policies relating to the political activity by County Employees. *No Board action required.*

Claims against Ford for Ambulances: Mr. McPherson stated that he has received periodic updates from the attorneys handling the litigation against Ford. They are still at the point of determining whether the litigation will proceed as a class action or not. If it proceeds as a class action, we would be part of the class and entitled to a share of any recovery. If a class action status is denied, we would have to decide whether to file an action against Ford on our own. *No Board action required at this time.*

Value Adjustment Board Legislation: Mr. McPherson stated that the tentative meeting date of the current VAB has now been confirmed for Monday, June 16, 2008, at 2:00 pm. *No Board action required.*

Saunders v. Gilchrist County: Mr. McPherson stated that Ms. Saunders' attorney has provided the transcript of the code enforcement hearing within the deadline set by the court and that her Reply Brief will be due in 20 days. *No Board action required.*

Gilchrist County v. Richard: Mr. McPherson stated that he will be monitoring Ms. Richards' compliance with the court order. *No Board action required.*

Regional Conflict Counsel: Mr. McPherson addressed the issue of the Regional Conflict Council requesting the assistance of Gilchrist County in providing office space. The Regional Conflict Council was created by the Florida legislature to handle cases where the Public Defender has a conflict, and the legislation requires that counties foot the bill for office space and other expense. Mr. McPherson stated that there is a real issue whether it was constitutional for the state to require counties to pay such expense and based on the research and argument he has reviewed, he believes that the requirement violates the changes to Article V requiring the state to pay for the court system.

Mr. McPherson suggested a few approaches with the Board that they could consider in light of this legal uncertainty. The suggestions are as follows:

1. Join Leon and Alachua counties which are refusing to cooperate with the Regional Conflict Counsel and will soon file litigation to get a judicial declaration on the constitutionality of the requirement. All counties have been invited by Leon and Alachua to join them as parties in this litigation, and perhaps 10 or so have so far agreed.
2. At the FAC annual conference, support FAC's joining in this litigation as a party representing all counties.
3. Cooperate with the Regional Conflict Counsel in providing office space, but make it clear that such cooperation does not signal agreement with the law and is subject to any judicial pronouncement that the law is unconstitutional.

Mr. McPherson recommended that the Board not consider number 1, at this time, due to the potential cost, but does recommend that they consider number 2, believing it is important that all counties join in getting this issue clarified by the courts.

Motion made by Commissioner Randy Durden seconded Commissioner Sharon Langford to approve the County Attorney to draft a letter supporting the FAC as the party to represent all counties in this legislation against the Regional Council and directed the Clerk to contact Levy, Dixie and Lafayette counties on the support of the Regional Council on a cost share. Motion carried 4-0.

Sign Regulations; Placement of Signs on public Right-of-Way: Mr. McPherson addressed the issue of erecting signs on public property, or on private property (such as private utility poles) located on public property, other than signs erected by public authority for public purposes.

Mr. McPherson also stated that during campaign season it becomes necessary to strictly enforce the prohibition so that campaign signs and other signs placed in the ROW of county roadways do not create safety hazards by blocking views at intersections and interfere with the ability of the County Road Department to efficiently maintain county right of ways.

Mr. McPherson continued by stating that over the coming weeks the Gilchrist County Road Department and the Code Enforcement Officer will focus on removal of signs from the public right of way that 1. Are not placed both as far back on the ROW as possible AND parallel to the fence or rear edge of the ROW and 2. Are placed at an intersection in such a way that there is any possibility that the sign will block views of motorists or interfere with county maintenance of the ROW.

Mr. McPherson requested authorization to place a notice in the newspaper, running for two (2) consecutive weeks, concerning the placement of signs in right-of-ways along with the County's policy.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve County Attorneys' request for authorization to run the notice informing the public of the sign regulations for two consecutive weeks and that the Code Enforcement Officer and Road Department Supervisor to be allowed to implement code enforcement. Motion carried 4-0.

Clerk's Report

Mr. Joseph W. Gilliam, Clerk of Court, presented the following documents, and/or addressed the following issues, for consideration of the Board.

Board Policy on Court Technology Funding FS 28.24: Mr. Gilliam stated this issue was discussed during the Attorney's report. In addition, Mr. Gilliam will setup a meeting with the Courts, State Attorney, Public Defenders and Regional Council to get a recommendation on funding the technology needs and bring back to the Board. **Board agreed.**

Pay Request from Alexander Group, LLC: Mr. Gilliam presented Pay request #0008, in the amount of \$139,268.47, from the Alexander Group, for the Public Safety Complex project.

Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve Pay Request #0008, in the amount of \$139,268.47, to the Alexander Group. Motion carried 4-0.

Change Order from Alexander Group, LLC: Mr. Gilliam presented Change Order #17, in the amount of (\$10,170.00), from Distributors of Florida, Inc. for toilet partitions and accessories for the Public Safety Complex.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Randy Durden to approve Change Order #17, in the amount of (\$10,170.00). Motion carried 4-0.

AIA Document G704-2000 Certificate of Substantial Completion: Mr. Gilliam presented the AIA Document G704-2000 Certificate of Substantial Completion on the Court Facilities. This document states that there is no work incomplete, but there is. A list of items was not attached as noted on the AIA Document. Mr. McPherson suggested that this document be approved subject to clarifying the uncompleted work list; he and Mr. Gilliam will review the list of items to be completed or corrected.

Mr. Gilliam made the recommendation that the Chairman be allowed to sign pending clarification of other documents.

Motion made by Commissioner Sharon Langford seconded Commissioner Kenrick Thomas to allow the Chairman to sign off on the AIA Document G704-2000 Certificate of Substantial Completion on the Court Facilities pending the clarification of uncompleted work/other documents. Motion carried 4-0.

Budget Recap FY2008; Period Ending May 27, 2008: Mr. Gilliam presented the Budget Recap for FY2008, Period Ending May 27, 2008, for the Boards information. *No action required.*

Revenue Report; Month Ending April 30, 2008: Mr. Gilliam presented the Revenue Report for Hart Springs and Building & Zoning, for Month Ending April 30, 2008 for the Boards information. *No action required.*

Tangible Personal Property and Delinquent Tax Inserts: Mr. Gilliam presented an invoice, submitted by the Tax Collector, from the Gilchrist County Journal, in the amount of \$19,237.40, for the publication of Tangible Personal Property and Delinquent Taxes.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the invoice to GC Journal, in the amount of \$19,237.40, for publication of the Tangible Personal Property and Delinquent Tax Inserts. Motion carried 4-0.

Commissioner Reports

Commissioner Sharon Langford requested the removal of trees at SE 80th Street and SE 80th Avenue that are causing it hard to see around. Board agreed to allow the trees to be removed.

Commissioner Kenrick Thomas inquired about the benches throughout the courthouse. Mr. Gilliam stated that the benches were being refinished, by the Cross City Correctional Institution, to match the benches in the courtrooms.

Commissioner Thomas also brought to the Boards attention that the boil at Hart Springs needs to be cleaned out. Mr. McQueen stated that the permit for minor maintenance is still in effect and that Wes Skiles is willing to do the work. He also addressed the issue of damage

that is being caused to personal boats reported by citizens that are using the new boat ramp at Hart Springs. He had asked what can be done about this and it was stated that it is the boat owners' responsibility to make sure his boat is properly secured to avoid any damage.

Commissioner Tommy Langford stated that he had a request from Ms. Lois Fletcher who would like to address the Board around 5-5:15pm.

Procedures for Reviewing Comprehensive Plan Amendments: Mr. McPherson distributed a copy of the Comprehensive Plan Amendment Process found in the Florida Statutes, Section 163.3184 for the Boards' information. Mr. McPherson continued by explaining the procedures/process for reviewing comprehensive plan amendments which will be presented by the Oak Tree Landing, CPA 08-01, scheduled for a 6:00 pm time certain at this meeting.

Road Department Report

Mr. McQueen presented the request of the Road Department which was scheduled to be addressed at a 4:30 pm time certain.

Dragline; Refusal Bid Amount: Mr. McQueen presented the request from the Road Department asking what amount the Board would consider for a refusal bid. Mr. McQueen suggested the amount of \$15,000.00.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve the amount of \$15,000.00 for the refusal bid amount at Weeks' Auction. Motion carried 4-0.

THE BOARD RECESSED AT 3:43 PM...UNTIL 5:00 PM

THE BOARD RECONVENED AT 5:15 PM

Road Department Report

Estimate for Townsend Mine Expansion Permit Application: Mr. Justin Watson, Road Department Superintendent addressed the Board and stated that there is about a 3 ½ acre piece on the NE side of the Townsend Mine that has not been permitted. He stated that the County Engineer, Lee Mills would do the project for the fee of \$5,000.00.

The Board directed the Road Department to bring back the recommendation for the rock pit expansion during the budget process.

5:30 pm (5:00pm) Time Certain; FCT – Related Comprehensive Plan Amendment

- Synergy Solutions: Mr. Richard Rubin, President of Synergy Solutions of Florida, LLC, addressed the Board with the issue of the transmittal of the *FINAL* Comprehensive Plan Text and Map Amendment Documents for review and processing.

After Mr. Rubin's presentation and much discussion, the Board commented on the fact that there were no documents for their review and consideration prior to the meeting on the amendments he was asking the Board to consider for transmittal to DCA.

After further discussion the Board agreed for a continuance until the June 16th meeting, setting a time certain at 6:00 pm, allowing time for Synergy Solutions to prepare the fully executed documents on the Comprehensive Plan Amendments and then allow the amended documents to then be transmitted to the DCA.

Motion made by Commissioner Randy Durden seconded by Sharon Langford to approve a continuance until the June 16, 2008, BOCC Meeting scheduling a 6:00pm time certain for Mr. Richard Rubin with Synergy Solutions to readdress the request of the amendments to the Comprehensive Plan. Motion carried 4-0.

Commissioner D. Ray Harrison, Jr. joined the Board at 5:44 pm. Chairman Langford extended a welcome back on behalf of everyone.

5:45 pm Time Certain

- During the Commissioner Reports, Chairman Langford requested that Ms. Lois Fletcher be allowed to address the Board.

Ms. Fletcher addressed the Board on behalf of Mr. and Mrs. Harold Mikell. She presented to the Board a donated copy of a photo print of 49 different pictures that portray the history of Gilchrist County. The Mikell's requested that the photo print be hung in the entry way of the Commission Building. **The Board gratefully accepted the donation of this photo print.**

6:00 pm Time Certain; CPA 08-1, Oak Tree Landing

Chairman Langford explained the procedures that would be followed for this transmittal hearing. He stated that the Applicant, Stiles Corporation, would be presenting a proposed amendment to the Comprehensive Plan to include a new mixed-use Land Use Category called "Special Area Plan". Then the County Planner will address the Board with a presentation and upon his completion the floor will be opened for public participation allowing each individual to speak for a two (2) minute limit.

- Stiles Corporation: Mr. Terry Stiles and Steve Halmos who are the owners and partners of the Stiles Corporation were present representing their company. Mr. Terry Stiles addressed the Board explaining their proposal for the amendment to the comp plan to allow a "Special Area Plan" be considered which will be known as Oak Tree Landing.

Mr. Steve Halmos addressed the Board assuring them that the proposed request will be something special and done in a quality way and that the local community as well as themselves will be very proud of.

Mr. Stiles introduced Mr. Sam Poole, attorney representing the Stiles Corporation, addressed the Board and presented the proposed request.

Mr. Poole stated that all that's requested from the Board tonight is for the consideration to transmit proposed amendments to the Comprehensive Plan, to the State, for State review. Mr. Poole described the two parts of the proposed amendments as follows:

1. Generic language that allows landowners to ask for approval of a “Special Area Plan” and
2. Specific language creating a Special Area Plan to be called Oak Tree Landing

Mr. Poole stated that if the Board agreed tonight to transmit, the proposed amendments to the state for review, the review would come back in approximately three months, and the County would then have the benefit of comments from the State, SRWMD, and NCFRPC as they consider the proposed amendments and decide whether the changes will be approved or denied.

John McPherson, County Attorney, asked Mr. Poole whether he agreed, that once the transmittal is sent to the DCA and DCA sends it back, the County Commission retains its full legislative discretion to refuse to adopt the amendments. Mr. Stiles agreed, once it comes back from the State, it is completely up to the Board on what they want to do.

At this time Mr. Poole continued by reviewing the specifics of the proposed changes to the comprehensive plan. The Board addressed issues such as the number of units on the conceptual plan, would the golf course be accessible to the community, future plans for waste water to be used on the golf course, and if the Home Owners Associations are “not for profit”. Mr. Poole addressed all of these issues.

Mr. Poole introduced Mr. Ted Burt who concluded the presentation by responding to some of the concerns that were brought to their attention. Some of the concerns included comments like the proposed changes to the comp plan were being proposed by the Applicants, not the County, and concerns that the proposed amendments were not consistent with the 2001 Vision.

Mr. Burt addressed the Board summarizing and emphasize where they are in the process. At this time, the Applicants, are following the state mandated process and have been working with the County Staff on the proposals. The Stiles Corporation is asking the plan amendment be transmitted to the State, with the DCA, to be reviewed at that level, with no approval expected from the County Board tonight, only that the state review this plan. After State review, the plan will be sent back to the County with its objections and/or recommendations. At that point, which will be at the earliest, late this year, the County will consider adoption, adoption with changes or rejections. He continued by stating that part of the process has yet to be reached and there is yet substantial time for additional public input and discussion on the amendment and the proposed development before a final decision is made by the Board. Mr. Burt commented that he had contacted some of the members of the 2001 Vision Committee noting their opinions on this type of development in Gilchrist County.

At this time the County Planner, Taylor Brown addressed the Board presenting his Staff Report on the proposed CPA 08-01 Consistency with the Comprehensive Plan. Mr. Brown focused on water quality issues and whether the proposed Oak Tree Landing development would be consistent with the County’s vision and comprehensive plan.

Mr. Brown made the recommendation to DENY the proposed changes to the Comprehensive Plan as presented. He also stated that the Planning Commission recommended that the Board of County Commissioners not transmit the proposed amendments for state review.

Commissioner D. Ray Harrison, Jr. was excused from the meeting.

At this time, the floor was opened for Public Participation. There were twenty three (23) participants that addressed the Board with their opinion on the consideration of the Comp Plan Amendments for the “Special Area Plan” to allow the development to be known as Oak Tree Landing. There were speakers who spoke for and against the proposed amendments.

Mr. McPherson stated that at this point in the transmittal hearing, the Chairman should allow the Applicant the opportunity to present a rebuttal, which is standard procedure.

Mr. Poole stated that they have no rebuttal and thank the Board for allowing them to present their proposal and working with the County in the future.

Mr. Taylor Brown readdressed the Board providing clarification on questions brought to his attention by concerned citizens.

Chairman Langford closed the public hearing at this time and called for the pleasure of the Board.

Each Commissioner spoke to the issue of whether to transmit the amendments with reference to the input received at the meeting.

As County Commissioners they reminded everyone that it is their duty to consider all areas of concerns/benefits by being responsible for the decisions made on the information provided, and to take any advantage of being able to obtain any additional information possible that may be beneficial in making those decisions, in the best interest of the County and the citizens of the County. The implementation of the Visioning Process will be considered to help determine the final decision on the proposed changes.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to transmit the Comprehensive Plan Amendments to the Department of Community Affairs, for recommendations, and to obtain a determination whether this proposal is a DRI.

Chairman Langford called for any discussion...the floor opened for public participation...Public Participation was allowed until 10:00 pm. Several participants took advantage of readdressing the Board.

A motion was made to call the question which passed 4-0.

Chairman Langford called for a vote on the main motion...

Motion carried 3-1, with Commissioner Sharon Langford Voting NO.

Old Business: None noted.

New Business: None noted.

Public Participation: None noted.

Adjourn:

With there being no further business, Chairman Langford adjourned at 6:35 pm.

Board of County Commissioners
Gilchrist County, Florida

Tommy Langford, Chairman

Attest:

Joseph W. Gilliam, Clerk