

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD AUGUST 4, 2008.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, August 4, 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; Julee Brideson, Administrative Assistant; Taylor Brown, County Planner; Julie Harrison, Manager Hart Springs; Marilyn Bruce, Tax Collector; Phil Bishop and Chad McCormick from Bailey, Bishop & Lane; Kyle Stone, Chamber of Commerce; Donna Creamer, Pure Water Wilderness; Russ Augsburg, Our Santa Fe; and Joyce Ferrante.

Call to Order

Chairman Tommy Langford called the meeting to order at 1:15 p.m. with Ron McQueen, County Administrator delivering the invocation and he led the pledge of allegiance.

Agenda Changes

- Mr. Gilliam, Clerk of Court, presented the following agenda changes:
 1. Addition: Tax Collectors request to address the Board
 2. Addition: Appoint Commissioner and County Administrator to attend the City of Trenton meeting at 6:00 p.m.*

- Mr. McQueen, County Administrator presented the following agenda changes:
 3. Addition: Animal Control Report
 4. Addition: Hart Springs Seawall & Update (FRDAP) (Bids)

- Mr. McPherson, County Attorney presented the following agenda changes:
 6. Request: Permission to be excused at 4:00 p.m.

***Board agreed to allow Mr. McQueen, County Administrator and Commissioner Randy Durden to be excused at 6:00 p.m. to attend the City of Trenton's meeting, representing the County.**

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

Consent Agenda

- Budget Entries

BE08-056, Fund 001, General Fund	\$40,155.00
BE08-057, Fund 120, Law Enforcement Trust Fund	\$ 1,000.00
BE08-058, Fund 125, Courthouse Facilities	\$27,009.00
BE08-059, Fund 160, ST ATT/PD	\$ 1,250.00
BE08-060, Fund 141, Transportation Impact	\$30,000.00
BE08-061, Fund 301, Capital Outlay.....	\$42,500.00
BE08-062, Fund 410, EMS	\$76,875.00
BE08-063, Fund 122, Fire	\$87,790.00

- Approval of Minutes

Regular Meeting	July 07, 2008
Budget Workshop.....	July 14, 2008
Budget Workshop.....	July 21, 2008

- Request for Payment Approval

Invoice for Dixie County Inmate Housing	\$ 4,063.37
Invoice from Davis, Monk & Company	\$ 3,500.00

- Request for Purchase Order Approval
Solid Waste

Purchase Order to Sunstate Meter & Supply (Water line to Solid Waste)	\$20,000.00
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- Approval of Bills

Supplement to the Agenda Packet	July 2008
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Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve the Consent Agenda as presented. Motion carried unanimously.

Agenda Change

M.C. Bruce, Tax Collector: Ms. Bruce addressed the Board requesting authorization to transfer funds from Operating Expenses to Personal Services, in the amount of \$3,000.00, for the budgeting of longevity pay.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve the transfer request in the amount of \$3,000.00 from Operating Expenses to Personal Services for the Tax Collector. Motion carried unanimously.

Attorney's Report

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

Ordinance 08-08; FCT Comprehensive Plan Amendments: Mr. McPherson stated that Ordinance 08-08 will be noticed for the second meeting in August.

Ordinance 08-09; Design-Build Ordinance: Mr. McPherson stated that Ordinance 08-09 will be noticed for the second meeting in August.

Ordinance 08-**; Recreation Straw Ballot: Mr. McPherson presented a draft ordinance with changes shown that would limit the uses of the funds to *youth* recreation services. Mr. McPherson addressed the issue of how would you keep anyone other than the *youth* from using the facilities. Discussion continued and it was agreed upon by Mr. McPherson and the Board to obtain in put from Todd Bryant with Suwannee Valley Leagues pertaining to how the language should read on the recreation straw ballot. No action taken at this time.

Resolution 08-54; Personnel Policy re Political Activities: Mr. McPherson presented Resolution 08-54 for the Boards' review and adoption. He stated that upon adoption the section of the Employee Handbook entitled "Prohibition of Political Activity" will be amended to read:

PROHIBITION OF POLITICAL ACTIVITY

It is in the public interest and of County benefit to prohibit county ~~remove career-~~ employees, including volunteers such as volunteer fire fighters, from taking an active part in a political campaign while on duty or within any period of time during which the employee is expected to perform services for the County ~~the arena of partisan political activity.~~

~~Any employees undertaking such activity must first receive written approval from the appointing authority and the Personnel Administrator who will be guided by the decision of the County Attorney.~~ All employees must comply with Section 104.31, Florida Statutes, which imposes restrictions on the political activities of State, County, and Municipal officers and employees. Federal law relaxes some of these restrictions for federally-funded job positions.

The following examples are provided as guidelines for complying with this prohibition of political activity while on duty:

- It is a violation of this policy to wear a campaign button, hat, t-shirt or other campaign-related apparel at any time while an employee is performing services within the scope of the employee's job description, is on a break but remains at the work place, or is operating a county vehicle. An employee shall not wear such apparel in a situation where the employee is representing the county at a public meeting or gathering.

- It is not a violation of this policy to wear a campaign button, hat, t-shirt or other campaign-related apparel while such employee is engaged in an unpaid activity tangential to, but not within, the employee's job description. Thus, for example, an employee may wear such apparel while serving food at a fund-raiser to support the activities of volunteer fire fighters.
- It is a violation of this policy to place overly large signs on a vehicle, truck, or trailer and park such vehicle, truck, or trailer in a parking space clearly associated with a county building or facility.
- It is not a violation of this policy to park a vehicle with standard-sized campaign stickers or magnetic signs in a designated county employee parking area.

Section 3. In the foregoing, language ~~struck through~~ is deleted; language underlined is added.

RESOLUTION 2008-54

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; CLARIFYING POLICIES RELATING TO POLITICAL ACTIVITIES BY COUNTY EMPLOYEES; AND ESTABLISHING AN EFFECTIVE DATE

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve Resolution 2008-54. Motion carried unanimously.

Value Adjustment Board: Mr. McPherson stated that the organizational meeting of the newly constituted VAB took place on July 23rd at 11 a.m. Patricia Carter attended and was told that all went well.

LCCC-Related Roadway: Mr. McPherson stated that Mr. McQueen is working on getting him a list of owners so he can prepare the necessary deeds for the anticipated donations.

Courthouse Expansion: Mr. McPherson stated that the Alexander Group is making progress on addressing the warranty items. Mr. Gilliam updated the Board on what has actually been addressed to date.

Saunders v. Gilchrist County: Mr. McPherson stated that Ms. Saunders' attorney has filed his Reply Brief and requested oral argument.

Gilchrist County v. Richard: Mr. McPherson stated that he will be monitoring Ms. Richards' compliance with the court order.

FAC, etc. v. Conflict Counsels and Departments of Revenue: Mr. McPherson addressed the complaint filed on July 28 by the FAC, along with 25 individual counties, including Gilchrist, challenging the constitutionality of the 2007 legislation that requires counties to fund certain elements on the newly created offices of regional conflict counsel.

He stated that the complaint raises two main arguments: (1) the language of Article V, section 14, as approved by the voters in 1998, made the costs of conflict counsel a state, not a county, responsibility; and (2) the procedure by which SB 1088 (2007) was enacted did not meet all requirements for passage of mandatory unfunded mandates. He stated that he will keep the Board updated on this issue.

1:30 p.m. Time Certain; Bailey, Bishop & Lane

- **Site Plan for Senior Center:** Mr. Phil Bishop presented the Senior Center Site Plan for the Boards' review and approval allowing them to move forward with permit applications and so forth. Staff Engineer, Chad McCormick addressed the Board presenting a project update and review of the site plans.

Motion made by Commissioner Randy Durden seconded by Commissioner Harrison to approve the Site Plan for the Senior Center presented by Bailey, Bishop & Lane for permitting purposes. Motion carried unanimously.

County Administrator's Report

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

Public Safety

- **EOC Update:** Mr. McQueen 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 Control

- **Project Update on the Animal Shelter:** Mr. McQueen updated the Board on progress of construction at the new Animal Shelter and presented a power point presentation showing pictures of the progress to date.
- **July Monthly Report:** Mr. McQueen presented the July Monthly Report for Animal Control for the Boards' information.
- **New Animal Control Officer:** Mr. McQueen stated that there has been a new hire for the Animal Control Officer position. Ms. Karen Fisher from Bell has been hired and her new hire paper work is being processed.

EMS

- **Dr. Cox's Employment Agreement Addendum:** Mr. McQueen presented the addendum for the Physician's Employment Agreement on the contract between Daniel B. Cox, M.D. and GC EMS. The contract is for an annual pay increase based on the BOCC approved step plan of 2%.

The Board discussed his contract and it will be consider, as are all other salaries, during the budget process. The Board requested language be added that provides for availability of funds.

Mr. McQueen will bring back a revised addendum for the Boards' consideration.

- Second Quarter Write-Off's: Mr. McQueen presented the EMS 2nd Quarter Write-Off's for 2008. They are follows:

Deceased Accounts	\$2,001.46
GCSO Inmates	\$2,561.00
Collection Accounts	<u>\$74,119.52</u>
Total Write-Off's	\$78,681.98

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the 2nd Quarter Write-Off's, for the total amount of \$78,681.98, for the EMS Department. Motion carried unanimously.

Road Department

- County Line Road (SW 298th St): Mr. McQueen addressed the issue of the County's responsibility of maintenance on County Line Road (SW 298th Street). Mr. McQueen and Justin Watson, GC Road Department Supervisor, estimated the cost by Gilchrist County to be approximately \$19,000 in 2007, for 4.5 miles (which is the whole distance) of County Line Road.

Discussion took place on the three options Mr. McQueen presented from Alachua County. They are a follows:

Gilchrist – Alachua County common road SW 298 Street

Option 1	Gilchrist County 1 year Maintenance	\$ 6,390.51	1.5 miles
Option 2	Gilchrist County 1 year Maintenance	\$11,076.88	2.6 miles
Option 3	Gilchrist County 1 year Maintenance	\$19,171.53	4.5 miles
		<u>\$ 7,634.86</u>	mixing
		\$26,806.72	Total Cost

The Gilchrist County Board of County Commissioners will be attending the Alachua County Board of County Commissioners Meeting on August 12 to present our maintenance plan for County Line Road SW 298th Street.

Bids on SRWMD Surplus Equipment:

- Solid Waste; Request to bid Truck: Mr. McQueen presented a request from Pat Fisher from Solid Waste for permission to bid up to \$1,501, on item #39, a 2003 Chevrolet 4x4 Pickup Truck. This truck would be used for the mosquito sprayer.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to allow Pat Fisher to bid up to \$1,501 for a 2003 Chevrolet 4x4 Pickup Truck to be used for the mosquito sprayer at Solid Waste. Motion carried unanimously.

- Hart Springs; Request to bid for Van: Mr. McQueen also presented a request from Julie Harrison, Hart Springs Manager, for permission to bid up to \$510, on item #38, for a 1996 GMC Safari Van. Ms. Harrison stated that the van would be used to haul those who rent canoes to other inputs and canoeing back down river to the springs.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to allow Julie Harrison to bid up to \$510 for a 1996 GMC Safari Van to be used at Hart Springs. Motion carried unanimously.

Solid Waste

- Request for vehicle replacement as per budget: Mr. McQueen presented the request from Pat Fisher at Solid Waste for permission to replace a Route Truck, from state contract.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to allow Pat Fisher to replace Route Truck, from state contract, for the Solid Waste Department. Motion carried unanimously.

Memorial Courtyard

- Pictures – Update: Mr. McQueen presented a power point presentation showing a designated smoking area and picnic tables. The proceeds from the sale of bricks would help fund these future additions.

Hart Springs

- Superior Pool Contract: Mr. McQueen presented the contract from Superior Pool Services of North Central Florida, in the amount of \$89,000.00 for the pool installation at Hart Springs; a performance bond is required.

Mr. McQueen stated that there would be one (1) change order, for a salt water filter system. The cost for this change would be funded by the grant money.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Randy Durden to approve the contract with Superior Pool Services of North Central Florida, Inc., in the amount of \$89,000.00, for the pool installation at hart Springs.

- Seawall: Mr. McQueen presented the bid results for the materials to repair the Seawall at hart Springs. Three (3) bids were received but only one (1) was complete. The complete bid was received from Gator Dock, in the amount of \$42,370.62.

Mr. McQueen recommends the Board consider the bid from Gator Dock.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the only completed bid received, Gator Docks, in the amount of \$42,370.62, for materials to repair the Seawall at Hart Springs. Motion carried unanimously.

- Hart Springs Seawall Special Project: Mr. McQueen presented a purchase order to Crowder Supply Co., Inc. for a Rhino PD200 Super Heavy Duty Sheet Pile Driver, in the amount of \$5,294.00, for the seawall project.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve purchase order to Crowder Supply Co., Inc., in the amount of \$5,294.00, for a Pile Driver to be used on the Hart Springs Seawall Special Project; cost for this purchase to be funded out of the \$60,000.00 line item. Motion carried unanimously.

- Pavilion: Mr. McQueen presented a purchase order from Panhandle Lumber & Supply, for a 40x70 Pole barn kit, in the amount of \$9,700.00, to be constructed at the new pool site at Hart Springs. The cost of this pole barn will be fund by a FRDAP Grant award.

Motion made by Commissioner Sharon Langford seconded by Commissioner Randy Durden to approve the purchase order to Panhandle Lumber & Supply, in the amount of \$9,700.00, for a pole barn kit to be constructed at the pool area at Hart Springs; to be funded by the FRDAP grant. Motion carried unanimously.

- Wilderness Trail: Ms. Julie Harrison, Manager at Hart Springs, took time to introduce the new Wilderness Trail Manager, Ms. Brenda Daniels.

Otter Springs: Mr. McQueen addressed the issue of the park being for sale. He would like for the Board to consider the opportunity of taking over this park. The Board directed Mr. McQueen to make arrangements for the SRWMD to attend the next meeting to answer questions and provide any additional information that may be of interest to the Board.

Code Enforcement

- Monthly Report: Mr. McQueen presented the Code Enforcement Report dated August 4, 2008 for the Boards' information.

SHIP

- Request for travel to annual Affordable Housing Conference: Mr. McQueen requested permission to attend the SHIP Conference in Orlando on September 15th.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to allow the County Administrator to attend the SHIP Conference in Orlando. Motion carried unanimously.

2008 Water Congress: Mr. McQueen requested permission to attend the Water Congress to be held on September 25th & 26th in Orlando.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the County Administrator and one Commissioner (Ron McQueen and Tommy Langford) attend the Water Congress in Orlando on September 25th & 26th. Motion carried unanimously.

Community Development

- APA Florida 2008 Sustainability Training: Taylor Brown request permission to attend the Sustainability training in Miami on September 11th & 12th.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Sharon Langford to approve travel for Taylor Brown to attend the APA Florida 2008 Sustainability training in Miami on September 11th & 12th. Motion carried unanimously.

Courthouse

- Proposal for the Maintenance Program for the HVAC System at the Courthouse: Mr. McQueen presented the annual, normal maintenance contract, from Climate Control Mechanical Services, in the amount of \$1,450.00, for Board approval and to allow the Chairman to sign.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve the contract from Climate Control Mechanical Services and to allow the Chairman to sign. Motion carried unanimously.

S.E. 78th Place Petition: Mr. McQueen addressed the issue of SE 78th Place not be maintained by the County. This SE 78th Place is not a County maintained road. He has received a petition from the home owners that live on that road requesting that the County maintain this road and bring it to the width of 20 feet; the road is currently 8 feet wide and hazardous.

Mr. McQueen drafted a letter to home owner Andrew Vickers clarifying the County's policy regarding maintenance of roads offering assistance for a petition process if he so chooses to go this route.

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.

John C. Hipp Construction: Mr. Gilliam presented invoice #24533 for the Rolling Oaks S.A.D. project, in the amount of \$84,770.00 for approval.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve invoice #24533 from John C. Hipp Construction, in the amount of \$84,770.00 for the Rolling Oaks S.A.D. project. Motion carried unanimously.

The Alexander Group, LLC

- Mr. Gilliam presented Pay Request #10 for the Public Safety Complex (EOC), in the amount of \$44,788.25, for approval. Mr. Gilliam addressed the issue of the GMP, retainage and add-on/changes orders for the Bell and Trenton projects.

Mr. McPherson stated that the projects need to be looked at as separate projects when it comes to retainage; that's why we requested a GMP. He recommended that payment on pay request #10 be held until questions are resolved and a meeting with the Alexander Group takes place.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to DENY payment for Pay Request #10 and directed the County Administrator, Clerk and County Attorney to meet with the Alexander Group to resolve issues on the retainage for the Public Safety Complex and Trenton EMS projects. Motion carried unanimously.

- Mr. Gilliam presented for approval the Construction Contingency Adjustment #2, in the amount of \$8,931.25, for the Bell EOC project.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve Contingency Adjustment, in the amount of \$8,931.25. Motion carried unanimously.

Resolution 08-53 & Budget Entry 08-055: Mr. Gilliam presented Resolution 08-53 amending the Transportation Trust Fund Budget to lawfully expend unanticipated revenues, by Budget Entry 08-055 (to provide budget for the proceeds of sale of the dragline, approved by the BOCC 7/21/08), in the amount of \$12,420.00. Chairman Langford read the resolution for the record.

Motion made by Commissioner Sharon Langford seconded by Commissioner Harrison to approve Resolution 08-53 and Budget Entry 08-055. Motion carried unanimously.

2009 Eighth Judicial Circuit Holidays: Mr. Gilliam presented the list of dates that the Eighth Judicial Circuit will be observing as holidays in 2009. The Board discussed/reviewed the dates presented and will recognize all but Yom Kippur, Monday, September 28th.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to recognize and observe the dates, all but Yom Kippur, Monday September 28th, as presented/observed by the Eighth Judicial Court for 2009. Motion carried unanimously.

Budget Recap FY2008: Mr. Gilliam presented for the Boards' information the Budget Recap for period ending July 29, 2008. *No Board action required.*

FY08 Fuel Usage: Mr. Gilliam presented for the Boards' information the Diesel and Unleaded Usage by gallons from October 2007 thru June 2008, by department. *No Board action required.*

3:57 p.m. Mr. McPherson was excused from the meeting.

Budget Workshop Schedule: Mr. Gilliam reminded the Board of the upcoming budget workshop schedule; today at 5:00 p.m.; then again on August 11th at 3:00 p.m. for proposed budget reviews for Community Development Fees, Public Safety, Health Department.

County Planning Director

- Visioning Committee: McQueen asked the Board to finalize their committee lists so Taylor can form the committee and bring back to the Board.
- Water Bottling Plant Hearing: Mr. Taylor Brown, Planning Director advised the Board of the scheduled date for the Water Bottling Plant Hearing on September 30, 2008 at 6:00 p.m. to be held at the Trenton High School Auditorium.
- Rezoning; Increasing density around the cities: Mr. Brown addressed the Board replying to the Boards request that he bring back a report on the issue of rezoning requests for increasing density around the cities. He presented copies of the original report dated 2005, by former County Planner, Stacey Winfield. Mr. Brown stated that he would like to continue working on it, with the consideration of adding current dimensions.

Road Department Report

- Speed Limit Change Request: Mr. Justin Watson, Road Department Supervisor, presented a request that the speed limit on NW 72nd Place, 1.10 miles, be reduced to 30 mph.

Board directed Justin to note the reasons for closure, per this request, and present them to the County Attorney for justification and then bring back to the Board for further consideration.

Commissioners Reports: None noted.

Old Business: None noted.

New Business: None noted.

Public Participation: None noted.

Adjourn:

With there being no further business, Chairman Langford adjourned at 4:47 p.m.

Attest:

Board of County Commissioners
Gilchrist County, Florida

Joseph W. Gilliam, Clerk of Court

Tommy Langford, Chairman