

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD NOVEMBER 3, 2008.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, November 3, 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 Sharon Langford, Vice Chair
Commissioner D. Ray Harrison
Commissioner Randy Durden
Commissioner Tommy Langford, Chairman
Commissioner Kenrick Thomas

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; Kyle Stone, Chamber of Commerce; Donna Creamer, Pure Water Wilderness; Jan Chesser, Court Administration; Charlie Houder, SRWMD; Gene Parrish, Parrish Landscaping; Sylvia Torres and David Cerlanek, Alachua County Public Works; Gwen Milanich; Marvin Deer; Gary McPhearson; Elania Spain; Jean Wonser; and Joyce Ferrante.

Call to Order

Chairman Tommy Langford called the meeting to order at 1:16 p.m. with Commissioner Sharon Langford delivering the invocation and Commissioner D. Ray Harrison led the pledge of allegiance.

Agenda Changes

- Mr. Gilliam, Clerk of Court, presented the following agenda changes:
 1. Addition: Proclamation 2008-07; Veteran's Appreciation Week
 2. Request: Move #1 on Clerk's Report to first part of the agenda
- Mr. McQueen, County Administrator presented the following agenda changes:
 3. Addition: Resolution 2008-79; Reappointing Joseph Sullivan to the Planning Commission

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to accept the agenda with changes noted.

Chairman Langford asked that Mr. Gary McPhearson be allowed to address the Board prior to the County Administrator's Report. Board agreed.

Motion carried unanimously.

Consent Agenda

- **Approval of Minutes**
Regular Meeting August 18, 2008
- **Budget Entries**
BE09-001, Fund 001, General Fund \$3,230.00
- **Request for Payment Approval**
Kennedy Communications; Invoice 94346, 10/21/08; FINAL balance on
Video and Voice solutions for the Jail \$3,610.40
- **Excess Funds for FY2008**
Clerk of Court \$66,297.63
GCSO \$252.85
- **Approval of Bills**
Supplement to the Agenda Packet October 2008

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

Agenda Changes

Clerk's Report

- **Fiber Optic Cable**: Mr. Gilliam readdressed the issue of the purchase order that was presented for the Boards' consideration for the fiber optic cable (used for first appearance) that runs from the Courthouse to the Sheriff's Office. He stated that there was issue with directional boring and presented a Change Order in the amount of \$4,651.58 with current contractor Quality Internet SRV dba Setel; accepting a change order would be more beneficial as far as additional costs compared to going out for bids.

Motion made by Commissioner Harrison seconded by Commissioner Randy Durden to approve the change order for directional boring, in the amount of \$4,651.58, to Quality Internet SRV dba Setel and to move forward with the established purchase order and not to go out for bids. Motion carried unanimously.

- **Gary McPhearson**: Mr. McPhearson addressed the Board and presented a proposal, for their information, on turning garbage into electricity. He explained

the intentions for getting this system into play and the benefits it could have for the County. No Board action required.

County Administrator's Report

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

Regional Well Field Update: Mr. McQueen gave an update on the issue of the Regional Well Field.

Otter Springs Lease Agreement Update

- Mr. McQueen addressed the paving issue of the road leading to the entrance at Otter Springs. He stated that he had contacted Lee Mills, County Engineer, who provided him with the *best estimate* as to the paving portion of this road. Mr. McQueen asked the Board for approval to allow Lee Mills to move forward with the bidding on the road project 1.5 miles to Otter Springs.
- Mr. McPherson reviewed/updated the Board on the proposed Lease Agreement changes determined by the District and Staff and finds them to be beneficial to the County. Staff recommends approval of the lease with noted changes.

The changes/clarifications to the noted paragraphs are as follows: (~~strike through~~ are *deletions* and underlines are *added*)

15. HAZARDOUS WASTE

1. made it clear that the District did do a phase 1 audit of the property and
2. any responsibility of the County would only be for any hazardous waste placed on the property during the term of the lease; these clarifications are made explicit in paragraph 15

22. BOOKS

- A. A separate book of accounts ~~and bank accounts~~ for the performance of the Park and all matters pertaining to it shall be kept and maintained at the office of the Tenant. All records of the Park operations shall be open for inspection by the Landlord and the Tenant at all reasonable times.
- C. Upon the end of each fiscal year, a true and correct accounting will be made using ~~general~~ modified accrual accounting as promulgated under general accepted accounting principles of all income and expenses and same shall be furnished to the parties.

25. CONTINGENCY FUND CAPITAL RESERVE AND CONTINGENCY FUND

- A. The parties agree that they shall develop in the Plan a ~~contingency fund~~ (“Fund”) (sometimes referred to as a sinking fund) Capital Reserve Fund (“Capital Fund”) to cover major repairs and improvements to the capital assets. The Capital Fund shall be funded by the Tenant from the remaining one-half of the payments in lieu of taxes, as set forth in Paragraph 24 above, until the maximum of \$250,000.00 is in the Capital Fund. The parties agree that in future years, in the event the money in the Capital Fund shall be reduced below the \$250,000.00, the parties agree to increase sums in the Capital Fund until the maximum amount is reached. Such increase shall be paid from the payments in lieu of taxes that are paid to the Tenants for that portion of the payment in lieu of taxes paid to Tenant due to Landlord’s acquisition of the Park as referred to in Paragraph 24 above. The parties agree that the Plan may increase or decrease the required maximum amount of the Capital Fund. The sums paid into the Capital Fund shall not be considered as ~~income expense~~ as set forth in Paragraph 23, nor shall expenditures from the Capital Fund for Park improvements be considered as expenditures under Paragraph 23. The parties agree that the use of the money in the Capital Fund shall be as mutually agreed to by the parties or as otherwise set forth in the Plan.

Once the Landlord is reimbursed for the Road, as set forth in Paragraph 24 above, the payment to fund the Capital Fund shall not exceed ½ of the payment in lieu of taxes to Tenant for payment to Tenant due to Landlord’s acquisition of the Park, nor shall any portion of the payment in lieu of taxes paid to Tenant for lands, other than the Park that are owned by the Landlord.

- B. In addition to the ~~Contingency~~ Capital Fund, the parties agree that a ~~reserve fund~~ (“Reserve Fund”) Contingency Fund (“Contingency Fund”) shall be established from the income over the expenses to cover unusual expenses that are not covered in the budget, nor in the Capital Fund. Expenditures from the ~~Reserve~~ Contingency Fund must be approved by the parties. To fund the ~~Reserve~~ Contingency Fund, each year before the Profits are distributed, not less than \$ \$5,000.00 shall be allocated to the ~~Reserve~~ Contingency Fund, until a maximum of ~~\$50,000.00~~ 10 percent of the annual budget is allocated to the ~~Reserve~~ Contingency Fund. Each year, in the event ~~of there are~~ payments made out of the Reserve Contingency Fund or in the event the annual budget shall increase, the budget will list an allocation to the ~~Reserve~~ Contingency Fund of the necessary amounts to continue to have the maximum of ~~\$50,000.00~~ 10 percent of the annual budget. Further, in the event the amount in the Contingency Fund shall exceed 10 percent of the annual budget, no further payments need to be made to the Contingency Fund until the amount in the Contingency Fund is less than the maximum of the 10 percent of the annual budget.

Since the document has been drafted with the above noted changes, the following change will be noted and a new document will be drafted for execution subject to the Boards approval:

24. ROADS

The Plan shall include improvements and the paving of roads going from County Road 232 to the entrance to the Park. In addition, the approximately one-half mile entrance road within the Park will need to be repaired and improved. The cost of the road projects, up to ~~\$75,000.00~~ \$85,000.00, shall be furnished by Landlord.

Mr. McPherson, Staff and Mr. Charlie Houder, SRWMD, recommended the Board approve the lease agreement subject to the road dollar amount being changed from ~~\$75,000.00~~ to an increased amount of up to \$85,000.00.

Mr. Charlie Houder, SRWMD, addressed the Board discussing the proposed lease issue and answered questions the Board may have had.

Motion made by Commissioner Randy Durden seconded by Commissioner Harrison to approve the Lease Agreement between SRWMD and Gilchrist County for the management of Otter Springs Park and Campground subject to the change on page 10, paragraph 24...making the change from ~~\$75,000.00~~ to reflect up to \$85,000.00 for road project. Motion carried unanimously.

Motion made by Commissioner Randy Durden seconded by Commissioner Harrison to allow moving forward with going out for bids on the road 1.5 miles to Otter Springs. Motion carried unanimously.

County Administrator's Report continues...

County Line Road Update: Mr. McQueen presented the Interlocal Agreement between Alachua County and Gilchrist County for the Surface Treatment of Countyline Road. Gilchrist County shall reimburse Alachua County half of the actual cost of the project up to but not exceeding \$118,000.00, including the cost of materials, labor and equipment.

Motion made by Commissioner Harrison seconded by Commissioner Sharon Langford to approve the Interlocal Agreement between Alachua and Gilchrist Counties for the Surface Treatment of Countyline Road, with reimbursement to Alachua County up to but not exceeding \$118,000.00. Motion carried unanimously.

Mr. McQueen also presented the Interlocal Agreement between Alachua County and Gilchrist County for the Maintenance Responsibilities for Countyline Road for the Boards' approval/acceptance.

Motion made by Commissioner Randy Durden seconded by Commissioner Sharon Langford to approve the Interlocal Agreement between Alachua and Gilchrist Counties for the Maintenance Responsibilities on Countyline Road. Motion carried unanimously.

Animal Control Monthly Report: The Animal Control Reports for the month of October and a Year to Date were presented as an additional handout for the Boards' information.

Code Enforcement Monthly Report: The monthly report for November 2008 was submitted for the Boards' information. Ms. Diane Rondolet, Code Enforcement Officer was present.

- Gwen Milanich: Ms. Rondolet received a complaint that there was travel trailer that was being lived in had not been permitted. The property is owned by Mr. & Mrs. Deer, although Ms. Milanich is making payments to them for the purchase of the property. The travel trailer that Ms. Milanich's is living in for the past seven years has not been permitted, nor is there a septic tank for the travel trailer.

Ms. Milanich stated that she had been living there without a permit prior to the County enforcing the new ordinance regulations and has no other place to go. She has been sharing water and electricity from the Deer's property to the property where she is living.

Ms. Rondolet noted in her report that she will follow up with the Property Appraiser to see what he shows on the property.

Mr. McPherson explained the law and made some suggestions for the Board to consider. It was also suggested that Ms. Milanich seek participating in the SHIP Program.

There are special assessments and well/septic issues that need to be addressed before the property that Ms. Milanich is living on can be considered to be grandfathered in.

The Board agreed for the County Attorney and Staff to research the Ms. Milanich issue (RV with NO Permits) and bring back before the Board.

Memorial Courtyard Update and Program Finalization: Mr. McQueen commented on the beautification of the Courtyard.

Commissioner Harrison stated that the Monument Committee had met and reviewed the program that Julee Brideson had put together for the Veteran's Day Dedication to be held on November 11, 2008.

CFCC Health Care Agency Affiliation Agreement: Mr. McQueen presented the Health Care Agency Affiliation Agreement with Central Florida Community College, per the request of Linda Walker, EMS Director. This agreement will allow students who are studying to be EMT's to accrue *ride hours* needed as part of the program. He recommends the Board approve and authorize County Director to sign.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Harrison to approve the Health Care Agency Affiliation Agreement with CFCC and authorize EMS Director to sign. Motion carried unanimously.

Resolution 2008-79: Mr. McQueen presented Resolution 2008-79. Chairman Langford read the short title as follows:

RESOLUTION 2008-79

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; RE-APPOINTING JOSEPH SULLIVAN TO THE GILCHRIST COUNTY PLANNING COMMISSION FOR A THREE-YEAR TERM; AND ESTABLISHING AN EFFECTIVE DATE

Motion made by Commissioner Harrison seconded by Commissioner Randy Durden to approve Resolution 2008-79. Motion carried unanimously.

Mid-Month Meeting: Mr. McQueen addressed the issue of the need to have a mid-month meeting on Decemebr15th.

Mr. Gilliam confirmed dates with the Staff that there were no time sensitive or advertising issues to keep the meeting from being cancelled.

Motion made by Commissioner Randy Durden seconded by Commissioner Harrison to cancel the mid-month meeting scheduled for December 15th, unless an emergency shall arise. 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 2008-11: Mr. McPherson stated that the ordinance for the speed limit reduction on NW 72nd Place has been set for adoption hearing at second meeting in November.

Resolution 2008-80: Mr. McPherson presented Resolution 2008-80, Communication with Press, which would establish policies for county officials and employees dealing with the press. Chairman Langford read the short title as follows:

RESOLUTION 2008-80

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING POLICIES AND RULES REGARDING COMMUNICATIONS BY COUNTY OFFICIALS AND EMPLOYEES; AND ESTABLISHING AN EFFECTIVE DATE.

Discussion took place and it was recommended by the County Planner, Taylor Brown, to omit the last sentence in Section 1, Section 6.4 B, as follows:

Section 1. A new Section 6.4 is added to the Gilchrist County Manual of Rules and Procedures, to be entitled "Communication with the Press," and to read as follows:

SECTION 6.4 COMMUNICATION WITH THE PRESS

B. Press Releases

Press releases may be prepared by any county employee, but must be approved by both the employee's Department Director and by the County Administrator. Press releases prepared by Department Directors shall be approved by the County Administrator. ~~All press releases shall be distributed by the County Administrator's Office.~~

Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to approve resolution 2008-80 with noted change; omitting the last sentence in Section B. Motion carried 4-1, with Commissioner Tommy Langford voting NO.

LCCC-Related Roadway: Mr. McPherson stated that the deeds had been prepared and delivered to Ron McQueen to get signatures.

Saunders v. Gilchrist County: Mr. McPherson stated at this time, still waiting for action by court on question whether appeal filed late.

Gilchrist County v. Richard: Mr. McPherson stated that he is working on motion to Show Cause why Richard should not be held in contempt.

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.

Credit Cardholder Recommendations and Proposed Policy: Mr. Gilliam presented the following list of credit cardholder recommendations for Ameris Bank Credit Cards:

Marvin Weaver, County Extension	\$1,000.00
Chris Decubellis, 4-H	\$1,000.00
Carlos Perez Fire Chief	\$1,000.00
Linda Walker, EMS Director	\$1,000.00
Lynn Watson, Animal Control	\$1,000.00
Julie Harrison, Hart/Otter Springs	\$1,000.00
Gerald Lanier, Maintenance	\$1,000.00
Ron McQueen, County Administrator	\$1,000.00

Mr. Gilliam stated that Mr. McQueen's limit should have been presented as \$5,000.00 and that the policy on the Credit Card Usage is still in the works and will be presented at the next meeting for consideration and approval.

Motion made by Commissioner Harrison seconded by Commissioner Randy Durden to approve the list of recommended credit cardholders with a limit of \$1,000.00 except for Mr. McQueen with a limit of \$5,000.00; approved policy to be in place before cards can be used. Motion carried unanimously.

Small County Coalition: Mr. Gilliam addressed the issue of Distributions of Funds for Fiscally Constrained Counties. An application had been filed as of 10/22/08, for Gilchrist County. He also presented an advisory newsletter providing information for those counties Seeking *Full Funding of the Amendment 1 Offset for Fiscally Constrained Counties*.

It recommended that a resolution be adopted asking that Governor Crist request and the Florida Legislature appropriate additional funding to fund the anticipated impact of Amendment 1 in Fiscally Constrained Counties in FY2009-2010. It was also recommended that a letter to Governor Crist be authorized requesting support for this initiative.

Chairman Langford read the short title as follows:

RESOLUTION 2008-81
REQUESTING FULL FUNDING OF AMENDMENT 1 OFFSET FOR FISCALLY
CONSTRAINED COUNTIES

Motion made by Commissioner Sharon Langford seconded by Commissioner Randy Durden to approve Resolution 2008-81 along with cover letter. Motion carried unanimously.

Meridian Behavioral Healthcare, Inc. 2008-2009 Contract: Mr. Gilliam presented and recommended for approval the annual contract from Meridian for FY 08/09 services in the amount of \$38,000.00.

Motion made by Commissioner Randy Durden seconded by Commissioner Harrison to approve the contract from Meridian Behavioral Healthcare and allow Chairman to sign. Motion carried unanimously.

Inmate Hospital Bills

- Inmate Susan Hill (Wilkerson): Mr. Gilliam represented the hospital bill for inmate Susan Hill, in the amount of \$132,089.00. This bill had been presented at the last meeting but Mr. McPherson had reason to believe that whether the insurance company would pay this bill because the said inmate was not incarcerated at the time of services.

Mr. McPherson spoke with the Sheriff and he had assured him that he sees no reason why the insurance company would not pay in bill in full.

Motion made by Commissioner Randy Durden seconded by Commissioner Kenrick Thomas to approve payment for hospital bill on inmate Susan Hill, in the amount of \$132,089.00; cost to be funded out of FY08 Reserve. Motion carried unanimously.

- Inmate Steven Latourette: Mr. Gilliam presented the hospital bill, in the amount of \$431.00, for inmate Steven Latourette.

Motion made by Commissioner Harrison seconded by Commissioner Sharon Langford to approve payment for hospital bill on inmate Steven Latourette, in the amount of \$431.00. Motion carried unanimously.

Proclamation 2008-07; Veteran's Appreciation Week: Mr. Gilliam presented a proclamation per the request of the VFW Post 5625 of Chiefland, Florida, requesting that the week of

November 9-15, 2008, been proclaimed as “Veteran’s Appreciation Week” as observed in Gilchrist County. Chairman Langford read the proclamation for the record.

Motion made by Commissioner Harrison seconded by Commissioner Kenrick Thomas to approve Proclamation 2008-07, recognizing November 9-15, 2008 as “Veteran’s Appreciation Week” and authorize the Chairman to sign. Motion carried unanimously.

Commissioners Reports

Commissioner Sharon Langford: Commissioner Langford requested that a copy of the fee schedule for Otter Springs be provided for the Boards’ information at the next meeting.

Mr. McQueen stated that he will provide such and also hopes to provide a copy of the Management Plan.

Road Department Report

Quote from Ring Power: Mr. Justin Watson, Road Department Supervisor, presented a quote from Ring Power for a remanufactured engine and installation, in the amount of \$10,838.54. This is for the motor replacement on the Backhoe. He requested that the proceeds from the sale of the Timber jack, \$11,000.00, be used for this purchase.

Motion made by Commissioner Harrison seconded by Randy Durden to approve that a portion of the proceeds from the Timber jack sale, \$11,000.00, to go into Repair & Maintenance line item for the Road Department for the purchase of a remanufactured engine and installation for the Backhoe, in the amount of \$10,838.54. Motion carried unanimously.

Subdivision of Spring Run Village: Mr. Watson presented the check list and all inspections have been completed. He asked the Board to accept the roads in the Spring Run Village Subdivision into the County’s Maintenance Program.

Motion made by Commissioner Kenrick Thomas seconded by Commissioner Randy Durden to accept the roads in Spring Run Village Subdivision into the County’s Maintenance Program. Motion carried unanimously.

Bucket for Backhoe: Mr. Billy Cannon, Road Department Assistant Supervisor, discussed the issue and quotes obtained, for the consideration of the purchase of a bucket for the backhoe. It would be beneficial to purchase a new/used one compared to renting when needed. He recommended the purchase of the used one, in the amount of \$1,000.00; and this costs be funded by some of the remaining proceeds of the sale of the timber jack.

Motion made by Commissioner Sharon Langford seconded by Commissioner Kenrick Thomas to transfer the remaining proceeds from the Timber Jack into the Road Department with \$1,000.00 to go into the line item Machinery & Equipment and \$4,100.00 to go into Repair & Maintenance; and the approval of the purchase of the bucket in the amount of \$1,000.00 from Ring Power subject to Billy’s approval once looked at. Motion carried unanimously.

Old Business: None noted.

New Business: None noted.

Public Participation: None noted.

Adjourn:

With there being no further business, Chairman Langford adjourned at 4:34 p.m.

Board of County Commissioners
Gilchrist County, Florida

Tommy Langford, Chairman

Attest:

Joseph. W. Gilliam, Clerk of Court