

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD NOVEMBER 2, 2009.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Thursday, **November 2, 2009**, at **1:30 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 A. Langford, Chair**  
**Commissioner D. Ray Harrison, Vice Chairman**  
**Commissioner Randy Durden**  
**Commissioner Tommy Langford**  
**Commissioner Kenrick Thomas**

**Others in Attendance:** Joseph W. Gilliam, Clerk of Court; Jacki Johnson, Director of Finance; Patty McCagh, Board Secretary; John K. McPherson, County Attorney; Ron McQueen, County Administrator; Julee Brideson, Administrative Assistant; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement; Billy Cannon, Road Department Superintendent; Sheriff Slaughter; David Lindsey and Mike Chapman, Gilchrist County IT Department; Taylor Brown, GC Planning Director; Lee Mill, County Engineer; Richard and Leslie Esseek; Chaille Wilson and Tara Adkins; Shelby Boyette; James Hastings; Damon Leggett and Julie Thomas, GC Educational Foundation; and Kyle Stone, CG Chamber of Commerce.

**Call to Order:** Madam Chairman called the meeting to order at 1:27 p.m. with County Administrator, Ron McQueen delivering the invocation and Commissioner Kenrick Thomas leading the pledge of allegiance.

**Agenda Changes**

- Mr. Gilliam, Clerk of Court, presented the following agenda changes:
  1. Addition: Sheriff Slaughter's request to address the Board and presentation of FY 08/09 Excess Funds
  2. Addition: Tax Collector and Supervisor of Election's FY 08/09 Excess Funds
  
- Mr. McQueen, County Administrator, presented the following agenda changes:
  1. Addition: Senior Center Lift Station Quotes
  2. Addition: Diving at Otter Springs

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to approve the Agenda as presented, with noted changes. Motion carried unanimously.***

**Consent Agenda**

**Approval of Minutes**

Regular Meeting ..... September 21, 2009

**Approval of Bills**

October 2009 (on file in the Clerk’s Office)

**Request for Payment Approval**

Shands at UF ..... \$9,424.42  
Inmate Vincent S. Baker

**Colman Construction, Inc.** ..... \$64,242.00

Invoice #2543, 10/14/2009 Payment #1 for Sheriff’s Office

**Dixie County Inmate Housing** ..... \$5,013.16

Inmate Housing for the month of September 2009

...Commissioner Durden pointed out a correction to be made on page 9; change the **day** in the motion from ~~Tuesday~~ to **Thursday**, as follows;

*Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approved the 2010 holidays as observed by the Eighth Judicial Circuit Court, with the exception of ~~Tuesday~~ **Thursday**, September 9, 2010 (Rosh Hashanah). Motion carried unanimously.*

**Agenda Change**

Sheriff Slaughter: Sheriff Daniel Slaughter addressed the Board and requested that the excess proceeds that were returned for FY 08/09, in the amount of \$52,163.14, be considered for the purchase of two (2) patrol vehicles. Discussion took place...

*Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to grant the Sheriff’s request to purchase two (2) additional patrol vehicles with the excess funds, from FY 08/09, in the amount of \$52,000.00. Motion carried unanimously.*

**County Administrator’s Report**

Mr. McQueen, County Administrator, presented the following documents, and/or addressed the following issues.

Public Safety – Request to attend Fire Chief Training: Mr. McQueen presented the request for travel to allow himself and Chief Perez to attend the annual Fire Chief Training and Conference Program, to be held in Daytona Beach, Florida, the week of January 18-23, 2009.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve the travel request allowing the County Administrator and Chief Perez to attend Fire Chief Training. Motion carried unanimously.*

Solid Waste – Request to declare surplus property: Mr. McQueen presented the Disposition Request to declare the 6030 King Baler, tag #1586 as surplus and replace with a new one. He stated that the disposal of the surplus baler will be negotiated for services rendered.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the Disposition Request for the 6030 King baler, tag #1586; and to allow negotiation of disposal. Motion carried unanimously.***

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

SRWMD Governing Board Meeting Luncheon: Mr. McQueen addressed the issue of the Suwannee River Water Management District Governing Board Luncheon. He stated that the meeting/luncheon will be held on November 12<sup>th</sup> at Otter Springs. It is Gilchrist County's turn to host and extended an invitation from SRWMD for the Commissioners to take part in the meeting, which is scheduled for 9:00 a.m. or just come for lunch to be served around 11:30 a.m.

### **Time Certain**

1:45 p.m. Carlos Perez; Spring Ridge Road Committee: Mr. Carlos Perez, Chairman of the Spring Ridge Road Committee, addressed the Board on the issue of creating a Special Assessment for roads in Spring Ridge. He requested the Boards assistance on determining a special assessment cost on the roads to be paved in Spring Ridge. Discussion took place...

Mr. Mills suggested that the Board allow him to take some of the roads that were resurfaced in the last couple of years and to come up with a cost per mile, making an adjustment for the current cost of asphalt and add a 10-15% contingency; this will provide a reasonable place to start. He also provided a caveat (concerning drainage problems) for additional cost to require a place in a form of an easement or ROW to dispose of water. He stated that he believes this would be a great first step, not taking a lot of time, or resources.

If it is found that there are some unique places where there are drainage problems, and once the residents have committed to 'yes, we'll do it' then he will be able to provide a more detailed cost estimate; hopefully being in the range of what he will have provided at the beginning.

Mr. John McPherson, County Attorney, stated that at this point, before the engineer starts working on a cost estimate, the first thing that needs to be obtained, upfront, is the initial interest of the subdivisions residents of at least 70% to help the County to determine whether or not money needs to be spent on an estimate. Once the 70% is obtained the County will be able to make a commitment to come up with a real, good, solid estimate and the engineer takes whatever amount of time it takes to do so.

He clarified that the residents who are signing their name as part of the initial interest process are not saying they are supporting the special assessment, but that they are not opposed to it (depending on the price) and that they are interested enough to ask the County Commission to spend some tax money and make a determination whether it is a cost worth while for both

the County and the residents of Spring Ridge Subdivision. He stated that the County is free to go out and spend money on engineering services before having the 70%, but that is not how the process was designed.

Mr. Perez stated that the main concern that the residents keep bringing up is “*how much is this going to cost me?*” It has been hard for him to make the residents understand that once they sign off as part of the initial interest that they are not agreeing with the special assessment without knowing a cost. But he is willing to continue to try and make them understand how the process works following the advice of the County Attorney.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, to follow the recommendation of the County Attorney on the process (according to the ordinance) of the proposed Spring Ridge Subdivision Special Assessment Project...*** Discussion took place...

The cost of engineering services including the development of a *typical cost* for a road project similar to the proposed Spring Ridge Project was agreed upon to help the Board to decide whether or not if they want to move at this time, not taking into consideration at this time the 70% of initial interest.

**Commissioner Kenrick Thomas rescinded his motion and Commissioner D. Ray Harrison rescinded his second.** Discussion continued...

Ms. Ann Patrick, Spring Ridge resident and Road Committee Member, addressed the Board requesting that they seriously consider spending money to obtain an engineers cost and help the residents of Spring Ridge to get their roads paved.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve the cost of \$200-\$300 for Engineering Services allowing the County Engineer to develop a typical cost of a road project similar to the proposed Spring Ridge project.*** Madam Chairman called for any further discussion...none noted; public participation...none noted. She then called for the vote... ***Motion carried unanimously.***

### **County Administrator’s Agenda Changes**

**Senior Center Lift Station Quotes:** Mr. McQueen presented three (3) quotes for the purchase of a Lift Station at the Senior Center. The quotes are as follows:

- |                                       |             |
|---------------------------------------|-------------|
| 1. Barney’s Pump Inc.                 | \$9,466.00  |
| 2. South Florida Lift Station’s, Inc. | \$14,530.48 |
| 3. Alpha Septic Industries            | \$15,019.00 |

Mr. McQueen made the recommendation to go with the quote from Barney’s Pump, in the amount of \$9,466.00, for the reason being it’s below \$10,000.00. He also stated that we have used them in the past and they are reputable.

***Motion made by Commissioner Randy Durden, seconded by Commissioner D. Ray Harrison, to accept the low bid from Barney’s Pump, Inc., in the amount of \$9,466.00, for the purchase of a Lift Station at the Senior Center project. Motion carried unanimously.***

Diving at Otter Springs: Mr. McQueen advised that there have been questions asked about the County's policy on diving at Otter Springs.

Currently the only diving that has been allowed at Otter Springs is to have the Hart Springs Diving Team to go in and cleanup the springs and evaluate the diving conditions and prepare a written proposal and bring it before the BoCC.

**The Board agreed to allow Commissioner Tommy Langford to meet with Pete Butt (and the Dive Committee) and reschedule the diving issues (re: Hart and Otter Springs) to be brought back before the Board.**

County Wide Telephone Plan Presentation: Mr. McQueen introduced the issue of a proposal, from the County's IT Department, (David Lindsey and Mike Chapman) on a County Wide Telephone Plan. This in house proposal was drafted by County Staff as they felt it was their responsibility to put forth efforts in hopes to save the County money.

Mr. Gilliam stated that he had taken a proposal from Kennedy Communications to all of the Constitutional Officers and their recommendation was to go with a phone system such as Kennedy. In the meantime, Staff had set in on the meetings with Kennedy and asked for the opportunity to put together a proposal. Staffs proposal is an approximate cost savings of ~~\$70-75,000.00~~. Mr. Gilliam stated that the only issue he sees is that the proposal from Staff is not on State Contract.

Mike Chapman, County IT Technician, presented the proposed County Wide Telephone Plan as prepared by Staff. Discussion took place...

***Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to go for bid on a County Wide Telephone Plan using the specifications drafted by Staff; Staff to get the bid spec's out.*** Madam Chairman called for any further discussion... none noted. ***Motion carried unanimously.***

### **Time Certain**

#### **4:30 p.m. Road Department Report**

New Mower: Mr. Billy Cannon, Road Department Superintendent, presented the request to purchase another new mower. The funds for a new mower, a John Deere 223BWXH Flex Wing Mower, have been budgeted and are on State Contract. He presented a quote from Live Oak Tractor, in the amount of \$12,406.35. Discussion took place...

This quote is piggy-backing off of a bid received by Florida Lawn Maintenance Equipment Hernando County School District, as on State Contract #07-515-06.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the purchase of a new mower, from Live Oak Tractor, in the amount of \$12,406.35, for the Road Department. Motion carried unanimously.***

Right-of-Way on 108<sup>th</sup> Place: Mr. Cannon requested that this issued be readdressed at a later date allowing him additional time to obtain more information. **Board agreed.**

Limbing Tractor: Mr. Cannon stated that the tractor used in limbing is down again. He requested direction from the Board. The tractor is still under warranty. Mr. McPherson, County Attorney, will look into what can be done legally.

### **Attorney's Report**

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

Ordinance 2009-13: Annual Update of Capital Improvement Plan: Mr. McPherson stated that this ordinance has been set for adoption hearing at during this meeting at 5:00 p.m.

Ordinance 2009-14: Special Assessment District on Existing Subdivisions: Mr. McPherson stated that this ordinance has been set for an adoption hearing at November 16 meeting.

Ordinance 2009-15: Revised Sign Regulations: Mr. McPherson stated that the Planning Commission has reviewed this ordinance at its October meeting, and that the ordinance is set for adoption hearing at the November 16 Board of County Commissioners meeting.

Resolution 2009-60: Closure of Portion of SE 7th Court: Mr. McPherson states that he had failed to get the notice to the Gilchrist County Journal in time for the closure hearing on November 16 (two-weeks notice is required). He has prepared a new resolution setting the closure hearing for the December 7 meeting to allow for required notice. Madam Chairman read the short title as follows:

### **RESOLUTION 2009-60**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; FINDING THAT A HEARING SHOULD BE HELD ON THE VACATION OF A PORTION OF SOUTHEAST 7<sup>th</sup> COURT IN GILCHRIST COUNTY; SETTING A HEARING DATE ON SUCH VACATION; AND PROVIDING AN EFFECTIVE DATE.**

*Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve Resolution 2009-60. Motion carried unanimously.*

Resolution 2009-62: Support of Fair Tax: Mr. McPherson presented Resolution 2009-62 in support of the Fair Tax. Madam Chairman read the short title as follows:

### **RESOLUTION 2009-62**

**A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS EXPRESSING SUPPORT FOR ADOPTION BY CONGRESS OF THE "FAIR TAX"**

*Motion made by Commissioner D. Ray Harrison, seconded by Commissioner Tommy Langford, to approve Resolution 2009-62. Motion carried unanimously.*

Damage to Shoulder of CR 232: Mr. McPherson stated that he has received the requested specifications from Lee Mills so that a demand letter may be sent to the property owner to make the necessary shoulder repairs.

Honest Services Fraud: Mr. McPherson stated that as indicated by the prosecutions taking place in Dixie, Levy, and other Florida counties, the federal government has stepped up its investigation into local government corruption. The name of the federal violation that commissioners have been charged with is “Honest Services Fraud.” This derives from a broadly and vaguely worded federal statute that is used to get at bribery or other tit-for-tat by local government officials. He had went to a seminar on this subject and provided the Board with materials at the meeting. He reminded the Board that they should, of course, always be very careful about accepting anything of value from anyone who may be asking the County for something in the future, or has asked the county for something in the recent past.

### **Clerk’s Report**

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

GC Courthouse Environmental Problem: Mr. Gilliam presented a letter from Judge Glant pertaining to the environmental problem at the Courthouse. He stated that the problem has been going on for more than a year. There is a terrible smell that lingers. At one time it was thought to be sewer gas and another time it was thought to be dead rodents. Our pest control efforts had been stepped up to address the rodent problem and we had also contacted the original plumber/contractor that advised that it was not a sewer gas odor.

Mr. Gilliam stated that W.W. Gay, Mechanical Contractors, was contacted for an estimate, not to exceed \$1,060.00, to do a pressure test on the sewer line. This involved closing off the sewer line and injecting smoke.

W.W. Gay performed the test with problems being noted in two areas; the circuit court hearing room where the odor was coming from and by the Bailiff’s Station (the UPS Closet in the old Clerk’s Office). W.W. Gay determined, by cutting access holes in the sheet rock, that there was a vent pipe that was stubbed up to slab level and left open and never connected; this has been the problem all the while.

Mr. Gilliam stated that Jones Plumbing, The Alexander Group (who took pictures) and Mr. Frank Ritter, County Inspector, all came out to inspect the problem. The pipe had been capped off to keep the smell from coming out. The pictures have been sent of to the architect and the plumbing engineer will come up with a solution and Mr. Ritter will look at the solution and determine how to vent it properly. No Board action required at this time.

Quarterly Assessment Report: Mr. Gilliam presented the Assessment of Additional Court Costs Quarterly Summary for Gilchrist County. The report reflected the amount of \$3,799.71 for total revenue collected and no expenditures. Informational purposes only; NO Board action required.

Mid Month Meeting in December (12/21/2009): Mr. Gilliam addressed the issue of the mid month meeting in December, whether it is necessary or not to hold a meeting, during the week of the Christmas Holiday.

***Motion made Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to CANCEL the December 21, 2009 Board meeting; unless an emergency arises. Motion carried unanimously.***

Clerks FY 09 Excess Fees: Mr. Gilliam presented the return of the Clerk's Excess Fees, for FY09, in the amount of \$23,538.48. He also addressed the issue of his Court Budget, which is funded through the State Appropriations Process. If they do not approve a raise, COLA or Longevity Pay, would the Board consider funding this cost? He has two court employees that this would affect and he asked the Board to allow him to amend his budget, approximately \$8,200.00, to use County money to compensate these employees.

**The Board agreed to allow the Clerk to amend his budget for Court Employee's, if needed to compensate raises; 2% COLA and Longevity Pay for FY 09/10.**

He also presented the Tax Collector's return, in the amount of \$2,750.24 and the Supervisor of Elections return, in the amount of \$30,048.18.

Equitable Sharing Agreement & Certification: Mr. Gilliam presented the Equitable Sharing Agreement & Certification Agreement for the Chairman's signature.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden to allow the Chairman to sign the Equitable Sharing Agreement & Certification. Motion carried unanimously.***

**Legislation Delegation Hearing:** Mr. Gilliam reminded the Board that the Legislation Delegation Hearing will be held on Monday, November 30, 2009, from 2:00 p.m. until 4:00 p.m., in the boardroom.

### **Commissioners Reports**

Commissioner Tommy Langford: Commissioner Langford stated that he had attended the North Florida Broadband Authority meeting and updated the Board on the issue of the \$50m grant that had been applied for to expand the internet service throughout the 14 counties in Florida. He stated that there were 22 applications submitted and that we are still in the top for qualifying.

Commissioner Langford also addressed the issue replacing the current Alternate Member, Commissioner Sharon Langford, due to meeting times. He stated that Chief Carlos Perez was interested in serving on the Board and establishing a Fire Chief Emergency Management Committee. Commissioner Langford then asked Commissioner Sharon Langford if she was interested in resigning as the alternate member and for the Board to allow Chief Perez to serve in her position.

Commissioner Sharon Langford felt that Chief Perez qualifies to serve and agreed to resign as the Alternate Member representing the GC Board of County Commissioners at the North Florida Broadband Authority meetings.

***Motion made by Commissioner Tommy Langford to appoint Carol Perez to serve as the Alternate Member at the North Florida Broadband meetings... Motion failed due to the lack of a second. Commissioner Sharon Langford will continue to serve as he Alternate Member.***

**Time Certain**

4:00 p.m. Applicant Review for Planning Commission Board Member: Mr. McQueen addressed the issue of the open position on the Planning Commission Board. He stated that at a previous meeting, a copy of all resumes that had been turned in was provided to the Board for their review. All applicants were notified of today's meeting should they wish to address the Board. Madam Chairman then allowed those who were present to speak.

Mr. Shelby Boyette, Mr. James Hastings, Mr. Richard Esseck, and Ms. Chaille Wilson addressed the Board.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to appoint Chaille Wilson, District 1, to fill the vacant seat on the Planning Commission Board to serve the remaining term of Joseph Sullivan; or a term of two years.***

Madam Chairman then called for any discussion... Mr. Gilliam asked if the appointment is for the balance of the term. Mr. McPherson stated that as in the past and to keep things straight, it is for the balance of the term. Mr. McPherson stated that he will put the term and appointment in the form of a resolution and bring back to the next meeting.

Madam Chairman then called for a vote... ***Motion carried unanimously.***

*At this time, the Board and Court Attorney agreed to move the 5:00 p.m. Time Certain up on the agenda...*

**Time Certain**

5:00 p.m. Ordinance 2009-13; Annual Capital Improvement Element Update: Mr. McPherson read the short title as follows:

**ORDINANCE 2009-13**

**AN ORDINANCE OF GILCHRIST COUNTY, FLORIDA, AMENDING THE GILCHRST COUNTY COMPREHENSIVE PLAN RELATING TO THE CAPITAL IMPROVEMENTS ELEMENT FIVE YEAR SCHEDULE OF IMPROVEMENTS; PROVIDING FOR A FINANCIALLY FEASIBLE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE**

Mr. McPherson stated that this is an administrative formality; that's why he agreed that this time certain could be moved up on the agenda. This is an annual update and there is nothing controversial about it. He stated that one of the biggest changes is the addition of the various improvements at Otter Springs Parks, for purposes of the FRDAP Grant.

*Motion made by Commissioner D. Ray Harrison, seconded by Commissioner Kenrick Thomas, to approve Ordinance 2009-13, and to allow the Chairman to sign. Motion carried unanimously.*

**Old Business:** None noted.

**New Business:** None noted.

**Public Participation:** None noted.

**Adjourn:** With there being no further business a motion was made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to adjourn. Motion carried unanimously. Madam Chairman adjourned at 4:21 p.m.

Board of County Commissioners  
Gilchrist County, Florida

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Sharon A. Langford, Chair

Attest:

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Joseph W. Gilliam, Clerk of Court