

## **MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD APRIL 20, 2009**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, April 20, 2009, at 4:00 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 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, Finance Director; Patty McCagh, Board Secretary; John McPherson, County Attorney; Ron McQueen, County Administrator; John Ayers, Gilchrist County Journal; Julee Brideson, Administrative Assistant; Taylor Brown, Planning Director; Justin Watson, Road Department Superintendent; Carlos Perez, Fire Chief; Sheriff Slaughter, GCSO; Donna Creamer, Executive Director, Pure Water Wilderness; Sharon Gall & Robin Riley, PRIA; Spencer Nabors & David Fox, Fred Fox Enterprises; Pamela Morse; Joyce Ferrante; and Richard & Leslie Esseck.

### **Call to Order**

Vice Chairman, Commissioner D. Ray Harrison, Jr., was acting Chairman, in the absence of Madam Chairman, Commissioner Sharon A. Langford, due to the illness of her mother.

Chairman Harrison called the meeting to order at 4:01 p.m. Commissioner Randy Durden delivered the invocation and Commissioner Kenrick Thomas led the pledge of allegiance.

### **Agenda Changes**

- Mr. Gilliam, Clerk of Court, presented the following agenda changes:
  1. Addition: Courthouse Security System Software
  2. Addition: FY 09/10 Budget Preparation
  3. Addition: SHIP: Satisfaction of Mortgage Fee
  4. Addition: FDLE Certificate of Participation
  5. Addition: ONE month detailed travel report from Commissioners
  6. Omission: 5:30 p.m. Time Certain had cancelled
  
- Mr. McQueen, County Administrator, presented the following agenda changes:
  1. Additional Handout: 911 Grant Information
  2. Additional Handout: Fire Grant Writing Services
  3. Addition: NCFRWA Interlocal Final Agreement & Information on Florida Water Projects
  4. Addition: Animal Control request to attend Euthanasia Certification Course
  5. Addition: Building Official request to attend 2009 BOAF Conference
  6. Addition: SREC request for representative

*Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the Agenda with noted changes. McQueen carried 4-0.*

**Consent Agenda**

- **Approval of Minutes**

Budget Workshop ..... March 30, 2009  
Regular Meeting ..... April 06, 2009

**Request for Payment Approval**

**FDACS Division of Forestry**

Fire Control Assessment FY 08/09 ..... \$14,650.44

**Davis Monk & Company**

Progress Billing for Audit Work completed on 2008 Annual Audit ..... \$10,000.00

**Mills Engineering Company**

Invoice 2005063, 2005 Hazard Mitigation Grant AP, for GC Jail ..... \$1,710.00  
Invoice 2006051, Resurfacing GCR232 from SR26 to SR47 ..... \$3,173.91  
Invoice 2006053, Resurfacing GCR344..... \$3,807.13  
Invoice 2007105, Widen & Resurfacing GCR307 & 307a ..... \$2,879.79  
Invoice 2008069, Resurface SE 70<sup>th</sup> Ave ..... \$7,803.72  
Invoice 2009026, Spring Ridge Subdivision – Review Roads ..... \$1,876.00

**VE Whitehurst & Sons, Inc.**

Pay Estimate #4; GCR 307, March 2009 ..... \$132,428.05  
Pay Estimate #1; GC SE 70<sup>th</sup> Avenue, March 2009 ..... \$176,648.92

**Art Walker Construction, Inc.**

Pay Estimate #9; GCR 232 ..... \$121,382.99

**John C. Hipp Construction**

Pay Request #2; Sup. Agreement #1, Bike Path GCR 344/232 ..... \$95,712.56

*Motion made by Commissioner Randy Durden, 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 documents, and/or addressed the following issues.

**Parks & Recreation**

- **Hart Springs Update:** Mr. McQueen stated that an extension on the FRDAP grants had been requested from the State. The State indicated that it could affect our future applications. Ms. Julie Harrison, Park Manager, is planning on meeting the deadline, which is April 30, 2009.
- **Otter Springs Grant Submission & Chamber Grant Submission Information:** Mr. McQueen stated that an application for a matching grant had been submitted, benefiting Otter Springs and the Chamber of Commerce.

If awarded, it will be brought back to the Board, for acceptance. A Letter of Support has been drafted for the Chamber of Commerce as well. No Board action required.

Nature Coast Regional Water Authority Grant Submission: Mr. McQueen presented an application requesting the Boards approval and authorizing the Chairman to sign, for the submission of the Nature Coast Regional Water Authority Grant, in the amount of \$3 million, for Well Field & WTP.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve the grant application for the Nature Coast Water Authority, in the amount of \$3 million, for Well Field & WTP, and authorize the Chairman to sign. Motion carried 4-0.***

NCRWA Interlocal Agreement: Mr. McQueen presented for the Boards approval and Chairman's signature, the FINAL draft of the Interlocal Agreement Relating to Establishment of the Nature Coast Regional Water Authority.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve the FINAL draft of the Interlocal Agreement creating the NCRWA. Motion carried 4-0.***

911 Grant Information: Mr. McQueen updated the Board on the 911 Grants Submission prices. He stated that 911 grants require submission of at least three (3) quotes and prices as part of the grant process.

- The *911 System Replacement* Grant was awarded, in the amount of \$207,560.55, from three quotes. The quotes were as follows:

Positron Public Safety Solutions	\$223,587.17
AT&T	\$216,226.70
<b>AK/PlantCML Services</b>	<b>\$207,560.55</b>

It was recommended that the bid process be waived and enter into contract with AK/PlantCML Services due to the fact they were the LOW quote and that the current system is functionally obsolete, there is no maintenance contract and it could create a public safety emergency if it were to fail.

The *911Mapping* was derived from three quotes:

DDT Inc.	\$18,280.00	Did not include all components
GeoComm	\$30,705.00	
<b>Contact One</b>	<b>\$28,707.00</b>	

It was recommended that the bid process be waived and enter into contract with Contact One, in the amount of \$28,707.00.

The grant that was awarded for the *911 Recorder Maintenance*, in the amount of **\$6,329.00**, is system specific and will pay for maintenance on our current system to the current vendor.

*Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to implement the plans that have been awarded and are already in place (911 System Replacement, 911 Mapping, and 911 Recorder maintenance) waiving bid requirements, and to move forward with the installation of the system based on the County Administrator's recommendation, and to allow the Chairman to sign. Motion carried 4-0.*

#### **4:15 p.m. Time Certain; Road Department Report**

Mr. Justin Watson, Road Department Superintendent, updated that Board on the roads that are closed and damages caused due to flooding. He also stated that speed limit signs have been placed on NW 72<sup>nd</sup> Place (Moore Grade) and on SE 30<sup>th</sup> Street.

#### **County Administrator's Report continued...**

##### **Fire**

- **Forestry 50/50 Grant:** Mr. McQueen stated that an application for the 50/50 Forestry Grant has been submitted, in the amount of \$17,568.25, for Fire Services & Equipment (for radios). Quotes were received from Motorola and a Motorola Distributor, Tri-Co Communications, Inc. The radios are not on state contract and only one vendor was contacted for quotes. Chief Perez stated that this vendor is a sole source for the radios and request that the bid requirements be waived.

*Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the 50/50 Forestry Grant Application for Fire Services & Equipment (for radios), in the amount of \$17,568.25; subject to the receipt of a Sole Source letter from Chief Perez and to allow the Chairman to sign. Motion carried 4-0.*

##### **Time Certain**

**4:30 p.m. Time Certain; Ms. Sharon Gall, PRIA:** At this time, 4:38 p.m., Ms. Sharon Gall, Vice President Employee Benefits, and Robin Riley, Account Representative/Human Resource, with Brown & Brown – Public Risk Insurance Agency, addressed the Board with a presentation on consulting services for employee benefits for Health, Life & Dental and Vision.

*Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to enter into a contract with PRIA subject to review of contract by County Attorney and allow the Chairman to sign. Motion carried 4-0.*

**4:45 p.m. Time Certain; Donna Creamer, Pure Water Wilderness:** At this time, 5:01 p.m., Ms. Donna Creamer, Executive Director for PWW, addressed the Board presenting information on the 1<sup>st</sup> Annual Suwannee River Cleanup Event to be held on Saturday, May 2, 2009, from 9:00 a.m. – 2:00 p.m.; due to flooding, the cleanup will be postponed and rescheduled for a Saturday, sometime before July 2009.

**5:00 p.m. Time Certain; Fred Fox Enterprises:** At this time, 5:07 p.m., Mr. David Fox and Fred Nabors addressed the Board and stated that the County is currently eligible to apply for CDBG grants, in the amount \$750,000. Discussion took place concerning the different grant categories and fundable projects.

*Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to allow Staff to meet with Fred Fox Enterprises, develop a project and bring back a recommendation. Motion carried 4-0.*

**5:15 p.m. Time Certain; Adoption Hearing for Ordinance 2009-04, Noise Ordinance:** At this time, 5:25 p.m., County Attorney John McPherson presented Ordinance 2009-04, Noise Ordinance. He read the short title as follows:

**ORDINANCE 2009-04**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, ADOPTING NOISE REGULATIONS; MAKING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS, EXEMPTIONS, AND PROHIBITED NOISE LEVELS; PROVIDING FOR ENFORCEMENT; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.**

Mr. McPherson stated that this ordinance has been designed for enforcement based on a plainly audible standard. There are exemptions and clarifying language has been added to make sure that it doesn't apply to domesticated animals, only to pets, with regards to the restrictions on persistent barking. The way it's drafted right now, it's limited to the night time hours of 11:00 p.m. until 6:00 a.m. This ordinance could be enforced by either the Sheriff's Office or Code Violation Official. Discussion took place...

Sheriff Slaughter, as well as a few concerned citizens, addressed the Board with their feelings on the proposed Noise Ordinance. Sheriff Slaughter pointed out and addresses sections of the ordinance he had questions on.

Sheriff Slaughter stated that he is totally opposed to the ordinance reflecting the hours of 24/7.

After discussion, the following three (3) proposed changes are to be considered: changing the hours to 24/7, exempting kennels, and making it clear that willful violators may be charged with a misdemeanor.

*Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford to direct the County Attorney to redraft the ordinance with the proposed noted changes, and be brought back at the May 4<sup>th</sup> meeting for an Adoption Hearing, set for 2:30 p.m.*

Discussion took place...

*Motion carried 3-1, with Commissioner Kenrick Thomas voting NO.*

**County Administrator's Report continued...**

- **AFG Grant Writer:** Mr. McQueen presented the request from Chief Perez, for a Grant Writing Consultant to assist with AFG Grants. A typical grant cost approximately \$3,000 - \$4,000 to write. Chief Perez stated that there funds available in the Fire budget to cover this cost. He submitted a recommendation to hire Mr. Terry Welker who presently resides in Arizona. Discussion took place...

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the request to hire Grant Writer, Terry Welker, to be funded out of Fire, with cost to be no more \$4,000.00. Motion carried 4-0.***

- Florida Crown Work Experience Program Agreement: Mr. McQueen presented a request from EMS Chief Linda Walker, to authorize an agreement with Florida Crown Workforce, for two (2) interns to participate in a summer workforce program. There is no cost to the County.

***Motion made by Commissioner Tommy Langford seconded by Commissioner Kenrick Thomas to approve the agreement with Florida Crown Workforce Board, Inc., for a summer workforce program, and to allow the Chairman to sign. Motion carried 4-0.***

FAC 2009 Annual Conference & Educational Exposition: Mr. McQueen addressed the issue of the upcoming FAC 2009 Annual Conference and requested that anyone who is interested in participating to let him know so reservations can be made as soon as possible.

Animal Control: Mr. McQueen presented a request for Karen Fisher to attend Euthanasia Certification Course, approximate cost \$250.00.

***Motion made by Commissioner Randy Durden, seconded by Tommy Langford, to approve the travel request for Karen Fisher to attend the Euthanasia Certification Course, cost of \$250.00. Motion carried 4-0.***

Building Official: Mr. McQueen presented a request for Mr. Frank Ritter to attend 2009 BOAF Conference, for three (3) days, cost of \$675.00.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the request for Frank Ritter to attend the BOA Conference, cost of \$675.00. Motion carried 4-0.***

Suwannee River Economic Council, Inc.: Mr. McQueen presented a request from SREC that the Board of County Commissioners appoints a representative to serve on their Board. Commissioner Sharon A. Langford would like to continue to serve as the representative.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to approve the reappointment of Commissioner Sharon A. Langford to the SREC Board. Motion carried 4-0.***

### **Attorney's Report**

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

Ordinance 2009-03; Imposition of Special Assessment District on New Subdivisions: Mr. McPherson stated that this ordinance will be noticed for adoption hearing at mid-May meeting.

Ordinance 2009-04; Noise Ordinance: Mr. McPherson stated that this ordinance will be continued at the first meeting in May.

Ordinance 2009-05; Small Scale Land Use Map Amendment: Mr. McPherson stated that this ordinance will be noticed for adoption hearing at mid-May meeting.

Ordinance 2009-06; Parks and Recreation: Mr. McPherson stated that this ordinance will be noticed for adoption hearing at mid-May meeting.

Resolution 2009-17; Park Fees: Mr. McPherson stated that the revised resolution will be brought back to the next meeting.

RFQ for Engineering Services: Mr. McPherson stated that he is still working with Joe and Ron on a contract to use with each of the three engineering firms.

Concurrency Legislation relating to State Road 26: Mr. McPherson stated that a lot of concurrency changes are being proposed in various pieces of legislation and we'll just have to see how it all comes out.

Review of Medical Bills with Joyce Ferrante: Mr. McPherson stated that the medical bills will be addressed during the Clerk's Report and Ms. Ferrante will report to the Board at that time.

Firing Range Insurance Issues: Mr. McPherson stated that he had spoken with Paul Dawson, insurance agent. He recommends against us requiring users of the firing range to purchase accident insurance that would pay for injuries regardless of fault to members. Mr. Dawson felt that this would be unduly expensive and hard to acquire this type of insurance. Mr. Dawson recommended that we should require that they have liability insurance at the \$1 million dollar level making the County *Other Insured*.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas that the users of the firing range are required to obtain liability insurance in the amount of \$1 million or come before the Board if that cannot provide such proof. Motion carried 4-0.***

Saunders v. Gilchrist County: Mr. McPherson stated that the Appellate panel met on April 2nd and decided not to have oral argument in this case; it's just a matter of waiting for the panel to issue a decision.

Gilchrist County v. Richard: Mr. McPherson stated that a hearing to determine whether Ms. Richard has complied is set for April 28, 2009, at 9:15 a.m., in Judge Glant's chambers.

FAC, etc. v. Conflict Counsels and Department of Revenue: Mr. McPherson stated that the State has appealed the Circuit Court ruling, in favor of the counties. No activity.

### **Clerk's Report**

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

DEP Letter on Solid Waste: Mr. Gilliam discussed a letter received from the Department of Environmental Protection in reference to the escrow agreement for the Gilchrist County Central Landfill and Solid Waste Transfer Station. He stated that the letter acknowledges that their review of the agreement reveals it is in order.

The letter also states that for the acceptance of future submittals they request that we direct our auditors to provide an audit that meets the requirements of the F.A.C., and our county auditors have been notified.

Request from Tax Collector: Mr. Gilliam presented the request for reimbursement of postage, in the amount of \$699.01, from the Tax Collector, for the mailing of 2008 Reminder Notices.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the reimbursement of postage, in the amount of \$699.01, to the Tax Collector, for the mailing of the 2008 Reminder Notices. Motion carried 4-0.***

Budget Recap and Revenue Reports: Mr. Gilliam and Ms. Jacki Johnson, Director of Finance, reviewed the Budget Recap for Fiscal Year 2009 and Revenue Reports through March 2009. Discussion only, no Board action required.

Inmate Medical Bill Discussion: Mr. Gilliam and Ms. Joyce Ferrante addressed the issue of the Inmate Medical Bills.

Ms. Ferrante updated that Board on the status of the outstanding Inmate Medical Bills. She is still working on obtaining an audit of the medical records from the hospitals, but it is not their policy to share this information; we have been informed that before this can happen we must pay 90% of the bill and an additional \$500 to have access to audit the bills for accuracy. She requested that the Board draft a letter negotiating with NFRMC that an exception to this policy is granted and a relationship be developed with North Florida Regional Medical Center, in which we can audit these bills in conjunction with your auditors, and then the bills can be approved for payment in a more expedient manner.

Mr. Gilliam addressed the issue of Inmate Medical Bills, from November 2008, that are in collections for payment. These bills are still in question whether the charges are accurate. He stated that Ms. Ferrante was authorized to review ten (10) bills at a time; with new bills coming in, this will put her over the authorized limit. He requested direction from the Board. Mr. Gilliam stated that if he maybe able to negotiate a lower settlement, for the Inmate Medical Bills on Blackerby and Johnson, would the Board authorize him to pay the bills.

Ms. Ferrante asked for a little bit more time, the rest of this week, to try and get the bills reviewed for accuracy, before payment is made. Mr. Gilliam suggested that a time frame be set before he negotiates settlement, allowing time for Ms. Ferrante to satisfy her review.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to allow the Clerk to negotiate payment on Inmate Medical Bills for Blackerby and Johnson, after April 27, 2009, and to authorize the Chairman to sign a letter to be sent to NFRMC, for audit and to contest billing. Motion carried 4-0.***

The issue of the billing of NFRMC is reason to consider taking the prisoners elsewhere. The recommendation of taking them to Shands, in lieu of NFRMC, was addressed. It appears that Shands is easier to work with in the billing department. Discussion continued...

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve transporting prisoners to Shands (if condition of patient needs immediate attention the closer hospital is approved) and that the proper authorities are notified. Motion carried 4-0.***



Resolutions and Budget Entry amending the Current Capital Obligations Budget: Mr. Gilliam presented the following resolutions and accompanying budget entry for the Boards approval:

- Resolution 2009-18; Amending the Current Capital Obligations Budget; E911 Rural County Grant, to provide 911 recording maintenance, \$6,329.00

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve Resolution 2009-18, in the amount of \$6,329.00, for 911 recording maintenance. Motion carried 4-0.***

- Resolution 2009-19; Amending the Current Capital Obligations Budget; E911 Rural County Grant, to provide a 911 GIS Data Management System, \$28,707.00

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve Resolution 2009-19, in the amount of \$28,707.00, for 911 GIS Data Management System. Motion carried 4-0.***

- Resolution 2009-20; Amending the Current Capital Obligations Budget; E911 Rural County Grant, to provide a new 911 System with mapping capability and installation, training and maintenance, in the amount of \$207,560.55
- BE09-023, Fund 190, Current Capital, \$242,596.55

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve Resolution 2009-20, in the amount of \$207,560.55, for 911 System for mapping capability and installation, training and maintenance; and BE09-023, in the amount of \$242,596.55. Motion carried 4-0.***

Ingersoll Rand Contract: Mr. Gilliam addressed the need for a service contract for Courthouse security. He presented a 1-year service contract from Ingersoll Rand, in the amount of \$1,159.28. The proposed system would include Software Support Video Channels and a Lenel Software Support Plan. Funds for the cost of this maintenance agreement will be funded out of Courthouse Operations.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the 1-year Service Agreement with Ingersoll Rand, in the amount of \$1,159.28, for the Courthouse Security. Motion carried 4-0.***

Byrne Grant Certificate of Participation: Mr. Gilliam presented the FDLE Certification of Participation, for the Byrne Grant application process, for Boards approval and to allow the Chairman to sign.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to allow apply for the Byrne Grant, and to allow the Chairman to sign the Certificate of Participation. Motion carried 4-0.***

FY 2009/2010 Budget Preparation: Mr. Gilliam asked for direction from the Board on guidelines to be forwarded to the Constitutional Officers, for preparation of their FY 09/10 budgets. Discussion took place...

The following guidelines were recommended:

1. No Pay or Step Plan Increases (Only Longevity Pay)
2. Fuel, Lube & Utilities will be figured on actual FY 08/09 expenses
3. Decrease budget 15% on Outside Agencies

**The Board agreed for the above noted guidelines to be followed in preparation of FY 09/10 budgets.**

Satisfaction of Mortgage Fees: Mr. Gilliam addressed the issue of the Satisfaction of Mortgage Fee that is collected. He stated that historically under the SHIP mortgages, when they roll off in the ten years, the satisfaction of mortgages is prepared and recorded, and a recorded copy is sent to the recipient. All of a sudden we have been getting a check from the recipient to pay for the recording fee, when we are given the satisfaction. Mr. Gilliam asked for the approval that the Board to assume the recording fee, as in the past. Board agreed.

**Commissioners Reports**

**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, seconded by Commissioner, to adjourn the meeting. Motion carried unanimously. Madam Chairman adjourned at 7:49 p.m.

Approved:

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Sharon A. Langford, Chair  
Gilchrist County, Florida  
Board of County Commissioners

Attest:

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Joseph W. Gilliam, Clerk of Court