

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JULY 20, 2009.**

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

**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; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement; Julee Brideson, Administrative Assistant; Taylor Brown, County Planning Director; Billy Cannon, Road Department Superintendent; Phil Bishop, Bailey Bishop & Lane; Debra Miller, and Bill Henderson, FDOT; Alice McClellan, Davis Monk & Company; Joyce Ferrante; Harley Pfaffenberger; Gene Parrish; Michelle Crawford; Todd Gray; Richard & Leslie Esseck; Tara Adkins; Chaille Wilson; Kyle Stone, Executive Director, GC Chamber of Commerce; Diane Clifton; and Scott Tucker.

**Call to Order:** Madam Chairman called the meeting to order at 4:02 p.m. with Commissioner Tommy Langford delivering the invocation and Commissioner D. Ray Harrison, Jr. led the pledge of allegiance.

**Agenda Changes**

- Mr. Gilliam, Clerk of Court, presented the following agenda changes:
  1. Addition: Use of Boardroom; Organizations that are already scheduled for use of the BOCC Meeting Facility (Boardroom) on a monthly basis
  2. Addition: Results on Bids for Loan to finance Fire Truck
  3. Addition: Appointment of Alternates for VAB Citizen Members
  
- Mr. McQueen, County Administrator, presented the following agenda changes:
  1. Addition: Request to attend City of Trenton's meeting tonight
  2. Addition: Acceptance of Employee Resignation – J. Harrison
  
- Mr. McPherson, County Attorney, presented the following agenda change:
  1. Addition: Letter to the City of Trenton in regards to Animal Control

***Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the Agenda as presented, with noted changes. Motion carried unanimously.***

**Consent Agenda**

**Approval of Minutes**

Regular Meeting ..... July 06, 2009

**Request for Payment Approval**

**V.E. Whitehurst & Sons, Inc.**

Pay Estimate No. 7; GCR 307 ..... \$310,088.02  
Pay Estimate No. 2; GCR 313 ..... \$322,866.23

**Art Walker Construction, Inc.**

Pay Request No. 12 (FINAL); GCR 232 ..... \$286,612.21

**Mills Engineering Company**

Invoice 2006051, GCR 232, 6/1/2009 - 6/30/2009 ..... \$4,475.32  
Invoice 2007104, GCR 313, 6/1/2009- 6/30/2009 ..... \$6,481.57  
Invoice 2007105, GCR 307 & 307A, 6/1/2009 - 6/30/2009 ..... \$10,325.99  
Invoice 2009049, Gilchrist County Landfill ..... \$2,133.15

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to approve the Consent Agenda as presented. Madam Chairman called for any discussion...***

Commissioner Durden pointed out a correction to be made in the minutes from July 6, 2009. The correction to be made is as follows: (~~remove strikethrough~~ add underlined)

...pg 12 of the agenda packet, last page of the minutes...

**Nature Coast Regional Water Authority:** Mr. Gilliam presented, for the Boards information that the Nature Coast Regional Water Authority has been established as special district (without taxing authority) with the Special District Information Program by Interlocal Agreement pursuant to Section 163.01, F.S.

Commissioner Durden stated that he had provided finance with the request for payment, in the amount of \$5,000.00 to the Nature Coast Regional Water Authority, for an annual one-time assessments.

***Madam Chairman called for any further discussion...none noted. Motion is to include the noted change. Motion carried unanimously.***

**County Administrator's Report**

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

SRWMD - Repairing Existing Roads within River Floodways: Mr. McQueen presented a letter that Billy Cannon, Road Department Superintendent, had received from the Suwannee River Water Management District, providing the County with guidance on repairing existing

roads within the river floodway and flood zones. The letter stated that it had been determined, per a recent field review, that loads of fill material (limerock) had been placed in various locations within the floodway.

Based on past guidance and this current letter, adding fill in the floodway is a violation of Chapter 40B-4. The SRWMD requires that unauthorized fill placed within the floodway, which has raised roadway grades higher than grades prior to the last flooding event, be removed from the floodway. It was the direction of the SRWMD that no additional fill be deposited in the floodway. District Staff will need to conduct an inspection of recently filled locations to determine which areas still need maintenance to determine what maintenance activities are authorized under the guidance of this letter.

Mr. Cannon is to contact the SRWMD to schedule a field inspection. No Board action required.

Agenda Change; Request to attend City of Trenton's Meeting: Mr. McQueen requested permission to attend the City of Trenton's meeting. He stated that they had requested his presence to attend their meeting at 5:30 p.m. this afternoon. The City of Trenton had previously sent a letter requesting an increase of \$7,500.00 a year, for their Fire Protection Agreement. He stated that he had informed Mr. Ottenwess that this issue would be addressed during the County's budget process.

**BOCC agreed that the County Administrator leave the City of Trenton's Fire Protection Agreement at \$25,000.00 and NOT amend it as requested by the City of Trenton, for additional funding.**

**4:15 p.m. Time Certain:** All parties weren't present at this time so the Board continued with the proposed agenda until they arrived.

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

#### **S.H.I.P.**

Mr. McQueen presented the following SHIP issues for the Boards consideration on behalf of the SHIP Administrator:

- New Applicant: Rhea & Joseph Zabry, LOW Income, Purchase Existing, \$29,000.00

The SHIP Loan Review Committee recommends approval.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to approve SHIP Loan in the amount of \$29,000.00 for Rhea & Joseph Zabry. Motion carried unanimously.***

Mr. McQueen presented three (3) requests for subordinations. They are as follows:

- Request from Linda Bass: Mr. McQueen stated that there is not enough information provided for action to be taken. He will readdress at the next meeting.
- Subordination for Paul Troke: Mr. McQueen reviewed the analysis on the subordination for the SHIP Loan, for Paul Troke.

He stated that the County would be in the same position that they currently hold. This would allow refinancing with a lower interest rate, lowering the monthly payment. No new money involved.

The SHIP Loan Review Committee recommends approval.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Randy Durden to approve the SHIP Loan Subordination on Paul Troke. Motion carried unanimously.***

- Subordination for Justin & Nicole Barron: Mr. McQueen reviewed the analysis on the subordination for the SHIP Loan, for Justin & Nicole Barron. He stated that this applicant does not meet guidelines for subordination; currently has three (3) mortgages and will receive over \$18,000.00 in hand and will keep an open line of equity credit.

The SHIP Loan Review Committee denied the request for subordination not meeting the guidelines.

***Motion made by Commissioner D. Ray Harrison, seconded by Commissioner Randy Durden, to DENY the Subordination request for Justin & Nicole Barron, following the recommendation of the SHIP Loan Review Committee. Motion carried unanimously.***

#### **4:15 p.m. Time Certain**

FDOT and PBS&J, FINAL Presentation of the SR 26 project: Mr. Bill Henderson and Ms. Debra Miller, with the FDOT, and Mr. Greg Garrett with PBS&J, addressed the Board with the FINAL presentation of the SR 26 PD&E Study and proposed route. The floor opened for discussion. No Board action required.

#### **4:30 p.m. Time Certain**

Road Department Report: The June 2009 Monthly Limerock Report was submitted as part of the agenda packet for the Boards review.

Mr. Billy Cannon, Road Department Superintendent, presented an update on the information he had obtained on the costs and warranties on the Air Curtain. He had just received the figures just a few minutes prior to the meeting this afternoon and will demonstrating a used one and will report back at the next meeting.

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

Otter Springs: Mr. McQueen presented an update on Otter Springs. He stated that Staff had met with the SRWMD and that they are putting in their share of work and that the County is moving forward on the road project. He also stated that grant applications are being prepared even though funds are not available this year; submissions of applications are still being accepted. He requested permission to move forward with submitting the FRDAP grant applications. Board agreed.

Surplus Fire Truck: Mr. McQueen requested that he be allowed to pull this item from the agenda because this will be included as part of the Countywide Surplus sale.

American Planning Association Conference: Mr. McQueen requested permission to allow Taylor Brown, Planning Director, to attend the American Planning Association Conference to be held on September 15-18, 2009, Jacksonville, Florida.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve travel for Taylor Brown to attend the American Planning Association Conference, pending the availability of funds within his budget. Motion carried unanimously.***

Resignation of Tim Bracewell: Mr. McQueen presented the resignation of Tim Bracewell, MIS, who has accepted a position with the Gilchrist County Sheriff's Office, for the Boards acceptance. Effective July 30, 2009.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Randy Durden, to accept the resignation of Tim Bracewell. Motion carried unanimously.***

#### **4:45 p.m. Time Certain**

Davis, Monk & Company: Ms. Alice McClellan with Davis, Monk & Company, presented an update on the FY 2008 Audit. She stated that the audit went well and qualified as Unqualified Opinion (the best that you can get).

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

Hart Springs: Mr. McQueen presented the resignation from Julie Harrison, Hart Springs Manager, for the Boards acceptance. Effective immediately. He recommended that the position be filled on an interim basis.

A review of the applications that are on file from the advertising of the manager's position at Otter Springs will be considered.

***Motion made by Commissioner Randy Durden, seconded by Commissioner D. Ray Harrison, to accept the resignation of Julie Harrison, Hart Springs Manager. Motion carried unanimously.***

Website Maintenance: Mr. McQueen addressed the issue of establishing a contract with Mr. Bill Kilborn to maintain the County's website. He stated that he has received a quote from Mr. Kilborn for the cost of services, \$850.00 for the first year, and \$25.00/month after the first year. He requested authorization to move forward on obtaining Mr. Kilborn's services.

**The Board agreed to contract with Bill Kilborn to maintain the County's website @ \$850.00, first year and \$25.00/mo after first year.**

#### **Attorney's Report**

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

Ordinance 2009-\*\*: Family Lots and Dry Pipes: Mr. McPherson stated that this ordinance will be brought before the Planning Commission meeting in July, and then to the County Commission in August. In the meantime, the Planning Department is following the stated County policy of not requiring agricultural classification for family lot splits.

Ordinance 2009-\*\*: Suspension and Debarment of Vendors: Mr. McPherson stated that he had sent this draft ordinance to Lee Mills for his review. Mr. Mills agreed that we should move ahead and Mr. McPherson suggested that this ordinance be set for an adoption hearing.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford to set the ordinance for Suspension and Debarment of Vendors for an adoption hearing. Motion carried unanimously.***

Firing Range Insurance Issues: Mr. McPherson presented a copy of the U.S. Naval Sea Cadets proof of liability insurance in the amount of \$1,000,000.00. He stated that the Sheriff will be notified of the receipt of the proof of liability insurance for both the Gilchrist County 4-H and the U.S. Naval Sea Cadets and they may continue use of the firing range.

Request for Attorney General Opinion on Code Enforcement Issue: Mr. McPherson stated that he has spoken with Virginia Delegal, FAC Attorney, and she recommended emailing the letter out to all the County Attorneys. He has responded to their emails and thinks that this issue needs legislative action. He suggested that we leave our codes in place and request FAC make this a legislative priority. Discussion took place...

**The Board directed the County Attorney to proceed with drafting language and to ask FAC to make this a legislative issue for failure to pay a civil citation.**

Saunders v. Gilchrist County: Mr. McPherson stated that the building department has made a demand on Ms. Saunders to apply for a building permit by a date certain. Ms. Saunders had called in to say that she was going on vacation and can't meet the date and as soon as she gets back she will come in and apply for a building permit. Vacation time was considered and upon her return she is to apply for permit.

FAC, etc. v. Conflict Counsels and Department of Revenue: Mr. McPherson stated that a decision has been received from the First District Court of Appeals upholding the trial courts decision of being unconstitutional and violating Article V.

Agenda Change - Letter to the City of Trenton: Mr. McPherson presented a letter that he had drafted to the City of Trenton in reference to their termination of the Animal Control Agreement. Discussion took place...

**The Board agreed to allow the County Attorney to move forward with the letter to the City of Trenton on opting out of Animal Control.**

### **Clerk's Report**

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

Line of Credit Extension: Mr. Gilliam addressed the issue of extending the line of credit, in the amount of \$1.5 million, that will be expiring as of July 20, 2009. These funds were used

to cover current road project invoices pending the reimbursement of state funds. Mr. Gilliam asked that the Board approve a three (3) month extension through October 20, 2009. Mr. Gilliam asked the Board to approve Commissioner Tommy Langford to be allowed to sign the extension documents along with the Clerk.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to approve the three (3) month extension to October 20, 2009 and to allow Commissioner Tommy Langford to sign along with the Clerk. Motion carried unanimously.***

County Road 232: Mr. Gilliam stated that the County undertook a widening project above and beyond the SCRAP funds allotted for the CR 232 project, in the amount of \$303,483.86. He stated that we have the option of paying for it out of Transportation Impact or consider debt services. If we pay the full amount out of Transportation Impact it will reduce the fund balance to a fairly low amount; or payment can be made partially out of Transportation Impact and part Debt Services, or payment in full by Debt Services. He requested direction from the Board.

***Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to pay half of the \$303,486.86 out of Transportation Impact and the other half to be financed; Finance will bring back financing options at the next meeting. Motion carried unanimously.***

Inmate Medical Bills; Inmate John Curtis Brooks: Mr. Gilliam presented medical bills on inmate John Curtis Brooks, for payment approval.

Mr. Gilliam had contacted Shands and was able to negotiate a 50% discount on the following invoice...

- **Shands at UF; July 10, 2009, \$8,690.10; 50% discount ..... \$4,345.05**

***Motion made by Commissioner Randy Durden, seconded by Commissioner D. Ray Harrison, to approve the medical bill for inmate John Curtis Brooks to Shands, in the amount of \$4,345.05. Motion carried unanimously.***

- **Florida Clinical**
  1. July 10, 2009 ..... \$362.00
  2. July 10, 2009 ..... \$163.00
  3. July 14, 2009 ..... \$483.00
  4. July 14, 2009 ..... \$48.00
  5. July 14, 2009 ..... \$125.00
  6. July 14, 2009 ..... \$168.00
  7. July 14, 2009 ..... \$169.00
  8. July 14, 2009 ..... \$477.00

Mr. Gilliam stated that he is in the process of obtaining a contact person to negotiate a discount on the above noted bills.

***Motion made by Commissioner Randy Durden, seconded by Commissioner D. Ray Harrison, to approve payment on medical bills to Florida Clinical, for inmate John Curtis Brooks, subject to the Clerk negotiating a discount; if unable to obtain a discount, the Clerk will bring back to the Board. Motion carried unanimously.***

Resolution 2009-26; Library Grant: Mr. Gilliam addressed the need for a resolution to back up the application that will be submitted for a library construction grant; although the County's application may be approved, the award of the grant is subject to the availability of funds. Madam Chairman read the short title as follows:

**RESOLUTION 2009-26**

**A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE CHAIRMAN TO SIGN AND SUBMIT AN APPLICATION FOR A PUBLIC LIBRARY CONSTRUCTION GRANT; PROVIDE ASSURANCE THAT THE REQUIRED MATCH FOR THE GRANT WILL BE AVAILABLE; PROVIDING OTHER ASSURANCES REGARDING CONSTRUCTION AND USE OF THE LIBRARY FACILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Randy Durden, to approve Resolution 2009-26. Madam Chairman called for any discussion...*

Commissioner Durden stated to clarify the match requirement that like last year, if the grant were to be awarded the match would more than likely be waived because of the fact the Gilchrist County is fiscally constrained. With there being no more discussion...the *Motion carried unanimously.*

Insurance Renewal: Mr. Gilliam addressed the issue of the 2 year renewal proposal for Property, Casualty, Auto and Workers Comp Insurance from P.G.I.T. He reviewed the renewable premium and requested the Boards permission to renew at the agreeable rate for the 2 year renewal option.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve the 2 year renewal option for Property, Casualty, Auto and Workers Comp Insurance with P.G.I.T. Motion carried unanimously.*

**5:15 p.m. Time Certain**

Vision Committee Update: Mr. Taylor Brown, GC Planning Director, addressed the Board and introduced Michelle Crawford, Vision Committee Chair. Ms. Crawford presented the Gilchrist County 2030 Vision Final Report; An evaluation of *and* update to the Gilchrist County 2020 Vision. Upon the conclusion of Ms. Crawford's presentation the floor opened for discussion... Mr. Brown thanked the committee and the citizens of the county for their support. The Commissioners also thanked all those involved on this project. Ms. Crawford requested that the Board consider posting the Vision Statement in the Boardroom.

Madam Chairman called for any public comment...members of the audience participated.

*Motion made by Commissioner Randy Durden, seconded by Commissioner D. Ray Harrison, to accept the 2030 Vision Statement. Motion carried unanimously.*

**5:45 p.m. Time Certain**

FY 09/10 Proposed Budget Presentation: Mr. Gilliam represented the budget recap which included changes that took place after 7/06/09. His presentation also included a review of TRIM, TRIM Compliance Options for the General Fund and EMS-MSTU, TRIM dates and Comparison Taxable Values.

Upon conclusion of Mr. Gilliam's budget presentation, he requested direction from the Board on what millage rate should be considered for use on the TRIM Notices.

He proposed the roll back rate of \$8.6789 for TRIM Notices and budgeting purposes. Discussion continued...

***Motion made by Commissioner D. Ray, seconded by Commissioner Tommy Langford, to adopt the roll back rate of \$8.6789. Motion carried unanimously.***

Mr. Gilliam recommended the roll back rate of \$1.0996 for EMS-MSTU budgeting purposes.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to adopt the roll back rate of \$1.0996 for EMS-MSTU. Motion carried unanimously.***

Schedules for Budget Workshops were discussed...dates for a budget workshop to discuss the proposed budgets for the Constitutional Officers were considered. Mr. Gilliam will schedule a budget workshop for Constitutional Officers and inform all parties of date and time.

With there being no further discussion this concluded the budget workshop.

### **Clerk's Report continues...**

Request for the use of county facility: Mr. Gilliam presented a request made by the Gilchrist Tea Party for the use of the Boardroom. Discussion took place... Commissioner Durden reminded the Board that it was decided at the last meeting that the GC BOCC Meeting Facility is not on the list of County Building for public use; it is only to be used by government agencies.

**The Board denied the request of the Gilchrist Tea Party Group for the use of the Boardroom.** The Clerk will notify the Tea Party of the Board's decision.

Agenda Changes: Mr. Gilliam presented the following agenda changes...

Use of Boardroom: Mr. Gilliam presented a list of organizations that are currently scheduled for the use of the Boardroom. They are as follows:

1. **Senator Oelrich's Staff;** Public Service, first Monday of the month from 9:00 a.m. until NOON, through the end of year
2. **SHIP Loan Review Committee** 3:30 p.m. and **SHIP Class** 6:00 p.m. on the first Thursday of the Month; through the end of the year
3. **Planning Commission Meeting;** fourth Monday of the Month, at 6:00 p.m.
4. **North Central Florida Regional Planning Council (NCFRPC)** uses the Boardroom quarterly for the Transportation Disadvantaged Coordinating Board Meeting from 1:30 p.m. until 3:30 p.m. (approx.) usually the third Wednesday of the month and they call a month ahead of time to schedule  
**Animal Control** also uses the boardroom for their meetings.

**Continued use by these organizations was acceptable by the Board with the understanding that the Board of County Commissioner's schedule takes priority.**

Bid Results on Fire Truck loan: Ms. Jacki Johnson, Director of Finance, addressed the Board with the results of the bids that were received for the Tanker/Pumper Fire Truck loan. She had sent out three (3) bid packages and only received one (1) back. Ameris Bank was the only bid package returned. Their options for the Boards consideration are as follows:

1. Loan Amount        \$206,712.00  
Term                    10 *annual* payments beginning September 2010  
Rate                    4.37 fixed for ten (10) annual payments
  
2. Loan Amount        \$206,712.00  
Term                    7 *annual* payments beginning September 2010  
Rate                    4.125 fixed for seven (7) annual payments

***Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve the bid received from Ameris Bank at 4.125 fixed rate for seven (7) annual payments, for the financing of the Tanker/Pumper Fire Truck. Motion carried unanimously.***

Appointment of VAB Alternate Citizen Member: Mr. Gilliam addressed the need to appoint an *alternate* member for the Citizen Member of the Value Adjustment Board; the Board will select one and the School Board will select one. Alternates need to be appointed just in case the appointed member is not able to be present. Commissioner Tommy Langford recommended that the Board consider Mr. Lowell Chesborough to serve as the *Alternate* Citizen Member for the VAB.

***Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, to appoint Mr. Lowell Chesborough to serve as an alternate citizen member of the Value Adjustment Board, subject to he acceptance.*** The Clerk will contact Mr. Chesborough. ***Motion carried unanimously.***

**Commissioners Reports:** None noted.

**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 6:35p.m.

Attest:

\_\_\_\_\_  
Joseph W. Gilliam, Clerk of Court

Approved:

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