

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JANUARY 19, 2010.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on **Tuesday, January 19, 2010**, 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, Jr., Chairman
Commissioner Tommy Langford, Vice Chairman
Commissioner Randy Durden
Commissioner Sharon A. 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 Supervisor; Taylor Brown, GC Planner; Nancy Nieman, Otter Springs Manager; Miles McElroy & Reggie Horton, White Ford Company, Inc.; Steve Gladin; Steve Dopp, NCFRPG; Mr. & Mrs. David Padot, Sr. and David Padot, Jr., Riverwalk; Michelle Walker Crawford, Roosevelt Stalvey and Craig Watson, GC Planning Commission; and Mr. and Mrs. Richard Esseck.

Call to Order: Chairman Harrison called the meeting to order at 4:00 p.m. with Commissioner Tommy Langford delivering the invocation and Commissioner Randy Durden leading the pledge of allegiance.

Agenda Changes

- Mr. Ron McQueen, County Administrator, presented the following agenda changes:
 1. Addition: Otter Springs Lease Amendment
 2. Addition: Otter Springs (Sapps Landing)Boat Ramp Lease
 3. Addition: David Padot; Riverwalk Turn Lane, SR 26 Concurrency
 4. Addition: Request from the Fanning Springs Chamber of Commerce for use of the Spring House Lodge at Otter Springs
- Mr. John McPherson, County Attorney, presented the following agenda changes:
 1. Addition: Carrie Powell; Boarding of Horses
- Commissioner Kenrick Thomas presented the following agenda change:
 1. Addition: Miles McElroy; White Ford Inc.

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

Consent Agenda

Approval of Minutes

Regular Meeting November 16, 2009

Request for Payment Approval

Mills Engineering Company

Inv# 2009059, Solid Waste Transfer Facility Operation Permit \$ 1,342.00
 Inv# 2009068, Otter Springs Boat Ramp \$ 9,405.00
 Inv# 2009069, Widen & Resurfacing CR 337 \$12,492.25

Coleman Construction, Inc.

Invoice for Payment #3; Sheriff's Office Stormwater Improvements.....\$67,741.65

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

County Administrator's Report

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

Agenda Change

David Padot, Riverwalk: Mr. David Padot, representing Riverwalk Subdivision, addressed the Board requesting their support to delay the installing turn lanes in front of the Riverwalk. He stated that several years ago when the project was first proposed, they agreed, with FDOT, that they would install turn lanes once the subdivision reached the number of twenty six (26) Certificates of Occupancy; that threshold has now been reached.

Mr. Padot stated that they would like to move forward in marketing at Riverwalk. But because the threshold has been reached, they won't be able to get any further Certificates of Occupancy until they put in the turn lane. He asked the Board to help him by writing a *Letter of Support* to the FDOT District Office, requesting that they be given the opportunity to continue moving forward, continue to build homes, for a period of time, and determine a new number or date before the turn lane has to be built. He pointed out that there is no turning lane going into the nursing home off of SR 26, nor, is there one going onto CR 341.

Mr. McQueen explained that the only reason that the County would be involved is for the fact that the Riverwalk Subdivision, which is within the City of Fanning Springs, is that Gilchrist County does the permitting for the City of Fanning Springs.

The Board asked Mr. McQueen to get with the City of Fanning Springs to see if they would write a Letter of Support pertaining to this issue.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, directing the County Administrator to contact the City of Fanning Springs on the issues involving a Letter of Support prior to our Board taking action on the request made by Mr. David Padot that the Gilchrist County Board of County Commissioners write a Letter of Support to the FDOT District Office requesting the delay of a Stay On Turn Lane, in front of Riverwalk Subdivision; and approving a Letter of Support if the City of Fanning Springs agrees and drafts a Letter of Support. Motion carried unanimously.

County Administrator's Report continues...

Fire Committee and the City of Trenton: Mr. McQueen stated that the committee for Fire and the City of Trenton had met, a week ago today, on the issue of the City's request for additional funding. He stated that the net result of that meeting (which was very positive/productive) was that the City of Trenton decided not to request additional funding.

The Board accepted the City of Trenton's withdrawal of their request for additional funding for Fire as a result of the Fire Committee Meeting.

Strategic Planning for EMS: Mr. McQueen stated that there was a Public Safety meeting particularly to discuss some EMS issues. He stated that some proposals will be brought back to the Board in February. Informational purposes only, no Board action required.

Federal Aid Roads and Economic Stimulus Projects: Mr. McQueen addressed the issue of the County's Federal Aid Project List. He had received a phone call from Katrina Sadler, Planning Programs Administrator with the FDOT, inquiring what highways the County would be interested in submitting for stimulus funding, when available.

The Road Department Superintendent, Billy Cannon provided Mr. McQueen with a list of roads. The County's Federal Aid Highway List included the following highways:

<u>State Highways</u>	<u>County Highways</u>
US 129	CR 340
Highway 47	CR 341
Highway 26	CR 232
	CR 307
	CR 339
	CR 342

Animal Control Monthly Report: Mr. McQueen presented the Animal Control Report, as an additional handout, as submitted by Karan Fisher, Animal Control Officer, for the Board information and review. No Board action needed.

Veteran's Service Hours of Operation: Mr. McQueen stated that he had contacted Chairman Harrison regarding the issue of changing the hours of operation at the Veteran's Service Office. Chairman Harrison had no problem with the requested change. The proposed hours

of operation are Monday through Saturday, 8:00 a.m. until 1:00 p.m. and will allow Major Stroupe to work with the 2010 Census.

The Board agreed with the Chairman's approval of the request to change the hours of operation at the Veteran's Services Office as proposed.

Time Certain; 4:30 p.m. Road Department Report

CAT Cetane Level: The Board had directed Road Department Superintendent Billy Cannon, to obtain information on whether the warranties on the CAT equipment used by the Road Department would be affected if the product Cetane was to be used as a fuel additive to increase engine performance.

Mr. Cannon received an email from Jacob Brown with Ring Power, stating that he didn't see a minimum of 45 Cetane rating effecting CAT engines.

Frozen Roads: Mr. Cannon provided the Board with information on the damaged caused to Waters Lake Road, Townsend Cemetery Road and Sun Springs Road due to cold weather.

Mr. Cannon asked the Board for direction on correcting this issue. Commissioner Durden stated that he had spoke to Lee Mills, County Engineer and he recommended that if the County could afford it to go in and tack the roads (where the holes and cracks are) which would help seal the problems and make it last a little longer until these projects could be approved for either the SCOP or SCRAP programs.

Discussion took place on how to prioritize the roads for consideration as a SCOP or SCRAP Project on the Five-Year Plan...

Mr. Cannon stated that Mr. Lee Mills was coming over next week to look at the Otter Springs Road project and the Board suggested that he ask Mr. Mills to give his best engineering recommendation on the repair of the roads affected by cold weather.

Tractor and Limber: Mr. Cannon asked what the status was on the tractor and limber issue.

Mr. McPherson stated that he had made a phone call to GreenSouth; they said that they were expecting that call and that they were moving up the ladder obtaining answers and will get back with him.

Mr. McPherson also stated that he has retained an attorney from Gainesville (at his cost) to consult with him, to ensure the proper procedures when he sends the written notice and preserves all of our rights. He will keep the Board updated on this issue.

Commissioners Agenda Change

White Ford Inc. - Cost of Cetane: Mr. Mile McElroy with White Ford Company, Inc., brought back the cost of the additive Cetane, in the amount of \$39.43 per gallon as requested by the Board, from a previous meeting. Mr. McElroy stated that one (1) gallon of Cetane treats 1,000 gallons of fuel.

The Board agreed that the cost was acceptable and that Mr. Billy Cannon meet with White Ford representatives to develop a plan and put this additive in the tanks at the fuel depot.

Time Certain: 5:00 p.m. - Scoping Meeting; Evaluation and Appraisal Report: Mr. Taylor Brown, GC Planning Director, presented the Board with the EAR Major Issue List Draft 1.1 for discussion and review. This report will be sent to the Department of Community Affairs for review and will make a finding deeming whether the report is sufficient or not.

Mr. Brown stated that the purpose of the meeting tonight, which is called a Scoping Meeting, is to identify and discuss the majors issues that are to be focused on and addressed in the EAR; also to reach out to Other Stake Holders, in particular State Agencies, Other Local Governments within our County; also Neighboring Counties and Other Jurisdictions that share a border with our jurisdictions; and to get input from our Local Planning Agencies (the Gilchrist County Planning Commission) as well as the Board of County Commissioners.

The EAR reflected eight (8) major issues. Those issues are as follows:

1. Maintain Quality of Life & Encourage Livable Communities
2. Strengthen and Diversify the Local Economy
3. Develop Vocational and Post-Secondary Education
4. Develop Sufficient Infrastructure
5. Strengthen Natural Resource Protection
6. Establish Policies for the Reduction of Greenhouse Gases
7. Amend Future Land Use Map as Justified by Data and Analysis
8. Transportation

Mr. Brown continued to explain and review this process then Chairman Harrison called for any public participation...

Mr. Craig Watson, GC Planning Commission Member, addressed the Board with his main concern of interest being that of agricultural issues. This issue would be addressed on the EAR report under #7, Amend Future Land Use Map as Justified by Data and Analysis.

Mr. Roosevelt Stalvey, GC Planning Commission Member, addressed his concerns on the EAR Report with a main concern being that of #7, Amend Future Land Use Map as Justified by Data and Analysis.

Ms. Michelle Walker Crawford, GC Planning Commission Member, addressed the Board with the recommendation to prioritize the first four (4) of the major issues on the EAR report as follows... #7, #2, #5, and then #1.

Mr. Richard Esseck, County Resident, also addressed the Board.

At this time, the Board took a moment to discuss the ranking of which order of importance to arrange the eight (8) major issues on the EAR Report. They agreed on the following:

<u>Rank</u>	<u>Issue Number</u>	
1 st	#7	Amend Future Land Use Map as Justified by Data and Analysis
2 nd	#2	Strengthen and Diversify the Local Economy
3 rd	#5	Strengthen Natural Resource Protection
4 th	#1	Maintain Quality of Life & Encourage Livable Communities
5 th	#4	Develop Sufficient Infrastructure
6 th	#8	Transportation
7 th	#6	Establish Policies for the Reduction of Greenhouse Gases
8 th	#3	Develop Vocational and Post-Secondary Education

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon Langford, to approve the ranking of the eight (8) major issues on the EAR List Draft 1.1 as 7-2-5-1-4-8-6-3. Discussion continued...

Mr. Taylor Brown explained the transmittal process.

Mr. McQueen stated that as we continue to go through this process, it may be necessary to seek the help of a consultant. He felt that we need to do whatever is necessary for the best interest of the County.

Mr. McPherson stated that this is a difficult task and that there are consultants out there that have done many of these in the past and could complete the project quicker.

The Board asked Mr. McPherson if he had any recommendations for a consultant. He named Laura Dedenbach with the estimate cost of \$30,000.00, for EAR services. Mr. Brown stated that he was capable to do the work but to get it done in a timely manner is an issue. The Board continued with discussion...

Chairman Harrison called for a vote on the motion made on the ranking of the eight (8) major issues on the EAR report... *Motion carried unanimously.*

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to direct the County Attorney to bring back a proposal at the first meeting in February, from Laura Dedenbach for EAR Services. Motion carried unanimously.

Discussion continued...

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon Langford, to approve funding for EAR Services from General Revenue Reserve, approximately \$25,000.00. Motion carried unanimously.

County Administrator's Report continues...

Need for Office Space: Mr. McQueen addressed the need for additional space for County Offices/Departments. He stated that he feels that there is a need to form a Space Committee to work on office space issues regarding County owned buildings.

The Board appointed Commissioner Randy Durden, the County Administrator and Clerk serve as the Space Committee.

Health Department; Interlocal Agreement for Rabies Control: Mr. McQueen presented the Interlocal Agreement for Rabies Control Activities in Gilchrist County, between the County and the Gilchrist County Health Department, for approval. He stated that this agreement is reviewed annual for approval and that there are NO changes from last year.

Motion made by Commissioner Sharon Langford, seconded by Commissioner Randy Durden to approve the Interlocal Agreement for Rabies Control with the Health Department; and to allow the Chairman to sign. Motion carried unanimously.

County Administrator's Agenda Changes

Otter Springs Lease Amendment: Mr. McQueen presented the First Amendment to the lease to Gilchrist County, from SRWMD, for the Otter Springs Property. The first amendment adds a legal description of leased property and modifies paragraph 24 concerning their agreement for road improvements. He requested that the Board approve and to allow the Chairman to sign.

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the First Amendment to the lease for Otter Springs; and to allow the Chairman to sign. Motion carried unanimously.

Otter Springs (Sapps Landing) Boat Ramp Lease: Mr. McQueen presented, for the Boards information, that the SRWMD Governing Board approved the lease of land adjacent to the Otter Springs Boat Ramp.

Fanning Springs Chamber of Commerce: Mr. McQueen presented a request for use of the Spring House Lodge at Otter Springs, from the Fanning Springs Chamber of Commerce.

Motion made by Commissioner Randy Durden, seconded Sharon Langford, to approve the request made by Fanning Springs Chamber of Commerce, for the use of the Spring House at Otter Springs to hold the annual banquet on February 18th, at NO charge. Motion carried unanimously.

Storage and Portable Buildings at Campgrounds: Recently there was an issue at Otter Springs where some items that were in storage were stolen. Mr. McQueen explained what has happened and what he would like to see take place to keep items safe for campers. The Board felt like the County shouldn't be responsible for the Campers personal items. It was also addressed that there are portable buildings erected by campers at the campgrounds.

The Board directed the County Administrator to discuss the issue of storage and portable buildings at campsites with the Park Managers.

Attorney's Report

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

2009 Ordinances: Mr. McPherson stated that we should be receiving our updated hard bound General Code and Land Development Code book at anytime.

Resolution 2010-04 (Amended): Mr. McPherson presented Resolution 2010-04 which had been amended to reflect changes requested by Lafayette State Bank. This loan resolution was passed at the last meeting. The requested changes by Lafayette State Bank were (1) New language in Section 4; and (2) Authorization for the Chair to sign the promissory note rather than the Clerk in Section 3.

3. The ~~Clerk~~ Chair of the Board of the Board of County Commissioners is authorized to execute and deliver a promissory note to Lafayette State Bank in the amount of \$152,964.00, consistent with the terms set forth above.
4. ~~Should the interest on this note be determined to be included in the gross income of Ameris Bank, then for the period so included, interest, to the extent allowed by law, shall be imposed at the prime rate as determined from time to time by New York CitiBank, not to exceed the legal rate of interest that the County may pay.~~

The interest rate of four and one hundred eighty-eight one-thousands percent (4.188 %) per annum is based upon the interest receivable by Lafayette State Bank being tax free under the Internal Revenue Code and Regulations. Therefore, in the event the interest paid to the Bank must be treated as taxable income to the Bank for federal or state income tax purposes, said interest rate shall be increased to an interest rate sufficient to provide the Bank the same rate of return after taxes as would be earned by the interest rate of four and one hundred eighty-eight one-thousands percent (4.188 %) per annum when no federal or state income tax is due and owing on said interest, not to exceed the legal rate of interest that the County may pay.

Chairman Harrison read the short title as follows:

**RESOLUTION 2010-04
(Amended)**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ACCEPTING A LOAN FROM LAFAYETTE STATE BANK AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A PROMISSORY NOTE FOR \$152,964 TO LAFAYETTE STATE BANK IN ORDER TO PURCHASE A TELEPHONE SYSTEM

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon Langford to approve Resolution 2010-04. Motion carried unanimously.

Resolution 2010-06: Support of Fox Pen Hunting: Mr. McPherson presented Resolution 2010-06, Supporting Fox Pen Hunting. Chairman Harrison read the short title as follows:

RESOLUTION 2010-06

A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS EXPRESSING SUPPORT FOR LEGALLY OPERATED FOX HUNTING PENS

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve Resolution 2010-06; and to allow the Chairman to sign. Chairman Harrison called for any public comments...

Mr. Steve Gladin, County Resident, addressed the Board with his concerns on Fox Pen Hunting.

Chairman Harrison then called for the vote... *Motion carried unanimously.*

Resolution 2010-07: Support of Census Effort: Mr. McPherson presented Resolution 2010-07, Supporting the 2010 Census Effort and includes direction that the County will create a Complete Count Committee.

It was questioned by Commissioner Durden... Who was going to Chair that committee and who is going to be responsible for them doing their job? Mr. McPherson stated that it sounded like Major Stroupe was interested and could possibly recommend someone if he is not interested. Chairman Harrison read the short title as follows:

RESOLUTION 2010-07

A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS EXPRESSING SUPPORT FOR THE 2010 CENSUS EFFORT AND DIRECTING THAT A COMPLETE COUNT COMMITTEE BE FORMED

Motion made by Commissioner Sharon Langford, seconded by Commissioner Kenrick Thomas to approve Resolution 2010-07; and to allow the Chairman to sign. Motion carried unanimously.

Five-Year Road Improvement Plan Update: Mr. McPherson stated that the Road Committee met on January 4, 2010, and has recommended that the proposed updates to the Road Improvement Plan (as shown on the submitted draft) be reviewed, for approval or other action, by the County Commission.

Commissioner Durden stated that SW 10th Street needs to be moved from the SCRAP Program over to the SCOP Program, as priority number one (1). At this time, CR 337 is number one and Mr. McPherson recommended leaving it as the number one (1) priority because it is under DOT contract, making SW 10th Street number two (2). Discussion continued on other possible changes...

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the Five-Year Road Improvement Plan, updated January 4, 2010; changing SW 10th Street from the SCOP Program to the SCRAP Program. Motion carried unanimously.

Road Department Tractor and Limber: Mr. McPherson stated that this issue was discussed during the Road Department report. He also reported that he has received the necessary information from the Road Department and will draft the letter to the dealer seeking a full refund prior to the meeting.

City of Weston v. Crist: This is the broad-based challenge to the new growth management legislation. The circuit court denied the State's motion to dismiss. At this time, nothing new to report.

Challenge to Impact Fee Legislation: Greg Stewart of Nabors, Giblin law firm is drafting the complaint on behalf of various cities, counties, and school boards; should be filed soon. At this time, nothing new to report.

Attorney's Agenda Change; Carrie Powell: Mr. McPherson explained that in cooperation with the State Attorney's Office, the County was asked to pick up two (2) horses because the horses were evidence and the State Attorney's Office doesn't have animal control facilities.

Mr. McPherson stated that the court entered into a restitution agreement which covered everyone's expenses involved in housing animals, for the State Attorney's office, but Ms. Powell was not satisfied with her amount. He stated that she is requesting \$1,300.00, which is far more than what anybody else got. Under the restitution agreement, with the money that was available and the receipts that were submitted by Ms. Powell, she was only going to receive \$376.00.

Mr. McPherson recommended that the County offer Ms. Powell a settlement of \$715.48, for boarding two (2) horses; it would cost approximately \$400.00 from General Revenue Reserve.

This issue will be readdressed; Mr. McPherson will contact the State Attorneys Office to see if there is anything that they can do; and he will also contact Ms. Powell and put her on the agenda for the next meeting.

Clerk's Report

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

PRIA; Business Associate Agreement: Mr. Gilliam presented the Business Associates Agreement as required by PRIA (Public Risk Insurance Agency) as the County's business associates (Agent of Records) for the handling of one or more insurance plans. He requested the Boards approval and to allow the Chairman to sign.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to approve the Business Associates Agreement with PRIA and to allow the Chairman to sign. Motion carried unanimously.

Court Cost Quarterly Summary: Mr. Gilliam presented the Gilchrist County / 318.18 Assessment of Additional Court Cost Quarterly Summary, for the Boards information. No Board action required.

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 Tommy Langford, seconded by Commissioner Sharon Langford, to adjourn. Motion carried unanimously.* Chairman adjourned at 7:32 p.m.

Board of County Commissioners
Gilchrist County, Florida

Approved:

Attest:

D. Ray Harrison, Jr., Chairman

Joseph W. Gilliam, Clerk of Court