

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF
COUNTY COMMISSIONERS HELD FEBRUARY 1, 2010.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, **February 1, 2010**, 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 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; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement; Nancy Nieman, Otter Springs Manager; Taylor Brown, GC Planning Director; Mitchell Gentry, Hart Springs Manager; Alan Mikell; and Richard & Leslie Esseck.

Call to Order: Chairman Harrison called the meeting to order at 1:33 p.m. with Commissioner Kenrick Thomas delivering the invocation and Commissioner Sharon Langford leading the pledge of allegiance.

Agenda Changes

- Mr. McQueen, County Administrator, presented the following agenda changes:
 1. Addition: Voting Precinct Project
 2. Addition: Two Additional FYI Handouts
- Commissioner D. Ray Harrison presented the following agenda change:
 1. Addition: The Road Department Report will be moved up on the agenda

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

Consent Agenda

Approval of Minutes

Regular Meeting December 7, 2009
Regular Meeting January 04, 2010

Approval of Bills

January 2010 on file in Clerk's Office

Request for Payment Approval

Dixie County Inmate Housing
December 2009 \$2,972.07

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, 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.

Public Safety; EMS 4th Quarter Write-Off's for 2009: Mr. McQueen presented the EMS 4th Quarter Write-Off's, for 2009, in the amount of \$57,763.07, for the Boards review and approval.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve the EMS 2009 4th Quarter Write-Off's, in the amount of \$57,763.07. Motion carried unanimously.

Animal Control; Karan Fischer's Resignation: Mr. McQueen presented Karan H. Fischer's resignation, from the duties of Animal Control Officer, as submitted, effective January 25, 2010, 5:00 p.m. Ms. Fischer was given the opportunity to address the Board. She expressed why she didn't give a two week notice and the circumstances that lead to her resigning.

Although a two week notice was not given, Ms. Fischer stated that she felt even though she resigned that she should still be considered for compensation for the vacation and sick leave time she had accrued; if not to be paid for *all* accrued hours she would be satisfied for at least half. Discussion took place...

Mr. McQueen explained the current Board of County Commissioners Policy does not permit payment of Annual and Sick Leave for employees not leaving in good standing.

Mr. McPherson intervened and advised that policy be followed and that Ms. Fischer could meet with him privately and discuss some type compromise.

The Board agreed that Ms. Fischer should meet with Mr. McPherson and he will bring back a recommendation for the Boards consideration.

County Administrator's Report continues...

Gilchrist County Jail; Electrical/Lighting Quotes: Mr. McQueen presented three (3) quotes for additional light fixtures at the jail. The three (3) quotes totaled \$17,936.86, for light fixtures. The quotes received are as follows:

- | | |
|-----------------------------|------------|
| 1. Tri-County Electric, LLC | \$5,465.00 |
| 2. Interstate Supply, Inc. | \$5,956.02 |
| 3. Interstate Supply, Inc. | \$6,516.84 |

Ms. Johnson, Director of Finance, stated that the funds are available for these repairs. The costs would be funded out of Repair & Maintenance with the balance coming out of General Revenue Reserve.

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the quotes as noted, for the light fixtures at the jail, totaling \$17,936.86; with costs funded out of current budget and GRR. Motion carried unanimously.

Recreation Millage/MSTU: Mr. McQueen address the issue of putting the ability to pay for county wide recreation back on the ballot and that if the Board agreed to move forward on it that work on the language could be started. The language seems to have been the problem last time this issue was on the ballot. Discussion took place...

The Board welcomed the idea of the Recreation Committee to bring back language for the Board to consider regarding putting the county wide recreation issue back on the ballot. No Board action was taken at this time.

Update on the Floods: Mr. Mitchell Gentry, Hart Springs Park Manager, addressed the Board of the flood levels at Hart Springs and that it is time to consider moving things out to dry land.

Resolution 2010-08: Park Rate Changes: At this time, while both Park Mangers were present, Resolution 2010-08 was addressed. There was one change to be made; under Annual Pool Pass, add the language *single pass good for Hart Springs and Otter Springs Pool*. The Short title read as follows:

RESOLUTION 2010-08

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ESTABLISHING OFF-SEASON AND CAR-LOAD RATES AND MAKING OTHER CHANGES TO THE FEE SCHEDULE FOR HART SPRINGS PARK AND OTTER SPRINGS PARK; AND ESTABLISHING AN EFFECTIVE DATE

Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve Resolution 2010-08, as presented; and with noted change reflecting added language under Annual Pool Pass, single pass good for Hart Springs and Otter Springs Pool. 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. He also reported on the success that Ms. Diane had working with the ALERT Team. No Board action required.

Request to put a sign at the Cruse Community Center: Mr. McQueen presented a request that he had received from Mr. Richard Esseck, for a sign to be placed at the Cruse Community Center, which is used for a Senior Meal Site. Discussion took place...

Mr. McQueen stated that there are sign regulations to be considered. Mr. Esseck addressed the Board and explained what he would like to do.

The Board suggested that Mr. Richard Esseck to get with Taylor Brown, GC Planning Director, on the size and placement of requested sign, for Senior Meal Site, at Cruse Voting Precinct; and then bring back a recommendation to the Board.

County Administrator's Agenda Changes

Osceola Voting Precinct Project: Mr. McQueen addressed the issue of a request received from the Gator Country 4-H. He stated that Ms. Faye Hardin had submitted a grant request to the UF for a public service project and was awarded it. They are proposing a cleanup project to the Osceola voting precinct building and he just wanted to make the Board aware of the project. Mr. McQueen has already spoken with Connie Sanchez and she also thinks it's a great idea. There is nothing required from the Board.

Attorney's Report

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

Resolution 2010-08: Park Rate Changes: Mr. McPherson stated that Resolution 2101-08 was presented and approved earlier during this meeting.

Road Department Tractor and Limber: Mr. McPherson stated that he is still waiting for the demand letter to be prepared by the attorney in Gainesville. He had been promised a letter sooner, and has a call in to check on the delay. GreenSouth reports that it is not going to take any action until it gets the formal demand letter.

Evaluation and Appraisal Report: Mr. McPherson stated that pursuant to the direction by the Commission at the last meeting, he has obtained a proposal from Laura Dedenbach for assisting the County with completion of the EAR. He presented her proposal for the Boards review; it would have an EAR ready for adoption hearing within 5 months, with a fee not to exceed \$25,000.00.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve the proposal from Laura Dedenbach, for Scope of Services (EAR Report) with Plan-it U.S., LLC; with fee to be funded out of General Revenue Reserve, NOT to exceed \$25,000.00. Motion carried unanimously.

Agenda Change (Moving Road Department up on the Agenda, from 4:30 p.m.)

Road Department Report: Mr. Billy Cannon, Superintendent, reported on the Otter Springs Road project. He had repaired a sink hole that had opened up. He also reported that Waters Lake road had been repaired but it did not hold up.

Five-Year Road Improvement Plan: Mr. McPherson handed out copies of the January 2010 update at this meeting.

County Policy Manual: Mr. McPherson handed out copies of the January 2010 update at this 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. Mr. McPherson stated no changes as of date.

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.

Census Law: Mr. McPherson stated that he was asked to check on the Census Law. His findings are as follows... 13 U.S.C. 141 provides that the Secretary of the Department of Commerce shall submit to Congress three years before the census the subjects to be covered in the upcoming census, and then two years before the census the actual questions to be asked. Although the statute does not specifically state this, the language has been interpreted as requiring Congressional approval of all subjects and questions. There is no limitation on what can be asked in either the Constitution or the Statutes. 13 U.S.C. 221 provides that there shall be a \$100 fine for failure to answer the census, and a \$500 fine for providing false answers.

Clerk's Report

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

Florida Department of Revenue; Refunds and Distribution: Mr. Gilliam presented the Local Option Fuel Tax distribution for Gilchrist County and Municipalities that is currently being utilized. He stated that the FDOR uses the distribution percentages provided by the County to distribute the proceeds of local option fuel tax between the county and eligible municipalities within the county. The percentages are as follows:

Gilchrist County	85.57%
Town of Bell	1.30%
City of Fanning Springs	2.06%
City of Trenton	11.07%

Mr. Gilliam stated that if the Board had no discrepancies he would submit the percentages that are being currently utilized to the Florida Department of Revenue.

Motion made by Commissioner Sharon Langford, seconded by Commissioner Tommy Langford, to keep the Local Option Fuel Tax Distribution as is. Motion carried unanimously.

Fiscal Year 2009-10 Distribution for Amendment 1 Impact: Mr. Gilliam presented (*for informational purposes only*) the receipt of fiscal year 2009-2010 appropriated funds, for fiscally constrained counties, by the Florida Legislature, in the amount total amount of \$575,461.00 (\$513,311 for General Fund and \$62,150 for MSTU). He stated that this distribution to fiscally constrained counties is to offset the reduction in property tax revenue occurring as a result of the implementation of Amendment 1 as approved by the voters in January 2008.

Commissioners Reports

Commissioner Tommy Langford: Commissioner Langford asked that the Hart Springs Advisory Board be scheduled for a Time Certain, at the February 15th meeting.

Commissioner Randy Durden: Commissioner Durden presented an update on a conference call with the Small County Coalition regarding the State Budget Process Focusing on Reductions.

He also asked for travel approval for the County Administrator and himself along with Clerk Staff, to attend a meeting with the Governor, which will be scheduled by the Small County Coalition, regarding budget issues, to be held in Tallahassee.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve travel for County Administrator, Commissioner Randy Durden, and Clerk Staff to attend a meeting with the Governor (which will be setup by the Small County Coalition) regarding budgets, in Tallahassee. Motion carried unanimously.

Old Business: None noted.

New Business: None noted.

Public Participation

Mr. Alan Mikell addressed the Board on the RV issue that was sent to the Planning Commission. He wanted to express his opinion at this time, because he wasn't going to be present at the Planning Commission for that review. No Board Action necessary, informational purposes only.

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. Chairman adjourned at 4:11 p.m.***

Board of County Commissioners
Gilchrist County, Florida

Approved:

Attest:

D. Ray Harrison, Jr., Chairman

Joseph W. Gilliam, Clerk of Court