

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF
COUNTY COMMISSIONERS HELD JUNE 7, 2010.**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a **Regular Meeting** on Monday, **June 7, 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; Julee Brideson, Administrative Assistant; Diane Rondolet, Code Enforcement; Billy Cannon, Road Department Superintendent; GC Sheriff Daniel Slaughter; Lee Mills, Mills Engineering; Gene Parrish, Parrish Land Surveying; Richard & Leslie Esseck; Norm Conti; John & Susan Greiner; Van Hagan; Mitchell Philman; Mike Malsom; Ben H. Poitevint; Benjamin M. Poitevint; Alex Wyszowski; Marion & Edgar Poitevint; Lewis Henkel; Catie Barnes; Kenny Barnes; and Lloyd Holley.

Call to Order

Chairman Harrison called the meeting to order at 1:30 p.m. with Joseph W. Gilliam, Clerk of Court delivering the invocation and County Attorney, John K. McPherson leading the pledge of allegiance.

Agenda Changes

- Commissioner Randy Durden presented the following agenda change:
 1. Addition: Norm Conti; School Bus Proposal

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 Bills

May 2010 (On file in Clerk's Office)

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.

Animal Control Committee Meeting Recap: Mr. McQueen provided, for the Boards information, a copy of the minutes from the Animal Control meeting that was held on May 25, 2010. Mr. McQueen stated that Tanya Rippey, Animal Control Officer, and Lyndsay Smith, Volunteer, would like to have a fund raiser with all the proceeds to be utilized/benefit the Gilchrist County Animal Control Facility. Discussion continued on creating a special line item for donations and fund raisers...

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Randy Durden, to approve the request for the Animal Control fund raiser and the creation of a line item in the budget for proceeds and donations. Motion carried unanimously.

Request to complete enclosure of Animal Shelter: Mr. McQueen update the Board on the fly issue and Parvo infection that occurred due to the fly problem. Discussion took place on possible renovations to control these issues...

BOCC directed the County Administrator to research cost for enclosing the Animal Control Facility and bring back a proposal for the *total* cost.

Emergency Management Performance Grant Approval: Mr. McQueen presented the receipt of the Emergency Management Performance Grant, in the amount of \$37,873.00 for the period of July 1, 2010 through June 30, 2011. 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 Emergency Management Performance Grant, in the amount of \$37,873.00 and to allow the Chairman to sign. Motion carried unanimously.

Chadwell & Sons, Inc. Generator Maintenance Service Contract: Mr. McQueen presented the contract from Chadwell & sons, Inc. He advised that the contract needed to include the agreed upon specifications; he will bring a revised contract back at the next meeting.

BOCC agreed to allow the County Administrator to review the Generator Service Contract with Chadwell & Son's, Inc. and bring back a revised the contract for approval and signatures.

EM; Disposition Request - 1988 International Bus: Mr. McQueen presented a Disposition Request to declare the 1988 International Bus, as surplus. Emergency Management requested that the bus be donated to Lancaster Correctional Institute, for their use.

Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve the Disposition Request declaring the 1988 International Bus, tag #3116, serial # 1HVLPZWN6JH578469, as surplus; and donated to Lancaster Correctional Institute. Motion carried unanimously.

Otter Springs Update: Mr. McQueen stated that he is attending a meeting tomorrow morning at Otter Springs with the University of Florida and the SRWMD. He stated that the Water Management is spending \$6,000, for a *Planning Tool*. Informational purposes only.

Otter Springs “Spring House Lodge” Air Conditioning Bid Results: Mr. McQueen presented the bid results received for the A/C installation at the Otter Springs “Spring House Lodge”. He stated that SRWMD will be funding the cost for the new a/c at the Spring House Lodge.

The received bids are as follows:

- | | | |
|--------------------------------|----------|-------------|
| • Akins Heating & Air | Option 1 | \$19,249.00 |
| • Akins Heating & Air | Option 2 | \$20,488.00 |
| • All Type A/C & Heating, Inc. | | \$12,900.00 |

No Board Action required; SRWMD will make the decision on what bid to accept.

Estimate for Planning Services: Mr. McQueen presented the cost estimate, in the amount of \$5,000.00, for planning services by Ms. Laura Dedenbach, for the Seminole Electric Comp Plan Amendments. Discussion took place...

Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to approve the cost estimate from Laura Dedenbach, for planning services dealing with Seminole Electric Comp Plan Amendments, not to exceed \$5,000.00. Motion carried unanimously.

Code Enforcement Monthly Report: Mr. McQueen presented the monthly Code Enforcement Report as submitted by Ms. Diane Rondolet, Code Enforcement Official. Informational purposes only.

Resolution 2010-31, FDOT Traffic Signal Maintenance and Compensation Agreement: Mr. McQueen presented Resolution 2010-31, for the Boards approval and Chairman’s signature. The short title read as follows:

**RESOLUTION 2010-31
GILCHRIST COUNTY, FLORIDA**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AUTHORIZING THE CHAIR TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT (“AGREEMENT”); AUTHORIZING THE COUNTY ADMINISTATOR TO SIGN ANNUAL EXHIBIT A AMENDMENTS TO AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE OF THE RESOLUTION.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Tommy Langford, to approve resolution 2010-31. Chairman Harrison read the short title for the record. Discussion took place... He then called for the vote... ***Motion carried unanimously.***

Greenway & Trails Support Letter: Mr. McQueen presented a *Letter of Support* that he drafted to the FDEP regarding Newberry to Trenton Rail Trail project as part of the addition to the Nature Coast State Trail. No Board Action required; informational purposes only.

Agenda Change

Norm Conti; School Bus Proposal: Mr. Conti addressed the Board on the issue of the school bus proposal for the Senior Citizens of Gilchrist County. He explained the intended use for the bus and the project of transporting seniors. He also addressed the cost for this project, including fuel and requested that the Board fund this project in the amount of \$600.00.

Mr. Conti stated that he would like to run this as a *pilot project*, for the rest of this year.

Mr. McQueen requested that Mr. Conti provide a list of approved drivers and demonstrate with documentation the proper licenses to drive the bus. Discussion took place...

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve the request for the six (6) month trial of proposed Bus Route and budget... NOT to exceed \$600.00; \$300.00 from FY 09/10 budget and \$300.00 from FY 10/11, until December 2010. Discussion continued... Chairman Harrison then called for a vote...***Motion carried unanimously.***

Time Certain

2:15 p.m. GCSO; ATV's on County Roads and Lighting Issues

Lighting Issues at the Jail: Mr. McQueen stated that the new panels came in and they are being installed today. Sheriff Slaughter was present and is satisfied.

ATV's on County Roads: Sheriff Slaughter addressed the Board and provided the Board with documentation he had put together concerning ATV's on County Roads, including the County Ordinance and State Statutes. He then discussed what is considered to be an ATV/ROV and what is allowed to be driven on what types of roads by designated drivers. Discussion continued... Chairman Harrison called for any public comments...

Several concerned, County Residents, addressed the Board with the interest of leaving the County ordinance as is. Discussion took place... Chairman Harrison called for any further discussion or comments from the Commissioners...none noted.

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon A. Langford to leave the current County Ordinance in effect. Motion carried unanimously.

2:30 p.m. Road Department Report

Request for a Four-Way Stop: Billy Cannon, Road Department Superintendent, presented a request made by Mr. Van Hagan that a four-way stop be erected at the intersection CR 334 & CR 313. Mr. Hagan addressed the Board with his safety concerns, at this intersection. Discussion took place...

The Board denied the request for a 4-Way-Stop at the intersection of CR 334 & CR 313, but instructed the Road Department to install 36” stop signs.

Bucket Truck: Mr. Cannon presented a request to purchase a 2001 Bucket Truck, from Central Florida Electric Cooperative, in the amount of \$15,000.00. He stated that a brand new one costs \$173,000.00. Discussion took place...

Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to purchase the 2001 Bucket Truck from CFEC, in the amount of \$15,000.00. Motion carried unanimously.

Hidden Oaks Subdivision: Mr. McQueen reminded the Board that several years ago a subdivision was approved on CR 340 west of US 129 (Bill Rush’s Hay Farm). The owner requested to gate off the roads because the lots weren’t sold and no houses had been started in that subdivision. Permission was granted to gate the subdivision.

Mr. McQueen stated that the property owner received a letter from SRWMD requesting who was responsible for road to right-of-way maintenance. The Road Department felt that the County shouldn’t accept responsibility for maintenance if the roads are gated and there is no public access.

Mr. McQueen stated that the owner has agreed to be responsible for the maintenance. SRWMD is satisfied with the owners request to be responsible for the maintenance.

Mr. Alex Wyszowski, property owner, addressed the Board explaining that the gate was never intended to be a permanent fixture. But for the time being, the property owners asked that the gate be allowed to remain locked and that they will continue to be responsible for maintaining the road within the subdivision. Mr. Wyszowski stated that the County has accepted the roads as noted on the final plat.

Mr. McPherson stated that, at this time, the County has never accepted the roads within Hidden Oaks Subdivision, which makes them private roads. Discussion continued...

The Board directed the Road Department to bring back any information on the County accepting the maintenance of the roads in Hidden Oaks Subdivision.

Road Department Tractor and Limber: Mr. Cannon stated that the tractor limber worked fine for a full 10-day period (80 hours) without any problems. Mr. McPherson stated that he talked to Earl Jones with GreenSouth about accepting the warranty along with forgiveness of the invoice and the promise of a loaner if there are problems in the future. Mr. Jones agreed to the forgiveness of the invoice, but could not agree to the loaner request. Mr. McPherson presented Mr. Jones’ email explaining his position and requested the approval of the Board for accepting GreenSouth’s offer.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to accept the warranty extension for two (2) years and the forgiveness of the invoice, from GreenSouth, on the tractor and limber. Motion carried unanimously.

County Administrator's Report continues...

Otter Springs Road Update and Completion Schedule: Mr. Lee Mills, County Engineer, stated that there were two items that he was negotiating with Hipp Construction. He stated that the road was bid for a surface treatment but it was their suggestion to use asphalt instead of a surface treatment.

Hipp has provided a proposal, increasing the project by approximately \$45,000.00. Mr. Mills stated that it looks like we will be getting a surface treatment road.

The proposed start date on the Otter Springs Road Project is June 14th and complete in about six (6) weeks. No Board Action required.

Sun Springs Road Bid Results: Mr. Mills provided the bid results on the Sun Springs Road (SW 20th Street) project as follows:

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|--------------------------------------|--------------|
| • APAC-Southeast, Inc. | \$95,393.17 |
| • John C. Hipp Construction Equip Co | \$97,000.00 |
| • V.E. Whitehurst & Sons, Inc. | \$97,377.30 |
| • Anderson Columbia Co., Inc. | \$121,656.57 |

Mr. Mills stated that he had reviewed the bids and had no reservation about recommending APAC-Southeast.

Mr. Mills requested that the Board authorize him to send a contract to APAC-Southeast and authorization for the Chairman to sign.

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon A. Langford, to approve the LOW bid award to APAC-Southeast, in the amount of \$95,393.17, directing the County Engineer to move forward with the contract to and to allow the Chairman to sign. Motion carried unanimously.

Time Certain

3:00 p.m. Shady Bend Subdivision; Re-Plat Lot 6: Mr. McQueen presented a request, for the Boards approval, on the Shady Bend Subdivision Re-Plat of Lot 6. He updated the Board on the previous actions taken at the time of applications... There were two (2) ten (10) acre lots, with the intention of splitting one of the lots. Because it was a platted subdivision you have to have a FULL lot to get a permit, so this couldn't be done under the *Family Lot Split*. This issue was brought before the BOCC four months ago and the fees were waived so this could be accomplished.

At this time, the planning Commission has granted the Variance and has recommended approval of the Re-Plat of Lot 6 in Shady Bend Subdivision.

Motion made by Commissioner Randy Durden, seconded by Commissioner Sharon A. Langford, to approve the Re-Plat of Lot 6 of the Shady Bend Subdivision (becoming the Bar J.C. Ranch). Motion carried unanimously.

Commissioners Report

Commissioner Sharon A. Langford: While the Road Department Superintendent was still present, and before she had to be excused, Commissioner Langford wanted to address a complaint that she received on the damage done to CR 232 done by tractors owned by a local dairy. Mr. Billy Cannon explained the issue that Commissioner Langford was concerned about.

Mr. Cannon explained that he had been out to the dairy, North Florida Holsteins Dairy, twice; once on the issue of them using unapproved driveways (which were taken care) and then again on the issue of their heavy equipment (tractors with dull tires) driving on the shoulder of CR 232 causing it to crack/crumble. He said that they pulled in the dulls (on the tractors) but the same thing continued to happen. Mr. Cannon and the County Attorney took time to investigate the damage done to CR 232. Mr. McPherson stated that there is a problem. There is a lot of damage done to CR 232.

Mr. McPherson stated that according to State Statute '*you are not allowed to operate any vehicle or machine that is likely to damage a hard surface road except to cause ordinary wear and tare on the same*'. There is another State Statue that says '*if you are operating a vehicle illegally on a public road (which they would be under the former statute) that you have to pay to repair it*'. He also stated that agricultural vehicles are exempt from all kinds of size, height and width requirements, but not weight. This is something that could be looked into.

Commissioner Langford stated that this is a safety hazard for all persons/vehicles traveling that road. Discussion continued...

The Board directed the County Attorney to invite Mr. Don Bennink, owner of North Florida Holsteins Dairy, to the next board meeting on June 21st to discuss the damage being done to CR 232.

Commissioner Sharon A. Langford was excused from the meeting at this time.

Attorney's Report

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

Space Exploration Resolution: Mr. McPherson presented, as requested by Chairman Harrison, a resolution about the space program in Florida, for the Boards consideration and whether the County wants to prepare a similar resolution.

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to direct the County Attorney to draft a resolution supporting the Space Exploration. Motion carried unanimously.

LDC Amendments: Mr. McPherson reported that the Planning Commission reviewed the proposed notice that would be required to be mailed to all surrounding property owners, in the case of, Special Use Permits and Developments of Major Impact. Consideration of the amendment that would establish animal density regulations in subdivision was postponed to the next meeting due to the late hour and controversial nature of the proposal. These amendments will come to this Board in July.

EAR and Oak Tree Landing Review at Next Meeting: Mr. McPherson stated that at its last meeting, the Planning Commission reviewed the Evaluation and Appraisal Report (EAR) prepared by Laura Dedenbach and, after discussion, sent it on to the County Commission with a recommendation that it be transmitted to the Department of Community Affairs (DCA). He stated that the EAR will be brought before this Board at 5:00 p.m. during the June 21 meeting.

Mr. McPherson let the Board know that if they would like a copy of the report in advance of receiving their meeting packet, one can provided.

Mr. McPherson continued by stating that it has been determined that the County Commission must re-adopt the Oak Tree Landing comprehensive plan and land use map amendments previously reviewed and approved by the Commission on November 16, 2009. The County had not submitted its EAR in a timely manner and DCA does not consider the November 16 approval to have had any effect. Assuming the Board approves the EAR for transmittal to DCA, it would then take up the Oak Tree Landing amendments at 5:30 p.m. during June 21 meeting.

Again, the issue will be whether to transmit the amendments for DCA review. No Board Action required at this time.

Clerk's Report

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

New Phone System: Mr. Gilliam presented an update on the new phone system. He also presented the final invoice from Kennedy Communications, in the amount of \$7,571.70. Mr. Gilliam stated that he had told Kennedy that the invoice would be paid when installation is final and system is working.

Motion made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to approve invoice #KC4749, from Kennedy Communications, in the amount of \$7,571.70, subject to final review by the Clerk. Motion carried unanimously.

Reschedule VAB Organizational Meeting: Mr. Gilliam addressed the issue of the date that has been scheduled for the VAB Organizational Meeting. Due to the VAB Attorney not being available from July 17-31, a new date needs to be considered.

Mr. McPherson stated that the organizational meeting doesn't have to be held in July, August would be fine.

Board agreed to schedule the Value Adjustment Board Organizational meeting for Monday, August 2, 2010, at 1230 p.m. Clerk's office will notify all parties.

Purchase Order for Court Facilities: Mr. Gilliam presented a purchase request off of State Contract for a Nomad (audio visual) Cart, in the amount of \$8,918.00. Costs for this purchase will be funded out of the Court Facilities Trust Fund.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Randy Durden, to approve the purchase of the Nomad Cart, in the amount of \$8,918.00, cost to be funded out of Court Facilities Trust Fund. Motion carried unanimously.

Solid Waste; Beast Feast Fuel & Garbage Disposal: Mr. Gilliam presented an invoice from Solid Waste, for household garbage collected by the Wild Beast Fest, in the amount of \$83.80, for the Boards consideration to pay or waive. Fees have been waived in the past.

Mr. Gilliam also presented information on the cost for fuel that was used for The Wild Beast Feast; \$247.03, for gasoline and \$310.79, for diesel. The diesel was used to operate refrigeration units, lights and generators and the gasoline was used by Emergency Management. These costs have been budgeted in the past as part of the EM budget, but they were not budgeted this time. Discussion took place...

The Board agreed to waive the \$83.80 for Solid Waste. The fuel costs, \$558.02, will be funded out of EM budget as in the past; a request for reimbursement was not submitted.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Randy Durden, to waive the fees, in the amount of \$83.80, for household garbage collected at the Wild Beast Feast.

Resolution 2010-29 and BE10-016 & BE10-017: Mr. Gilliam presented Resolution 2010-29 and Budget Entries BE10-016 and BE10-017, establishing budget and trust funds for Payment in Lieu of Taxes from Suwannee River Water Management District, for Otter Springs.

Ms. Jacki Johnson, Director of Finance, explained the need for moving the money that we received last year for Payment in Lieu of Taxes to Otter Springs. This moves it from reserve and establishes the necessary account for both FY2009 and FY2010 monies.

Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas, to approve Resolution 2010-29 and Budget Entries BE10-016 and BE10-017.
Chairman Harrison then read the short title as follows:

RESOLUTION 2010-29

A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE OTTER SPRINGS PARK FUND BUDGET

Chairman Harrison then called for any further discussion...none noted. He then called for the vote... ***Motion carried unanimously.***

Tax Deed Application Fees: Mr. Gilliam presented a request for payment, in the amount of \$449.04, payable to Clerk of the Circuit Court, for Tax Deed Application fees, on County owned certificates.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve payment, in the amount of \$449.04, to the Clerk, for Tax Deed Application Fees. Motion carried unanimously.

Clerk's Request to Transfer Funds: Mr. Gilliam presented a Budget Adjustment, BE10-005, requesting to transfer funds from Office Supplies and Travel and Per Diem to Machinery & Equipment, Fund 001, in the amount of \$2,466.00. These funds will be used to replace the copier in the Finance Department due to water damage.

Mr. Gilliam stated that an insurance claim has been filed.

Motion made by Commissioner Randy Durden, seconded by Commissioner Kenrick Thomas, to approve BE10-005, in the amount of \$2,466.00, adjusting the Clerk's budget. Motion carried unanimously.

Commissioners Reports

Commissioner Randy Durden: Commissioner Durden presented a request from Terry Parrish for the use of the Otter Springs Lodge. They would like to use the lodge on Sunday, August 8th and Monday, August 9th, for a Football Team overnight event.

Board agreed to allow the Trenton High School Football team to use the lodge at Otter Springs.

Old Business: None noted.

New Business

Mr. Gilliam stated that a Tentative Budget will be presented at the first meeting in July.

Public Participation: None noted.

Adjourn: With there being no further business... ***A motion was made by Commissioner Randy Durden, seconded by Commissioner Tommy Langford, to adjourn. Motion carried unanimously. Chairman adjourned at 5:05 p.m.***

Board of County Commissioners
Gilchrist County, Florida

Approved:

Attest:

Joseph W. Gilliam, Clerk of Court

D. Ray Harrison, Jr., Chairman