

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF  
COUNTY COMMISSIONERS HELD JULY 18, 2011**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, July 18, 2011**, at **4:00 p.m.**, in the Board of County Commissioners Meeting Facility, located at 210 South Main Street, Trenton, Florida, with the following members' present to-wit:

|                     |   |
|---------------------|---|
| <b>District I</b>   | <b>Commissioner Sharon A. Langford</b>            |
| <b>District II</b>  | <b>Commissioner D. Ray Harrison, Jr.</b>          |
| <b>District III</b> | <b>Commissioner Randy Durden, Chairman</b>        |
| <b>District IV</b>  | <b>Commissioner Tommy Langford</b>                |
| <b>District V</b>   | <b>Commissioner Kenrick Thomas, Vice Chairman</b> |

**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; Billy Cannon, Road Department Superintendent; Diane Rondolet, Code Enforcement Official; Kadie Ogden, Otter Springs Manager; Mitchell Gentry, Hart Springs Manager; Sheriff Slaughter; Deputy Brittany Lee; Sabra Lindsey; Tim Hasting, CFEC; Wesley Asbell, Sabal Boling and Debbie Ross, Gilchrist County Health Department; and Richard & Leslie Esseck.

**Call to Order:** Chairman Randy Durden called the meeting to order at 4:03 p.m. Mr. David Halter, Bethel Church of Christ, delivered the invocation and Commissioner Tommy Langford led the pledge of allegiance.

**Agenda Changes**

- Mr. Joseph W. Gilliam, Clerk, presented the following agenda change:
  1. Addition: Gilchrist County Health Department at 4:15 p.m.
- Mr. John McPherson, County Attorney, presented the following agenda change:
  2. Addition: Otter Springs Road & Hipp Construction Update

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Tommy Langford, to approve the Agenda as presented, with noted changes. Motion carried unanimously.***

**Consent Agenda**

**Approval of Minutes**

Regular Meeting ..... June 20, 2011

### **Request for Payment Approval**

|  |              |
|--|--------------|
| Mills Engineering Company                            |              |
| Invoice 2011001, Resurface SW 85 <sup>th</sup> ..... | \$6,456.00   |
| Invoice 2001069, W/R GCR 337 .....                   | \$2,580.96   |
| Invoice 2011040, GCHD .....                          | \$3,922.50   |
| APAC – Southeast, Inc.                               |              |
| FINAL Pay Estimate; GCR 337 .....                    | \$183,148.64 |

*Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Tommy Langford, to approve the Consent Agenda as presented. Motion carried unanimously.*

### **Agenda Change**

Gilchrist County Health Department: Ms. Sabal Boling and Mr. Wesley Asbell with the Gilchrist County Health Department addressed the Board and presented the Gilchrist County Health Department 2011-2012 Business Plan. No Board action required.

### **County Administrator’s Report**

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

Special Recognition of Services Rendered: Chairman Durden and the Board of County Commissioners presented Deputy Sheriff Brittany Lee with an Outstanding Service Award in recognition of her heroism and dedication at a fire where she saved the life of a Gilchrist County resident on April 16, 2011.

Animal Control; Monthly Report: Mr. McQueen presented the Animal Control Monthly Report as submitted by Ms. Tanya Rippey, Animal Control Officer. Informational purposes only, no Board action needed.

Hart Springs; ADA Compliance: Mr. McQueen presented the issue of renovating Hart Springs to bring it into ADA Compliance.

Mr. Mitchell Gentry, Park Manager, presented estimated cost for ADA Compliance projects; including handicap sidewalks (accessibility to handicap restrooms), picnic tables, grills, pavilions and parking; and the request to designated NO Smoking/Tobacco Free Areas were also presented. Discussion took place.

**The Board directed Mitchell Gentry, Park Manager, to bring back a plan for handicap accessibility showing proposed parking, sidewalks and pavilions.**

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Sharon A. Langford, to approve “Tobacco Free” Areas at Hart and Otter Springs. Motion carried unanimously.*

**Time Certain**

4:30 p.m. Road Department Report: Mr. Billy Cannon, Road Department Superintendent, presented an update on the purchase of a new boom (at a LOWER price – in lieu of a used one) for the bucket truck; no other issues to present at this time.

Contract & Resolution for Ginnie Springs Road (NE 60th Ave): Mr. McQueen presented the Small County Road Assistance Program Agreement for the resurfacing of NE 60<sup>th</sup> Avenue from CR 340 to NE 62<sup>nd</sup> Place in Gilchrist County, Florida and Resolution 2011-33, for the Boards approval. Chairman Durden read the short title as follows:

**RESOLUTION 2011-33**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING THE COUNTY TO ENTER INTO THE SMALL COUNTY ROAD ASSISTANCE PROGRAM OF THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR FUNDS FOR THE CONSTRUCTION OF RESURFACING NE 60<sup>th</sup> AVENUE FROM CR 340 TO NE 62<sup>nd</sup> PLACE; AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE SUCH AGREEMENT; PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas to approve Resolution 2011-33. Motion carried unanimously.*

Contract & Resolution for Waters Lake Road (SE 45th Ave): Mr. McQueen presented the Small County Road Assistance Program Agreement for the resurfacing of SE 45<sup>th</sup> Avenue (Waters Lake) from CR 232 to Waters Lake Boat Ramp in Gilchrist County, Florida and Resolution 2011-34, for the Boards approval. Chairman Durden read the short title as follows:

**RESOLUTION 2011-34**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING THE COUNTY TO ENTER INTO THE SMALL COUNTY ROAD ASSISTANCE PROGRAM OF THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR FUNDS FOR THE CONSTRUCTION OF RESURFACING SE 45<sup>TH</sup> AVENUE (WATERS LAKE) FROM CR 232 TO WATERS LAKE BOAT RAMP; AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE SUCH AGREEMENT; PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Motion made by Commissioner Kenrick Thomas, seconded by Sharon A. Langford to approve Resolution 2011-34. Motion carried unanimously.*

Graders – Blowby Issues: Discussion took place on the blowby issue and oil consumption on the graders. The Board directed Mr. Cannon to have Ring Power to write us a letter expressing their intentions with a resolution on this issue and that he request their presence at the next board meeting.

CDBG Award: Mr. McQueen presented notification from the Department of Community Affairs on the return of the executed CDBG Award Agreement, for the Sun N Fun Subdivision project.

Mr. McQueen explained that at this time we could not obligate more than \$5,000.00 in expenses until an environmental review has been completed and that a release of funds notice has been received. He stated that the total grant award for this project (for drainage) is approximately \$700,000.00. Informational purposes only, no Board action needed, at this time.

Parks & Recreation – Free Day: Mr. McQueen requested, on behalf of the Park Managers, that July 27<sup>th</sup> be considered for an additional “Free Day” as recognition of National Parks & Recreation Month.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Tommy Langford, to approve adding July 27<sup>th</sup> as a “Free Day” as recognition of National Parks & Recreation Month. Motion carried unanimously.*

### Time Certain

4:45 p.m. Ordinance 2011-10; Santa Fe River NO Wake Ordinance

Chairman Durden read the short title as follows:

#### **ORDINANCE 2011-10**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; CREATING RESTRICTED BOATING AREAS; PROVIDING FOR A PURPOSE; PROVIDING DEFINITIONS; SETTING FORTH CONDITIONS FOR THE RESTRICTIONS TO GO INTO EFFECT; SETTING FORTH PENALTIES; AND PROVIDING AN EFFECTIVE DATE**

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Tommy Langford, to approve Ordinance 2011-10. Chairman Durden called for any discussion...*

Mr. McPherson reminded the Board the ordinance doesn’t go into effect that several other things have to be in place... such as *The Implementation of Penalties* under Section 90-64.

Chairman Durden then called for a vote... *Motion carried unanimously.*

### County Administrator’s Report continues...

Narrowbanding Requirement: Mr. McQueen presented the issue of January 1, 2013, being the compliance deadline for Narrowbanding. Discussion took place on forming a committee to come up with a recommendation on the County’s narrowbanding process and to bring it back to the Board for consideration.

**The Board agreed on a committee made up of EMS Chief Linda Walker, Fire Chief Billy Carreccia, Sheriff Slaughter and the County Administrator.**

### **Attorney's Report**

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

Ordinance 2011-10; No Wake Zones: Mr. McPherson stated that this ordinance was set for adoption hearing at this meeting.

Ordinance 2011-11; Code Review Changes: Mr. McPherson stated that this ordinance is to make deletions to code and is scheduled for adoption hearing at the August 15 meeting.

Resolution 2011-30; Contracts and RFPs: Mr. McPherson stated that this resolution has previously been approved and has provided a clean copy with changes noted for informational purposes and the Chairman's signature.

Resolution 2011-32; Adoption of Updated Diving Management Plan: Mr. McPherson stated that the newly constituted Diving Advisory Board has met and recommends that the following updated Diving Management Plan be adopted by the County Commission.

Chairman Durden read the short title as follows:

#### **RESOLUTION 2011-32**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADOPTING THE DIVING MANAGEMENT PLAN AS RECOMMENDED BY THE DIVING ADVISORY BOARD; AND ESTABLISHING AN EFFECTIVE DATE**

*Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, Jr., to approve Resolution 2011-32. Motion carried unanimously.*

Mandatory Special Assessment District: Mr. McPherson stated that Ordinance 2009-14 established a procedure for imposing special assessment districts on previously approved subdivisions with paved roads. The purpose of the special assessment would be to create a fund to be available for the repaving of the roads when that became necessary. Under the ordinance staff is to prepare a report for the County Commission showing the subdivisions covered by the ordinance, with information about each subdivision relating to the roads and predicted dates and costs of repaving. He has provided a table (on file) showing the work done to date on that report.

The lengths of the roadways within each subdivision were obtained from the Property Appraiser who used his maps and records. Road lengths are missing on a number of the subdivisions for the following reasons:

- County Commission minutes show that the final plats for Deer Meadows, Hagan Estates and Oak Leaf 1<sup>st</sup> Addition were approved, but the subdivisions have not yet been recorded. Thus the Property Appraiser does not have records on these subdivisions.

- Easley Place 1<sup>st</sup> Addition and Hagan Estates Phase I show up in the plat books as having been recorded, but the Property Appraiser apparently does not have records on these subdivisions. Mr. McPherson will have to check on this.

Mr. McPherson stated that he'll be working with the County Administrator and the County Engineer to come up with estimated costs for repaving each subdivision.

Class Action to Collect Lost Revenues: Mr. McPherson provided a copy of a letter from the law firm of Hinkle and Foran out of Tallahassee. This firm is taking the lead in a class action to collect lost revenues resulting from the Deepwater Horizon oil spill. The letter argues that all local governments should join in this class action, even inland ones like Gilchrist County, in an effort to collect revenue sharing and sales tax revenues that were lost due to the negative economic impact that the oil spill had on the whole State of Florida. The team of law firms and experts put together for this litigation certainly seems qualified and respected. There would be no out-of-pocket cost to the county in becoming part of the class. If there was a recovery, 20% of the recovery would go to attorney's fees and an additional pro rata amount of the recovery would go to pay costs, such as for experts.

Mr. McPherson explained that if the Commission feels that Gilchrist County has suffered substantial lost tax revenues due to the oil spill, he would be happy to look into this further and bring back a recommendation as to whether to join the litigation. **The Board had no interest in participating.**

EAR-Based Amendments: Mr. McPherson stated that the deadlines for EAR – Based Amendments have been extended well off into the future, with the changes with DCA. So this means that we have no due date until late 2014. He stated that he thought the Board had considered some other amendments than just those regarding the EAR process.

Mr. McPherson stated that he and Sandra Joseph, NCFRPC, recommend that the Board set a workshop at the next meeting to consider the springs review process and any other amendments that might need to be considered to proceed with. The Board agreed.

Otter Springs Road: Mr. McPherson recommended that the Debarment Hearing is put off until the first meeting in September (9/8/2011) to allow for settlement on Otter Springs Road Project. Discussion took place.

*Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, Jr. to postpone the Debarment Hearing until September 8, 2011. Motion carried unanimously.*

### **Clerk's Report**

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

Budget Recap: Mr. Gilliam presented/reviewed a Budget Recap for Period Ending July 14, 2011. Informational purposes only.

Budget Workshop: Mr. Gilliam addressed the issue off holding the next budget workshop on August 8, 2011, at 1:30 p.m. to discuss the proposed budgets for Parks (Hart & Otter), Tourism Development and SVL. Discussion took place.

*Motion made by Commissioner Tommy Langford, seconded by Commissioner Kenrick Thomas to approve Monday, August 8, 2011, at 1:30 p.m. as the next Budget Workshop to discuss to proposed budgets for FY 2011/2012 for Parks, Tourism & Development and SVL. Motion carried unanimously.*

First Meeting in September: Mr. Gilliam addressed the issue of the first meeting date in September falls on a holiday (Labor Day) and because of that we need to reschedule. He stated that in order to get the Property Appraiser our TRIM date and time we normally move it from the first Monday to the first Thursday (September 8<sup>th</sup>). Mr. Gilliam stated that the first meeting of the month September 8<sup>th</sup> will also be the Tentative Budget Hearing.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Tommy Langford, to approve September 8, 2011 as the first of the month meeting and the Tentative Budget Hearing. Motion carried unanimously.*

Retention Pond Fence @ Chamber: Mr. Gilliam presented the request to fence the small area around the retention pond across from the Chamber building. Discussion took place. **The Board directed the County Administrator to have a fence erected around retention pond.**

Chamber of Commerce Lease Agreement: Mr. Gilliam presented the renewal of the Chamber of Commerce Lease Agreement for another three years with an annual renewal option. Discussion took place.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Tommy Langford to approve the renewal of the Chamber of Commerce Lease Agreement. Motion carried unanimously.*

Assessment of Additional Court Costs Quarterly Summary: Mr. Gilliam provided for the Boards information the Assessment of Additional Court Costs Quarterly Summary for period ending June 30, 2011.

Request for Refund from Tax Collector: Mr. Gilliam presented a requested from the Tax Collector for a refund in the amount of \$199.05, for certificates that were sold.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Tommy Langford, to approve the refund of \$199.05 to the Tax Collector for the sale of tax certificates. Motion carried unanimously.*

State Aid to Libraries Grant Agreement: Mr. Gilliam presented the State Aid to Libraries Grant Agreement for the Boards approval and Chairman's signature.

*Motion made by Commissioner Tommy Langford, seconded by Commissioner D. Ray Harrison, Jr., to approve the State Aid to Libraries Grant Agreement and to allow the Chairman to sign. Motion carried unanimously.*

### **Commissioners Reports**

#### Commissioner Sharon A. Langford

Commissioner Langford asked that the County Attorney prepare an Inmate Agreement with Levy County at the same terms and conditions as our current agreement with them.

Commissioner Langford asked that the Clerk and Chairman prepare an evaluation sheet for the County administrator and County Attorney.

**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 A. Langford, to adjourn. Motion carried unanimously.* Chairman Durden adjourned the meeting at 6:09 p.m.

Board of County Commissioners  
Gilchrist County, Florida

Attest:

Approved:

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Joseph W. Gilliam, Clerk of Court

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Randy Durden, Chairman