

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD DECEMBER 3, 2012

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, December 3, 2012**, at **2:00 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:

<i>District I</i>	<i>Commissioner Sharon A. Langford, Chairman</i>
<i>District II</i>	<i>Commissioner D. Ray Harrison, Jr., Vice Chairman</i>
<i>District III</i>	<i>Commissioner Todd Gray</i>
<i>District IV</i>	<i>Commissioner John Rance Thomas</i>
<i>District V</i>	<i>Commissioner Kenrick Thomas</i>

Others in Attendance

Joseph W. Gilliam, Clerk of Court; Jacki Johnson, Finance Director; Patty McCagh, Board Secretary; John K. McPherson, County Attorney; Bobby Crosby, County Administrator; Terri Williams, Administrative Assistant; John Ayers, Gilchrist County Journal; Billy Cannon, Road Department Superintendent; David Peaton, Director of Emergency Management; Diane Rondolet, Code Enforcement Officer; Pat Watson, GC Chamber of Commerce; Lindsey Lander; Kyle Stone, Trenton Quarterback Club; Rosemary McDaniel; Randy Smith; Irwin Jerome White; Marion Poitevint; Katherine LaBarca; Ray Rauscher; Mark Feather (May House); Richard & Leslie Esseek; Brenda Flanagan, Preble-Rish, Inc.; Charlie Perez; and Christopher Gmuer, CHW-Inc.

Call to Order

Chairman Sharon A. Langford called the meeting to order at 2:00 p.m. Commissioner D. Ray Harrison, Jr., delivered the invocation and Commissioner John Rance Thomas led the pledge of allegiance.

Agenda Changes

- Mr. Bobby Crosby, County Administrator, presented the following agenda change:
 1. Addition: Narrowband; Invoice to First Communication, \$16,036.25
- Mr. John McPherson, County Attorney, presented the following agenda change:
 1. Addition: Interlocal Agreement; County, City of Fanning Springs, and Three Rivers Library (purpose of obtaining insurance benefits)

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

Consent Agenda

Approval of Minutes

Regular MeetingNovember 20, 2012

Approval of Bills

November 2012On file in Clerk's Office

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

Public Participation

Ms. Kyle Stone, Trenton Quarterback Club: Ms. Stone addressed the Board and asked if they would consider supporting the Trenton High School Football Ball Team by donating \$2,000.00 which would assist with the expenses for the State Playoffs. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Rance Thomas, to approve the request from Ms. Kyle Stone, for a \$2,000.00 donation, to assist with the expenses for the Trenton High School Football Team State Playoffs. Discussion took place.

Motion made by Commissioner John Rance Thomas, seconded by Commissioner Kenrick Thomas, to waive policy, section 1.18 (B) Public Participation, waiving rule in order to take action on issues presented during public participation. Motion carried unanimously.

Chairman Langford called for a vote on the motion for the \$2,000.00 donation to THS Football Team... ***Motion carried unanimously.***

Moving on with Public Participation...

Mark Feather (May House): Mr. Feather addressed the Board requesting permission to allow movers to cross County property while moving the 'May House'. Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Rance Thomas, to approve the request to allow movers of "May House" to cross County property. Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Rance Thomas, to waive policy, section 1.18 (B) Public Participation, waiving rule in order to take action on issues presented during public participation. Motion carried unanimously.

Chairman Langford called for a vote on the motion to allow movers to cross County property... ***Motion carried unanimously.***

Moving on with Public Participation...

Randy Smith / Irwin Jerome White (Code Enforcement Issues): Mr. Smith addressed the Board with concerns on Code Enforcement procedures. Discussion took place.

Motion made by Commissioner John Rance Thomas, seconded by Commissioner Kenrick Thomas, to set a Time Certain at the January 7, 2013, meeting for 2:15 p.m., regarding concerns of code enforcement procedures on Irwin Jerome White case. Motion carried unanimously.

County Administrator's Report

Mr. Bobby Crosby, County Administrator, presented the following documents, and/or addressed the following issues:

Road Department

SCOP Agreements & Resolutions: Mr. Crosby presented a request for the Chairman to sign SCOP Agreements & Resolutions 2012-54 and 2012-51 for widening Project of CR 307A from 307 to US 129 and CR 341 from 342 to CR 340. Chairman Langford read the short titles as follows:

RESOLUTION 2012-54

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING THE COUNTY TO ENTER INTO THE SMALL COUNTY OUTREACH PROGRAM OF THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR FUNDS TO WIDEN AND RESURFACE COUNTY ROAD 307A FROM COUNTY ROAD 307 TO US 129; 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 Commissioner D. Ray Harrison, Jr., to approve Resolution 2012-54 and SCOP Agreement for FDOT Project ID #42436-2-58-01, and to allow the Chairman to sign. Motion carried unanimously.

RESOLUTION 2012-51

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING THE COUNTY TO ENTER INTO THE SMALL COUNTY OUTREACH PROGRAM OF THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR FUNDS TO WIDEN AND RESURFACE COUNTY ROAD 341 NORTH FROM COUNTY ROAD 342 TO COUNTY ROAD 340; AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE SUCH AGREEMENT; PROVIDING AN IMMEDIATE EFFECTIVE DATE

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Rance Thomas, to approve Resolution 2012-51 and SCOP Agreement for FDOT Project ID #42436-1-58-01, and to allow the Chairman to sign. Motion carried unanimously.

Monthly Lime Rock Report: Mr. Crosby presented, for the Board's information, the Monthly Limerock Report for October 2012, as submitted by Mr. Billy Cannon, Road Department Superintendent.

Emergency Management

Request for Travel: Mr. Crosby presented a request for overnight travel (7 days) for EM Director David Peaton to attend Basic Emergency Management Academy; there is no cost associated with this other than the mileage there and back.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve overnight travel for David Peaton, EM Director to attend Emergency Management Basic Training Management Academy from January 6, 2013, in Starke, Florida. Motion carried unanimously.

Mr. Crosby also presented a request for overnight travel for Mr. Peaton to attend the FEPA Annual Meeting and Work Session in Orlando, Florida, on January 28, 2013 through February 1, 2013; total cost of event is \$830.00 plus per diem.

Motion made Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to approve overnight travel for Mr. Peaton, EM Director, to attend the FEPA Annual Meeting and Work Session in Orlando, Florida, on January 28, 2013, through February 1, 2013; total cost of event is \$830.00, plus per diem.

Request to adopt LEASP: Mr. Cosby presented a request for the Board to adopt the Gilchrist County Local Emergency Alert System Plan; this plan has been approved by the State of Florida. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Rance Thomas, to adopt the Gilchrist County Local Emergency Alert System Plan; which has been approved by the State of Florida. Motion carried unanimously.

2:30 p.m. Time Certain

Causseaux, Hewett & Walpole – CDBG Review of SE 79th Lane: Mr. Chris Gmuer, Civil Engineer with CH&W, presented the Board with an update/summary on the CDBG Resurfacing Project of SE 79th Lane. He stated that permitting with the SRWMD has been completed and are proceeding with the DEO application for 100% financing.

County Administrator's Report continues...

Code Enforcement

Monthly Report: Mr. Crosby presented the Monthly Code Enforcement Report as submitted by Ms. Diane Rondolet, Code Enforcement Officer; informational purposes only, no Board action needed.

Agenda Change

Narrowbanding: Mr. Crosby presented an invoice from First Communications, Inc., in the amount of \$16,036.25; this is for the delivery of all equipment and materials for the completion of phase one of the narrowbanding project. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to approve invoice from First Communications, in the amount of \$16,036.25. Motion carried unanimously.

FYI

Division of Forestry: Mr. Crosby submitted for the Board's information, the Division of Forestry's Annual Report.

Road Department

Request to REMOVE "Stop" Sign: Commissioner Kenrick Thomas addressed the issue of removing the STOP sign at the intersection of SE 46th Way and SE 20th Place. Discussion took place.

Motion made by Commissioner John Rance Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the request of removing the 'Stop' sign at the intersection of SE 46th Way and SE 20th Place. Motion carried unanimously.

Attorney's Report

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

Resolution 2012-52: Repeal of Special Act Relating to Sale of Salt Water Fish: Mr. McPherson presented a letter he received from the Florida Fish and Wildlife Conservation Commission, and an accompanying resolution. The letter requests that the County Commission adopt a resolution requesting that Chapter 21254 (1941), a special act relating to Gilchrist County, be repealed. That special act provides as follows:

That it shall be lawful to sell any and all salt water fish in Gilchrist County, Florida, twelve months in each year, providing, however the seller has the proper license as is already specified by law.

As stated in the letter, in 1983 this special act was incorporated into the rules of the FWC. The existence of this rule in FWC's rules creates a conflict since FWC has exclusive jurisdiction over the sale of saltwater fish. FWC would like to clean up this conflict, but wants a request from the County before repealing this special Gilchrist County rule. He recommended that the Board approve the resolution.

Chairman Langford read the short title as follows:

RESOLUTION 2012-52

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; REQUESTING AND CONSENTING TO THE REPEAL OF A RULE OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION WHICH INCORPORATES A GILCHRIST COUNTY SPECIAL ACT RELATING TO THE SALE OF SALTWATER FISH; AND ESTABLISHING AN EFFECTIVE DATE

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve Resolution 2012-52 and to allow the Chairman to sign. Motion carried unanimously.

Resolution 2012-53: Texting: Mr. McPherson stated that many cities and counties have found it advisable, for obvious safety reasons, to put an explicit prohibition on county employees' texting while driving on county business. Also, due to the uncertainty as to how texts will be treated under the public records law, and the difficulty in saving all texts, it is advisable to make clear that texting shall not be used to conduct county business. He worked with Mr. Crosby, County Administrator, on an amendment to the County's personnel policies that are set forth in the proposed resolution. Staff recommended adoption by the Board.

Chairman Langford read the short title as follows:

RESOLUTION 2012-53

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; CLARIFYING THE COUNTY'S POLICIES WITH REGARD TO TEXTING TO CONDUCT COUNTY BUSINESS AND TEXTING WHILE DRIVING; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND ESTABLISHING AN EFFECTIVE DATE

Discussion took place; language underlined is added; language struck through is ~~deleted~~.

Section 1. Subsection 7.7 F of the Gilchrist County Manual of Rules and Procedures is amended to read as follows:

F. Telephone Calls and Texting

1. Personal telephone calls, both incoming and outgoing, should be restricted to emergencies only and must be kept brief. Personal long distance calls shall not be made from County phones without prior approval of the Supervisor, and then in emergency situations only.
 2. Emergency telephone calls shall be immediately directed to the proper work area, and callers shall be informed of the employee's exact telephone number and extension so that an emergency call may be completed as quickly as possible.
 3. Due to the difficulty in maintaining cell phone texts in compliance with state public records laws, texting shall be prohibited for conducting county business.
 4. While driving on county business, employees shall concentrate on safe and defensive driving and not be distracted by cell phones or other electronic devices. As such, employees shall minimize the use of cell phones and other electronic devices while operating a county vehicle. Texting for any purpose is strictly prohibited while driving a county vehicle or otherwise operating a vehicle on county business.
35. See Section 6.3 of this Policy Manual for special rules relating to use of county-issued cell phones and other forms of electronic communications.

Section 2. The Codifier shall include Section 1 of this resolution in the Gilchrist County Manual of Rules and Procedures. Language underlined is added; language struck through is deleted.

Motion made by Commissioner Todd Gray, seconded by Commissioner D. Ray Harrison, Jr., to approve Resolution 2012-53 and to allow the Chairman to sign. Motion carried unanimously.

Wolford Agreement: Mr. McPherson stated that Mr. Wolford agreed to the changes, and he and the chair have signed the agreement.

Otter Springs Park: Mr. McPherson stated that due to the holidays and illness, we do not have a draft of the *Letter of Intent*, for this meeting. We will have it ready for the first meeting in January.

Economic Development Advisory Committee: Mr. McPherson stated that he and Mr. Crosby plan on drafting a letter to the former members of the Industrial Development Authority asking them if they are interested in serving on the newly created Economic Development Advisory Committee, and noting that it will not be necessary to file a financial disclosure form to serve on this advisory committee.

Agenda Change; Interlocal Agreement: Mr. McPherson presented an Interlocal Agreement between Gilchrist County, Three Rivers Regional Library and the City of Fanning Springs, for insurance. Mr. Gilliam explained the purpose of the Interlocal Agreement. Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve the Interlocal Agreement allowing the Three Rivers Regional Library and City of Fanning Springs to participate in insurance coverage. Motion carried unanimously.

Public Participation: Mr. McPherson addressed the issue of the provisions in the County's policy on Public Participation. Discussion took place.

Mr. McPherson will bring back, at the next meeting, a resolution amending the county's policies with regard to public participation at county commission meetings.

Clerk's Report

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

Notice of Legislation Delegation Hearing: Mr. Gilliam informed the Board of the upcoming Legislation Delegation Hearing set for Thursday, December 13, 2012, at 1:00 p.m., in the Boardroom.

Investment Report: Mr. Gilliam and Ms. Jacki Johnson, Finance Director, updated the Board on investments. Information purposes only.

Revenue Trends & Discussion: Mr. Gilliam and Ms. Johnson presented and reviewed the County's Revenue Trends. Discussion only at this time.

Letter from Concerned Citizen regarding Assessments for Property Taxes: Mr. Gilliam presented a letter regarding Special Assessments. He explained the issue. The Property owner is requesting that it be considered that special assessments accrued from 2006-2012 be refunded. Mr. Gilliam explained that the current year has been corrected. Discussion took place.

Motion made by Commissioner John Rance Thomas, seconded by Commissioner Todd Gray, to DENY the request for a Special Assessment refund made by Ms. Camilo P. Castro, for previous years of 2006-2012. Motion carried unanimously.

3:00 p.m. Time Certain

- Restoration of Hart Springs Discussion: Mr. Crosby stated that this issue will be brought back for discussion once more information is collected.

Commissioners Reports

At this time, the Commissioners, County Administrator and County Attorney expressed kind words to Mr. Gilliam, in regards to his retirement.

Commissioner Todd Gray presented a request made by Ms. Betty Ramey, for the use of the Boardroom on the fourth Monday of the month, at 7:00 p.m., for the Republican Party meetings.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve request as presented. Motion carried unanimously.

Commissioner D. Ray Harrison, Jr., recommended appointing Ms. Diane Clifton to represent the County on the North Florida Economic Development Partnership Board and pay her travel, as a result of the 2013 Committee Assignments as presented by Commissioner Sharon A. Langford, Chairman.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve Diane Clifton as the County Representative to the NFEDP Board, as recommended. Motion carried unanimously.

Old Business: None noted.

New Business: None noted.

Public Participation: None noted.

Mr. Gilliam thanked the Board Members for their kind words and expressed his gratitude for the years served as Gilchrist County Clerk of the Courts.

Adjourn

With there being no further business... a ***Motion was made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Rance Thomas, to adjourn. Motion carried unanimously.*** Chairman Langford adjourned the meeting at **3:49 p.m.**

Board of County Commissioners
Gilchrist County, Florida

Attest:

Approved:

Todd Newton, Clerk of Court

Sharon A. Langford, Chairman