

## **MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MARCH 4, 2013**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, March 4, 2013**, 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*

Todd Newton, Clerk of Court; Jacki Johnson, Finance Director; Patty McCagh, Board Secretary/Deputy Clerk; David Lang, 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, Executive Director, GC Chamber of Commerce; Laura Dedenbach, County Planner; Lee Mills, County Engineer (Mills Engineering); John McPherson; Ray Rauscher; Charlie Perez; GC Sheriff Robert Shultz; Susan Owens; Marion Poitevint; Katherine LaBarca; Richard & Leslie Esseck; GCSO Jeff Manning and Lt. Edwin Jenkins; Stew Lilker, Columbia County Observer; Steve Gladin; and Diane Clifton.

### *Call to Order*

Chairman Sharon A. Langford called the meeting to order at 4:02 p.m. Mr. Todd Newton, Clerk of Court, delivered the invocation and Commissioner Todd Gray led the pledge of allegiance.

### *Agenda Changes*

- Mr. Bobby Crosby, County Administrator, presented the following agenda changes:
  1. Addition: **General Government**
    - a. Feasibility Study for Hart Springs
    - b. Support Letter for Another Way
    - c. Resolution 2013-09, RACEC

*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 Bills**

On file in Clerk's Office ..... February 2013

### **Budget Entries**

BE13-008, General Revenue, Fund 001 ..... \$70.00  
 BE13-009, Solid Waste, Fund 434 ..... \$560.00  
 BE13-010, General Revenue, Fund 001 ..... \$86.10

### **Request for Payment Approval**

DCSO; Dixie County Inmate Housing  
 January 2013 ..... \$9,870.00

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve the Consent Agenda, as presented. 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/ SCRAP Projects:** Mr. Crosby presented the following roads for consideration as candidates, to be submitted for the FY 16/17 SCOP Projects: SE 70<sup>th</sup> Ave – 2 miles; SE 10<sup>th</sup> St – 2 miles; 2<sup>nd</sup> Way/NE 138th – 2.5 miles. He also presented NW340/NE 340 from SR 129 to Alachua County Line, for consideration as a candidate for SCRAP Projects in the FY 16/17. Mr. Crosby stated that we have until April 10, 2013 to submit if there is another candidate to be considered for the SCRAP program.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the candidates as presented for the SCOP/SCRAP FY 16/17 Programs.*** Chairman Langford called for any further discussion.

Mr. Billy Cannon, Road Department Superintendent, suggested CR 236 be included as a candidate for the SCRAP Program.

***Motion made by Commissioner John Thomas, seconded by Commissioner D. Ray Harrison, Jr., to amend the motion to include CR 236 to the candidates for the SCRAP Program for FY 16/17. Motion carried unanimously.***

Chairman Langford called for a vote on the original motion... ***Motion carried unanimously.***

- Division of Forestry – Bulldozer: Mr. Crosby presented a request to accept the donation of a Bulldozer from the Department of Forestry. He stated that the only cost to the County would be to paint the Bulldozer.

Mr. Crosby stated that Mr. Cannon went up and looked at the Bulldozer and is now requesting permission to draft a letter accepting the Bulldozer into our fleet.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to accept the donation of the Bulldozer from the Department of Forestry; and to allow County Administrator to send letter of acceptance. Motion carried unanimously.***

#### Code Enforcement

- Jerome White: Mr. Crosby stated that Mr. Jerome White has satisfied \$4,000.00 out of the \$5,000.00 which was due by March 19<sup>th</sup> for Code Enforcement Fines. Mr. White asked Mr. Crosby to request on his behalf that the Board consider waiving the last \$1,000.00. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to deny forgiving the last \$1,000.00, as requested by Jerome White for Code Enforcement Fines. Motion carried 4-1, with Commissioner Kenrick Thomas, voting NO.***

- Monthly Report: Mr. Crosby presented, for the Boards' information, the Monthly Code Enforcement Report, as submitted by Ms. Diane Rondolet, Code Enforcement Officer.

#### Fire/Rescue

- Request for Copier Lease: Mr. Crosby presented a request to enter into 36 month lease for 2 new copiers at EOC, with McCrimon's @ \$392.68 per month; this cost has been budgeted. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve entering into a 36 month lease for two (2) new copiers at the EOC, with McCrimon's, in the amount of \$392.68/mo. Motion carried unanimously.***

#### Emergency Management

- Letter of Support: Mr. Crosby presented a request for a Letter of Support for board action to be taken encouraging the Florida Division of Emergency Management to continue supporting the existing local planning efforts to develop the best plans possible for protecting our communities from chemical release, to Director Koon and permission for chairperson to sign. Discussion took place.

***Motion made by Commissioner Todd Gray, seconded by Commissioner D. Ray Harrison, Jr., to approve Letter of Support to Mr. Koon, State of Florida Emergency Management Director, regarding the support to existing local planning efforts to develop the best plans possible for protecting our communities from chemical release. Motion carried unanimously.***

### Solid Waste

- Groundwater Monitoring Well: Mr. Crosby presented the following quotes for the Ground Water Well Abandonment Costs, as follows:

Action Pump Repair & Well Drilling	\$6,250.00
Archer Pump Service	\$6,885.00
Cannon's Well Drilling	\$9,000.00
Dependable Well Drilling	\$11,050.00

It was Mr. Crosby's recommendation to go with Action Pump Repair & Well Drilling at cost of \$6,250.00.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve Action Pump Repair & Well Drilling at cost of \$6,250.00, for Ground Water Monitoring Well Abandonment, at Solid Waste. Motion carried unanimously.***

- Request to stop pickup in City of Trenton on Friday's: Mr. Crosby presented a request to stop recycle pickup in the City of Trenton on Friday's. He stated that hardly any bags are being picked up. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas to approve the request to stop pickup in the City of Trenton on Friday's. Motion carried unanimously.***

### Tourist Development Council

- PWW Letter of Support: Mr. Crosby presented a request for the Chairperson to sign a support letter, for Rural Regional Development Grant, for Pure Water Wilderness. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve Letter of Support for Pure Water Wilderness. Motion carried unanimously.***

- PWW Confirmation Letter: Mr. Crosby presented a request for Chairperson to sign confirmation letter to verify \$5,000.00 match, for a Pure Water Wilderness grant. Discussion took place.

***Motion made by Commissioner Todd Gray, seconded by Commissioner Kenrick Thomas, to approve Confirmation Letter for grant match for PWW. Motion carried unanimously.***

### General Government

- CHW Engineer Consulting Services Contract: Mr. Crosby presented a request for the Chairperson to sign contract with Causseaux, Hewett & Walpole, Engineer Consulting Services. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to authorize the Chairman to sign contract with Causseaux, Hewett & Walpole, for Engineer Consulting Services. Motion carried unanimously.***

#### **4:30 p.m. Time Certain**

- **NFBA Discussion:** Chairman Langford addressed the issue of Gilchrist County opting out of the participation and support of the North Florida Broadband Authority. As of date there have been seven counties that have opted out. Discussion took place.

Chairman Langford called for any public participation; several concerned citizens expressed their views on this issue.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to opt out of the NFBA; and to direct the County Attorney to prepare a resolution and bring back for the Boards further consideration on opting out. Motion carried unanimously.***

Mr. Crosby presented a request from the NFBA asking to use the EOC Conference Room to hold their Board Meeting. Discussion took place.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to deny the request by NFBA for the use of the EOC for their Board Meeting... Chairman Langford called for discussion.***

Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to amend previous motion denying use of EOC and to allow the NFBA to use County Commission Meeting Facility to hold their Board Meeting upon availability and subject to a copy of the minutes be provided to the County Commission. Motion carried 4-1; Commissioner John Thomas voted NO.***

#### **County Administrator's Report continues...**

##### **General Government**

- **Medicaid Cost Share Program:** For the Boards' information, Mr. Crosby addressed the issue of continuing the Medicaid Audit Program the way we have been, by checking the bills ourselves, or to participate in a Cost Share Program. It would be more beneficial for the County to opt out of the Cost Share Program. Discussion took place. No action needed at this time.

#### **County Administrator's Agenda Changes**

##### **General Government**

- Feasibility Study for Hart Springs: Mr. Crosby presented the Hart Springs Concept Plans as prepared by CHW (Causseaux, Hewett & Walpole) regarding the Feasibility Study at Hart Springs. He was asked to bring back information on the capacity of the sewage system and to add to the Scope of Services the **12 home sites** that run on the **north** side of the new campground. Total cost for the Scope of Services, as prepared by CHW, for the RV Campground \$6,500.00 and River Home Site \$3,500.00, is a lump sum of \$10,000.00. Discussion took place. No Board action taken at this time.

### 5:30 p.m. Time Certain

County Attorney, David Lang, has filed a Memorandum of Disclosure, Conflict of Interest, and is to be filed with the minutes; questions will be directed to Mr. McPherson.

- SUP 13-01, Church Camp Ministries: Ms. Laura Dedenbach, County Planner, presented the application, for a SUP 13-01, by Church Camp Ministries, Inc., requesting an amendment to a special use permit to add approximately 39 acres to the project site. Overnight Recreational Parks are allowed by special use permit in Section 8.04, Land Development Code (LDC). On November 20, 2012, the BOCC approved a one-year extension for SUP 2011-04, and granted a request to allow the special use permit to be amended under the regulations for Overnight Recreation Parks established prior to Ordinance No. 2012-06, which increased the minimum project area size to 80 acres. The applicant is proposing to add acreage to the project site so that the 11.25 units desired by the applicant will be able to meet the required density of the land use category.

Ms. Dedenbach stated that the proposed uses are consistent with the Comprehensive Plan and Land Development Code.

It was her recommendation to approve the requested amendment to Special Use Permit 2011-04 to add approximately 39 acres (increasing the acreage from 21.05 acres to 60.94 acres) to an approved Overnight Recreational Park on Parcels Portions of 26-08-16-0000-0005-0010 & Portions of 26-08-16-000-0005-0020 (approximately 60.94 acres described in the legal descriptions submitted in the applicant's warranty deeds and depicted in the application materials as Parcel # 26-08-16-0000-0005-0010; 26-08-16-0000-0005-0020; 26-08-16-0000-0005-0030; 26-08-16-0000-0005-0040; 26-08-16-0000-0005-0070; 26-08-16-0000-0005-0080; and, 26-08-16-0000-0005-0100) subject to the following conditions:

1. The applicant shall submit a preliminary site plan that meets the criteria and density limitations outlined in Section 8.04, Land Development Code, prior to the amendments contained in Ordinance No. 2012-06.
2. The Special Use Permit (Development of Major Impact) shall expire automatically upon any development of the site for residential, commercial, or industrial purposes outside of this approved SUP.
3. Any violation of this Special Use Permit (Development of Major Impact), or conditions thereof, shall cause the revocation of this SUP by the Board of County

- Commissioners. The Board of County Commissioners shall hold a public hearing on the proposed revocation with the notice of public hearing provided by certified mail to the property owner. Evidence of violation of the SUP may be presented by any person including a resident, the County Code Enforcement Officer, or other County official. Once the SUP has been revoked pursuant to this provision, the owner shall be prohibited from re-applying for a Special Use Permit for an overnight recreational park.
4. Approval of this Special Use Permit does not alleviate the applicant's obligation to obtain all other applicable state and federal permits. As conditioned the proposed uses and associated development contained within this Special Use Permit:
    1. Is consistent with the Gilchrist County Comprehensive Plan, Land Development Code, and other applicable regulations.
    2. Is generally compatible and harmonious with the uses and structures on adjacent and nearby property.
    3. Has the necessary public infrastructure available to the site and the requirements of concurrency management have been met. A concurrency reservation is not being given with this Special Use Permit.
    4. Will have screening and buffers of the dimension, type, and character to improve the compatibility and harmony with adjacent and nearby properties.

This concluded Ms. Dedenbach's presentation. Discussion took place. Mr. Walter Jarvis, engineer for project, stated that they are aware of the conditions and have no objections.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray to approve SUP 2013-01, based on the recommendations of the Staff Report.*** Chairman Langford then called for any public comments.

Discussion took place on the issuance of a Special Use Permit; Mr. Steve Gladin, Concerned Citizen, stated that it should be considered that if the **use** didn't remain active, then the special use permit would cease to exist after a period of inactivity. Discussion continued. Mr. McPherson stated that you have to get started within a year or the SUP lapses; that there is nothing in our rules about use of it never being used after the year is up. He stated that a condition could be considered but that is not the rule.

It was questioned that if it was built as it is proposed here, and in a period of time it didn't work out, it is sold to someone else, it could become a private park or private campground? Mr. McPherson stated that as long as it was used in accord with the conditions of the special use permit and in accord with the site plan; unless something is put in there that states it had to be used for religious purposes (which there is nothing in there).

Mr. McPherson stated that there are two things that could be considered: (1) condition stating that it has to be used for religious purposes; or (2) that it does not run with the land, that if sold the new owner will have to come in for a new special use permit (If a condition should be set, the **new owner** would have to continue the use for religious purposes; if to be used for any other use the special use permit will not convey to future owners). Discussion continued.

Ms. Dedenbach stated that this special use permit could be similar to the permit issued to Ellie Ray's; that a special use permit to that group and then if it changed they had to notify the County Administrator and then if it was to change significantly it was to be brought back before the Board.

Chairman Langford called for any further discussion...none noted; she called for pleasure of the Board.

***Motion made by Commissioner John Thomas, seconded by Commissioner D. Ray Harrison, Jr., to amend the motion to include the condition similar to that issued to Ellie Ray's; (1) that when a special use permit is issued to a group and then ownership changes they have to notify the County Administrator and if it's a significant change it is to be brought back before the Board (special use permit does not automatically convey to future owners); and (2) that the special use permit does not override the special events requirements. Motion carried unanimously.***

***Chairman Langford then called for a vote on the first motion, as amended... Motion carried unanimously.***

### **County Administrator's Agenda Changes**

#### **General Government**

- **Support Letter for Another Way:** Mr. Crosby requested approval from the Board, and authorization for the County Administrator to sign a *Letter of Support* to Another Way, for support of their applying for Emergency Solutions Grant.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to approve Letter of Support for Another Way, and to allow County Administrator to sign. Motion carried unanimously.***

- **Resolution 2013-09, RACEC:** Mr. Crosby presented Resolution 2013-09, Supporting the North Florida Regional Area continuing as an area of Rural Area of Economic Concern RACEC, which was to be included as part of the NFEDP request at the last meeting.

He read the short title as follows:

## RESOLUTION 2013-09

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, EXPRESSING ITS SUPPORT THAT THE DESIGNATION OF RURAL AREA OF CRITICAL ECONOMIC CONCERN (RACEC) CONTINUE TO APPLY TO THE NORTH CENTRAL FLORIDA REGION INCORPORATING BAKER, BRADFORD, COLUMBIA, DIXIE, GILCHRIST, HAMILTON, JEFFERSON, LAFAYETTE, LEVY, MADISON, PUTNAM, SUWANNEE, TAYLOR, AND UNION COUNTIES (INCLUDING THE CITIES, TOWNS AND COMMUNITIES WITHIN EACH); AND, THAT ALL ENTERPRISE ZONES IN THESE COUNTIES AND COMMUNITIES CONTINUE TO EXIST; AND THE CONTINUATION OF ALL STAFFING GRANT FUNDING FOR THE NORTH FLORIDA ECONOMIC DEVELOPMENT PARTNERSHIP (NFEDP) THROUGH FUNDS APPROPRIATED BY THE FLORIDA LEGISLATURE AND ADMINISTERED THROUGH FLORIDA'S DEPARTMENT OF ECONOMIC OPPORTUNITY, AND PROVIDING FOR AN EFFECTIVE DATE**

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve Resolution 2013-09.* Chairman Langford called for any public comments.

Ms. Diane Clifton pointed a typo in paragraph 2; add the word to; between *organization* **to** *work*.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve resolution 2013-09, with noted correction; and to allow the Chairman to sign. Motion carried unanimously.*

### **Attorney's Report**

Mr. David M. Lang, Jr., County Attorney, presented the following documents, and/or addressed the following issues:

Ordinance 2013-01 Additional Exemption: Mr. Lang stated that this ordinance is noticed for adoption hearing at the March 18<sup>th</sup> meeting.

Ordinance 2013-02 School Zone: Mr. Lang stated that this ordinance is noticed for adoption hearing at the March 18<sup>th</sup> meeting.

Resolution 2013-08 Changing Membership of Economic Development Advisory Committee: Mr. Lang stated that this resolution would change the number of members of the Economic Development Advisory Committee from 7 to 9.

Mr. Lang read the short title as follows:

## RESOLUTION 2013-08

### A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADDING TWO MEMBERS TO THE GILCHRIST COUNTY ECONOMIC DEVELOPMENT ADVISORY COMMITTEE; AND ESTABLISHING AN EFFECTIVE DATE

*Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to approve Resolution 2013-08. Motion carried 3-2; Commissioner Kenrick Thomas and Commissioner D. Ray Harrison, Jr., voted NO.*

**It was the consensus of the Board to advertise for the four (4) vacant positions on the Gilchrist County Economic Development Advisory Board**

Representation of Elections Supervisor: Mr. Lang stated that he had contacted Attorney Ronald Labasky in regards to representation of the Canvassing Board for the Roux Appeal. Mr. Labasky will provide a letter confirming his continued representation for the Gilchrist County Canvassing Board with the same conditions as agreed in November 2012. Discussion took place.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to retain Attorney Ronald A. Labasky to represent the Gilchrist County Canvassing Board, as same conditions as agreement from November 2012, regarding the Roux appeal. Motion carried unanimously.*

### Clerk's Report

Mr. Todd Newton, Clerk of Court, presented the following documents, and/or addressed the following issues:

Presidio: Mr. Newton presented a quote for the upcoming maintenance agreement with Presidio, due in April 2013, with an annual cost of \$5,521.89 or a 3yr maintenance plan of \$12,211.94. He explained that this is a SMARTnet Agreement which warranties all of our Cisco networking equipment; it is the backbone of our data network and phone system. Discussion took place.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray to approve Option #2, the 3 year Prepay Cisco SMARTnet, in the amount of \$12,211.94, for the maintenance agreement. Motion carried unanimously.*

Request from Tax Collector: Mr. Newton presented a request from the Tax Collector, for Title Search Fees, in the amount of \$12,600.00, in order to move forward with the Tax Deed Application procedures.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve request from the Tax Collector for Title Search Fees, in the amount of \$12,600.00. Motion carried unanimously.*

Records Storage Building: Mr. Newton presented the results of the bid opening, for the Award of the Records Storage Building project, as follows:

CCI Cabot Construction, Inc.	\$438,224.00
Gambles & Associates Construction, Inc.	\$429,938.00
Ram Construction Development, LLC	\$429,000.00
Nooney Construction, Inc.	\$413,260.00
Scherer Construction of North Florida, LLC	\$404,983.00
Joyner Construction, Inc.	\$397,000.00
Gray Construction Services, Inc.	\$376,887.00
Slack Construction, Inc.	\$366,113.00
<b>McInnis Services, LLC</b>	<b>\$305,889.00</b>

Mr. Newton explained that all bids had Additive Alternates: No.1 Non-CMU Interior Partition Walls; No. 2 Building Bays; No. 3 Building Canopy. With McInnis being the low bid, \$305,889.00 it is recommended to include No. 2 Building Bays, in the amount of \$57,403.00, total cost of **\$363,292.00**; including the alternate still left McInnis as low bidder.

It is the Engineer's (Mittauer & Associates) recommendation to award McInnis Services, LLC as low bidder, for this project. Discussion took place.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by John Thomas, to award low bid for McInnis Services, LLC, including base bid and security and one additional bay, total amount of \$363,292.00, for the Records Storage Facility. Motion carried unanimously.*

**Commissioners Reports:** None noted.

**Old Business:** None noted.

**New Business:** None noted.

**Public Participation**

**Adjourn**

With there being no further business... a *Motion was made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to adjourn. Motion carried unanimously.* Chairman Langford adjourned the meeting at **6:49 p.m.**

*Board of County Commissioners  
Gilchrist County, Florida*

*Attest:*

*Approved:*

\_\_\_\_\_  
*Todd Newton, Clerk of Court*

\_\_\_\_\_  
*Sharon A. Langford, Chairman*