

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MARCH 18, 2013

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, March 18, 2013**, 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:

<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; Patty McCagh, Board Secretary/Deputy Clerk; David M. Lang, Jr., 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 Gilchrist County Chamber of Commerce; Katherine LaBarca; John McPherson; Pastor Greg Douglas, Pine Grove Baptist Church; Dan Cavanah; David Jones, ForVets, Inc.; Stew Lilker, Columbia County Observer; Wilma Poole; Charlie & Vicki Perez, Gilchrist Tea Party; Richard & Leslie Esseck; Marion Poitevint; Mickey King; Ray Rauscher; Bill Martin, BHS FFA; Janice Rogers; Joseph Blicht; Wilma Mattucci, Gilchrist County Library; Anthony Clark, Gainesville Sun; Donna Creamer, Gilchrist TDC; C. Shea, Gilchrist Tea Party; Carl Crider; Dustin Jurman, Rapid Systems; Chris Addy, Rapid Systems; Walter McKenzie, White Springs – Broadband; JW Arnold, NFBA; Mark Gluckman, Gilchrist TDC; Terry Trussell; Slack Construction; Richelle Sucara, NFBA; Danny Lort, NFBA; Susan Owens; Donald Schleicher, NFBA; Matt Schiller, NTIA; John Harbor, Mayalla Advisor; Chris Holt, NTIA; The Kim, Pype Construction; Tommy Langford, NFBA; Tony Wilholm, DOC; Jennifer Springfield, NFBA; Sheryl Rehberg, NFBA; Bill Kilborn; Denis Riordan; and Peter Butt.

Call to Order

Chairman Sharon A. Langford called the meeting to order at 4:00 p.m. Pastor Greg Douglas, Pine Grove Baptist Church delivered the invocation and Commissioner Kenrick Thomas led the pledge of allegiance.

Agenda

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the Agenda as presented, with NO changes. Motion carried unanimously.

Consent Agenda

Request for Payment Approval

Dixie County Inmate Housing; February 2013 \$6,048.00

Mills Engineering Company

Invoice 2013020; Santa Fe River Park Boat Ramp and Parking \$1,882.50

Invoice 2013012; W/R CR307A from CR307 to US 129 \$4,668.00

Invoice 2013015; W/R CR341 from CR342 to CR340 \$1,675.50

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

Presentation

At this time, the Board presented outgoing Attorney Mr. John McPherson, with a plaque for *Appreciation of Services*, as County Attorney, for the past 12 years. Mr. McPherson expressed a few words of appreciation.

County Administrator's Report

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

Road Department

- **SE 70th Avenue:** Mr. Crosby explained the issue of the “dip” on SE 70th Avenue. He requested the Boards’ approval on an estimate, in the amount of **\$4,875.00**, from Hicks Seal Coating and Stripping, LLC. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve quote from Hicks Seal Coating and Stripping, LLC, in the amount of \$4,875.00, to repair the ‘dip’ on SE 70th Avenue. Motion carried unanimously.

- **Limerock Report:** Mr. Crosby presented the Monthly Limerock Report for February 2013, as submitted by Billy Cannon, Road Department Superintendent. Informational purposes only.
- **DEO CDBG Program:** Mr. Crosby informed the Board that the Plans and Specifications have been accepted by the DEO, for the CDBG Project Roadway and Drainage Improvements, on SE 79th Lane. He stated that the deadline is being met and that the approval for the next step should be received in the next 60-90 days to continue to move forward.

- Additional Acreage at Townsend Pit: Commissioner Kenrick Thomas inquired about permitting (through the SRWMD) the additional 20 acres at the Townsend Rock Pit. Discussion took place.

The Board agreed for Mr. Billy Cannon, Road Department Superintendent to get with the County Administrator to move forward with permitting procedures for the additional 20 acres at the Townsend Rock Pit.

Library

- Monthly report for Library: Mr. Crosby presented the Library Monthly Report as submitted by Ms. Wilma Mattucci. Informational purposes only.

Solid Waste

- CR138 Trash/Recycling Site (Boss Turner Road): Mr. Crosby discussed the proposed plans for the future additional trash and recycling site on CR 138 (Boss Turner Road); which is approximately 3 acres. Discussion took place. No Board action needed at this time.

Fire/Rescue

- EMS 4th Quarter Write-Off's: Mr. Crosby presented the EMS 4th Quarter Write-Off's, in the amount of \$78,137.47, for the Boards' approval. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve the EMS 4th Quarter Write-Off's, in the amount of \$78,137.47.

Commissioner John Thomas requested that the Clerk work with the EMS Chief to include a line item showing what has been collected from previous quarters.

Chairman Langford called for a vote... ***Motion carried unanimously.***

Time Certain

- **4:15 p.m. Ordinance 2013-01; Additional Exemption**: Mr. David Lang, County Attorney presented Ordinance 2013-01 and read the short title as follows:

ORDINANCE 2013-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING AN ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING PERSONS AGED 65 OR OLDER; PROVIDING DEFINITIONS AND CRITERIA FOR ELIGIBILITY; AND PROVIDING AN EFFECTIVE DATE

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve Ordinance 2013-01. Chairman Langford called for any discussion, none noted. Motion carried unanimously.

County Administrator's Report continues...

Emergency Management

- EOC Entrance and Exit Procedures: Mr. Crosby presented a proposed draft of the Gilchrist County Department of Public Safety Entrance and Exit Procedures. He stated that the Gilchrist County Emergency Operations Center is a secure facility that houses extensive electronics equipment, supplies, and sensitive information.

Therefore, building security and monitoring of personnel and visitors entering and exiting the building is of high priority. He also stated that the building security procedure is designed to ensure the safety and security of the personnel and property located within the Gilchrist County Public Safety Building. He presented a list of procedures that will be followed at all times with the exception of situations that are listed in Section 3 of the policy presented.

Mr. Crosby requested that a change is made under **Section VII. Enforcement**, as follows: (~~strikethrough~~ deleted, underlined added)

1) Staff will be given ~~90~~ 45 days after the release date of this policy to become completely compliant with this policy. During that time no punitive measures will be taken, instead Department Heads will correct actions of staff and remind them of the policy and the importance of compliance with procedures.

2) After ~~90~~ 45 days, adherence to this policy will be strictly enforced and progressive discipline will be utilized to ensure compliance with policy.

Discussion took place.

Motion made by Commissioner Todd Gray, seconded by Commissioner D. Ray Harrison, Jr., to approve the Gilchrist County Department of Public Safety Entrance and Exit Procedures, as presented with the above noted changes. Motion carried unanimously.

- E911 Grant Applications: Mr. Crosby requested that the Chairman is authorized to sign each of the following the Annual Grant Applications, for E911:

System, Product & Recorder Maintenance
Mapping Maintenance
Smart 9-1-1 Annual Support and Maintenance

It was clarified that each application is approved separately. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to authorize the Chairman to sign the grant application for the E911 System, Product & Recorder Maintenance, for the 2013 E911 Rural County Grant Program, and to allow the Gilchrist County Director of Emergency Management to submit the applications for grant consideration. Motion carried unanimously.

Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to authorize the Chairman to sign the grant application for the E911 Mapping Maintenance, for the 2013 E911 Rural County Grant Program, and to allow the Gilchrist County Director of Emergency Management to submit the applications for grant consideration. Motion carried unanimously.

Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to authorize the Chairman to sign the grant application for the E911 Smart 9-1-1 Annual Support and Maintenance, for the 2013 E911 Rural County Grant Program, and to allow the Gilchrist County Director of Emergency Management to submit the applications for grant consideration. Motion carried unanimously.

Parks/Recreation

- Letter of Intent: Mr. Crosby presented the *Letter of Intent* with ForVets and Otter Springs, as accepted by the Suwannee River Water Management District.

Mr. John McPherson, outgoing County Attorney, stated the SRWMD had omitted boilerplate statements/lines in the proposed *Letter of Intent*, drafted by Patrice Boyes, ForVets Attorney, but the substance remains the same. Discussion took place.

Motion made by Commissioner John Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the Letter of Intent from ForVets, as accepted/approved by SRWMD. Motion carried unanimously.

Animal Control

- Animal Control Report: Mr. Crosby presented the Animal Control Report for the month of March, as submitted by Tanya Rippy, Animal Control Officer. Informational purposes only.

General Government

- Water Conservation Month: Mr. Crosby presented a request from the SRWMD asking the County to approve the submitted proclamation declaring the month of April as Water Conservation Month.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas to approve the submitted proclamation declaring the Month of April 2013, as Water Conservation Month. Motion carried unanimously.

Time Certain

- **4:30 p.m.** Ordinance 2013-02; School Zone: Chairman Langford read the short title as follows:

ORDINANCE 2013-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, CREATING A SCHOOL ZONE ON SW COUNTY ROAD 341 IMMEDIATELY ADJACENT TO THE RIVERSIDE CHRISTIAN SCHOOL; MAKING FINDINGS; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE

Motion made by Commissioner John Thomas, seconded by Commissioner Kenrick Thomas to approve Ordinance 2013-02. Chairman Langford called for any discussion, none noted. *Motion carried unanimously.*

County Administrator's Report continues...

General Government

- Ten Commandments Monument: Mr. Crosby presented a request from Mr. Joe Anderson that the County revisit the placement of the Ten Commandments Monument. Discussion took place.

Mr. David Lang, County Attorney, advised the Board that a policy needs to be in place before any further consideration should take place. **The Board agreed and directed the County Attorney to bring back a policy, for consideration.**

- Feasibility Study: Mr. Crosby presented the cost of \$6,500.00, for the new portion of the Feasibility Study, on the Hart Springs Campground. He stated that the scope of work would be performed by CHW.

Mr. Newton, Clerk, stated that based on information received, the current system does not have the capacity to add the home sites to the north or the south. Discussion took place.

Motion made by Commissioner John Thomas, seconded by Commissioner D. Ray Harrison, Jr., to take \$6,500.00 out of General Revenue Reserve, for the Feasibility Study, on the RV Campground at Hart Springs,. Motion carried unanimously.

Time Certain

- **4:45 p.m.** North Florida Broadband Authority: At this time, Mr. Tommy Langford, NFBA Chairman and Appointed BOCC Representative, addressed the Board and requested that they reconsidered the resolution to opt out of the NFBA.

The issue of the utilization of the grant funds that were awarded to the NFBA, in the amount of \$30,000,000.00, was one of the main topics of concern to the Board. Commissioner John Rance Thomas asked more than once to be provided with how the \$28,000,000.00 of grant funds has been spent.

Discussion continued on what **services** are provided by the NFBA; **NO** explanation on the utilization of funds was ever provided, as requested during discussion time after time. Several members, as well as Staff of the NFBA, also addressed the Board on what they believe to be the benefits to the County (in and for the citizens/tax payers) if they remained a part of the authority.

Chairman Langford ended discussion at this time. This topic of concern will continue during the Attorney's Report for the consideration of passing a resolution to opt out of the NFBA.

Time Certain

- **5:15 p.m.** TDC; Update on Gilchrist Blue Way Trail: Mr. Crosby introduced Mr. Mark Gluckman, who is working with the Gilchrist County Tourist Development Council on the Blue Way Trails project that is being considered.

Mr. Gluckman presented and explained the intention of the Blue Way Trails project which would consist of fifty-five miles of corridor, on the Santa Fe and Suwannee Rivers.

Ms. Donna Creamer, TDC Chairman, addressed the Board and requested their consideration for approval to use the name *Gilchrist County* Blue Way Trails, for this river project which would be used to advertise and promote Gilchrist County. Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve the name Gilchrist County Blue Way Trail as recommended by the Tourist Development Council, for new river project. Motion carried unanimously.

Time Certain

- **5:30 p.m.** Slack Construction, Inc.; Bid Protest: Mr. Todd Newton, Clerk, addressed the issue of the bid protest by Slack Construction, Inc., on the Award of Records Storage Building, Mittauer & Associates, Inc. Project No. 0905-02-1. He explained the protest as described in a letter (on file in Clerk's office) submitted by Slack Construction, Inc.

Ms. Cindy Slack, Vice President of Slack Construction, Inc., (Michael Slack, President, was also present) addressed the Board with her complaint about the bid by McInnis Services that was accepted at the original bid site and not at the site listed on addendum #2. Ms. Slack stated that if the date, time and place are a technicality it should have been stated in the bid specifications.

Mr. David Lang clarified the general rule on bids; based on facts that he has heard, he failed to see where McInnis gained any kind of unfair competitive advantage over any of the other bidders. Discussion took place.

Mr. Crosby explained the receipt of the McInnis bid.

The Board agreed/decided to follow through with the award to McInnis Services based on the recommendation of Mr. Lang, County Attorney.

County Administrator's Report continues...

FYI

- **Economic Advisory Committee:** Mr. Crosby stated that an ad was placed in the Gilchrist County Journal for interested citizens willing to serve on the *Gilchrist County Economic Advisory Committee*. He has received interest from 2-3 people, and will continue to accept names of interested individuals until March 30, 2013; at that time it will be brought back to the Board for instructions on how to qualify them. No Board action needed at this time.
- **Hart Springs Restoration:** Mr. Crosby stated that the request for Hart Springs Restoration was submitted for a grant project through SRWMD but they were not able to fund the project this year. Hopefully we will be invited to resubmit for next year. Informational purposes only.

Attorney's Report

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

Ordinance No. 2013-01: Additional Exemption: Mr. Lang stated that this ordinance was approved earlier during this meeting.

Ordinance No. 2013-02: School Zone: Mr. Lang stated that this ordinance was approved earlier during this meeting.

Resolution No.2013-10: Mr. Lang read the short title to Resolution 2013-10, as follows:

RESOLUTION 2013-10

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, WITHDRAWING FROM THE NORTH FLORIDA BROADBAND AUTHORITY, PROVIDING AN EFFECTIVE DATE

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve Resolution 2013-10. Chairman Langford called for any discussion.

Commissioner Kenrick Thomas addressed the issue, which has been brought up before, of the possibility of the NFBA renting tower space; but for the County to provide space at no cost is not something that he is in favor of.

Commissioner John Rance Thomas stated his position; until he receives a full financial disclosure of how the money has been spent, approximately \$30,000,000.00, he is not willing to do anything but to pass this resolution. He is opposed to the way NFBA has handled this project but not broadband in general.

Ms. Richelle Sucara, NFBA General Manager, addressed the Board, and explained the position of the NFBA, including in-kind donations (which included tower space).

The Commissioners continued to express concern on the comments/answers that have been provided by the General Manger and Supporters of the services to be provided by the NFBA; and the lack of being able to provide an adequate answer when asked what the expended funds have been used for.

Chairman Langford called for any more public participation... none noted. She then called for a vote on the motion to pass Resolution 2013-10.

Chairman Langford took roll call as follows; *Commissioner Todd Gray – Yes, Commissioner John Rance Thomas – Yes, Commissioner D. Ray Harrison, Jr. – Yes, Commissioner Kenrick Thomas – Yes, and she voted Yes. Motion carried unanimously.*

Commissioner Todd Gray volunteered to work with the NFBA on obtaining more information (a financial disclosure).

Mr. David lang, County Attorney, will clarify that Mr. Tommy Langford will no longer represent the County Commission now that the County has opted out.

Legal Representation for Canvassing Board: For informational purposes, Mr. Lang presented a letter from Ronald Labasky confirming continued legal representation of the Canvassing Board in Roux vs. Gilchrist Canvassing Board.

Clerk's Report

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

Slack Construction, Inc.: Mr. Newton stated that the letter regarding Award of Records Storage Building Project was addressed and satisfied during a time certain set earlier during this meeting.

Contracts for Records Storage Building Project: Mr. Newton presented the contract for Notice of Award and Transmittal of Contracts, for McInnis Services, LLC, for the Records Storage Building Project, as submitted by Mittauer & Associates (Engineering Consultants).

Mr. Newton stated that this contract has been reviewed by the County Attorney and requests the Boards' approval and that the Chairman is authorized to sign.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve the contract for the Records Storage Facility to be constructed by McInnis Services, LLC; and to allow the Chairman to sign. Motion carried unanimously.

2nd Quarter 318 Summary Report 10/12 thru 12/12: Mr. Newton presented, for the Boards' information, the 2nd Quarter 318 Summary Report 10/12 thru 12/12.

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 John Thomas, seconded by Commissioner Todd Gray, to adjourn. Motion carried unanimously.*** Chairman Langford adjourned the meeting at **7:01 p.m.**

***Board of County Commissioners
Gilchrist County, Florida***

Attest:

Approved:

Todd Newton, Clerk of Court

Sharon A. Langford, Chairman