

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD OCTOBER 21, 2013

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, October 21, 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; Jacki Johnson, Finance Director; Patty McCagh, Board Secretary/Deputy Clerk; David Lang, County Attorney; Bobby Crosby, County Administrator; Terri Hilliard, Administrative Assistant; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement Officer; Billy Cannon, Road Department Superintendent; Pat Fischer, Slid Waste Superintendent; Lindsey Lander, Attorney; Georgia & Ron Mills; Linda Walker; Rosemary McDaniel; Janice Rogers; Joseph Blich; Charlie & Vickie Perez; Dave Gilliam; Pastor Robin Thomas, Joppa Baptist Church; Joe Lander; Lt. Jeff Manning, GCSO; Jean Sails; Pam Parker-Manning, River Cross Cowboy Church; Steve Gladin; Tim Campbell, River Cross Cowboy Church; Tim Hasting, CFEC; Katie Sundberg; Mary Kortessis; Libbie Estes; Francis Walker; Joyce Corley; Shanna Wilkerson; Patrice Woodby; Marsha Rankin; Margie Asher; Julie Brideson; Tammy Moore; William Davis; Barbara Andre; Chet Collins; Dellane Chason; Delmar Markey; Wayne McCall; Dana Collins; Casey Mitchell; Tammy Crosby; S. Robinson; Lee & Brenda Schaltenbrand; Susan Hutto; Charlie & Susie Caulk; Jean & Jim Troke; Connie Jordan; Trinetta Sellers; Dannielle Godwin; C. Cummings; Linda Bell; D. Jones; Charlotte Barnes; Shaye Colson; and Erik Walker.

Call to Order

Chairman Sharon A. Langford called the meeting to order at 4:00 p.m. Pastor Robin Thomas, Joppa Baptist Church, delivered the invocation and Commissioner/Chairman Langford, led the pledge of allegiance.

Agenda

The Agenda was presented with NO changes.

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

Consent Agenda

Approval of Minutes

Regular Meeting August 19, 2013

Request for Payment Approval

Small County Coalition (Participation Fees FY13/14) \$4,043.90

Excess Funds FY2013

Tax Collector 3,289.02

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

Public Participation

- Mr. Dave Gilliam thanked everyone for their support and prayers after his father passed away last week.

County Administrator's Report

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

Road Department

- Monthly Lime Rock Report: Mr. Crosby presented for the Boards' information, the Monthly Limerock Report as submitted by Mr. Billy Cannon Road Department Superintendent.

Solid Waste

- Trash Recycle Containers: Mr. Crosby presented a request from Solid Waste for the purchase of trash recycle containers, in the amount of \$23,609.00, from Wastequip; as Sole Source due to shipping costs from other companies due to the distance. Discussion took place.

Motion made by Commissioner Todd Gray seconded by Commissioner John Thomas, to approve the request to purchase trash recycle containers, in the amount of \$23,609.00, from Wastequip; as Sole Source (in Florida, due to shipping costs from other companies due to the distance). Motion carried unanimously.

Animal Control

- Monthly Report: Mr. Crosby presented the Monthly Animal Control Report for the month of September 2013, as submitted, for the Boards' information.

Library

- Monthly Report: Mr. Crosby presented the monthly report for August and September 2013, as submitted by Ms. Ann Caraway, Library Manager, for the Boards' information.

Gilchrist County Agricultural Complex

- Bid Results: Mr. Crosby stated that there was only one bid/proposal received for Limited Use and Maintenance of Gilchrist County Agricultural Complex Property. The one proposal received was from River Cross Cowboy Church. Mr. Crosby stated that upon review of the proposal RCCC agreed with the specifications except where it is noted that there will be 5 non paid events allowed and they are requesting that 10 non paid events be considered. Discussion took place.

Motion made by Commissioner John Thomas, seconded by Commissioner Todd Gray, to approve the bid received from RCCC, as presented with the changes noted (from five to ten day non paid events); and for the County Attorney to draft a contract for the Chairman's signature. Motion carried unanimously.

General Government

- Property Disposition discussion of Wilkerson House: Mr. Crosby stated that he has submitted a Disposition Form on the Wilkerson House requesting justification of RFQ or RFP to move or demolish. Discussion took place.

Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to allow the County Administrator to advertise for RFP for moving the Wilkerson House. Motion carried unanimously.

- General Maintenance Worker: Mr. Crosby addressed the issue of the cost of adding the position (with benefits) for a General Maintenance Worker, as well as a job description. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve creating a new position of a General Maintenance Worker position up to 40hr/week, if needed. Motion carried 4-1, with Commissioner Todd Gray voting NO.

4:30 p.m. Time Certain

- Ordinance 2013-08; Speed Limit Change on CR 307A: Mr. Lang presented Ordinance 2013-08 and read the short title as follows:

ORDINANCE 2013-08

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA ESTABLISHING SPEED LIMITS ON COUNTY ROAD 307A FROM U.S. HIGHWAY 129 WEST TO COUNTY ROAD 307; MAKING FINDINGS; PROVIDING PENALTY FOR VIOLATION; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND FOR PROVIDING AN EFFECTIVE DATE

Discussion took place.

Motion made by Commissioner John Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve Ordinance 2013-08. Motion carried unanimously.

County Administrator's Report Continues...

FYI

- Program Refund Claim agreement for Ice River Springs Marianna, LLC
- Work has started back at Shingle Landing

This concluded the County Administrator's Report.

Attorney's Report

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

Resolution 2013-14: Mr. Lang presented Resolution 2013-41 and read the short title as follows:

RESOLUTION 2013-41

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY PURSUANT TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NO. 11DB-C5-03-31-01-PS16; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

Discussion took place.

Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to approve Resolution 2013-41. Motion carried unanimously.

For Information Only: Mr. Lang presented a letter dated October 2, 2013, from Brewton Plante P.A., Attorney for Gilchrist County Canvassing Board, regarding the copy of Per Curiam Order/Opinion of the First District Court of Appeal Roux vs. Schultz.

This concluded the County Attorney's Report.

Clerk's Report

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

GCSO FY12/13 Excess Funds: Mr. Newton presented the FY 12/13 Excess Funds, in the amount of \$95,350.32, from the Gilchrist County Sheriff's Office. He also presenting a request from the Sheriff that a budget amendment be considered in order to purchase two (2) fleet vehicles and one (1) inmate transport van. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to accept the FY 12/13 Excess Funds, in the amount of \$95,350.32, from the GCSO.

Ms. Jacki Johnson, Finance Director, stated that this amendment will have to be set for a budget hearing which can take place at the next meeting or so.

Chairman Langford called for the vote... Motion carried unanimously.

Florida Department of Revenue: Mr. Newton presented the Maximum Millage Levy Calculation Final Disclosure and Truth in Millage (TRIM) Certifications, for the Boards' information. This confirms that the County is in compliance with the DOR.

This concluded the Clerk's Report.

Commissioners Reports

- Commissioner Todd Gray stated that he is attending the Economic Council Conference and will provide a report after the next session is complete.
- Commissioner/Chairman Sharon A. Langford reviewed the 2012/2013 Committee Assignments and it was agreed to eliminate or change the following committee assignments: the Chairman will respond to the Animal Control Meetings/Hearings and Public Safety/Corrections Meetings; eliminate NFBA; and consolidate Gilchrist County Diving Committee/Diving Advisory Board and Springs-River Initiative Workgroup

Old Business: None noted.

New Business: None noted.

5:15 p.m. Time Certain

- **Linda Walker Employment Issue:** Mr. David Lang, County Attorney, as a point of order, stated that Ms. Linda Walker is here today before the Board on a *time certain* matter

concerning her employment with Gilchrist County, which is a quasi-judicial hearing pursuant to our County Policy & Procedures Manual. Mr. Michael Grogan, Esquire, was present to represent Gilchrist County in his labor law capacity. Ms. Walker had no legal representation present. Mr. Lang addressed points concerning this proceeding.

Mr. Grogan began the hearing with an opening statement on behalf of the County and then Ms. Walker plead her case/request to the Board.

The Board members were then free to ask questions of both Mr. Grogan and/or Ms. Walker.

Mr. Lang stated that it will be at the discretion of the Board to whether a decision may or may not be made at this hearing. The Board may wish to authorize Mr. Grogan to work on a satisfactory solution to this matter with Ms. Walker following this meeting.

Mr. Grogan stated that the Board has taken the proper legitimate action for a continued 24/7 operation of the Fire Systems. He requested that the Board authorize him to have permission to explore now with Ms. Walker, to see if they can work out a mutually satisfactory transition resolution; and with time being of essences, he hoped to have something to bring back at the next Board meeting, for the Boards consideration. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner, John Thomas, to authorize Mr. Mike Grogan to work/talk with Ms. Linda Walker or her representative on a mutually satisfactorily transition resolution. Chairman Langford called for any further discussion or Public Participation...

At this time, discussion and Public Participation took place before the Chairman called for the vote.

Public Comments were entertained; the public was asked to please limit their comments to three (3) minutes and only speaking once so that everyone would have the opportunity to speak. Several Concerned Citizens spoke on behalf of Ms. Walkers case, whether in favor or not of reinstating her to the position of EMS Chief and/or if the County's actions have been true to policy or not.

County Attorney, David Lang, asked Ms. Walker and Mr. Grogan if they had any further comments. Ms. Walker gave a closing statement, as did Mr. Grogan.

Mr. Grogan asked the Board to move on the motion to authorize him to pursue on the transition package with Linda Walker.

Chairman Langford stated that there is a motion and second on the floor... is there any further discussion. Commissioner Todd Gray shared his opinion and the Commissioners/Board also requested clarification on negotiation procedures after Mr. Grogan and Ms. Walker meet.

Chairman Langford then called for a vote by roll call... Motion carried unanimously.

Ms. Walker asked for clarification of the Board approval for the donation of Leave Time from other County Employees, for her use. Discussion took place.

Chairman Langford then called for a motion on the donation of Leave Time to Linda Walker.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve employees to donate Leave Time to Linda Walker. Motion carried unanimously.

Public Participation

Charlie Perez, Spring Ridge Citizen, addressed the Board and informed them that there were several concerned citizens within different counties that recalled the Board of County Commissioners because the public didn't like what the commission did. So Mr. Perez stated that he will be working to *recall* the Gilchrist County Board of County Commissioners.

Comments were made; then a motion to adjourn.

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 **6:45 p.m.**

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

Attest:

Todd Newton, Clerk of Court

Approved:

Sharon A. Langford, Chairman