

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

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, November 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 Hilliard, Administrative Assistant; John Ayers, Gilchrist County Journal; Diane Rondolet, Code Enforcement Officer; David Peaton, Director of Emergency Management; Pat Fischer, Solid Waste Superintendent; Billy Cannon, Road Department Superintendent; Mitchell Gentry, Hart Springs Manager; Pastor Tony Barber, Faith Baptist Church; Ron & Georgia Mills; Jean Sails; Marion Poitevint; Ray Rauscher; Katherine LaBarca; Chandler Ash, Lorrie Akin Tobacco Free Partnership; Tracy DeCubellis, Melanie Anderson, Tobacco Prevention Network of Florida; Kathy Arrington; Charlie & Vicki Perez; Donna Creamer, PWW; Steve Gladin; Leslie & Richard Esseek; Lt. Jeff Manning, GCSO; Don & Margot Alexander; Donnie and Ronnie Hick; Doug Beach; Frances Walker; T. Crosby; k. Cooper; Susie Caulk; Charlotte Barnes; Lee Deen; Erik Walker; Shaye Colson; Angel Dew; Tammy Moore; and Lt. Edwin Jenkins, GCSO.

### *Call to Order*

Chairman Sharon A. Langford called the meeting to order at 2:01 p.m. with Pastor Tony Barber, Faith Baptist Church, Bell, Florida, delivered the invocation and Commissioner Todd Gray, leading the pledge of allegiance.

### *Agenda*

Mr. Todd Newton, Clerk of Courts, presented the following agenda change:

1. Addition: New A/C for Courthouse Unit #2

Mr. Bobby Crosby, County Administrator, presented the following agenda change:

1. Addition: General Government; Request for Payment to Construct Co., for Shingle Landing Project, \$60,457.95

Mr. David Lang, County Attorney, presented the following agenda change:

1. Addition: Cigarette Ordinance as requested by TJ Harrington

*Motion made by Commissioner Todd Gray, 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 Meeting ..... September 09, 2013\*

Regular Meeting ..... September 23, 2013\*

\* add the **time of adoption** to the TRIM Resolutions which are included in the minutes presented for September 9th & 23rd, 2013

#### **Approval of Bills**

On File in Clerk's Office ..... October 2013

#### **Budget Entries**

BE14-003, Fund 001, General Revenue ..... \$111,433.00

BE14-004, Fund 001, General Revenue ..... \$1,100.00

BE14-005, Fund 001, General Revenue ..... \$20,526.00

BE14-006, Fund 410, EMS ..... \$1,784.00

BE14-007, Fund 122, Fire ..... \$1,784.00

BE14-008, Fund 470, Otter Springs ..... \$2,679.00

#### **Excess Funds FY2013**

##### Clerk of Circuit

Clerk to BOCC ..... \$67,237.80

Clerk to IV-D ..... \$25,905.61

##### Property Appraiser

Return of Excess Funds FY2013 ..... \$20,674.00

##### Supervisor of Elections

Return of Excess Funds FY2013 ..... \$19,330.95

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve the Consent Agenda, as presented, with noted change to add the time of adoption to the TRIM Resolutions which are included in the minutes presented for September 9<sup>th</sup> & 23<sup>rd</sup>, 2013. Motion carried unanimously.*

## **Public Participation**

- Melanie Anderson, Tobacco Prevention Network of Florida, spoke regarding the need to address E-Cigarettes being targeted to children
- Tracy DeCubellis, Tobacco Prevention Network of Florida, presented stats on tobacco use by students in Florida and Gilchrist County
- Chandler Ash, Tobacco Free Partnership, informed the Board that E-Cigs are becoming the new trend for students
- Lorrie Akin, Tobacco Free Partnership, discussed the ordinance that was passed by Clay County & Indian River, regarding E-Cigs; also addressed by the County Attorney

## **2:15 Time Certain**

### **Presentation of Recommendation of Award for Disaster Debris Removal Contract**

Mr. David Peaton, Director of Emergency Management, addressed the Board and presented the award of the Debris Removal Contracts as recommended by the Disaster Debris and Removal Contract Review Committee, as follows: Grubbs Emergency Services, LLC and J.B. Coxwell Contracting, Inc.

Mr. Peaton stated that the County Attorney has reviewed the contracts and requested for the Chairman to be allowed to sign contracts in order to forward to contractors for execution.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve the award of the Disaster Debris Removal Contracts to Grubbs Emergency Services, LLC and J.B. Coxwell Contracting, Inc., as recommended by the Disaster Debris and Removal Contract Review Committee; and to allow the Chairman to sign. Motion carried unanimously.***

## **County Administrator's Report**

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

### **Emergency Management**

- **State Law Enforcement Radio System MOU**: Mr. David Peaton, Director of Emergency Management, presented the Memorandum of Understanding between the State of Florida and Gilchrist County regarding State Law Enforcement Radio System (SLERS) for the Boards' consideration and approval. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray to approve the Memorandum of Understanding between the State of Florida and Gilchrist County regarding State Law Enforcement Radio System (SLERS). Motion carried unanimously.***

### Code Enforcement

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

### Solid Waste

- Cash Register at SR 47 Site: Mr. Crosby addressed the issue of doing away with the cash drawer at the NE drop-off site. Mr. Pat Fischer, Solid Waste Manager, explained the reason for this request. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve closing out the cash drawer at the Northeast SR 47 Drop-Off Site. Motion carried unanimously.***

### Veteran Services

- Request use of Parking Lot: Mr. Crosby presented a request made by the Veteran's Service Office to use the parking lot, in December, to pass out toys; if it does not interfere with court. Discussion took place.

***Motion made by Commissioner Todd Gray, seconded by Commissioner to approve VSO request for the use of the Courthouse Parking Lot in December to pass out toys. Motion carried unanimously.***

### Tourist Development Council

Gilchrist Blueway Trail Map Project Funding: Mr. Crosby stated that progress is being made as far as moving forward with the Gilchrist Blueway Trail Map Project. He presented a proposed budget to research, prepare and print the Gilchrist Blueway Guide/Map; (estimate would be \$10,000-\$12,000 depending upon the number of copies printed). Break down as follows:

- Preliminary mapping - Already completed, no charge (provided by Mark Gluckman)
- Compile master Points of Interest list and add to prelim map - \$500 for advertisement, time to compile and prioritize
- Field test prelim map. Check POI, lat/lon coordinates, venue descriptions, unique natural features - \$750 for time and expenses, two days on water.
- Revise Blueway Map(s) - No charge (Mark Gluckman would revise)
- Graphic artist to prepare preliminary mock-up and final map(s) suitable for printing - \$1,500
- Writing of text/narrative, points of interest, trail descriptions - \$1,500
- Print map -\$6,000-\$8,000

Total budget estimate \$10,000-\$12,000

Mr. Crosby requested the Boards' approval to allow budget and not to exceed \$12,000.00.

Ms. Donna Creamer, TDC Representative explained what the map would provide in comparison to the maps offered by PWW and the Gilchrist County Chamber of Commerce. Discussion took place.

Ms. Creamer also extended an invitation for the Board as well as the public to participate in a boat ride on Thursday, November 21<sup>st</sup> at 10:00 a.m., to see what tourist would be experiencing.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Todd Gray, to approve the Gilchrist Blueway Trail Map Project not to exceed \$12,000.00. Motion carried unanimously.***

#### Extension

- Request for Overnight Travel: Mr. Crosby presented a request for overnight travel and use of the 4-H van for travel to the 4-H National Poultry Judging Trip.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve the request for overnight travel and use of the 4-H van for travel to the 4-H National Poultry Judging Trip. Motion carried unanimously.***

#### General Government

- Colt Station: Mr. Crosby addressed the issue of the cost for Environmental Consulting Service. He requested direction from the Board on the procedure of moving forward. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to move forward with requesting bids for Environmental Consulting on the tanks at the Old Colt's Station. Motion carried unanimously.***

- WellFlorida Council: Mr. Crosby requested the Boards' consideration to reappoint Ms. Anita Riels to the WellFlorida Council Board.

***Motion made by Commissioner Todd Gray, seconded by Commissioner John Thomas, to approve the reappointment of Ms. Anita Riels to the WellFlorida Council Board. Motion carried unanimously.***

#### FYI

- No-Wake Zone: Mr. Crosby stated that the No-Wake Zone meeting have started with the FWC. Future meeting to be held between Gilchrist and Dixie County's.

#### Agenda Change; General Government

- Request for Payment: Mr. Crosby presented a request for payment to Construct Co., Inc., in the amount of \$60,457.95, for the Shingle Landing Project.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the payment request, in the amount of \$60,457.95, to Construct Co., for the Shingle Landing Project. Motion carried unanimously.***

### **2:45 p.m. Time Certain**

**Budget Hearing:** Ms. Jacki Johnson, Finance Director, presented (and read for the record) the following resolutions and budget entries, for the Boards' approval:

- **Resolution 2013-43 & BE14-001:** Whereas, the Board of County Commissioners of Gilchrist County are in receipt of \$95,350.00 of additional revenues, which were in the form of excess budget from the Sheriff (\$95,350.00) for fiscal year 2013; therefore, be it resolved, by the Gilchrist County Board of County Commissioners that the General Revenue Fund (001) is hereby amended in an increased amount of \$95,350.00.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve Resolution 2013-43 & BE14-001. Motion carried unanimously.***

- **Resolution 2013-44 & BE14-002:** Whereas, the Florida Department of Transportation has agreed to reimburse Gilchrist County for the widening and resurfacing of SW 100<sup>th</sup> Street from SW 70<sup>th</sup> Avenue to CR 341; the amount not to exceed \$900,000.00; therefore, be it resolved, by the Gilchrist County Board of County Commissioners that the General Revenue Fund (001) is hereby amended with an increased amount of \$900,000.00.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve Resolution 2013-44 & BE14-002. Motion carried unanimously.***

### **Attorney's Report**

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

**Agenda Change: Cigarette Ordinance as requested by TJ Harrington:** Mr. Lang addressed the issue of the Sale of E-Cigs to minors, in Gilchrist County. He presented a request made by TJ Harrington that the Board consider preparing an ordinance prohibiting the sale of e-cigs to minors, in Gilchrist County. Mr. Lang asked for direction from the Board. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to direct the County Attorney to draft an ordinance addressing the sale of e-cigs to minors, in Gilchrist County. Motion carried unanimously.***

**Resolution 2013-42:** Mr. Lang presented Resolution 2013-42, declaring the "Wilkerson House" as surplus property and authorizing the County Administrator to advertise for proposals to move or demolish it; and read the short title as follows for the record:

### RESOLUTION 2013-42

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA DECLARING THE HOUSE LOCATED ON COUNTY PROPERTY KNOWN AS THE "WILKERSON HOUSE" TO BE SURPLUS PROPERTY; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE FOR PROPOSALS FROM PERSONS TO FIRST MOVE THE HOUSE FROM THE PREMISES AND IF NO PROPOSALS ARE RECEIVED WITHIN A REASONABLE PERIOD OF TIME, TO THEN SOLICIT BIDS FOR DEMOLITION OF THE HOUSE, BOTH OF WHICH PROPOSALS SHALL BE HEARD BY THE BOARD OF COUNTY COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE**

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve Resolution 2013-42. Motion carried unanimously.*

Resolution 2013-43: Mr. Lang presented Resolution 2013-43, requesting that the FDOT allow the placement of signs at the City of Trenton City Limits recognizing the Trenton "Tigers" High School Baseball Team as the 2013 Class 1A State Champions; and read the short title as follows for the record:

### RESOLUTION 2013-43

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY OF TRENTON TO PLACE SIGNS ON THE TRENTON CITY LIMIT SIGNS RECOGNIZING THE TRENTON "TIGERS" HIGH SCHOOL BASEBALL TEAM AS THE 2013 CLASS 1A STATE CHAMPIONS; AND PROVIDING AN EFFECTIVE DATE**

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Todd Gray, to approve Resolution 2013-43. Motion carried unanimously.*

### MICELLANEOUS

- FRDAP Project Grants: Mr. Lang presented two (2) Grant Writing Contracts for two (2) FRDAP Project Grant Applications, Hart Springs Phase I and Hart Springs Phase II, by Fred Fox Enterprises, Inc., for the Boards' approval. He also requested that the bid requirements be waived for Grant Writing Consultants, due to time constraints. Discussion took place.

*Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner John Thomas, to approve Fred Fox Enterprises, Inc., as Grant Application Consultants for two (2) FRDAP Grants, Hart Springs Phase I and Hart Springs Phase II; and that bid requirements be waived for Grant Writing Consultants, due to time constraints. Motion carried unanimously.*

FOR INFORMATION ONLY

- River Cross Cowboy Church: Mr. Lang presented the final contract between the BOCC and the River Cross Cowboy Church for the use and maintenance of the Gilchrist County Agricultural Complex.

*Motion made by Commissioner John Thomas, seconded by Commissioner Todd Gray, to approve the contract with River Cross Cowboy Church for use and maintenance on Gilchrist County Agriculture Complex. Motion carried unanimously.*

Policy and Procedures Manual

- Section 1.5 - INSPECTION TRIPS and Section 1.7 -ELECTION OF CHAIR AND VICE CHAIR

Mr. Lang shared this information with the Board in regards to the Blueway Trails boat trip and the procedures for the Election of Chair and Vice Chair

Roux vs. Schultz: Mr. Lang presented the October 2, 2013 letter received from Brewton Plante P.A., Attorney for Gilchrist County Canvassing Board, regarding a copy of Motion for Clarification and Request for Written Opinion; Appellee Robert Schultz, III's Response in Opposition to Motion for Clarification and Request for Written Opinion.

**Clerk's Report**

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

Tax Collector

- Mr. Newton presented a request from the Tax Collector, for reimbursement of mailing 2013 Tax Statements, in the amount of \$4,254.54.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve the reimbursement of mailing 2013 Tax Statements, in the amount of \$4,254.54, to the Tax Collector. Motion carried unanimously.*

- Mr. Newton presented a request from the Tax Collector for Guide Lines on Manufactured Buildings Used for Storage. Discussion took place.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner John Thomas, to approve grandfathering any mobile homes used for storage prior to 2006 and requested that codes be updated to reflect; a workshop is to be set to discuss further. Motion carried unanimously.*

Meridian Behavioral Healthcare, Inc.: Mr. Newton presented for the Boards' approval the Mental Health and Addiction Services Annual Contract for 2013-2014.

***Motion made by Commissioner John Thomas, seconded by Commissioner Kenrick Thomas to approve the Mental Health and Addiction Services Annual Contract for 2013-2014; and to allow the Chairman to sign. Motion carried unanimously.***

Trenton High School Diamond Club: Mr. Newton presented for the Boards' information a request for renewal of Sponsorship sign \$200.00. This is usually done by contribution from each individual commissioner.

December 16, 2013 Mid-month Meeting: Mr. Newton addressed the issue of whether or not the mid-month meeting in December will be held.

**The Board agreed to NOT hold the mid-month meeting in December unless an emergency arises.**

#### Clerk's Agenda Change

- Courthouse Heating/AC Unit #2: Mr. Newton presented a request to go out for Invitation to Bid the replacement of the Courthouse Heating/AC Unit #2. Discussion took place.

***Motion made by Commissioner Todd Gray, seconded by Commissioner D. Ray Harrison, Jr., to approve the request to go out for Invitation to Bid the replacement of the Courthouse Heating/AC Unit #2. Motion carried unanimously.***

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

Linda Walker Employment Issue: Mr. David Lang, County Attorney, stated that this time certain matter has been set for the Board to make a decision on the reinstatement of Ms. Linda Walker to the EMS, in accordance with the Gilchrist County Policy and Procedures Manual. This is known as a Quasi-Judicial Hearing.

Mr. Grogan, County Employment Law Attorney, recommended leaving the negotiations on the table until next Monday, November 11, 2013 allowing time for consideration by Ms. Walker. It was made known that Monday was a holiday so the date was extended to November 12<sup>th</sup>.

Discussions continued on the negotiation of an agreement regarding Linda Walker's Employment issue. Ms. Linda Walker and her legal representative Carla Franklin were present for negotiations/discussion.

***Motion made by Commissioner Todd Gray, seconded by Commissioner D. Ray Harrison, Jr., to approve an extension, as requested, until November 12<sup>th</sup> for negotiation of an agreement between Carla Franklin and Mike Grogan regarding Linda Walker's employment issue.***

**Commissioners Reports**

- Commissioner/Chairman Langford **asked** that Committee Assignments be put on report for next meeting

**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 John Thomas, seconded by Commissioner Todd Gray, to adjourn. Motion carried unanimously.* Chairman Langford adjourned the meeting at **5:22 p.m.**

*Board of County Commissioners  
Gilchrist County, Florida*

*Attest:*

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

*Approved:*

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