

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD APRIL 18, 2016

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, April 18, 2016**, 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</i>
<i>District II</i>	<i>Commissioner D. Ray Harrison, Jr.</i>
<i>District III</i>	<i>Commissioner Todd Gray, Chairman</i>
<i>District IV</i>	<i>Commissioner Marion Poitevint</i>
<i>District V</i>	<i>Commissioner Kenrick Thomas, Vice Chairman</i>

Others in Attendance

Todd Newton, Clerk of Court; Richard Romans, Finance Director; Patty McCagh, Board Secretary/Deputy Clerk; David Lang, County Attorney; Bobby Crosby, County Administrator; Donna Creamer, Administrative Assistant; Carrie Mizell, Gilchrist County Journal; Billy Cannon, Road Department Superintendent; Laura Dedenbach, County Planner; Ralph Smith, EM Director; Marvin Weaver and Jessica Altum, GC Extension; Tim Powell, GC Building Inspector; Richard & Leslie Esseck; Becky Williams, North Gilchrist Beacon; Billy Wilson, CFEC; Luke Glisson, Ring Power; Eric Cable, CAT Financial; Diane Clifton, GCEDAC; Leonard & Suzi Mowry and Don & Judy Bernecker and Dwight & Beth Boese, Church Camp Ministries; Katherine LaBarca; Paul Anderson, Anderson Outdoor Adventure's; Lee Mills and Andrew Carswell, Mills Engineering Company; Clement Lindsey; and Edward J. Hutson.

Call to Order

Chairman Todd Gray called the meeting to order at 4:00 p.m.

Pastor Ed Leanza, Trenton Community Nazarene Church delivered the invocation and Commissioner D. Ray Harrison, Jr. led the pledge of allegiance.

Agenda Changes

Mr. Bobby Crosby, County Administrator, presented the following Agenda Change(s):

1. Addition: Road Department; Discussion of Tractor
2. Addition: Road Department; Mills Engineering, Discussion on CR 334 and 334A

Mr. David M. Lang, Jr., County Attorney, presented the following Agenda Change(s):

1. Addition: Address scrivener's error on the utility crossing agreement between Gilchrist County and Sabal Trail

Mr. Todd Newton, Clerk of Courts, presented the following Agenda Change(s):

1. Addition: Bid Results for loan regarding SW 82nd, Lane Road Improvements

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

Consent Agenda

Approval Request

SHIP

Release of Lien Agreement for Hallie & Amber Rollison

SHIP Funding Certification

Approval for Pay Request

Southern Road & Bridge, LLC

Pay Estimate #3, 2/15-4/1/2016, Rock Bluff Bridge Project \$ 131,900.16

North Florida Professional Services, LLC

Inv#15018, 04/12/2016, Rock Bluff Bridge Project \$18,297.00

Gilchrist County Tax Collector

Reimbursement of mailing 2015 Year Reminder Statements \$773.58

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve the Consent Agenda, with no changes. Motion carried unanimously.

Public Participation

- Mr. Richard Esseck of Rock Bluff stated that silage trucks could currently run up to twenty (20) miles without a canopy. Mr. Esseck asked if the mileage could be amended to five (5) miles instead of the current twenty (20) miles. Chairman Gray said it is a state law, but the Board could look at what the current statute is and if there is anything we can do, we will see what can be done.
- Ms. Diane Clifton, Representative of GCEDAC, updated the Board on the NFRPC meeting. She said there would be some grant funding available to counties; \$10,000 - \$15,000 for marketing for Gilchrist County Economic Development. There will be a meeting with the Partnership Representatives and EFI next week. More details will be acquired at that time.

County Administrator's Report

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

Extension

- 4H Program Update: Ms. Jessica Altum Cooper, Gilchrist County 4H Agent for the UF IFAS Extension, gave an update of the 4H Program with an accompanied slide presentation. Gardening, Leadership, Community Service, Animal Science are some of the events that have already been happening. The Gardening Program produced enough lettuce to feed 600 students for five days, if they were to use all of it in the cafeteria. Leadership and Community Service went to the Capital and spoke with the Governor and State Senator about issues. Eleven students attended from Gilchrist County. Animal Science had eight Gilchrist County youth compete. They won first and second in their division and Gilchrist County had two of the three top individuals in the contest. Ms. Cooper thanked everyone for their support.

4:15 p.m. Time Certain

- Ordinance 2016-02 and Resolution 2016-16: Ms. Laura Dedenbach, County Planner, presented and reviewed the revisions to the Flood Protection Ordinance 2016-02 and Resolution 2016-16. She stated that this will bring our Flood Ordinance into compliance with the model State Flood Plan Management Ordinance, which we are required to be in compliance with. The short title was read for the record as follows:

ORDINANCE 2016-02

(Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; AMENDING THE GILCHRIST COUNTY LAND DEVELOPMENT CODE ARTICLE 5, SECTION 5.01: FLOODPLAIN MANAGEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve Ordinance 2016-02 to be in compliance with State Law. Motion carried unanimously.

Ms. Dedenbach stated that the adoption of Resolution 2016-16 is part of the same state review and is necessary for our participation in our community rating system. It requires, in part, that we adopt a flood damage prevention ordinance based on the state model. She read the short title as follows, for the record:

RESOLUTION 2016-16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; IMPLEMENTING PERFORMANCE MEASURES TO ACHIEVE ELIGIBILITY FOR COMMUNITY RATING SYSTEM; AND ESTABLISHING AN EFFECTIVE DATE.

Discussion took place. Mr. Tim Powell, Building Official stated that we are not implementing the entire Flood Plan Management Program, at this time. By adopting Resolution 2016-16, this qualifies for participation in the Community Rating System, if the entire Flood Plan Management Program were ever implemented.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve Resolution 2016-16. Chairman Gray called for any public comments...none noted. Motion carried unanimously.

County Administrator's Report ...Continued

Extension

- Overnight Travel Request: Mr. Crosby requested overnight travel for Marvin Weaver to attend the National Conference and Professional Improvement Conference in Little Rock, Arkansas, from July 24-28, 2016. The approximate cost is \$1,100.00, plus per diem; this is a budgeted item.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve the overnight travel for Marvin Weaver to attend the National Conference and Professional Improvement Conference, at the cost of \$1,100.00, plus per diem. Motion carried unanimously.

Community Development

- GIS Maintenance Renewal: Mr. Crosby requested the Boards' approval of the GIS Maintenance Renewal, with West (formally Intrado) for Data Maintenance Services, in the amount of \$9,200.00; this is funded out of the E911 Fund and is a budgeted item.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve the GIS Maintenance Renewal, with West, in the amount of \$9,200.00. Motion carried unanimously.

SHIP

- LHAP: Mr. Crosby requested that this portion of his report be included with Mr. Lang's report due to the fact that the Local Housing Assistance Plan requires a resolution be included, which is in his report. **The Board accepted his request.**

General Government

- Discussion of Purchase of Property: Mr. Crosby stated that there are two (2) lots that we have been asked if we would like to purchase, just west of the 4-H building on CR 307A, for \$14,500.00, plus closing costs. Mr. Crosby showed a diagram. He stated that if the Board approved, this purchase would come out of the Public Capital Facility Impact Fees; funds are currently available. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve moving forward with contract preparation to purchase two (2) lots identified, for \$14,500.00, including all closing costs. Motion carried unanimously.

- Sabal Trail; Gopher Tortoises: Mr. Crosby asked the Board for permission to allow Sabal Trail to capture and relocate gopher tortoises, on the properties belonging to Gilchrist County. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by D. Ray Harrison, Jr., to approve a Letter of Permission be given to Sabal Trail, for relocation of gopher tortoises, on Gilchrist County properties. Motion carried unanimously.

Agenda Change; Road Department

- Discussion on the Purchase of a Tractor: Mr. Bobby Crosby, County Administrator, requested purchasing a tractor, for mowing purposes. Mr. Crosby said he secured two (2) prices for the tractor, one (1) was from AgPro and one (1) was from Ring Power. The tractor from Ring Power is like the one we are using now. It would be \$79,837.00 to buy or annual lease of \$17,854.82 (1,000 hours per year on a 2-year lease and 2-year/2000 Full machine Warranty). Discussion took place.

Representatives from Ring Power and Caterpillar Finance were present for discussion.

Mr. Newton requested permission to bring back, for comparisons, lease/purchase options.

It was the consensus of the Board to bring this item back, in two weeks, after the Clerk and the County Attorney have had opportunity to evaluate lease vs. purchase options, with additional warranties included.

4:45 p.m. Time Certain

Mr. Lang announced that he has a conflict of interest, in this matter. He has previously represented the applicant (Church Camp Ministries, Inc.). He will file a Memorandum of Conflict of Interest*.

- Special Use Permit SUP 04-2016 & Site Plan SP 01-2016: Ms. Laura Dedenbach, County Planner, presented SUP 04-2016/SP 01-2016, A request for special use permit and site plan approval by EDA Engineers-Surveyors-Planners, Inc., agent for Church Camp Ministries,

Inc., owner, amending SUP 2013-01 & 2011-04, which allowed an Overnight Recreation Park at 1679 NE CR 337. The proposed special use permit amendment would add 19 acres to the project site and amend the phasing schedule. The proposed site plan is for Phase I of the project.

Ms. Dedenbach stated that because the applicants agent was present and will provided a separate presentation on the specifics of their application, she moved forward with her recommendation.

Ms. Dedenbach recommended approval of the request, to the amendment, to the SUP 2011-04 and SUP 2013-01 adding approximately 19 acres, increasing the acreage to 80 acres to an approved Overnight Recreational Park and approval of the Site Plan for Phase I of the Overnight Recreational Park subject to the following conditions:

1. The site plan approval covers Phase 1 of the Overnight Recreational Park only. Subsequent phases shall require site plan approval by the Board of County Commissioners.
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.

Mr. Clay Swagger, Certified Planner with EDA, Inc., (applicant agent) made a brief presentation on the project and where it stands at this point. Mr. Leonard Mowry, CCM, also commented. Discussion took place.

Public Participation

- Mr. Clement Lindsey, adjacent property owner, no objection to the plan presented and is in favor of the idea.

Commissioner Thomas stated the questions that he has received are asking if this is a true Christian based business, or will it be more like a home for troubled youth, etc. He requested some clarification to what type a facility will this be.

Mr. Mowry responded that it is not a permanent place for people/youth to stay. *“They will come, camp and leave. The intentions are to subsidize and help out other churches. Eventually, we would like to add our own programs, similar to Vacation Bible School, for the children in the area, but not anything that will be for full-time use.”*

Discussion continued. Chairman Gray called for any other public comments, none noted.

Ms. Dedenbach reminded the Chairman that Boards’ approval is to include both the Special Use Permit SUP 04-2016 and Site Plan SP 01-2016. Ms. Dedenbach informed the Chairman that one motion for both will satisfy this approval.

Motion made by Commissioner Marion Poitevint, seconded by Commissioner Sharon A. Langford, to approve SUP 04-2016 and SP 01-2016. Chairman Gray called for any further discussion, none noted. He then called for the vote. Motion carried unanimously.

County Administrator’s Report ...Continued

Agenda Change: Mills Engineering Company

- **Discussion on CR 334 and CR 334A:** Mr. Lee Mills, County Engineer, Mills Engineering Company, updated the Board on issues occurring on CR 334 and CR 334A.

Mr. Mills asked if the County Administrator could draft a letter, with the County Attorney’s assistance, to let the contractor know that he is in jeopardy of doing any future work because of the performance of this job, and if necessary, that we would need to take legal action to correct the issues to complete the project. Discussion took place.

Commissioner Harrison recommended that the Board put the contractor on the “NO BID LIST” as soon as possible.

It was consensus of the Board to direct the County Attorney and County Administrator to draft a letter, as recommended by the County Engineer and send it out as soon as possible to the Contractor.

Attorney’s Report

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

SHIP (LHAP): Mr. Lang presented the SHIP Local Housing Assistance Plan, as prepared by Matt Pearson, SREC, INC./SHIP, for the Boards information.

Mr. Lang requested the Boards’ approval for Resolution 2016-15, as required to accompany the LHAP. He read the short title as follows:

RESOLUTION 2016-15

A RESOLUTION BY THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67.37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CHAIR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE

Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Marion Poitevint, to approve Resolution 2016-15. Motion carried unanimously.

Miscellaneous

- Concession Agreement: Mr. Lang reviewed the Concession Agreement between Gilchrist County Board of County Commissioners and Anderson's Outdoor Adventures, LLC for Santa Fe and Hart Springs. Mr. Lang distributed a business plan that was not available when agenda packets were prepared.

Mr. Anderson was present to answer questions. Discussion took place.

Mr. Lang recommend approval of the agreement with the change of up to four employees.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Marion Poitevint, to approve the Concession Agreement with Anderson's Outdoor Adventures, LLC with the change in Section 3 for up to four (4) employees and adding the Exhibit "A" Business Plan. Motion carried unanimously.

- Commercial Utility Crossing Agreement: Mr. Lang addressed the issue of the Commercial Utility Crossing Agreement with Sabal Trails, that the Board had approved about a month ago. He stated that since approval of the agreement he was informed that there was an scrivener's error, in section 19. Mr. Lang read and reviewed the corrected version. Discussion took place.

Mr. Lang requested the Boards' approval to correct the scrivener's error, in section 19, in the Commercial Utility Crossing Agreement with Sabal Trails.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to correct the Scrivener's Error on the Commercial Utility Crossing Agreement with Sabal Trails. Motion carried unanimously.

Clerk's Report

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

Request from Tax Collector: Mr. Newton presented a letter from the Tax Collector that identified 73 County Owned Tax Certificates and requested to proceed with the application process, in the amount of \$14,600.00. Discussion took place.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Sharon A. Langford, to approve the request for the title search and auction fee for tax deed sale, as presented, in the amount of \$14,600.00. Motion carried unanimously.

Agenda Change; Bid Results for SW 82nd Lane: Mr. Newton presented the three (3) bid results for the loan regarding the Special Assessment for Road Improvements on SW 82nd Lane. The results were as follows:

Capital City Bank	Variable rate – 5 year Fixed Rate at 2.27%
Drummond Community Bank	2.94%
Ameris Bank	2.97%

Mr. Newton made the recommendation that the Board choose Drummond Community Bank.

Chairman Gray abstained for voting due to conflict of being a Board Director for Drummond Community Bank. He will file a Memorandum of Conflict of Interest* in regards to approving the bid and direction to move forward with contract preparation.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the bid from Drummond Community Bank, for loan regarding the Special Assessment for Road Improvements on SW 82nd Lane. Motion carried with a 4-0 vote with Chairman Gray abstaining from voting due to conflict of being a Board Director for Drummond Community Bank.

Mr. Newton requested approval for Mr. Duke Lang to draft the contract with the bank.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Sharon A. Langford, to approve and direct the County Attorney to move forward with preparing the contract with the Drummond Community Bank, for loan regarding the Special Assessment for Road Improvements on SW 82nd Lane. Motion carried with a 4-0 vote with Chairman Gray abstaining from voting due to conflict of being a Board Director for Drummond Community Bank.

Commissioner Reports

- Commissioner Harrison reiterated his request to put Art Walker on the “NO BID LIST.”

- Chairman Gray agreed and stated that the letter is a good start to go on record letting them know we are not happy with them.

Old Business: None

New Business: None

Public Participation: None

Adjourn: With there being no further business... a *Motion was made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Marion Poitevint, to adjourn. Motion carried unanimously.* Chairman Gray adjourned the meeting at **6:20 p.m.**

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

Attest:

Todd Newton, Clerk of Court

Todd Gray, Chairman

****The remainder of this page has been intentionally left blank. Although there are two (2) separate documents/forms attached as required to be incorporated as part of these official minutes; FORM 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers****