

**MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY
BOARD OF COUNTY COMMISSIONERS HELD JUNE 13, 2016**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, June 13, 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:

- District I* *Commissioner Sharon A. Langford*
- District II* *Commissioner D. Ray Harrison, Jr.*
- District III* *Commissioner Todd Gray, Chairman*
- District IV* *Commissioner Marion Poitevint*
- District V* *Commissioner Kenrick Thomas, Vice Chairman*

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; John Ayers, Gilchrist County Journal; Billy Cannon, Road Department Superintendent; Ralph Smith, EM Director; Lindsey Lander, GC Human Resource Legal Counsel; Connie Sanchez, Supervisor of Elections; Ray & Jane Rauscher; Richard & Leslie Esseck; Charlotte Pedersen; Katherine LaBarca; Joe Lander; Robert Henry; Marty & Roger West; Don Thomas; Greg bailey, NFPS, Inc.; and Mr. Hersell & Mrs. Vicki Lindo.

Call to Order

Chairman Todd Gray, called the meeting to order at 4:00 p.m. Mr. Todd Newton, Clerk of Court delivered the invocation and Chairman Gray led the pledge of allegiance.

Agenda

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

1. Addition: **TDC**; Approval to place advertisements totaling \$2,830.00

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve the Agenda, as presented, with noted change(s). Motion carried unanimously.

Consent Agenda

Approval of Minutes

Regular Meeting February 1, 2016

Approval of Bills

On file in Clerk's Office May 2016

Approval of Pay Request

Tax Collector

Invoice #51968, Gilchrist County Journal, Legal Ads for Tangible Tax List and
Delinquent Tax Lists Publications \$17,887.00

Tax Collector

Reimbursement of Mailing 2016 Year Installment Tax Statement...\$451.05

Travel Authorization

Solid Waste

Patricia Hunter, Training for Certified Solid Waste Operator\$1,041.00

Property Transfer

From EMS at EOC; To Road Department

ID#3049, International, Model #4300LP, Serial #1HTMNAAM68H671649

Justification: Old chassis from ambulance remount

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

Constitutional Officers

Ms. Connie Sanchez, Supervisor of Elections, addressed the Board for their approval to enter into a Memorandum of Understanding (MOU) with the State for grant funds to assist with the purchase new voting equipment. She stated that the grant would provide \$10,842 a year, for five years. Discussion took place on availability and accessibility of funds.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve MOU with the State for grant funds in the amount of \$10,842 a year, for five years, to assist with the purchase of new voting equipment, contingent upon grant obligation County to purchase, at this this time. Motion carried unanimously.

County Administrator's Report**General Government**

- Charlotte Pedersen's Termination: Mr. Crosby stated that Ms. Charlotte Pedersen requested that her termination be brought before the Board, for their review. He turned the floor over to Mr. Lander, Labor Law Attorney who brought the Board update on the termination procedure of Ms. Pedersen. Mr. Lander provided the Board with a file of the documents that warranted the termination.

At this time, Ms. Pedersen addressed the Board and asked for a thirty day continuance due to the fact that her attorney wasn't able to be present today.

It was asked by the Board if that was something that they were authorized to do. Mr. Lander stated that the Board has the authority to act and move forward, today. He himself and the County Administrator would like for this issue to be settled today. Ms. Pedersen stated that she wasn't sure if she'd even be on the agenda until Friday and that wasn't sufficient time to get things in order with her attorney and once she confirmed she was on the agenda, late Friday afternoon, when she contacted her attorney he had other obligations for today as wasn't able to be present. Discussion took place.

Chairman Gray stated that a motion needs to be made to either move forward now or give continuance, as requested by Ms. Pedersen. Discussion continued on what action will be taken at today's meeting.

Motion made by Commissioner D. Ray Harrison, Jr. to approve and accept the recommendation of the County Labor Law Attorney, Lindsey Lander, regarding the termination of Charlotte Pedersen. Chairman Gray called for a second. Commissioner Kenrick Thomas seconded the motion to approve accepting the termination of Ms. Charlotte Pedersen. Chairman Gray called for any further discussion...none noted. He then opened the floor back up to Ms. Pedersen.

Ms. Pedersen stated that, at this time, she does not wish to comment on anything that was presented to the Board at this meeting, that she will come back with an attorney through what ever form is necessary to do such.

Chairman Gray then called for a vote on the motion stated; motion carried unanimously.

Mr. David Lang, County Attorney stated that for the record, let it be known that Ms. Pedersen was given the opportunity to make a statement but refused until her attorney could be present.

4:30 p.m. Time Certain

- **Reconsideration of SUP 2016-05:** Mr. David Lang, County Attorney, presented on behalf of Laura Dedenbach, County Planner, the request for reconsideration of SUP 2016-05, by Hersell and Vicki Lindo, owners, for the portion of Condition #4 Prohibiting Outdoor Music or Live Bands be reconsidered. As noted in Ms. Dedenbach's report it states that the Board of County Commissioners approved SUP 2016-05 on May 16, 2016, which allowed a Bed and Breakfast Inn and Special Event Facility on approximately 192.59 acres in an A-Z district located at 6359 SW CR 307.

Mr. Lang stated that this is an appellant review of a previous SUP as granted by this Board on May 16, 2016. Mr. Lang also stated that the County Land and Development Code reflects that if the applicants want a review of the Boards decision they are to notify the Board/Staff within 20 days of the final hearing of which the challenging decision was made and the Lindo's have done such by providing a letter to Ms. Dedenbach.

Mr. Lang reminded the Board that this is a quasi-judicial hearing and that if anyone has had any ex-parte' communications with the Lindo's or anyone else concerning this issue that it needs to be put on the record; none noted.

Mr. Lang stated that this appeal is based upon a letter that was sent by the Lindo's stating when the SUP was submitted but there were no provision made for exceptions regarding music. He then read the letter submitted by the Lindo's.

Mr. Lang reminded the Board that at the May 16, 2016 meeting, Ms. Dedenbach presented her Staff Report, the application which included the request for a SUP and that the request was approved, on an unanimous vote, based on her recommendations, as follows:

Ms. Dedenbach stated that the proposed use, as conditioned, is consistent with the Comprehensive Plan and Land Development Code and recommended approval of the requested Special Use Permit to the following conditions:

1. *The Special Use Permit is issued to Hersell and Vicki Lindo, owners, for a special use permit for a bed and breakfast inn and event venue in an Agriculture-2 land use category located on approximately L92.59 acres at 6359 SW CR 307, Trenton, FL. Tax parcel #011014-000-0001- 0000.*
2. *Use of the property as a Bed & Breakfast Inn or event facility prior to preliminary and final development plan approvals is prohibited.*
3. *An application for preliminary development plan shall be submitted within one year of the approval of the special use permit by the Board of County Commissioners. Failure to submit a preliminary development plan within one year will result in the expiration of the special use permit. The Board of County Commissioners may grant a one-time extension of the preliminary development plan approval, not to exceed six (6) months, for reasons of hardship. The applicant must file the request for extension with the County prior to May 16, 2017.*
4. *Hours of operation for the event facility shall be limited to 8:00 a.m. to 11:00 p.m. No outdoor music or live bands are permitted. If portable lighting is used on the site for the parking area or grounds, then it must be placed in such a manner that does not shine into surrounding properties. Lighting shall be turned off at 11:00 p.m., or the end of the event, which ever occurs first.*
5. *The number of attendees per event shall be limited to 300 persons.*
6. *Events shall be limited to private events where admittance is not available to members of the general public (e.g., concerts that are publically advertised and tickets are available to members of the general public).*
7. *Access to the site shall be determined at preliminary development plan approval.*
8. *Any violation of this SUP 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 SUP to allow a Bed & Breakfast Inn or an event facility.*
9. *Approval of this SUP does not alleviate the applicant's obligation to obtain all other applicable County, state, and federal permits.*

As conditioned the proposed use 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. *Has screening and buffers maintain the compatibility properties.*

Discussion took place on the reconsideration of SUP 216-05 regarding the exceptions for music.

The applicants Mr. Hersell and Mrs. Vicki Lindo were present for discussion as well as neighboring property owners that shared their concerns.

Mr. Lang reminded the applicants and the Board that a site plan has to be submitted before activities can take place.

After discussion, the Board proposed a 100' radius around the house and pool area **for music.**

Chairman Gray called for the pleasure of the Board.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve amending SUP 2016-05 (which allowed a Bed and Breakfast Inn and Special Event Facility on approximately 192.59 acres in an A-2 district located at 6359 SW CR 307) to allow outdoor music within a 100' radius of the home & pool, all previous conditions as recommended in staff's report, still apply. Motion carried 3-2, with Commissioners Kenrick Thomas and D. Ray Harrison, Jr. opposing.

County Administrator's Report...continues

Veterans

- Additional Handicap Parking at VSO: Mr. Crosby presented the request to add additional handicap parking space by the new Veteran's Service Office. Discussion took place.

It was the consensus of the Board to allow the County Administrator to add 5 or 6 additional handicap parking spaces near the VSO; as a courtesy, the County Administrator will ask the City of Trenton for their permission as well.

FYI: For the Boards' information, Mr. Crosby submitted the following reports: the Memorial Day Weekend Hart Springs Income Report \$25,215.80; the Animal Control Monthly Report; Library Monthly Report; and Road Department Report.

Agenda Change – TDC

- Request to place Advertisements: Mr. Crosby requested on behalf of the Tourist Development Council, permission to place advertisements in three (3) different sources such as Southern Travel & Lifestyle Magazine, Suwannee River Map and Gilchrist County Chamber Map, totaling \$2,830.00, to promoting Gilchrist County. He stated that these funds will come out of the TDC budget, using the funds available in the Bed Tax Fund.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to approve the request submitted by the TDC for advertising, in the amount of \$2,830.00, in the three periodicals noted; costs to be funded out of the Bed Tax Fund. Motion carried 4-0; Commissioner Kenrick Thomas had left the room.

Attorney's Report

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

Resolution 2016-20: Mr. Lang presented a Resolution 2016-20, adopting the County-Wide Local Mitigation Strategy: Multi-Jurisdictional Plan Draft for 2016-2021, following a draft copy of the Emergency Management LMS Plan. For the record, he read the short title as follows:

RESOLUTION 2016-20

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA; ADOPTING THE COUNTY-WIDE LOCAL MITIGATION STRATEGY: MULTI-JURISDICTIONAL PLAN DRAFT FOR 2016-2021 AS FORWARDED BY THE LOCAL MITIGATION STRATEGY WORKING GROUP

Mr. Lang stated that this resolution allows Emergency Management to have the ability to obtain grants from the State of Florida. Mr. Ralph Smith explained the changes he made from the time a draft was presented to Mr. Lang for preparation of the resolution. The changes included adding the line of "heat extreme temperature" and "the last reported sink-hole in the County". He also explained what the LMS Plan is for. Mr. Lang requested that the motion reflect that approval is on the clean copy, not the draft.

Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Marion Poitevint, to approve Resolution 2016-20 with the deletion of the word "draft" regarding the Emergency Management County Wide Local Mitigation Strategy Plan. Motion carried unanimously.

Miscellaneous: For the Boards' information, Mr. Lang addressed the issue from June 1, 2016 meeting, regarding Drummond Community Bank Loan, for improvements to SW 82nd Lane. He stated that this issue has been resolved and check delivered to Clerk.

Clerk's Report

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

State Aid to Libraries Grant: Mr. Newton presented, for the Boards' approval, Amendment Number 1 to the Grant Agreement between the State of Florida, Department of State and Gilchrist County Board of County Commissioners, for and on behalf of Gilchrist County Public Library. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner D. Ray Harrison, Jr., to approve Amendment #1 to the State Aid to Libraries Grant Agreement, as presented. Motion carried unanimously.

Budget Workshop Dates: Mr. Newton addressed the issue of the need to set Budget Workshop dates for consideration of the proposed budget for Fiscal Year 2016-2017. Discussion took place.

It was consensus of the Board and Staff to set the following schedule for Budget Workshop dates:

- July 14th at 1:00 p.m., July 21st at 1:00 p.m., July 26th at 1:00 p.m. and changed the July 18th Board meeting to July 21st at 4:00 p.m. A *tentative* budget workshop was scheduled for August 1st before 2:00 p.m. regular Board meeting

Proposed Budget Hearing Dates: Mr. Newton informed the Board that the dates for the Budget Hearings need to be set as well, keeping in compliance with the TRIM dates/time schedule.

It was consensus of the Board and Staff to set the following schedule for Budget Hearings . Dates are as follows:

- **Tentative** Budget Hearing is 09/08/16 at 5:15 p.m.
- **Final** Budget Hearing 09/19/16 at 5:15p.m.

Commissioners Reports

- Commissioner Harrison requested that money be withheld from contractor until CR 334 and CR 334A are completed to specifications
- Commissioner Gray asked about reservation issue at Hart Springs

Old Business/New Business/Public Participation: None

Adjourn

With there being no further business... a *Motion was made by Commissioner D. ray Harrison, Jr., seconded by Commissioner Sharon A. Langford, to adjourn. Motion carried unanimously.* Chairman Gray adjourned the meeting at **6:11 p.m.**

Attest:

Todd Newton, Clerk of Court

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

Todd Gray, Chairman