

## **MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JULY 21, 2016**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Thursday, July 21, 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; John Ayers, Gilchrist County Journal; Billy Cannon, Road Department Superintendent; Laura Dedenbach, County Planner; Ralph Smith, EM Director; Chief Mitch Harrell, GC Fire/Rescue; Katherine LaBarca; Ray & Jane Rauscher; Dewithe Doyle; Paul & Charlie, Anderson's Outdoor Adventure's; Herbert & Gayle Brown; Joe G. Brown; Donald Douglas; Greg Bailey, NFPS, Inc.; Rob Davis, Dewberry/Pre-Rish; and Tori Humphries, NFPS, Inc.

### **Call to Order**

Chairman Todd Gray called the meeting to order at 4:00 p.m. Mr. Bobby Crosby, County Administrator, delivered the invocation and Commissioner D. Ray Harrison, Jr. led the pledge of allegiance.

### **Agenda**

There were NO Agenda Changes presented.

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

### **Consent Agenda**

#### **Approval of Pay Request**

##### Mills Engineering Company

Proj#2015013, W/R GCR 334 ..... \$1,235.00

Proj#2016006, Development Review, Church Camp Ministries ..... \$641.25

Proj#2016017, Paving SW 82<sup>nd</sup> Lane Ayers Meadows, 1<sup>st</sup> Edition ..\$715.50

Proj#2015039, Intersection Improvements, 340/232/47 .....	\$190.00
Proj#2016002, Hart Springs WWTP Ground Water Monitoring ....	\$190.00
Proj#2015014, W/R GCR334A .....	\$1,092.50

SHIP

Repair Application for Janice Sparkman .....	\$23,383.90
--	-------------

*Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve the Consent Agenda, as presented. Motion carried unanimously.*

**Public Participation**

Mr. Joe Brown, County Resident, informed the Board that there is an issue with canoes & kayaks blocking the boat ramp at SR 47 park. Paul and Charlie with Anderson's Outdoor Adventure were present for discussion.

**The Board asked Mr. Crosby to send letters to outside vendors requesting that their customers not block the boat ramp and to place signage stating the same. The Board also asked Anderson Outdoor Adventure's to inform Mr. Crosby on improvements.**

**4:15 p.m. Time Certain**

- SP 2016-02: Ms. Laura Dedenbach, County Planner, presented SP 2016-02, a request for preliminary development plan approval for Deel's Dive Shop (SUP 14-02) located at 4030 NE CR 340 in an Agriculture-2 land use district. Tax parcel #08-08-16-0000-0001-0000.

Ms. Dedenbach presented her staff report. She also stated that the proposed special use permit is consistent with the Comprehensive Plan and Land Development Code.

It was Ms. Dedenbach's recommendation that the request for a preliminary development plan approval for Deel's Dive Shop (SUP 14-02) located at 4030 NE CR 340 in an Agriculture-2 land use district be approved with the following conditions:

1. The applicant shall file a final development plan pursuant to Section 12.02, LDC, for approval prior to the commencement of any business activities or site construction activities on the site.
2. Any violation of this approval or conditions thereof, shall cause the revocation of this approval 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 approval may be presented by any person including a resident, the County Code Enforcement Officer, or other County official. Once the approval has been revoked pursuant to this provision, the owner shall be prohibited from re-applying for a preliminary development plan to allow neighborhood commercial uses, specifically a convenience store and dive shop.

3. Approval of this preliminary development plan does not alleviate the applicant's obligation to obtain all other applicable state and federal permits.

Ms. Dedenbach reported that this preliminary development plan:

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 of the dimension, type, and character to maintain the compatibility and harmony with adjacent and nearby properties.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioners Kenrick Thomas, to approve SP 2016-02, based on recommendations of Staff.*** Chairman called for any public participation, none noted. He then called for a vote. ***Motion carried unanimously.***

**Constitutional Officers:** None.

### **County Administrator's Report**

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

#### **Tourist Development Council**

- **TDC Committee Requests:** Mr. Crosby presented the following items that were approved by the TDC Committee at the July 11, 2016 meeting, for the Boards' consideration and approval:
  - i. Permission for Donna Creamer to travel to Hershey PA. attend the Hershey RV Trade Show (September 12-19, 2016) promote Gilchrist County (\*) Note - Hershey PA Travel Expenses will be reimbursed by Natural North Florida & VISIT FL
  - ii. Promote Gilchrist County in two issues of Adventure Outdoors Magazine for \$2,500

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Sharon A. Langford, to approve the over night travel for Donna Creamer and advertising in two issues of Adventure outdoors magazine, in the amount of \$2,500.00, promoting Gilchrist County. Motion carried unanimously.***

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

- Laura Dedenbach, County Planner, presented SUP 2016-06, a request by Custom Pine Straw, Inc., agent for Hudson Food Stores, Inc., owner, for a special use permit to allow an agricultural business that processes, sells, and ships agricultural products that are not raised on the property (pine straw), on 18 acres located on CR 340 near the intersection of CR 340 and SR 47. Tax parcel #07-08-16-0000-0001-035. She stated that this is the item that was continued from the last months agenda.

*Chairman Todd Gray abstained from discussion and voting on this issue. The proper form has been filed. The gavel was turned over to Vice Chairman Kenrick Thomas. Vice Chairman Thomas turned discussion back over to Ms. Dedenbach.*

Ms. Dedenbach presented her staff report. She stated that the proposed special use permit is consistent with the Comprehensive Plan and Land Development Code.

Ms. Dedenbach's recommended approval of the requested Special Use Permit, subject to the following conditions:

The Application for a Special Use Permit is granted subject to the following conditions:

1. The Special Use Permit is issued to EJ Johnson, owner Custom Pine Straw, Inc., agent for Hudson Food Stores, Inc., owner, for a special use permit to allow an agricultural business that processes, sells, and ships agricultural products that are not raised on the property (pine straw), on 18 acres located on CR 340 near the intersection of CR 340 and SR 47. Tax parcel #07- 08- 16-0000-0001-0035.
2. Approval of a preliminary and final development plan (or plans), submitted in accordance with the regulations contained within the Land Development Code shall be required prior to the commencement of any business operations or site development activity. 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 site 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 August 1, 2017.
3. Existing vegetation on site shall be preserved in order to provide buffers for the surrounding properties. In addition, buffers of at least 15 feet in width shall be provided along the north and west property boundaries and shall include the landscaping mix as prescribed by Section 6.05.03, LDC.
4. Access to the site shall be from CR 340 at the general location shown on the conceptual site plan. Internal connections to the adjacent proposed gas station shall be addressed during preliminary development plan review as noted in the staff report.

5. 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 an agricultural business that processes, sells, and ships agricultural products that are not raised on the property (pine straw).
6. 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 of the dimension, type, and character to maintain the compatibility and harmony with adjacent and nearby properties.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioners Marion Poitevint, to approve SP 2016-06, based on recommendations of Staff.*** Vice Chairman Thomas called for any public participation, none noted. He then called for a vote. ***Motion carried 4-0, Commissioner Todd Gray, abstained from vote.***

Vice Chairman Thomas relinquished the gavel back over to Chairman Todd Gray.

Moving on...

### **County Administrator's Report continues...**

#### **General Government**

- **Property Exchange – Sun Springs Boat Ramp:** Mr. Crosby presented for the Boards' consideration, a request made by Mr. & Mrs. Herbert Brown. They would like to exchange part of their property, for County property, at Uler Landing (Sun Springs). Mr. and Mrs. Brown were present for discussion. Mrs. Brown addressed the Board with their intent and concerns. Discussion took place.

**It was the consensus of the Board to ask for time to evaluate the Brown's request to potentially exchange property at Sun Springs Boat Ramp. This issue will be reconsidered at a later date.**

**4:45 p.m. Time Certain**

- Laura Dedenbach, County Planner, presented SUP 2016-07, a request by Iglesias de Dios Milagros de Jesus, agent for Louise Bernstein, owner, for a special use permit to allow a church located on Lot 13 Flying Harness subdivision on W CR 232 on 5.01 acres in an Agriculture-2 land use district. Tax parcel # 05-09-15-0105-0000-0130.

Ms. Dedenbach presented her staff report. She then presented the following recommendation regarding the request for a special use permit to allow a church located on Lot 13 Flying Harness subdivision on W CR 232 on 5.01 acres in an Agriculture-2 land use district:

Because of the predominately residential character of the surrounding area, the proposed residential use could result in an incompatible intrusion into a residential area and an incompatible use of a platted residential subdivision lot. Even though the property accesses CR 232, it is still part of a platted subdivision.

The approval of the proposed religious facility would dedicate the use of this parcel to non-residential use. The surrounding properties are primarily residential lots within the same platted subdivision and agricultural parcels. Religious uses have different travel and use characteristics - weekends, hours of operation. Religious uses also tend to grow as the congregation grows, which can cause the addition of uses (such as schools, retreats, special events), traffic congestion, parking problems, and building intensity in the future. The A-2 district would allow up to 54,000 square feet of building on the site.

The concept plan does not locate parking, number of spaces, or buffers on the site.

If the Board of County Commissioners decides to approve the proposed special use permit, it is recommended that the applicant address the location of the parking lot, a maximum allowable square footage, a defined list of uses and activities that would be allowed and those which would have to have additional SUP approvals, how special events would be conducted, and appropriate buffers for the site.

The applicant (and his interpreter), as well as neighboring, concerned citizens were present for discussion.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Marion Poitevint, to DENY the request for SUP 2016-07, based upon the recommendation of Staff and the fact that this is primarily residential area. Motion carried unanimously.***

### 5:15 p.m. Time Certain

- Laura Dedenbach, County Planner, presented SUP 2015-08, a request by William Prescott, owner, for a special use permit for a wedding and event venue located on 1.341 acres at 5470 NW 37<sup>th</sup> Court in an Agriculture-2 district. Tax parcel #01-08-14-0000-0015-0030.

Ms. Dedenbach presented her staff report. She also stated that the proposed special use permit is consistent with the Comprehensive Plan and Land Development Code.

It was Ms. Dedenbach's recommendation that the request for a special use permit for a wedding and event venue located on 1.341 acres at 5470 NW 37<sup>th</sup> Court in an Agriculture-2 district be approved with the following conditions:

1. The Special Use Permit is issued to William Prescott, owner, for a special use permit for a wedding and event venue located on 1.341 acres at 5470 NW 37<sup>th</sup> Court in an Agriculture-2 district. Tax parcel #0 1-08- 14-0000-0015-0030.
2. Use of the property as a wedding and special 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 August 1,2017.
4. Hours of operation for the event facility shall be limited to 10:00 a.m. to 10:00 p.m. Outdoor music or live bands are subject to the requirements of the Gilchrist County Noise Ordinance. 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 10:00 p.m., or the end of the event, which ever occurs first.
5. The number of attendees per event shall be limited to 100 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. 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.

8. 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 of the dimension, type, and character to maintain the compatibility and harmony with adjacent and nearby properties.

The Road Superintendent, Applicant, Concerned Citizens and Staff were present for discussion.

***Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve SUP 2016-08 based on the recommendations of Staff and amending conditions to allow 150 persons per event and restricting music to 100 feet of the barn. Motion carried 4-0 with Commissioner Kenrick Thomas voting NO.***

### **County Administrator's Report continues...**

#### **FYI**

- **Monthly Reports:** For the Boards' information, Mr. Crosby presented the monthly reports for Animal Control, Library, Road Department, and Solid Waste.

Mr. Crosby also announced that Chief Harrell will be resigning and a formal letter of resignation is forth coming.

### **Attorney's Report**

Mr. David M. Lang, Jr., County Attorney, had no documents or issues to address, at this time.

- **SW 82<sup>nd</sup> Lane:** Mr. Lang stated that the notice for the final assessment hearing on SW 82<sup>nd</sup> Lane will be published August 4<sup>th</sup>.

### **Clerk's Report**

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

Ambulance Re-Chassis Loan RFP Request: Mr. Newton stated that he has been notified the ambulance re-chassis is almost complete and requested permission to move forward with advertising for RFP's for a loan, for four (4) years, in the amount of \$125,000.00. Discussion took place.

***Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint to approve the request to advertise for RFP's for the Ambulance Remount Loan, in the amount of \$125,000.00, for four (4) years. Motion carried unanimously.***

BIS Digital Support Agreement Renewal: Mr. Newton presented, for the Boards' approval, the BIS Digital Support Agreement Renewal, for the period of 8/16/2016 – 8/15/2017, in the amount of \$1,130.00. Discussion took place.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Kenrick Thomas, to approve renewing contract for recording software with BIS Digital, in the amount of \$1,130.00. Motion carried unanimously.***

Value Adjustment Board 2016: Mr. Newton addressed the issue of the Appointment of two County Commissioners, Request for Homestead Citizen Member and VAB Legal Counsel, Mr. Ronald Stevens, to serve on the 2016 Value Adjustment Board. The School board will be responsible for appointing one (1) School Board Member and one (1) Citizen Business Owner to serve as well.

***Motion made by Commissioner D. Ray Harrison, Jr., seconded by Commissioner Sharon A. Langford to elect/appoint Commissioner Kenrick Thomas and Commissioner Todd Gray to serve on the 2016 VAB. Motion carried unanimously.***

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner D. Ray Harrison, Jr., to nominate Mr. Gary Rexroat for appointment to serve as the BOCC Homestead Citizen Member on the 2016 VAB. Motion carried unanimously.***

VAB Legal Counsel: Mr. Newton recommended appointing Mr. Ronald Stevens, P.A., from Bronson, who served as VAB Legal Counsel last year. He stated that the VAB will actually approve the hiring of legal counsel but needed the Boards consensus of the BOCC to appoint him to serve.

**It was the consensus of the Board to recommend Ronald Stevens, P.A., to serve as legal Counsel for the 2016 VAB.**

Consider Organizational Meeting Date: Mr. Newton stated that he will address the proposed meeting date with the VAB .

**Commissioners Reports:** None

**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 Sharon A. Langford, to adjourn. Motion carried unanimously.* Chairman Gray adjourned the meeting at **6:02 p.m.**

*Board of County Commissioners  
Gilchrist County, Florida*

*Attest:*

*Approved:*

---

*Todd Newton, Clerk of Court*

---

*Todd Gray, Chairman*