

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD APRIL 22, 2019

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, April 22, 2019 at 3:00 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, Vice Chairman</i>
<i>District II</i>	<i>Commissioner Bill Martin</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</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 Assistance; John Ayers, Gilchrist County Journal; Lou Leone, Road Department Superintendent; Chief Deputy Jeff Manning, GCSO; Chief James Campbell, GC Fire/EMS; Ralph Smith, GC Director of Emergency Management; Greg Bailey, NFPS, Inc.; Katherine LaBarca; William Wilson, CFEC; Mark Wray, Ginnie Springs; Lowell Chesborough; Ray & Jane Rauscher; Daniel Collins and Vanessa Goff, Duke Energy; Tom Lucas; Pat Watson, City of Trenton; Joe Lander; Bill Menadier, Dewberry; Ray Sheffield; Shawn Tyler; Marilyn McGlamdry; George Rhodes; Barbara Polete; and William Vanlandingham.

Call to Order

Chairman Todd Gray called the meeting to order at 3:00 p.m. Mr. Todd Newton, Clerk of Court, delivered the invocation and Commissioner Sharon A. Langford led the pledge of allegiance.

Agenda

The Agenda was presented for the Boards' approval with no changes.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to approve the Agenda, as presented, with NO change(s). Motion carried unanimously.

Consent Agenda

Approval of Minutes

Regular Meeting March 18, 2019

4:45 p.m. Time Certain

- *Mike Roth, President OSFR addressed the Board with a power point presentation on phosphate mining. Discussion took place after the presentation and Mr. Roth asked the Board for their consideration on a proposed resolution to support a statewide moratorium on phosphate mining. **He also requested that the Comprehensive Plan and Land Use Regulations be reviewed.***

*It was the consensus of the Board to review further and consider a proposed resolution presented by Mr. Roth, to support a statewide moratorium on phosphate mining; **and also to review the County Comprehensive Plan and Land Use Regulations.***

Approval of Payment

Anderson Columbia Co., Inc.

Inv#75726, CR 340 from Rock Bluff Bridge to US 129	\$12,739.39
Inv#75727, CR 340 from US 129 to SR 47	\$23,963.33
Inv#75728, CR 340 from SR 47 to NW 298th	\$12,717.83

*Motion made by Commissioner Bill Martin, seconded by Commissioner Marion Poitevint, to approve the Consent Agenda, as presented, **with noted change.** Motion carried unanimously.*

County Administrator's Report

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

Road Department

- **Speed Limit for Shady Grove Road:** Mr. Crosby presented a request for a speed limit change on Shady Grove Road from 40 mph to 35 mph. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Kenrick Thomas, to approve reducing speed limit to 35 mph from 40 mph on Shady Grove Road; County Attorney will prepare Ordinance, with change. Motion carried unanimously.

EMS

- **Purchase of Computers:** Mr. Crosby presented, for the Boards' approval, a request to purchase five (5) laptop computers for EMS use, in the ambulances. He stated that this purchase would be under NASPO (national purchasing contract) and funded by Florida Department of Health Grant. The cost for the five (5) laptops was in the amount of \$17,877.70. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to approve the purchase of five (5) laptops for EMS under NASPO, national purchasing contract,

waiving bidding requirements, to be purchased under Florida Department of Health Grant, at a cost of \$17,877.70. Motion carried unanimously.

Emergency Management

- Resolution 2019-16, Statewide Mutual Aid Agreement: Mr. Crosby presented and read the short title for Resolution 2019-16, State Wide Mutual Aid Agreement. Mr. Crosby explained the nature of this resolution. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve Resolution 2019-16, as presented. Motion carried unanimously.

- Purchase of AV System: Mr. Crosby presented, for the Boards' approval, a request to purchase a AV System for the EOC. This purchase will be made with grant funding. Mr. Crosby stated that three quotes were received and recommended moving forward with O'Cull Electricity, in the amount of \$27,083.30 and to waive bidding requirements. Discussion took place.

Motion made by Commissioner Bill Martin, seconded by Commissioner Kenrick Thomas, to approve quote from O'Cull Electricity for the purchase and install of A/V System at the EOC, with a total cost of \$27,083.30, waiving bidding requirements, utilizing state policy, due to EMPA funds. Motion carried unanimously.

3:15 p.m. Time Certain

- David M. Lang, Jr., Interim County Planner; VAR 2019-03 based on non-conforming lot of record for Ray Sheffield and Alison Dotson

Mr. Lang stated that this is a quasi-judicial hearing and such rules and procedures will be followed. He then called for any ex-parte communications; hearing none, he proceeded with hearing.

Mr. Lang presented VAR 2019-03, a request by Ray Sheffield and Alison Dotson, owners and applicants, seeking a Variance from the minimum lot size and width requirements for a single family dwelling in an Agriculture-2 {A-2), land use category located on approximately 1.250 acres, more or less, at NW 62 PL/NW 12 CT, Bell, Gilchrist County, Florida 32619. Property Appraiser 's Tax Parcel Number 32-07-15-0000-0040-0000 .

Mr. Lang presented his Staff Report as follows:

Special Use Permit Analysis

The applicant is requesting a Variance from the Lot size and Dimension size requirements for construction or placement of a single family dwelling to be used as a Single Family Residence to be located on the premises. Section 12.05.0 1 authorizes the Board of County Commissioners, serving as the Planning Commission, to grant a variance from the strict application of any

provision of the Land Development Code, subject to certain restrictions which includes a prohibition against granting a variance from the consistency requirements of the comprehensive plan.

The applicants have provided a copy of a deed from their predecessor in interest to the subject property which indicates that the property is a nonconforming lot of record pursuant to the definitions in Section 7.14.02 of the Gilchrist County Land Development Code. The referenced deed is a Warranty Deed from Florida-Colorado Acres, Inc., a Florida Corporation, Granter, to Leo Schiltz and Marie R. Schiltz, Grantee, filed September 13, 1965, and recorded in Official Records Book 18, page 339, of the public records of Gilchrist County, Florida.

The Land Development Code defines a Non-conforming Lot to mean a lot or parcel that does not currently comply with this Land Development Code or the Gilchrist County Comprehensive Plan, but , at the time it was created, was in compliance with all Gilchrist County regulations. including subdivision requirements, and was consistent with the Gilchrist County Comprehensive Plan, in effect at the time the lot or parcel was created. Section 7.14.04 of the Gilchrist County, Florida Land Development Code states that nonconforming lots shall be eligible for the issuance of residential building permits, subject to all other provisions of this Land Development Code and the Gilchrist County Comprehensive Plan, including setbacks, lot coverage, and concurrency.

The current Land Development Code was adopted by Ordinance No. 06-20 on December 4, 2006 and was effective on January 1, 2007. The current code superseded and updated the then existing code originally adopted by Ordinance 93-01 .

Based upon the above analysis it would appear that the property which is subject to this Variance Application was in existence at least as early as September 13, 1965, prior to the establishment of the Gilchrist County Land Development Code and would therefore constitute a nonconforming lot of record which is entitled to issuance of a residential building permit, subject to meeting all other requirements of the Gilchrist County Code including, but not limited to setback requirements, all Gilchrist County Health Department Requirements concerning well and septic systems on the premises, and all flood and elevation requirements, as applicable.

Recommendation

The proposed use is consistent with the Comprehensive Plan and Land Development Code as a Nonconforming Lot pursuant to the Gilchrist County Land Development Code.

I recommend approval of the requested Variance. subject to applicant meeting all other requirements of the Gilchrist County Code including setback requirements, all Gilchrist County Health Department Requirements concerning well and septic systems on the premises, and all flood and elevation requirements as applicable to the subject property.

- 1 . The proposed variance arises out of the specific physical conditions specific to this site alone.*
- 2. The requested variance does not arise out of conditions created by the applicant and are unique to this specific property and not to similar land use classified property.*

3. *The variance request is not based exclusively upon a desire to reduce the cost of developing the site. The purpose of placement of applicant's residence has no relationship to the reduction in cost of development of the site and granting the variance does not reduce the cost of development.*
4. *The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.*
5. *The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.*
6. *The effect of the proposed variance is in harmony with the general intent of tills Code and the specific intent of the relevant subject areas of the Code.*

For the reasons stated, the Variance Application should be approved.

Chairman Gray then called for any public comments, none noted.

The Applicant was present for discussion.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin to approve VAR 2019-03, to allow mobile home on parcel subject to other requirements of Gilchrist County Code, based on recommendation of Staff. Motion carried unanimously.

County Administrator's Report continues...

CDBG

- Resolution 2019-14, HUD Section 504 Transition Plan: Mr. Crosby presented, for the Boards' approval, Resolution 2019-14 and read the short title, as follows:

RESOLUTION 2019-14

A RESOLUTION OF GILCHRIST COUNTY, FLORIDA ADOPTING A HUD SECTION 504 HANDICAPPED ACCESSIBILITY COMPLAINT AND GRIEVANCE PROCEDURE; ADOPTING A SECTION 504 TRANSITION PLAN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Crosby explained the purpose of this resolution. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marin Poitevint, to approve Resolution 2019-14, as presented. Motion carried unanimously.

FYI

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

Clerk's Report

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

Gilchrist County Escheated Properties: Mr. Newton presented a list of Escheated Properties, fourteen (14) parcels for the Boards' approval of doing a sealed bid sale, of County Owned Properties. He requested that parcels be looked at for whether they are compatible or not for County use. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Marion Poitevint to approve doing a sealed bid sale for County Own Properties, as presented, and for review of property list for compatibility or not. Motion carried unanimously.

FYI; Fuel Costs: For the Boards' information, Mr. Newton provided Fuel Costs Report, period ending March 2019.

3:30 p.m. Time Certain

- David M. Lang, Jr., Interim County Planner; VAR 2019-04 based on non-conforming lot of record for Allen Payne

Mr. Lang stated that this is a quasi-judicial hearing and such rules and procedures will be followed. He then called for any ex-parte communications; hearing none, he proceeded with hearing.

Mr. Lang presented VAR 2019-04, a request by Allen Payne, owner and applicant, seeking a Variance from the minimum lot size and width requirements for a single family dwelling in an Agriculture-2 (A-2), land use category located on approximately 3.000 acres, more or less, at 590 NW 20 Avenue, Bell, Gilchrist County. Florida 32619. Property Appraiser 's Tax Parcel Number 32-08-15-0000-0008-0000.

Mr. Lang presented his Staff Report as follows:

Special Use Permit Analysis

The applicant is requesting a Variance from the Lot size and Dimension size requirements for construction or placement of a single family dwelling to be used as a Single Family Residence to be located on the premises . Section 12.05.0 1 authorizes the Board of County Commissioners, serving as the Planning Commission, to grant a variance from the strict application of any provision of the Land Development Code, subject to certain restrictions which includes a

prohibition against granting a variance from the consistency requirements of the comprehensive plan.

The applicants have provided a copy of an Agreement For Deed from their predecessor in interest to the subject property which indicates that the property is a nonconforming lot of record pursuant to the definitions in Section 7.14.02 of the Gilchrist County Land Development Code. The referenced Agreement For Deed is from Doris J. Hall, et al, first parties, to Alton Lloyd Pierce, Jr. and Kimberly Jade Pierce, husband and wife, second parties, dated July 22, 1992, filed February 1, 1993, and recorded in Official Records Book 196, pages 0005-0007, of the public records of Gilchrist County, Florida.

The Land Development Code defines a Nonconforming Lot to mean a lot or parcel that does not currently comply with this Land Development Code or the Gilchrist County Comprehensive Plan, but, at the time it was created, was in compliance with all Gilchrist County regulations, including subdivision requirements, and was consistent with the Gilchrist County Comprehensive Plan, in effect at the time the lot or parcel was created. Section 7.14.04 of the Gilchrist County, Florida Land Development Code states that nonconforming lots shall be eligible for the issuance of residential building permits, subject to all other provisions of this Land Development Code and the Gilchrist County Comprehensive Plan, including setbacks, lot coverage, and concurrency.

The current Land Development Code was adopted by Ordinance No. 06-20 on December 4, 2006 and was effective on January 1, 2007. The current code superseded and updated the then existing code originally adopted by Ordinance 93-01.

Based upon the above analysis it would appear that the property which is subject to this Variance Application was in existence at least as early as July 22, 1992, prior to the establishment of the Gilchrist County Land Development Code and would therefore constitute a nonconforming lot of record which is entitled to issuance of a residential building permit, subject to meeting all other requirements of the Gilchrist County Code including, but not limited to setback requirements, all Gilchrist County Health Department Requirements concerning well and septic systems on the premises, and all flood and elevation requirements, as applicable.

Recommendation

The proposed use is consistent with the Comprehensive Plan and Land Development Code as a Nonconforming Lot pursuant to the Gilchrist County Land Development Code.

I recommend approval of the requested Variance, subject to applicant meeting all other requirements of the Gilchrist County Code including setback requirements, all Gilchrist County Health Department Requirements concerning well and septic systems on the premises, and all flood and elevation requirements as applicable to the subject property.

- 1. The proposed variance arises out of the specific physical conditions specific to this site alone.*
- 2. The requested variance does not arise out of conditions created by the applicant and are unique to this specific property and not to similar land use classified property.*

3. *The variance request is not based exclusively upon a desire to reduce the cost of developing the site. The purpose of placement of applicant's residence has no relationship to the reduction in cost of development of the site and granting the variance does not reduce the cost of development.*
4. *The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.*
5. *The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.*
6. *The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject areas of the Code.*

For the reasons stated, the Variance Application should be approved.

Chairman Gray then called for any public comments, none noted.

Motion made by Commissioner Bill Martin, seconded by Commissioner Kenrick Thomas to approve VAR 2019-04, based on recommendation of Staff. Motion carried unanimously.

Attorney's Report

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

Non-Time Certain Planning Matters

- File Original Site Plan for Ginnie Springs with related information – Mark Wray

Mr. Lang updated the Board on the status of the Site Plan for Ginnie Springs. He stated that his intentions are to file both the Site Plan and a Modern Survey with the Gilchrist County Division of Planning and Zoning to serve as our official Site and Development Plan for the property out there.

Discussion took place. Mr. Mark Wray was presented for discussion.

Mr. Lang stated that no Board action is needed. Informational purposes only.

3:45 p.m. Time Certain

- David M. Lang, Jr., Interim County Planner; SP 2019-03 site plan approval for Duke Energy/Piedmont Farms and Hill & Jordan

Mr. Lang stated that this is a quasi-judicial hearing and such rules and procedures will be followed. He then called for any ex-parte communications; Mr., Lang stated for the record that the Board of County Commissioners received an email from the Rhodes; Mr. Bobby Crosby, County Administrator responded to the email on behalf of the Commission. Commissioner Kenrick Thomas filed Form 8B Memorandum of Voting Conflict due to the fact that he works for Piedmont Farms; this form will be incorporated as part of the official minutes.

Mr. Lang then proceeded with hearing.

Mr. Lang presented SP 2019-03, a request by representatives of Duke Energy Florida, LLC, as applicant, and owners Piedmont Farms, Inc. and Carol Hill and Helen Jordan, as Trustees, requesting Preliminary Site Plan Approval for a SOLAR FARM in an Agriculture-2 (A-2) land use district, together with a 60 feet by 12 feet office and maintenance building, located on approximately 795 acres, with location described by the Gilchrist County Property Appraiser's Office as 1230 SW CR 307A; SW CR 307A/SW 17 CT; S US Hwy 129; CO RD 307; and off SW 20th Ave; Trenton, Gilchrist County, Florida. Tax Parcel Numbers: Portion of 08-10-15-0000-0001-0000 ; All of 08-10-15-0000-0003-0000; All of 05-10-15-0000-0001-0010; Portion of 06-10-15-0000-0002-0000; and All of 07-10-15-0000-0002-0000.

Mr. Lang presented his Staff Report as follows:

Site and Development Plan Analysis

The applicant and owners are requesting Preliminary Site and Development Plan Approval for a Solar Farm and a 60 feet by 12 feet office and maintenance building to be located on the premises. The applicant and owners submitted a Conceptual Site Plan at the hearing on their request for a Special Use Permit for the property. As conditions of the Special Use Permit that was previously granted, because of the location and close proximity of the facility to the City Limits of the City of Trenton, Florida and to the Trenton City Cemetery, the applicant and owners were advised at the Special Use Permit hearing that:

- 1. The development would be required to have screening and buffers of such dimension, type and character to improve the compatibility and harmony of the development with adjacent and nearby properties which would be in addition to that which is presently required in the Gilchrist County Land Development Regulations, to be determined in the sound discretion of the Board of County Commissioners and approved at the Preliminary Site and Development Plan approval hearing.*
- 2. Any excessive noise producing equipment located on the site, including inverters or related equipment, shall be centralized and located as near to the interior of the property as the same may reasonably be accommodated. In no event shall the noise level of the permitted use on the required property at the required property setback lines or within 100 feet of any adjacent property owner exceed 85 decibels in sound intensity or loudness.*
- 3. That the applicant and owners shall provide a decommissioning plan in recordable form for approval by the Board at the Preliminary Site and Development Plan hearing to*

guarantee to the Board that provisions are in place for the applicant and/or the landowners to be fully responsible for cleaning up the property and removing all installed equipment thereon, including the solar panels and related equipment, at the conclusion of the lease of the premises for its use as a Solar Farm. The decommissioning plan shall be in the form of a protective covenant running with the land to be recorded in the Official Records of Gilchrist County, Florida, in order to provide constructive notice to all parties of this requirement at the conclusion of the lease, and the approved plan shall be recorded in the Gilchrist County Official Records prior to final site plan approval: and

4. *The Special Use Permit and the rights and privileges granted thereunder are specifically limited and exclusively granted to Duke Energy Florida, LLC, for use of the premises as a Solar Farm, and the approval and rights granted thereunder may not be assigned by Duke Energy Florida, LLC to any third party without prior written notice given, and approval thereafter granted in its sole discretion, by the Board of County Commissioners at a duly advertised public meeting called for such purpose.*

Turning to the Preliminary Site and Development Plan submitted, the plan describes Landscape Buffer Areas thereon as:

Landscape Buffer Area 1 which = a 20 feet wide landscape buffer;

Landscape Buffer Area 2 which = a 40 feet wide landscape buffer; and

Landscape Buffer Area 3 which = a 20 feet wide landscape buffer.

The Board in its sound discretion must review the site plan submitted and determine if the proposed landscaped buffering as shown on the plan is sufficient to satisfy condition 1 above as to provide compatibility and harmony with adjacent properties. Areas of concern on the site plan to which special attention is directed for the Board of County Commissioners determination are as follows:

1. *At the Northeast portion of the property shown on the site plan which extends from U.S. Highway No. 129 Westerly to approximately what is believed to be the Rhodes property, there is a Natural Wooded Hammock which the applicant has requested shall serve as a landscape buffer without the need of additional landscaping being required. (It is recommended that at least a 40 feet wide Natural Wooded buffer area continue to be required to be maintained at this portion of the site and not be cut or cleared, extending West from U.S. Highway No. 129 to the intersection with the Landscape buffer required along the East boundary of the Rhodes property, and that this be reflected on the final site plan and included as a requirement of the site plan approval).*
2. *That portion of the site North and South adjacent to FPL Transmission Easement (no landscape buffer shown);*
3. *Differentiate the landscape buffer at the intersection of SW 17th Ct. and the Dukes'/Rhodes' Property. (clearly show location of point where the landscape buffer along SW 17th Ct.*

transitions to a 40 feet buffer running East along the South boundary line of the Dukes/Rhodes property);

4. North side of Trenton Cemetery (only a 20 feet landscaped buffer shown);
5. West side of project after leaving the cemetery property westerly, only reflects a 20 feet landscaped buffer) ; and
6. Determine that the overall landscaping buffer for the project is sufficient.

As to condition 2 above relating to noise impact, the site plan reveals a 100 feet setback from all adjoining property owners for placement of the solar improvements. The applicant has provided both an email from Vanessa Goff, Development Manager of Duke Energy, and a document from the vendor that reviews the acoustic noises created by the inverters to be placed on site, which purports to reflect that the inverters will be completely inaudible at a distance of 14.5 meters (48 feet). Accordingly, if the information provided is accurate, the 100 feet setback from the adjoining property owners property lines should be sufficient to make the inverters completely inaudible to the adjacent property owners at their property lines. (See Exhibit B attached and made a part hereof).

As to condition 3, the applicant and owners must provide a decommissioning plan to remove and clean-up the site at the conclusion of the Solar Farm Lease, for approval by the Board of County Commissioners, to then be recorded in the Official Records of Gilchrist County, Florida, prior to approval of the Final Site and Development Plan.

Finally, a concern was raised at the Special Use Permit Hearing regarding the toxicity of solar panels. The applicant, through Vanessa Goff, Development Manager for Duke Energy, provided an email in response to the concerns of toxicity of solar panels which appears to address this issue which in part states that, "[T]here are two active photovoltaic (PV) technologies used in solar panels at utility-scale solar facilities: 1) thin film and 2) silicon. Certain thin film based panels contain toxin such as cadmium. Silicon based solar panels are primarily made of silicon and do not contain the same toxins that thin film panels contain. The proposed Trenton project will utilize silicon PV solar modules, which do not contain the toxin cadmium. According to the NC Clean Energy Technology Center at NC State University, silicon PV panels do not pose a material risk of toxicity to public health and safety." (See Exhibit C attached and made a part hereof).

Recommendation

The proposed site plan is consistent with the Comprehensive Plan and Land Development Code.

I recommend approval, subject to compliance with the following conditions, the request for preliminary site and development plan approval:

1. Approval by the Board and compliance by applicants and owners of the conditions set forth in the Site and Development Plan Analysis described above.

2. *The applicant shall limit development on the site to that which is proposed on the site plan submitted with this application and shall locate the improvements in accordance with the site plan submitted for approval by the Board of County Commissioners.*
3. *The applicant and owners shall file a Final Development Plan pursuant to Section 12.02, of the Gilchrist County Land Development Code, for approval by the Planning Director prior to the construction activities on the site.*
4. *Approval of this Preliminary Site and Development Plan does not alleviate the applicant's obligation to obtain all other applicable County, State, and Federal Permits, as may be required, including but not limited to, any requirements or permits by the Suwannee River Water Management District regarding drainage and stormwater retention as applicable.*

For reasons stated, the Preliminary Site and Development Plan submitted should be approved as conditioned.

Discussion took place.

Chairman Gray then called for any public comments. Ray Rauscher, George Rhodes, Lowell Chesborough, Greg Bailey, NFPS, Danial Collins and Vanessa Goff, Duke Energy, all addressed the Board with comments and concerns.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Bill Martin, to approve SP 2019-03 for Duke Energy/Piedmont Farms Solar Farm based on Staff recommendations and to include report. Motion carried 4-0, Commissioner Kenrick Thomas abstained from discussion and vote.

4:00 p.m. Time Certain

- David M. Lang, Jr., Interim County Planner; SP 2019-04 amended site plan approval for Nutrien Ag Solutions LLC

Mr. Lang stated that this is a quasi-judicial hearing and such rules and procedures will be followed. He then called for any ex-parte communications; hearing none, he proceeded with hearing.

Mr. Lang then proceeded with hearing.

Mr. Lang presented SP 2019-04, a request by representatives of Nutrien Ag Solutions, Inc., as owner and applicant, requesting Preliminary Development Site Plan (Amendment) Approval for all existing uses and for additional improvements to its existing fertilizer distribution plant in an A-2 land use district located at 7730 SE SR 47, Trenton, Gilchrist County, Florida. Gilchrist County Property Appraiser's Tax Parcel Number 10-10-15-0000-0006-0000.

Mr. Lang presented his Staff report as follows:

Site and Development Plan Analysis

The applicant and owner are requesting improvements to their existing approved facility consisting of two (2) 15 feet by 50 feet product bays and two (2) additional mixers. The square footage of the proposed structures are approximately 1500 square feet and 410 square feet total and will be located adjacent to applicants existing fertilizer loading structure and bulk storage building. The applicant/owner also provided an amended site plan as part of their application for site plan approval.

Recommendation

The proposed site plan is consistent with the Comprehensive Plan and Land Development Code. The site plan submitted represents minimal structural improvements relative to the overall facility and existing improvements and is in keeping with the current use of the subject property.

I recommend approval, with the following conditions, the request for preliminary site plan (amendment) approval:

- 1. The applicant shall limit development on the site to that which is proposed on the site plan submitted with this application and shall locate the improvements in accordance with the site plan submitted for approval by the Board of County Commissioners .*
- 2. The applicant shall file a Final Development Plan pursuant to Section 12.02, of the Gilchrist County Land Development Code, for approval by the Planning Director prior to the construction activities on the site. If no changes are directed to be made by the Board to the Preliminary Site and Development Plan submitted, a letter from the applicant/owner requesting that the Preliminary Site and Development Plan be considered to be the Final Development Plan shall suffice, if such letter is approved by the Planning Director.*
- 3. Approval of this Preliminary Site and Development Plan (Amendment) does not alleviate the applicant's obligation to obtain all other applicable County, State, and Federal Permits, as required, including but not limited to, any requirements or permits by the Suwannee River Water Management District regarding drainage and stormwater retention as applicable.*

For reasons stated, the Preliminary Site and Development Plan submitted should be approved.

Mr. Lang recommended approval of the Site Plan as submitted.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve SP 2019-04, an amended site plan for Nutrien Ag Solutions, LLC, based of recommendation of Staff. Chairman Gray called for any public comments, none noted. Motion carried unanimously.

4:15 p.m. Time Certain

- David M. Lang, Jr., Interim County Planner; SUP 2019-02 request by Leroy Solar Center; Avera, James L. Langford, and Joseph C. Langford; seeking SUP for Solar Farm

Mr. Lang advised the Board that an email was received from Ryan Gilchrist, who represents Leroy Solar Center, stating that he would not be able to attend today’s meeting and asked if meeting could be continued to a later date. Mr. Lang recommended a motion be made to continue this meeting until the second meeting in May.

Commissioner Sharon A. Langford filed a Form 8B Memorandum of Voting Conflict due to the fact that she received a letter, by mail, regarding SP 2019-02, because she has adjoining property to this project, which HWY 26 divides. This form will be incorporated into the official record.

Motion made by Commissioner Bill Martin, seconded by Commissioner Kenrick Thomas to approve the continuation of meeting for SP 2019-02 Leroy Solar Center, LLC seeking SUP for Solar Farm, until the second meeting in May. Motion carried 4-0 with Commissioner Sharon A. Langford abstaining from vote.

Old Business: None

New Business: None

Public Participation: None

Adjourn

With there being no further business... a *Motion was made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to adjourn. Motion carried unanimously.* Chairman Gray adjourned the meeting at 4:45 p.m.

*Board of County Commissioners
Gilchrist County, Florida*

Attest:

Approved:

Todd Newton, Clerk of Court

Todd Gray, Chairman