

## **MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MAY 6, 2019**

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, May 6, 2019** 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><b>District I</b></i>	<i><b>Commissioner Sharon A. Langford, Vice Chairman</b></i>
<i><b>District II</b></i>	<i><b>Commissioner Bill Martin</b></i>
<i><b>District III</b></i>	<i><b>Commissioner Todd Gray, Chairman</b></i>
<i><b>District IV</b></i>	<i><b>Commissioner Marion Poitevint</b></i>
<i><b>District V</b></i>	<i><b>Commissioner Kenrick Thomas</b></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; Sheriff Bobby Schultz, GCSO; Chief James Campbell, GC Fire/EMS; Mitchell Gentry, Hart Springs Manager; Greg Bailey, NFPS, Inc.; Richard & Leslie Esseck; and Katherine LaBarca.

### **Call to Order**

Chairman Todd Gray called the meeting to order at 4:00 p.m. Mr. Richard Romans, Finance Director, delivered the invocation and Commissioner Kenrick Thomas led the pledge of allegiance.

### **Agenda**

The Agenda was presented for the Boards' approval with NO change(s).

***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 ..... April 8, 2019

#### **Approval of Payment**

##### **Florida Fill & Grading, Inc.**

Application #3, Santa Fe Park Boat Ramp ..... \$49,630.93

Dewberry

Invoice #1673298, Santa Fe Park – FBIP ..... \$2,000.00

SREC, Inc./SHIP

SHIP Home Owner Occupied Rehab Reimbursement

Christina Norris ..... \$39,997.00

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

**County Administrator's Report**

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

Road Department

- **Bid Results for CR 236 Widening & Resurfacing:** Mr. Crosby presented the bid results for the County Road 236 Widening & Resurfacing project, as follows: Anderson Columbia, Inc., in the amount of \$693,313.76 and Preferred Materials, Inc., in the amount of \$1,267,462.66.

Mr. Crosby recommended bid approval and award to Anderson Columbia, Inc., as low bidder and for the contract to be reviewed and approved by the County Attorney. Discussion took place.

***Motion made by Commissioner Kenrick Thomas, seconded Commissioner Bill Martin, to approve and award Anderson Columbia, Inc., as low bidder, in the amount of \$693,313.76, on CR 236 Widening & Resurfacing Project; and to allow County Attorney to approve contract. Motion carried unanimously.***

- **Anderson Columbia, Inc., Change Order #1:** Mr. Crosby explained the purpose of the Change Order, in the amount of \$74,242.02, for the CR 236 project. This cost was to increase thickness of asphalt to two (2) inches. Discussion took place.

***Motion made by Commissioner Marion Poitevint, seconded by Commissioner Bill Martin to approve Change Order #1, from Anderson Columbia, Inc., on CR 236 to increase thickness of asphalt to 2", at a cost of \$74,242.02; making the new contract price, including this Change Order, \$767,555.78. Motion carried unanimously.***

General

- **FRDAP – Hart Springs Picnic Shelter Project:** Mr. Crosby explained that FRDAP Grant funds were available for the Picnic Shelter Project at Hart Springs. He presented an invoice from J Ayers Construction, for installing roof system on five (5) shelters. Discussion took place.

*Motion made by Commissioner Bill Martin, seconded by Commissioner Sharon A. Langford, to approve payment of \$15,500.00 to J. Ayers Construction for five (5) picnic shelters, at a cost of \$3,100/each; and to waive bidding requirement, due to time constraint on FRDAP project; Chairman asked that in future requests be made before construction. 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

Mr. Lang requested Board authorization for the Planning Director to determine Non-Conforming Lots administratively, without requiring formal Variance Hearing before the Board. Discussion took place.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to give the Planning Director the ability to determine Non-conforming Lots, administratively, without formal request of the BOCC. Motion carried unanimously.*

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

David M. Lang, Jr., County Attorney; Ordinance 2019-01, Reduction of Speed Limit on SE 17<sup>th</sup> Trail

Mr. Lang presented Ordinance 2019-01 for the Boards approval and read the short title. As follows, for the record:

#### **ORDINANCE NO. 2019-01**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, ESTABLISHING A 35-MILE-PER-HOUR SPEED LIMIT ON COUNTY ROAD NUMBER SE 17<sup>TH</sup> TRAIL EXTENDING EASTERLY FROM STATE ROAD NUMBER 47 TO SE 45<sup>TH</sup> AVENUE; MAKING FINDINGS; PROVIDING PENALTY FOR VIOLATION; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.**

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve Ordinance 2019-01 establishing 35 mph speed limit on SE 17<sup>th</sup> Trail. Chairman Gray called for any public comment, none noted. Motion carried unanimously.*

### Clerk's Report

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

Land Owner Lien Request: Mr. Newton presented a request, for the Board to consider eliminating the interest on Special Assessment Liens. He was contacted by a property owner who purchased a parcel back in 2006, which has three (3) liens, \$108.00 each at that time; total cost of the lien at this point is approximately \$33,000.00 w/interest. Owner is trying to sell property and is now asking that the interest be waived on parcel #27-0916-0000-0006-0060 and be allowed to pay only the liens, in the amount of \$140.00 each, including recording/all costs, each. Mr. Newton stated that interest has been waived in the past. Discussion took place.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, approved waiving interest on Special Assessment Liens for Parcel #27-0916-0000-0006-0060, as presented. Motion carried unanimously.***

Purchase Request for Tax Deed Sale: Mr. Newton stated that a Tax Deed Sale had taken place and one parcel did not sale at the auction. He has a request for that parcel to be purchased for the cost of the starting bid of \$1,825.17, Tax Deed File #2018-0048-TD. Mr. Newton stated that this has been done in the past. Discussion took place.

***Motion made by Commissioner Bill Martin, seconded by Commissioner Kenrick Thomas, to approve the purchase of Tax Deed File #2018-0048-TD, at the opening bid of \$1,852.17 as there were no bids at the tax deed sale. Motion carried unanimously.***

BOCC Determination of Purchase for Unsold Tax Deeds: Mr. Newton addressed the issue of three (3) other parcels that did not sale at the same auction. These parcels are brought back to the Board for their determination to purchase or not. Mr. Newton recommended that Mr. Crosby evaluate if these parcels would be needed by the County. Discussion took place.

**It was the consensus of the Board to have Mr. Crosby evaluate parcels that did not sell to determine if the County has any interest in purchasing.**

Revisiting discussion on List of Properties: Mr. Newton addressed the List of Properties that was presented at last meeting. He stated that these properties have been visited and it is the recommendation of Mr. Newton and Mr. Crosby to move forward with sealed bid sale on County Owned Property with disclosures. Discussion took place.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin to move forward with sealed bid sale, with disclosures, through bid process. Motion carried unanimously.***

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

**David M. Lang, Jr., Interim County Planner: SP 2019-05, Kelly and Rachelle Philman, Preliminary Site Plan for a Communication Tower**

Mr. Lang presented a request by Kelly Philman and Rachelle Philman, owner, for Preliminary Site and Development Plan approval for a Telecommunication Tower in an Agriculture-2 (A-2) land use category located on approximately 23.690 acres at NW CR 340, Bell, Florida. Tax Parcel

Number: 14-08-14-0000-0003-0030. A Special Use Permit Number 2018-04 was previously granted on December 10, 2018 by the Board of County Commissioners for use of this property for the requested purpose in accordance with the Gilchrist County Land Development Regulations.

Mr. Lang presented his Staff Report as follows:

*Site and Development Plan Analysis*

*The applicant and owner were granted a Special Use Permit for a 120-foot telecommunications tower on the premises by the Board of County Commissioners on December 10, 2018. A copy of the Final Order granting the Special Use Permit is attached to this staff report on preliminary site and development plan approval as a part of Composite Exhibit "A".*

*The Preliminary Site and Development Plan now submitted for consideration shows a proposed 120 feet tower with accompanying guy wire and anchors extending to a distance of 96 feet from the tower. The Preliminary Site and Development Plan also shows a 120 feet radius around the tower itself, completely on the property of the applicants and owners. In accordance with the site plan any fall-zone of the tower should it collapse, shall be entirely on the applicants and owners property. The tower location and accompanying guy wire anchors. complies with the building set-back requirements of the A-2 Land Use District.*

*The Preliminary Site and Development Plan complies with the general location requirements set forth in Section 8.06.03 of the Gilchrist County Land Development Regulations.*

*Recommendation*

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

*I recommend approval, subject to the following specific conditions, and the requirements of section 8.06.04 of the Gilchrist County Land Development Regulations, the request for preliminary site plan approval for a 120-foot telecommunications tower with guy wires and anchors on the premises:*

- 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 telecommunications tower, any guy wires and anchors, and all other improvements in accordance with the site plan submitted for approval by the Board of County Commissioners.*
- 2. The applicant shall obtain all applicable permits. including Federal Communication Commission permits. if required. and County Building Permit before construction.*
- 3. The tower facility shall comply or exceed current standards and regulations of the Federal Aviation Administration. the Federal Communications Commission, and any other agency of the federal or state government with the authority to regulate towers and antenna. If such standards and regulations are changed in the future, the owner shall bring the tower or*

*antenna into compliance with such revised standards and regulations to the extent required by such governmental agency.*

4. *The applicant shall provide his engineering plans for construction of the tower at or before applying for their building permit.*
5. *The tower shall be marked and lighted as required by the Federal Aviation Administration, or other federal or state agency of competent jurisdiction, however, any strobe lighting shall not be used after dark unless required by federal or state authority.*
6. *The perimeter base of the tower shall be enclosed within a security fence no less than 8 feet in height with access secured by a locked gate. No security fencing is shown on the preliminary site and development plan and must be shown on the Final Plan submitted before approval.*
7. *The tower must be identified by use of a metal plate or other conspicuous marking giving the name, address and telephone number of the telecommunications tower owner.*
8. *The applicant shall file a Final Site and Development Plan pursuant to Section 12.02, of the Gilchrist County Land Development Code. for approval by the Planning Director prior to the commencement of any business activities or site construction activities on the site.*
9. *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, including safety lighting for the tower as may be required, as described herein.*

*Subject to compliance with the conditions herein, and for the reasons stated. the Preliminary Site and Development Plan should be approved.*

Discussion took place.

***Motion made by Commissioner Bill Martin, seconded by Commissioner Sharon A. Langford, to approve SP 2019-05, Preliminary Site Plan for a Communication Tower, based on recommendation of Staff, as presented. Motion carried unanimously.***

### **Clerk Report continues...**

Budget Recap: Mr. Newton presented a Budget Recap, for the Boards' information, for Fiscal Year 2019, period ending May 2, 2019. Discussion took place, no Board action taken.

Local Option Fuel Tax Percentages: Mr. Newton addressed the issue of the Local Option Fuel Tax Distribution and requested the Boards consideration of any changes to the distribution percentages. Discussion took place.

***Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Marion Poitevint to approve using existing distribution schedule for Local Option Gas Tax. Motion carried unanimously.***

**4:45 p.m. Time Certain****David M. Lang, Jr., County Attorney: Resolution 2019-15 to Vacate Lots 1,2,3,4 of Greenway Palms Subdivision**

Mr. Lang presented Resolution 2019-15 and read the short title, as follows, for the record:

**RESOLUTION NO. 2019-15**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, VACATING LOTS 1, 2, 3, AND 4 OF GREENWAY PALMS SUBDIVISION, A SUBDIVISION AS PER PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF GILCHRIST COUNTY, FLORIDA IN PLAT BOOK 4, PAGES 74-75 OF THE PUBLIC RECORDS OF GILCHRIST COUNTY, FLORIDA, AND RETURNING THE DESCRIBED PROPERTY COVERED BY SUCH PLAT BACK INTO ACREAGE; AND ESTABLISHING AN EFFECTIVE DATE.**

Mr. Lang explained the purpose of this resolution.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Sharon A. Langford, to approve Resolution 2019-15 to vacate Lots 1,2,3,4 of Greenway Palms, as presented. Motion carried unanimously.*

**Commissioners Reports**

- Commissioner Todd Gray asked about Hart Springs road issue; **Mr. Crosby met with SRWMD and is working on possible resolution**
- Commissioner Bill Martin asked about *Letter of Support* for grant regarding Tri County Nursing Home roof project; **BOCC gave permission for County Administrator to provide letter with approval of County Attorney**

**Old Business:** None

**New Business:** None

**5:00 p.m. Time Certain****Richard Roman, Finance Director: Budget Amendment BE19-003 & Resolution 2019-17 and Budget Amendment BE19-004 & Resolution 2019-18**

Mr. Romans presented Resolution 2019-17 and Budget Entry 19-003, as follows:

**RESOLUTION 2019-17**

**A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING AND ESTABLISHING THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND BUDGET. THIS AMENDMENT ESTABLISHES THE BUDGET FOR AN UNANTICIPATED GRANT; AND ESTABLISHING AN EFFECTIVE DATE.**

Mr. Romans stated that the CDBG Fund (170) is hereby amended with an increased amount of \$750,000.

*Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to approve Resolution 2019-17 and BE19-003 amending and establishing the CDBG Budget, in the amount of \$750,000.00. Motion carried unanimously.*

Mr. Romans presented Resolution 2019-18 and Budget Entry19-004, as follows:

**RESOLUTION 2019-18**

**A RESOLUTION OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAW ENFORCEMENT TRUST FUND BUDGET FOR UNANTICIPATED CONFISCATED PROPERTY AND FORFEITURES; AND ESTABLISHING AN EFFECTIVE DATE.**

Mr. Romans stated that the Law Enforcement Trust Fund (120) is hereby amended with an increased amount of \$33,767.00.

*Motion made by Commissioner , seconded by Commissioner , to approve Resolution 2019-18 and BE19-004 amending Law Enforcement Trust Fund Budget, for confiscated property, in the amount of \$33,767.00. Motion carried unanimously.*

**Public Participation:**      None

**Adjourn**

With there being no further business... a *Motion was made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to adjourn. Motion carried unanimously.* Chairman Gray adjourned the meeting at **5:06 p.m.**

*Board of County Commissioners  
Gilchrist County, Florida*

*Attest:*

*Approved:*

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

\_\_\_\_\_  
*Todd Gray, Chairman*