

MINUTES OF A REGULAR MEETING OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD MAY 20, 2019

The Gilchrist County Board of County Commissioners, in and for Gilchrist County, Florida, convened in a **Regular Meeting** on **Monday, May 20, 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>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; Tammy Moore, Human Resources/Administrative Assistance; John Ayers, Gilchrist County Journal; Lou Leone, Road Department Superintendent; Greg Bailey and Brian Pitman, NFPS, Inc.; Katherine LaBarca; Tom Lucas; Kieran Bryan, E911; Pat Watson, City of Trenton; Billy Wilson, CFEC; James Grady Moore; Pastor David Jones, Fanning Springs Community Church; Scott Tucker; Don and Margot Alexander; Ryan Gilchrist, Coronal Energy; and Lowell Chesborough.

Call to Order

Chairman Todd Gray called the meeting to order at 4:00 p.m. Pastor David Jones, Fanning Springs Community Church delivered the invocation and Commissioner Kenrick Thomas 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 Sharon A. Langford, to approve the Agenda, as presented, with NO change(s). Motion carried unanimously.

Consent Agenda

Hoffman Construction

Otter Springs Improvements \$108,200.00

Curt's Construction

NE 2nd Way Roadway Improvements \$66,014.04

North Florida Professional Services

Design Resurfacing CR 232 \$5,339.60

DewberryInvoice #1684815, NE 2nd Way, CEI Services \$3,000.00

Motion made by Commissioner Bill Martin, seconded by Commissioner Marion Poitevint, 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

- Traffic Signal Maintenance and Compensation Agreement: Mr. Crosby presented for the Boards' approval, the 2019-2020 Amendment to the Traffic Signal Maintenance and Compensation Agreement. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Marion Poitevint, to approve the 2019-2020 Amendment to the Traffic Signal Maintenance & Compensation Agreement, Contract #ARV23, at a cost of \$6,290.00. Motion carried unanimously.

- Spring Ridge Estimated Cost for Road Repaving: Mr. Crosby led discussion on the cost of creating a Special Assessment for the road paving in Spring Ridge Subdivision. Discussion took place.

It was the consensus of the Board to move forward with meetings for possible Special Assessment, for Road Improvement, in Spring Ridge Subdivision.

4:15 p.m. Time CertainGrady Moore; Discussion on Denial of Permit

Mr. David M. Lang, Jr., Interim County Planner, informed the Board of Mr. Moore's issue. He stated that Mr. Moore owns Lot 10, of Two Rivers Estates, Subdivision Block B, a single family concrete block home on that property, on the river. Right across the street/road Mr. Moore purchased Lot 12 of Block C. It was Mr. Moore's intention to build a metal building on that lot. Mr. Lang stated that the County Land Development Code prohibits a standalone metal building unless it's used for agricultural use, like a pole barn, with a bonafide ag activity. Had the lots been contiguous, and a lot combination followed by a unity of title document that is recorded in public records, it could be considered. At this point of determination, Mr. Lang suggested that he come before the Board and get their interpretation. He wants to know how the Board would perceive this issue, with the lot being across the street.

Mr. James Grady Moore, Property Owner was presented for discussion. He explained his intentions and requested direction from the Board on how to proceed with request.

Discussion took place and the Board advised Mr. Moore to apply for a variance on his request.

4:30 p.m. Time Certain: (Continued hearing from April 22, 2019)

David M. Lang, Jr., Interim County Planner: SUP 2019-02, A request by Ryan Gilchrist, representing Leroy Solar Center, LLC, applicant and as agent for owners, Mark A. Avera and Lance F. Avera, individually, and as Co-Trustees of a Separate Trust for Garland A. Avera; and James L. Langford; and Joseph C. Langford; owners, for a Special Use Permit for a Solar Farm in an Agriculture (A-2) land use category located on approximately 452.455 acres, more or less, at locations described as SE State Road 26, and 7179 SE State Road 26, Trenton, Gilchrist County, Florida. Tax Parcel Numbers: 11-10-16-0000-0001-0000; 11-10-16-0000-0001-0010; and 11-10-16-0000-0001-0020.

Mr. Lang stated that this is a quasi-judicial hearing and such procedures will be followed. He then called for any ex parte communications. Commissioner Sharon A. Langford will be abstaining from discussion and voting on this issue; she has filed a Form 8B Memorandum of Voting Conflict, which will be incorporated into the official records of this meeting.

Mr. Lang then presented his Staff Report, as follows:

Special Use Permit Analysis

The applicant is requesting a Special Use Permit for a Solar Farm and a 12 feet by 20 feet by 9 feet prefabricated control building to be located on the premises.

Section 2.06.02(mm) of the Gilchrist County Land Development Code permits Solar Farms in Agriculture-2 land use districts with a special use permit. Section 7.26 entitled , SOLAR FARMS, of the Gilchrist County Land Development Code prescribes, among other things. definitions and specific regulations for Solar Farms under the Gilchrist County Land Development Code. Procedures for Special Use Permits are provided in Section 12.03 of the Gilchrist County Land Development Code.

Solar Farms are required to be permitted through a special use permit and are allowed in the Agriculture-2 (A-2) land use category. (Section 2.06.02 (mm)).

Special Use Permits are required to be generally compatible and harmonious with the uses and structures on adjacent and nearby properties. (Sec. 1 2.03.03(c)(2), LDC). The adjacent and nearby properties to the parcels on the West, South, and East side appear to also be in the A-2 land use category with residential subdivision usage on the South and East side of the subject property. Several parcels to the North and across State Road Number 26 from the subject property appear to be zoned commercial with several businesses located thereon.

It does not appear that two of the parcels for the proposed Solar Farm and Solar Energy System and equipment will be located in wetlands, environmentally sensitive areas or habitats, or imperiled and critically imperiled habitats. However, according to the FEMA Map provided by the Suwannee River Water Management District, one parcel identified as Parcel 11-10-16-0000-0001-0010, does appear to reflect that at least a portion of this parcel is located in a Special Flood Hazard Area.

Recommendation

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

All of the property subject to the application for a Special Use Permit is in Agriculture usage, and is presently being used for pasture, cropland, and timberland activities. I recommend approval of the requested Special Use Permit based upon and subject to the following:

Approval is subject to all requirements being met as set forth in Section 7.26 of the Gilchrist County Land Development Code, and all State of Florida and Federal Government Laws, Rules, and Regulations which are applicable to Solar Farms and Solar Energy Systems which are installed as a primary use only as part of a Solar Farm Development. Additionally the Specific Regulations set forth in section 7.26.03 of the Gilchrist Land Development Code must be complied with, including but not limited to, resource protection, set-backs, landscaping, interconnection points and on-site power, height, secure fencing, signage, and reasonable accessibility for emergency services vehicles, and all requirements of the Florida Building Code and National Electric Code shall be fully complied with and shall be inspected by and approved by the Gilchrist County Building Inspector and/or a duly authorized and licensed Solar Farm or Solar Energy System inspector selected by the Building Inspector to assist them with any such inspections.

In addition, because of the close proximity of the property to State Road Number 26 on the North, and to residential subdivision use on the South and East sides of the subject property, the Board should advise the applicant and owners that it will consider at the Site and Development Plan approval stage that additional landscaping above that which is in the Code may be required. Also, adequate provisions for noise control of inverters and related electrical equipment will be considered at the Site and Development Plan approval stage, together with a required decommissioning plan in recordable form to be approved by the Board and to run with the land as a restrictive covenant, governing the removal and cleanup of the subject property at the conclusion of the lease for use of the premises as a solar farm shall be required.

For the reasons stated, the Special Use Permit Application should be approved as being consistent with the Gilchrist County Comprehensive Plan, Land Development Code, and other applicable regulations, subject to compliance with any requirements concerning Special Flood Hazard Areas on the subject property.

Ryan Gilchrist, representing Leroy Solar Center, LLC, applicant and as agent for owners, was present for discussion.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to

approve SUP 2019-02, to allow Leroy Solar Center to proceed with Site Plan for solar farm, based on the recommendation of Staff. Motion carried 4-0; Commissioner Sharon A. Langford abstained from vote.

County Administrator's Report continues...

E911

- VESTA Updating: Mr. Crosby presented a quote and recommendation of AK Associates for VESTA Updating, in the amount of \$19,175.45 (Grant Funded). Ms. Kieran Bryan, E911 Coordinator explained the needs and benefit of the update. Discussion took place.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve upgrading mapping system with AK Associates, at a cost of \$19,175.45, waiving bidding requirements due to existing vendor; to be funded from grant funds. Motion carried unanimously.

Hart Springs

- Pavilion Rate: Mr. Crosby presented a request asking to remove “Year-Round” from Pavilion Rate, on Hart Springs Fee Schedule. Discussion took place.

Motion made by Commissioner Bill Martin, seconded by Commissioner Kenrick Thomas, to approve removing the words “Year-Round” from Pavilion Rates, under Non-Profit Organizations, on Hart Springs Fee Schedule. Motion carried unanimously.

General

- Discussion Item, Study of North-South Trade Route: Mr. Crosby addressed the issue of the North-South Trade Route study area, which proposes connecting the toll roads to come up through our area. Discussion only.
- Courthouse Roof: Mr. Crosby addressed the issue of the Courthouse Roof needing repaired (leaking and new windows). He stated that Mr. Paul Stresing has prepared a plan, so we can move forward with the bid process. Discussion took place. It was the recommendation of Mr. Crosby and Mr., Newton to go out for bids.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin, to approve submitting Courthouse roof repair & windows, out for bid, as separate items. Motion carried unanimously.

Tourist Development Council

- Mr. Crosby presented the following items which were approved by the TDC at their May 13, 2019 meeting, now requesting the Boards' approval:

- i. Place (2) two ¼ page TDC ads one in the USA Today Go Escape Summer Edition & one in the USA Today Southeast Magazine (Not to exceed \$4,500) Funds are budgeted.
- ii. Permission for Donna Creamer to attend the VISIT FLORIDA Governor's Conference on Tourism (Sept 4-6, 2019) in Boca Raton. (Not to exceed \$1,500) Funds are budgeted.

Motion made by Commissioner Sharon A. Langford, seconded by Commissioner Marion Poitevint, to approve the requests presented and approved by the TDC. Motion carried unanimously.

FYI

- Thank You Letter: Mr. Crosby presented, for the Boards' information, a *Thank You Letter* from Suwannee River Fair Association, in appreciation of the help from the Gilchrist County Road Department.
- Monthly Reports: Mr. Crosby presented, for the Boards' information, the Monthly Reports, as submitted by the Department Heads for Animal Control, Library, Road Department, Solid Waste and the Building Department.

Attorney's Report

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

Mr. Lang's report was presented as the 4:30 p.m. Time Certain.

Clerk's Report

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

Discussion on CRI, Auditing Services: Mr. Newton addressed the issue of the County's Annual Audit. He brought to the Boards' attention, as they may recall, the annual audit was not completed in a timely manner, so we amended our contract with them, CRI, stipulating that audit had to be completed by May 31, 2019. If not, penalties would be involved on a daily basis until they presented the report to us. He stated at this point we will not make the May 31 deadline, but good news is we should make the State deadline of June 30th. He stated that in meeting with them over the past few weeks, upon the completion of the Financials, it should take them about four weeks to complete the report, if that's the case, that will put us at June 21st. They have requested that we waive the penalties, reason being that there were some delays with the Sheriff's Office and Tax Collector, at no fault of their own.

It was Mr. Newton's recommendation to waive the penalty up to June 21st pending that we are able to complete our financials by the end of this week, if unable to be completed, we waive it until June 28th. Discussion took place.

Motion made by Commissioner Kenrick Thomas, seconded by Commissioner Bill Martin to approve waiving penalty to CRI through 06-21-2019 subject to financials being completed by 05-24-2019 and if not, waive until 06-28-2019.

Commissioners Reports

- Commissioner Sharon A. Langford asked about starting date for SE 110th; starting date will be June 24th
- Commissioner Sharon A. Langford asked that the Toll Road be discussed at next meeting
- Commissioner Todd Gray asked about a Tri County Economic Development Committee
- Commissioner Kenrick Thomas said Hart Springs was looking good

Old Business: None

New Business: None

Public Participation: None

Adjourn

With there being no further business... a ***Motion was made by Commissioner Bill Martin, seconded by Commissioner Sharon A. Langford, to adjourn. Motion carried unanimously.*** Chairman Gray adjourned the meeting at **5:50p.m.**

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

Attest:

Approved:

Todd Newton, Clerk of Court

Todd Gray, Chairman