

# Board of County Commissioners

Minutes of

OCTOBER 19, 2006

The Columbia County Board of County Commissioners met in a regularly scheduled meeting at the School Board Administration Office. The meeting opened with prayer and the Pledge of Allegiance to the flag of the United States of America followed.

Commissioners in Attendance: Ronald Williams, Dewey Weaver, George Skinner, Elizabeth Porter and Williams Whitley.

Others in Attendance: County Manager Dale Williams, County Attorney Marlin Feagle, Deputy Clerk Sandy A. Markham and Administrative Secretary Penny Stanley.

**HAVEN HOSPICE.** Haven Hospice offers specialized care (including emotional and spiritual support) and services to individuals facing the end of life when a cure for their illness is not an option. There are also services available to the family members before and after the death of their loved one. This is a non-profit organization offering services to anyone irrespective of their ability to pay. Executive Director Tim Bowen reported to the Board that the construction of the Care Center is well on its way. It is anticipated that the facility will receive its Certificate of Occupancy in December 2006. Volunteers recently took on the challenge presented by the Board of County Commissioners to raise funds in order to receive a county match. On behalf of the Board of County Commissioners, Chairman Williams presented Haven Hospice with a check for \$350,000.

**BUILDING and ZONING** submitted the following for consideration:

## Zoning Amendments – Public Hearings

(1) Z-0454 – Application by Robert F. Jordan, as agent for Jordan & Faisal Development, LLC and Jordan & Faisal Acquisition Corp. to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands from Residential, Single Family-2 (RSF-2) to Planned Residential Development (PRD) for property lying within Section 23, Township 3 South, Range 16 East, Columbia County, Florida. The property contains 92.56 acres, more or less in District 3. The development will consist of 179 lots in the Lake Jeffery Road area. The Planning and Zoning Board recommended approval.

The public hearing opened and closed without opposition.

Motion by Commissioner Skinner to approve. Second by Commissioner Porter. The motion carried unanimously.

(2) Z-0457 – Application by Doyle L. and Alice Faye Williams to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands from Agricultural-3 (A-3) to Commercial, Neighborhood (CN) for property lying in Section 10, Township 5 South, Range 16 East, Columbia County, Florida. The property contains 1.29 acres, more or less. The development will be on the West side of SR 47 in District 5. The Planning and Zoning Board recommended approval.

The public hearing opened and closed without opposition.

Motion by Commissioner Porter to approve. Second by Commissioner Weaver. The motion carried unanimously.

(3) Z-0458 – Application by Brad Dicks, Managing Partner for Subrandy Limited Partnership to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands from Agricultural-3 (A-3) to Planned rural Residential Development (PRRD) for properties lying in:

Section 12, Township 5 South, Range 16 East, Columbia County, Florida,  
Section 13, Township 5 South, Range 16 East, Columbia County, Florida,  
Section 18, Township 5 South, Range 17 East, Columbia County, Florida, and  
Section 07, Township 5 South, Range 17 East, Columbia County, Florida.

There is a total of 1220 acres (242 lots ranging in size from 1-5 acres). The property is located in District 5 on the West side of SW Tustenoogie Avenue, approximately one mile south of CR 240. Mr. Kepner said that the Planning and Zoning Board recommended approval with the stipulation that a second entrance is constructed to the specifications of the County Engineer.

The public hearing opened and closed without opposition. Mr. Brad Dicks offered that he is already in the process of constructing the second entrance.

Motion by Commissioner Porter to approve with stipulations. Second by Commissioner Weaver. The motion carried unanimously.

#### Text Amendment to LDR's:

(1) LDR 06-3 – Application by the Planning and Zoning Board to amend the text of the Land Development Regulations, to add a new Section 4.20 (“RO” **Residential/Office**). It would read:

*The “RO” Residential/Office Category includes one zone district: RO. This district is intended for existing single family residences within all residential land use classifications in accordance with the Comprehensive Plan together with business and professional offices which are not incompatible with residential uses (i.e. child care, adult care, studios etc.), and public and semi-public buildings and facilities and accessory structures as may be desirable with such development, as well as surrounding development. This district is not to be deemed a commercial district.*

The Planning and Zoning Board recommended approval.

The public hearing opened.

Citizen Stewart Lilker is not opposed to the amendment, but is opposed the way the ordinance is written. He suggested the residential uses be specifically defined in the ordinance since the LDRs list at least twelve individual uses. Mr. Lilker could also see potential problems with the ordinance since some of the residences may be at the end of a private easement road, causing extra traffic, dust and wear and tear on the road. He encouraged the Board to table the ordinance until appropriate wording could be added to define the residential uses, and also include wording that prohibits RO from dead-end private easement roads.

The public hearing closed. Mr. Tony Buzella asked to speak.

The public hearing reopened.

Mr. Tony Buzella asked Mr. Lilker if he owns property that would be affected by the ordinance. Mr. Lilker responded, "It could."

Public hearing closed again.

The Chair asked Attorney Feagle if he was satisfied with the language in the proposed ordinance. Attorney Feagle addressed Mr. Kepner regarding the wording, "I read that to mean residential land use such as RR, PRD, PRRD and my interpretation would be that it would not apply to something like agricultural even though agricultural can place a residence in agricultural zoning." Attorney Feagle asked Mr. Kepner for his interpretation of the wording and stated if there is any concern, putting in the residential classifications would be easy. Mr. Kepner said, "It's in the County's Comprehensive Plan. It specifically says the different residential classifications are residential very low density, residential low density, residential medium density, residential moderate density, residential medium-high density, residential high density. Those would be as it's written...that would be the land use classifications that are those zonings are permitted in. Even though you had a planned rural residential development, the land use is still Agricultural 3. So, you could not have "RO" in the planned rural residential development, because the land use is still Agricultural 3.

Mr. Feagle said, "I wouldn't have a problem adding what Brian is saying to just make it very clear that those are the ones that we are talking about the residential use classifications and not every land use classification that would allow residences. I think that would be simple to add that into the ordinance and I don't think you'd have to vote to re-advertise that, because that is what it says. As far as placing an "RO" location at the end of an easement, I think that could be handled when that classification is requested. That would be a consideration [inaudible] to decide whether to allow that or not. I believe that would only confuse the ordinance.

Motion by Commissioner Whitley to approve the ordinance. Second by Skinner.

Commissioner Porter asked if we need to include clarifying language. Attorney Feagle responded, "If that is what we want to do, it would certainly make sense to me that put that in for clarification. I don't know if Brain has any disagreement with that. He knows what's intended and it is for those residential uses. So if that's not already included in the motion, then we can add that.

Commissioner Whitley, "I'll incorporate that into the motion. Second by Commissioner Skinner. The motion carried unanimously.

(2) LRR 06-4 – Application by Robert F. Jordan to amend the text of the Land Development Regulations, Section 4.18.12, entitled Development Standards for Planned Residential Developments, to require that private roads within a planned rural residential development to be owned and maintained by the applicant or dedicated to a property owners' association. The Planning and Zoning Board recommended approval.

The public hearing opened.

Discussion: Commissioner Whitley expressed concerns that this would be a means for developers to have the county take over their private roads. By adopting these standards, there may be subdivisions that are built without the curb and gutter. Commissioner Skinner noted the county has enough drainage problems and approving the request would simply be adding to the headache. The commissioners concurred that to approve this amendment would be regressive no

matter how large or small the development. Commissioner Porter noted a homeowner's association can not be counted on as the majority of them have turmoil within and are not effective.

Points made by Mr. Robert Jordan, developer: The county engineer's largest concerns are with small lots. Suwannee River Water Management still has to sign off on the development. If homeowners associations are drawn up properly, they will work efficiently and have the authority to levy assessments and impose liens. He believes his request will put in place something better than what the county already has in existence.

Commissioner Whitley suggested Mr. Jordan withdraw the petition and work out some of the details. Mr. Jordan said that there is nothing else he can do to improve the wording.

Citizen Stew Lilker said the issue makes it even more obvious the need for special assessment districts in this county. He suggested an ordinance be created that indicates when a homeowner association "goes belly up" that the roads, drainage and retentions be handled by imposing a special assessment on that particular subdivision. He said it is not fair for the private roads in a subdivision to become the burden of the county and its taxpayers. Mr. Lilker said that the proposed language submitted by Mr. Jordan would not be so outrageous if there was a way to charge an assessment to the homeowners if their association ceased to exist.

Commissioner Williams said the County has an ordinance in place that allows one to petition the County to take over their subdivision roads once a road has been brought up to county standards. "We want to make sure our concerns are being met."

In Mr. Lilker's opinion, the taxpayers of the county should never be burdened with having to take over the expense of maintaining a private road (even after being brought up to standards). He asked that the Board reconsider the idea and the entire process of how the county takes over the roads and subdivisions.

Attorney Feagle cautioned the County about getting into a situation where they may have to apply for tax deeds on homes because assessments are not being paid.

The public hearing closed.

Motion by Commissioner Weaver to deny. Second by Commissioner Skinner. The motion carried unanimously.

#### Subdivisions - Preliminary Plats:

(1) SD 0215 Hermitage - Developer Mark Sullivan (District 4). There are seven lots ranging in size from 5-6.2 acres. The property is located on the West side of US 41/441 and is approximately one mile north of Santa Fe River. Mr. Kepner noted the developer will need to dedicate 44 additional feet of property for the road development. The Planning and Zoning Board recommended approval with the understanding the additional 44 feet will be provided by Mr. Sullivan for the county road right of way.

MOTION by Commissioner Whitley to accept the preliminary plat with the proviso that adequate provision be made with the final plat for bringing the county road up to standard. Second by Commissioner Porter.

The Board discussed whether the road requirements could be satisfied by way of easement or whether the property would need to be deeded. Attorney Feagle explained that the LDRs provide that subdivision developers are required to dedicate right away if need be. If a developer is giving additional land to the county, an easement could be drafted to give

full right of way access. Commissioner Williams questioned whether an easement would leave potential for joint liability. He also noted that if the plat is approved at this level it almost has to be approved at the next level. Commissioner Porter expressed concern that an easement may put future owners of that property in an awkward position of being uninformed.

Motion restated: Motion by Commissioner Whitley to accept the plat with the provision that the developer will be required to deed over the needed land to provide for the road. Second by Commissioner Porter. The motion carried unanimously.

(2) SD 0216 Amelia Landings- Developer Audrey Bullard – (District 5)

It was noted that the county engineers have directed that there be amendments to the ingress and egress. Also it should be understood that this road must always remain a private road, because it has an airplane taxi way.

Motion by Commissioner Porter to approve with the understanding that the ingress and egress issues will be amended to the satisfaction of the county engineer's specifications. Second by Commissioner Skinner. The motion carried unanimously.

#### Subdivisions -Final Plats:

(1) SD 0193 Paradise Estates – Developers are B&B Land Trust (District 1)

There are 20 lots each approximately five acres in size. The property is located in the Hamp Farmer Road area, approximately one mile West of US 441.

Motion by Commissioner Whitley to approve. Second by Commissioner Skinner. The motion carried 4-0 (Commissioner Weaver was away for the vote.)

(2) SD 0200 – Northwoodland Estates – The Developer is BKL Partnership (District 1)

There are six lots ranging in size from 5.02 acres to 8.17 acres in size. The property is located on the West side of US 441 and NW Vaughn Road.

Motion by Commissioner Whitley to approve. Second by Commissioner Porter. The motion carried 4-0 (Commissioner Weaver was away for the vote.)

A **PUBLIC HEARING** was held at the request of Mike Todd Construction. The Board considered a Resolution vacating, abandoning and discontinuing a portion of Lake Drive lying between Lots 7 and 8, block C, and Lots 1 and 2, Block F, Duval Heights Subdivision. The public hearing opened and closed without opposition.

Motion by Commissioner Skinner to close that portion of the road. Second by Commissioner Porter. The motion carried unanimously.

**COUNTY AUDIT.** The audit for Fiscal Year Ending September 30, 2005 was briefly reviewed and presented by Richard Powell, CPA. The presentation summary is attached to the original set of minutes. An original is on file with the Board of County Commissioners and in the Clerk's Finance Office. Mr. Powell said on a scale of 1-10 and ten being the best, the County ranks an 8 for the year (last year was 9).

Commissioner Williams explained he is interested in creating and having placed on the ballot a one cent sales tax to assist with the expense of building the new jail. He asked Mr. Powell to compute how long it would take to pay off the jail

if the sales tax was implemented, and also to provide an analysis as to the possibility of offering a roll-back rate if the sales tax passes. Mr. Powell will report when those numbers have been compiled.

Motion to accept audit as presented by Commissioner Porter. Second by Commissioner Whitley. The motion carried unanimously.

**Environmental Alliance of North Florida, Inc.** (“EANF”), through Co-Founder Mr. Barry Parsons is requesting a letter of support from the Board of County Commissioner. On November 06, 2006, the Taylor County Board of County Commissioners is expected to vote on a new land use element for a coal electric plant, which poses many environmental questions such as the specific transportation route of the coal, the impact of the coal dust on the community, and the increased rail traffic. The EANF has launched a campaign out of concern for the environmental integrity of North Florida and for the health, safety and welfare of the region’s citizens. Their goal is to have the matter set aside or dismissed until their concerns are addressed and until their concerns can be addressed by the DCA. The railroad to be used runs parallel to highway 90. The greatest impact to this county will be the increased rail traffic. The number of open cars of coal coming through the county will likely be in the range of 50-150 cars per day. There is no proof the coal being transported through the community will have any negative impacts on the environment.

Motion to deny the request by Commissioner Skinner. Second by Commissioner Whitley. The motion carried unanimously.

**A Regional Utility Subcommittee Report** was provided by Commissioner Weaver. He and County Manager Dale Williams have met with the City regarding utilities and the formation of a Governmental Utility Authority. He reported the committee discussed several matters that they could agree on. As an example, everyone agrees that the Columbia County and Fort White will be equally represented on the GUA Board. Also, it was agreed that it could be more economical and environmentally friendly to run the water to Ellisville. The City has no master plan for sewer expansion in the rural development area. A master plan will be considered for water, sewer and a reuse plan for the service area. Scott Reynolds believes he can apply for and secure funding. Commissioner Weaver said that during the meeting, he expressed “his” personal opinion regarding the Butler track and that he has very deep environmental concerns with using that property as a spray field. He noted his concerns are shared by the *Friends of Ichetucknee*. He said that he would never be able to vote to use that particular piece of property as a spray field. He said he hopes that Friends of Ichetucknee will bring alternative properties to the table to be used as a spray field. The subcommittee will meet again tomorrow morning at 10:00 to discuss the issue where the City and County take opposite stands. Commissioner Williams noted rates and mandatory rates needs to be worked out, and that it should be stressed at the next meeting that County staff continues to move forward to meet the goals already established by the Board of County Commissioners.

## Consent Agenda

Motion by Commissioner Porter to approve. Second by Commissioner Weaver for discussion.

Regarding Item #24 the appointment to Grievance Review Committee, Commissioner Weaver said that he has Federal Jury Duty in November that may conflict with him serving. He suggested the Chair appoint an alternate to serve with him in the event he is unable to serve. The Chair appointed Commissioner Porter as alternate.

The motion carried unanimously.

(1) Invoice – Ryan Companies US, Inc. – Project Sunshine - \$317,319

(2) Invoice – Adopt a Shore Quarterly Report – Reimbursement Request - \$1,636.00

- (3) Sheriff's Office – Release of Funds – Contraband Forfeiture Trust Fund – Purchase a 2<sup>nd</sup>. Digital Law Enforcement Officer's Custom Identification System - \$4,995.00
- (4) Sheriff's Office – Release of Funds – Contraband Forfeiture Trust Fund – Purchase 13 Laptop Computers for Task Force –\$20,226.18
- (5) Sheriff's Office – Release of Funds – Contraband Forfeiture Trust Fund – National Child Identification program - \$5,057.89
- (6) Human Resource – Revised Position Description – Library Program Specialist (Regular, Part-Time)
- (7) Agreement - Northeast Florida Public Employees, Local 630, Liuna, AFL-CIO/Columbia County Board of County Commissioners – October 1, 2006 to September 30, 2009
- (8) Property Appraiser –Constitutional Officer's Report – October 1, 2005 to September 30, 2006
- (9) Proclamation – Suwannee River Economic Council, Inc. – Declaring National Weatherization Day – October 30, 2006
- (10) Public Works – Request to Enter Private Property – Large Dead Tree Falling Creating Traffic Hazard – Property Owners Angela & Robert Helm at 334 NW Heritage Drive
- (11) Public Works – Request to Enter Private Property – Large Dead Tree Falling Creating Traffic Hazard – Property Owner Constance & George Rowe at 286 NW Heritage Drive
- (12) Florida Power & Light Company/Columbia County Board of County Commissioners – Street Lighting Agreement – SR 47 (US HWY 441)
- (13) Ryan Companies US, Inc. (Target) – Change Order - Revised 10 Acre Mitigation – \$399,141.00
- (14) Adoption of Ordinance – Columbia County Utilities Regulatory Ordinance
- (15) Minute Approval – Board of County Commissioners – Regular Meeting – August 3, 2006
- (16) Minute Approval – Board of County Commissioners – Regular Meeting – October 5, 2006
- (17) Minute Approval – Board of County Commissioners – Regular Meeting – July 20, 2006
- (18) Minute Approval – Board of County Commissioners – Special Meeting – September 14, 2006
- (19) Invoice – South East Environmental Geology – Project Sunshine – \$4,165.00
- (20) Invoice – Curt's Construction – Roadways in Lulu - \$179,842.45 (Final)
- (21) PGIT – Insurance Coverage's Acceptance of Uninsured Motorist Coverage - \$100,000
- (22) Public Works – Request to Enter Private Property – Tree Removal – Jerri and Kenneth Bohlscheid – 578 SW Little Road
- (23) Suwannee River Economic Council, Inc. – (S.H.I.P.) – Release of Lien – Shelly Cowie (Carter) - \$4,000.00
- (24) Appointment of Review Committee – Grievance – Ronald Williams, Chairman & Commissioner Dewey Weaver

**FLORIDA POWER and LIGHT** ("FPL") has an internal policy that requires when a citizen requests a **street light** on the FPL grid, that should that light cast itself upon public right of ways, approval of the County is sought before they will erect the lighting. Staff suggested a **standard permission letter** be approved. County Manager Williams said that FPL clearly understands that the permission in no way makes the county liable or responsible for any related costs.

Motion by Commissioner Whitley to approve, subject to County Attorney Feagle's approval a standard form letter to handle street lights. Second by Commissioner Skinner. The motion carried unanimously.

**STREET LIGHTING.** The installation of a street marker light has been requested at the intersection of **Upchurch Avenue and SR 247**. There are safety concerns as SR 247 is a very heavily traveled road during the day and night hours. The County Commissioners have been asked to intervene on behalf of the residents living in the Meadow Vista and Fantasy Glen area to request the marker light. Staff requested permission to send a letter to Clay Electric requesting

the marker light be installed and that the monthly bill be forwarded to the Columbia County Board of County Commissioners for payment. Whispering Pines will be included in this project.

Motion to approve petitioning DOT and including Whispering Pines by Commissioner Porter. Second by Commissioner Skinner. The motion carried unanimously.

**SECURE OUR SCHOOLS.** A Secure Our School **Grant** was recently applied for and awarded to the Columbia County Sheriff's Office. This is a 100% match grant that will provide for two School Resource Officers positions as well as scanning, detecting and monitoring security equipment. The grant is worth \$210,920.90 for a two year period. The Sheriff has requested the Board's assistance in securing a portion of the match money. In order to receive the \$210,920.90 in grant money, there needs to be a \$105,460.45 allocated in match money. The Columbia County School System is willing to make a one time contribution toward this endeavor of \$52,730.22 (one half of match), but is not willing to assist financially beyond that. The Board was asked to match their contribution. The assignment of the School Resource Officers would be at Fort White High School and at the new elementary school once built. Commissioner Williams said that he opposes grant dollars that is partially funded for limited time, and he opposes how the School Board relies on the County to fully fund the positions of the School Resource Officers once the grants expire. The other commissioners agreed that there needs to be dialogue with the School Board regarding this matter. In the meantime staff was asked to do a survey to determine who pays for the School Resource Officers in the other counties throughout the state. The Sheriff interjected that he has that information, and that the Superintendent of Schools realizes who pays what in other areas of the state.

Motion by Commissioner Skinner to deny the request for funds. Second by Commissioner Weaver. The motion carried 4-1 with Commissioner Whitley casting the opposing vote.

**Public Works Projects Prioritization Policy.** The policy is now in adoptable form. It includes all provisions discussed in a previous workshop, except that each district will not automatically be entitled to a priority road.

Motion by Commissioner Whitley to approve. Second by Commissioner Skinner for discussion.

Commissioner Williams expressed disappointed with the exception. He believes every district contributes to the dollars generated to pave roads and that they should benefit from those dollars as the rest of the county does. He believes everyone should get their fair share of the funds, and every district deserves to know when they can expect to receive a road. No commissioner should have to go years without having a road paved. He reminded the Board how Falling Creek had been pushed to the back burner in receiving mitigation dollars. He said everyone's issues should be addressed. Commissioner Weaver was in favor of the policy and believes the professionals will fairly rank the projects. Commissioner Weaver said every commissioner feels his district is the most important and that is why the decision making should be left up to the professionals.

County Manager Williams pointed out that the engineers do not have to be the ones to do the assessments and ranking. Commissioner Whitley said the mechanical scoring will be done on paper and can be reviewed by the Board. If a commissioner feels their project ranks higher than another, the commissioner can bring points out to his Board members and try to persuade them.

The motion carried 4-1 with Commissioner Williams casting the opposing vote.

**PERFORMANCE BOND.** The purpose of the Bond for the **Target Project** is to give assurance to the Suwannee River Water Management District that Columbia County will carry out the necessary mitigation. A permit has

been issued in order to begin the mitigation, which is a part of the overall economic development process. This also means the County must guarantee the mitigation is going to be completed. The County does not normally buy bonds and is not set up to with a surety to do that. The County presented a cash bond to the Suwannee River Water Management District with a request that the money be put into a cash bearing account. SRWMD does not plan to put that money into such an account and is in no way obligated by law to do so. The Board was asked to approve a performance bond. IDA Executive Director Jim Poole is working on getting the county a surety so that the county may simply post a regular bond (through a surety) so that the County can put its money back into an interest bearing account.

Motion to approve staff recommendation by Commissioner Porter. Second by Commissioner Whitley. The motion carried unanimously.

**SPECIAL PROJECTS EXPENDITURE.** A Columbia High School Principal has made a request to use special project funds from the account of District 5 to purchase two **defibrillators** for Columbia High School for a total cost of \$3,490.

Commissioner Porter said this is another example of the County footing expenses that should be born by the School System. She said that she cannot overlook the school has over 2000 students, and there are times that in addition to the number of students, there is a stadium full of visitors. She said it is a small price to pay, but it is still the county taking care of the school's business. Commissioner Whitley said the County really needs to find out how much money is being invested into the School System and a workshop needs to be held to discuss the matters.

Motion to approve by Commissioner Porter. Second by Commissioner Skinner. The motion carried unanimously.

**TRAIL EXPANSION.** Commissioner Whitley ask Columbia County to join Alachua County and High Springs in their effort to **expand the O'Leno-Ichetucknee Trail** (down us 41) through their efforts to seek grant funding for the extension of trail.

Motion by Commissioner Whitley to approve. Second by Commissioner Skinner. The motion carried unanimously.

**TARGET PROJECT.** A brief update was provided by Attorney Feagle. The contracts are being tweaked. There are tentative plans to close on October 31, 2006. It may be necessary to move the **closing date** to November 30, 2006. The mitigation property has been acquired at below appraised value.

**PRIVATE PROPERTY.** Commissioner Williams explained that Ms. **Josephine Fleming's** private property is suffering from erosion due to storm water running off of county road and into her driveway. He requested permission to enter private property for the purpose of adding lime rock to stop the erosion. The name of the road was not provided.

Motion by Commissioner Whitley to approve. Second by Commissioner Skinner. The motion carried unanimously.

**SHERIFF GOOTEE** recalled money from Commissioner Porter's special district funds was approved to purchase two defibulators (\$3,490) and she mentioned the number of people and lives the **defibulators** could possibly assist, yet the Board denied his request for funds that would put more **School Resource Officers** in the schools. The Sheriff asked, "My question is, how do you put a price on our children in the schools for law enforcement protection?" The Board responded that there is no way to put a price or value on the lives of our children, but the funds requested by the Sheriff are recurring and are much more significant. Further, the Board of County Commissioner said there has to be a dialogue between the Commissioners and the School Board regarding the funding of School Resource Officers. The Sheriff

responded, "I agree with you commissioner, but each one of you sitting there has a special project fund that you could take \$10,000 from your special projects fund to support the grant. Then after the two years, if you don't want those officers you can let them go." Commissioner Whitley said that he believes the situation should be negotiated with the School Board. "So the County Commissioner is going to tell me two or three years from now I'm not getting any more people? No more additional people that would support those two school resource officers? Commissioner Williams replied, All of the county's extra money is going toward the building of the new jail and the staffing of the jail.

**ALLIGATOR FEST.** Mr. Tony Buzella who serves as the Executive Director of Alligator Festival thanked the Board for their contribution and dedication to making the 2006 Alligator Festival a wonderful event. He provided the commissioners with a **Closeout Report** accounting for the expenditure of all funds.

## PUBLIC INPUT

Citizen Stew Lilker said that he appreciates how the Chair fights for his district's constituents and that this is another reason why it is important to have two **at large commissioners** representing the whole county. He asked the Commissions to considers two at large commissioners as a balance, and that the Board consider putting this on the ballot, as a Charter Amendment, at the next election.

Mr. Lilker responded to Attorney Feagle's comments, earlier in the evening, regarding **special assessment districts**, "I don't want to take anybody's house, either." Mr. Lilker said that in general, people want to pay their bills and that there are ways that municipalities can recoup the money without taking homes, such as placing liens on the property. Mr. Lilker said it isn't fair or honest to not put liens on a person's property that have bills to pay, and then use it as an excuse to take over private roads.

Mr. Lilker reminded the Board that at the July 20, 2006 public hearings Commissioner Williams told the public, "I want you to know that this Board will implement **impact fees** as part of their budget for the 2006-2007 fiscal year." Mr. Lilker asked, "When can we expect to have impact fees?" Commissioner Williams responded, "You know as well as the rest of this Board that the legislature did not do what was expected of them in order to put impact fees on a level keel throughout the state. Impact fees are one of the most protested fees in the state. I don't know about other states, but the State of Florida...The legislature is going to streamline that (impact fees) to give counties a decision and a direction to go so we wouldn't end up in court all the time. They passed the buck and that did not happen. So, what were we suppose to do? Pass it anyway? Our attorney wouldn't let us do it. Simply because we are waiting on the legislature to streamline that process." He concluded by saying that the entire Board agrees that impact fees are needed. Commissioner Porter asked the County Manager the status of impact fees. County Manager Dale Williams responded that as it stands now, the County should be involved in special hearings in late November to discuss the adoption of impact fees. The Board will discuss impact fees they wish to levy and will possibly be discussing impact fees the School Board wishes to levy. Mr. Lilker pointed out that since January 257 building permits have been issue for the construction of single family homes and 277 permits issued on mobile homes. If impact fees were already in place and established at a mere \$3000, the County would have \$1,602,000 in its budget with which to work. Mr. Lilker asked that the matter be put on the fast track.

Regarding **drinking water**, Mr. Lilker said with the rapid development of the County, he believes it is time for the County to consider adopting and ordinance that would require septic tanks to be upgraded and larger developments should be required to have package plants. He said once the City and County are able to come up with a regional utility, upgrades and package plants could be considered under special assessment districts. He suggested utilities now in place could be grandfathered in, but if the old system fails and a new system is needed, the new system would have to be an upgraded system. Mr. Lilker told the Board of County Commissioners that they had the power and authority to set an ordinance requiring upgraded septic systems and package plants for new construction. He asked that they give the matter serious consideration since the issue of water affects everyone.

Commissioner Porter responded, "F.Y.I., we're all already talking about it."

Mr. Lilker responded, "Well, can you talk about it in this meeting, because I'm not invited to the private meetings. I don't know where you've "already" talked about it. The Commissioner clarified that she has talked about the concept to the County Manager and has not talked to any of the other commissioners.

Mr. Lilker asked County Manager Dale Williams to provide an update.

The County Manager said, it may have been obscured, but consent agenda item #14 designated November 02, 2006 for the adoption of an ordinance. He said, "That **ordinance** concerns the **regulation of utilities** in the unincorporated area. It is the first step that the County must take in order to provide utility services. I have no idea whether it will be adopted on the 2<sup>nd</sup>, because the Board may have some proposed changes. They've not work-shopped it. It is rather voluminous and it is far reaching. It is a very detailed ordinance, but we'll throw it out and take a bite at the apple and see what we need to do at that point.

The County Manager continued. "I met with the Florida Department of Community Affairs. Even if the Board of County Commissioners wanted to allow package treatment plants in the unincorporated area of Columbia County, they are prohibited in doing so by the current Comprehensive Plan. The DCA has been reluctant to release that standard. I have hopes after my meeting last Thursday that DCA is reconsidering their prohibition. A lot of that had to do with DEP and DEP's support of what Columbia County is proposing to do in the unincorporated area. Once there is a mechanism in place that the Board of County Commissioners can use that is of reasonable cost for a development to hook up to a centralized system it would be connected. They could also adopt for all of the individual on site sewage disposal units nitrate removing systems, much like they're doing right now in the Wakulla basin. But I would fully expect they are going to limit those to stream-to-sink areas and to the Itchetucknee Trace. I don't know if there is enough science that says outside of those areas...that you can justify the cost of what you are passing on. Of all issues facing Columbia County, including impact fees, I dare say the issue of utilities is receiving the majority of the staff's time, and it's probably made the greatest strides in terms of where we were versus where we are going. We're getting very close."

ADJOURNMENT. There being no further business to come before the Board, the meeting adjourned at 9:50 p.m.

ATTEST:

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Board of County Commissioners

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P. DeWitt Cason  
Clerk of Circuit Court