

# Board of County Commissioners

## Minutes of **March 03, 2005**

The Board of County Commissioners met in a **Regular Meeting** at the School Board Administration Office at 7:00 p.m. Vice Chairman Williams called the meeting to order. The meeting opened with prayer and the Pledge of Allegiance to the Flag of the United States of America.

### *In Attendance:*

Commissioners: Dewey Weaver, Ronald Williams, and Elizabeth Porter.

Absent: Jennifer Flinn and George Skinner were attending a NACO Meeting in Washington.

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

### I. Road Closure

Mr. **William "Bill" Koon, Jr.** of Fort White petitioned the Board to close a portion of **S.W. Jordan Street**. He explained that he owns the property on both sides S.W. Jordan Street down the last quarter mile. "The quarter mile strip goes across the end of my property, up to our gate. It values nobody but me and my mom. I think that Mr. McFadden thinks the **road closure** hurts the value of his land, and we don't have any intentions of hurting the value of his land. Our property line is across the road. For the entire 1/4 mile strip... our property line is across the road at least twenty feet. So, there's no legal access now to his property as I understand it. I'm willing to give access to his property, and I'm not trying to hurt him in any way." Mr. Koon explained there is a problem with kids prowling in the area and throwing parties at the end of the wooded dark road. Also, the Koons have an investment in a fenced, licensed deer pen in the area and that they are attempting to protect that investment. Commissioner Weaver believes the Koons own the property at the dead end of the road and the property on both sides, but there is also Mr. McFadden who owns forty acres that runs approximately a quarter mile along the road (other than the small strip it borders belonging to the Koons).

The public hearing opened. Mr. Feagle reported requirements of Florida Statutes have been fully complied with.

Mr. **Brad McFadden** said that he is the owner of the 40 acre parcel which is situated in the last quarter mile of S.W. Jordan Street. Mr. McFadden isn't convinced that Mr. Koon owns a small strip along the road because of where the concrete markers are situated. Mr. McFadden told the Board that it is critical to the future marketability of his property that his access not be limited, and if they closed the portion of road being

requested, he would not have any access at all to his property from where the road would end.

As a matter of information, Commissioner Weaver reported the Property Appraiser's records indicate the road is on Mr. Koon's property, and that he owns additional property along that road.

The public hearing closed. Commissioner Weaver said he's not certain closing the road would be in everyone best interest and requested the property owners meet in an effort to resolve the matter. In the event they are not able to reach an amicable resolution the Board will make the decision.

Motion by Commissioner Weaver to continue the matter until the next Board meeting. Second by Commissioner Porter. The motion carried unanimously.

## II. Tiger Drain Road

Mr. Cole pulled the matter of closing a portion of **Tiger Drain Road** prior to the meeting.

## III. Charter Review Commission

Ms. Gayle Cannon reminded the Board that they are to appoint a **Charter Review Commission** ("CRC"), and that the CRC is to have its amendments ready for the November 07, 2006 ballots. She encouraged the Board to move forward immediately with its appointments to the CRC to ensure ample time is allowed for the commission to complete it's work and presentation to the Board of County Commissioners, which is 90 days prior to the November 2006 election. She suggested each commissioner appoint three citizens to serve; two from the district they represent, and appoint the third from the district of their choice.

She said there are also several rules that will need clarification prior to the CRC beginning its task. She also has concern that it is not clear how the CRC will proceed. She expressed that the County Manager can alleviate some of the timeline restraints by advertising for an attorney for the CRC at the same time the Board advertises for volunteers to serve on the CRC. She also requested a secretary be hired whose job duties are dedicated solely to the CRC. "I'm just asking that you speed up the process of appointing a Charter Review Commission. It takes almost 18 months to really do it right."

Commissioner Williams asked the status of the **Administrative Codes**. Mr. Williams explained they are working diligently on the drafts. It will be best if the Administrative Codes are complete prior to the Charter Review Commission convening, but is not necessary that they be complete. Nonetheless, everything is on schedule and we believe the Administrative Codes will be complete in time. In Mr. Williams' opinion, rushing the **codification** process would do more harm than good in the end. He explained that in careful review of the ordinances they found numerous errors, and it is reasonable to believe there may be others. He stressed that everything needs to be corrected prior to completing the process. Mr. Feagle stated that he believes the charter review process can commence and continue in tandem with the ordinance code review.

Mr. Williams asked Ms. Cannon if she believed the CRC will want a consultant to lead them through the review process, and if she agrees that there would be a conflict for

the attorney to act as consultant. She responded that considering past experience, an excellent attorney is needed much more than a consultant, and doesn't feel it would be a conflict for the attorney to also act as the consultant. She offered to visit with Mr. Williams regarding his ideas that there may be a conflict of interest, but stated she is not aware of other counties using a consultant.

H.L. Sistrunk agreed with Ms. Cannon and added effort should be put into generating public input. He asked Ms. Cannon, "On the original charter put in, do you feel that we should have item for item voting on that charter? Or is that not the law?" She answered, "No. The initial Charter Committee and the Charter Review Committee are two totally different ....." Mr. Sistrunk interjected, "I'm talking about the items in the charter." She replied, "No. That's not the way it's done." He asked her to explain why she feels commissioners should be given the option to appoint their third member outside of their district if they choose to. She explained that the "at large option" will make it possible to select the most qualified citizens to serve the county. She explained it's possible that one district may not have anyone with charter review experience, while another district may have four citizens with this type of experience. The "at large option" will make it possible to choose from the county, those who are the most qualified to serve.

Commissioner Williams said that he's received calls since the hurricanes where citizens have requested the procedure to **repeal the charter**. Mr. Williams said he'd place the requested information in Commissioner Williams' office mailbox.

#### IV. Building and Zoning

##### Subdivision - Preliminary Plat

1. SD 0162 Emerald Cove, Phase I, II, & III - Developer Palmer Daughtery of DDP Corporation. There will be a total of 101 lots ranging in size from 8.78 acres to 5 acres. The property is located on the southern side of U.S. Hwy. 90, approximately one half mile West of NW Brown Road, and just West of Cypress Lakes Subdivision.

Commissioner Williams reporter it is his understanding Commissioner Skinner spoke in favor of approving the preliminary plat.

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

[Clerk's Note: See 3/17/05 minutes for clarification on lot sizes.]

#### V. Consent Agenda

There was a call for clarification on items #02, #04, #05, #17 and #21. Mr. Dale Williams assisted with clarification.

Commissioner Weaver pulled item #38 from the agenda.

Commissioner Williams advised that he would abstain from voting on item #2 due to possible conflict. **See Form 8-B attached.**

There was a call for clarification on items #02, #04, #05, #17 and #21. Mr. Dale Williams assisted with clarification.

Motion by Commissioner Weaver to approve the Consent Agenda with exception to item #2. Second by Commissioner Porter. The motion carried unanimously.

Motion by Commissioner Weaver to approve item #2. Second by Commissioner Porter. The motion carried with Commissioner Williams abstaining from the vote. (2-0)

- (1) Invoice – W. J. Sapp & Son, Inc. – New Millennium Railroad Spur – \$185,332.00
- (2) Invoice – Anderson Columbia Company, Inc. – Pay Request No. 3 – Bascom Norris Drive - \$646,189.56
- (3) Invoice – C. A. Boone Construction, Inc. – Hope Henry & Callahan Roads - \$398,430.85
- (4) Clerk of Court – Declaration of Surplus Property – County ID# 7463 – Printex 4003 PTR, County ID# 3924 – Tally T2140 PTR, County ID# 9049 – Unisis AP1371 PTR
- (5) Property Appraiser – Declaration of Surplus Property – County ID# 07174 – File Cabinet 4 Drawer
- (6) Suwannee River Economic Council – (SHIP) – Release of Lien Agreement – Mr. & Mrs. Kenneth Follansbee - \$1,000.00
- (7) Suwannee River Economic Council – (SHIP) – Release of Lien Agreement – Mr. & Mrs. Rubin Freeney - \$9,000.00
- (8) Suwannee River Economic Council – (SHIP) – Release of Lien Agreement – Mr. & Mrs. Sean Griffis - \$9,000.00
- (9) Suwannee River Economic Council – (SHIP) – Release of Lien Agreement – Mr. & Mrs. Thomas Tillman - \$7,000.00
- (10) Suwannee River Economic Council – (SHIP) – Release of Lien Agreement – Ms. Rhonda L. Griffis - \$4,000.00
- (11) External Budget Amendment – Sheriff's Office #3 – BA #04-09 – Stop Violence Against Women (STOP) Grant - \$18,750.00
- (12) External Budget Amendment – Sheriff's Office #4 – BA #04-10 – Multi-Jurisdictional Task Force (MJTF) Grant - \$33,607.35
- (13) External Budget Amendment – Sheriff's Office #5 – BA #04-11 – Traffic Enforcement (DOT) Grant - \$29,568.40
- (14) External Budget Amendment – Sheriff's Office #6 – BA #04-12 – Vest Grant - \$9,025.16
- (15) External Budget Amendment – Sheriff's Office #7 – BA #04-13 – Sale of Surplus Weapons - \$10,325.00
- (16) External Budget Amendment – Sheriff's Office #8 – BA #04-14 – Balance of Building Funds - \$99,685.00
- (17) Resolution – Relating to the Support of Economic Development in the

North Central Florida Rural Area of Critical Economic Concern

- (18) 9-1-1 Addressing – Approval of Street/Road Names – NW Turnberry Drive, NW Willowbrook Glen
- (19) Utility Permit – Bell South Telecommunications – Hope Henry Road
- (20) Invoice – C.A. Boone Construction, Inc. – Carl Wilson Road & CR 18 – \$23,000.00
- (21) Invoice – Donald F. Lee & Associates, Inc. – Engineering Services – \$8,640.00
- (22) Invoice – Donald F. Lee & Associates, Inc. – County Road 240 – \$627.50
- (23) Invoice – Donald F. Lee & Associates, Inc. – Haltiwanger Road – \$3,050.15
- (24) Invoice – Donald F. Lee & Associates, Inc. – Kirby Avenue - \$775.00
- (25) Invoice – Donald F. Lee & Associates, Inc. – Hope Henry Road – \$151.05
- (26) Invoice – Darabi and Associates, Inc. – Closed Landfill Inspection – \$1,119.41
- (27) Invoice – Darabi and Associates, Inc. – Closed Landfill Groundwater Monitoring - \$3,078.58
- (28) Invoice – Darabi and Associates, Inc. – Winfield Landfill Groundwater Monitoring - \$3,664.03
- (29) Invoice – Darabi and Associates, Inc. – Misc. Winfield Landfill – \$843.58
- (30) External Budget Amendment – Public Works Department – BA# 04-15 – Equipment Purchases - \$1,650.00
- (31) Homeland Security and Training Project – Top Ranking Firm – Ingenuity, LLC
- (32) Request for Proposal – Library Planning Consultant Services
- (33) Public Works Department – Repairs on D7H Bulldozer – Quality Aftermarket Parts, Inc. - \$20,912.89
- (34) Contract for Employment – Mosquito Control Operator – Ronald O. Brooks - \$6.46 per hour from March 2005 till October 2005
- (35) Contract for Employment – Mosquito Control Operator – Ronald H. Griffin - \$6.46 per hour from March 2005 till October 2005
- (36) Contract for Employment – Mosquito Control Operator – Robert L. Timmons - \$6.46 per hour from March 2005 till October 2005
- (37) Contract for Employment – Mosquito Control Operator – Jerry V. Ward - \$6.46 per hour from March 2005 till October 2005
- (38) *(PULLED) County Planner – Staff Recommendation – Travel Trailer Permit for 180 Days Only*
- (39) Public Works – Declaration of Junk Property – County Property # 11222 Computer
- (40) Minute Approval – Board of County Commissioners – Regular Meeting – November 18, 2004
- (41) Minute Approval – Board of County Commissioners – Regular Meeting – January 6, 2005

#### VI. Greenways and Trails - Public Disclosure of Public Hearing

As is required by Florida Statute it was announced that the **Department of Environmental Protection's Office of Greenways and Trail** will hold an Advisory Committee Meeting on Thursday, March 31, 2005 at 1:00 pm. in the School Board Administration Office. The purpose of the meeting is to discuss the proposed Management Plan for the recreation area at the former Kirby and Columbia City mining sites in Columbia County. Additional information may be obtained by contacting Ms. Marsha Rickman at the department through the office of Greenways and Trails. This notice will be re-announced at the Board of County Commissioner's March 17th meeting. [Clerk's Note: Additional discussion in Section XII]

VII. Mr. Gary Lear a member of **Friends of Alligator Lake** recalled the county receiving a grant requiring matching funds to build a boardwalk at Alligator Lake. Unfortunately, the county could not move forward with the boardwalk project since the bids received exceeded the project budget. Being reluctant to give up on the project, wheels were set in motion to establish a not-for-profit organization that would be willing to provide support services to the county and assist with raising funds. He was happy to report that the group *Friends of Alligator Lake* ("FAL") are now in the process of incorporating into a **non-profit organization**, and that they look forward to supporting the county in whatever capacity they are needed in, and have plans to ban together to ensure Columbia County has one of the finest recreation parks in the state. The first project for FAL will be to get the boardwalk built at the lake. Mr. Lear asked on behalf of the FAL that the Board voice their support for this corporation.

Motion by Commissioner Porter to support the Friends of Alligator Lake, Inc. and authorize proper personnel to execute documents needing to be filed with the Secretary of State. Second by Commissioner Weaver. The motion carried unanimously.

#### VIII. Contract for Purchase of **Sheriff's Administrative Building**

The Board considered the contract to purchase the U.S. 90 East building being purchased for use by the Sheriff for administrative purposes. Mr. Feagle gave a status report. This is a fairly standard contract that was prepared by the City's attorney that spells out the terms and conditions of the contract. The purchase price is \$950,000, which is the amount the City will need to recover its expenditures, and prorating the City incurred in purchasing the property. The County will pay closing costs. Paragraph 9 of the contract states clearly that the county is buying the property "as is" and that there are no warranties. Therefore, if the County intends to do inspections, they should be done prior to closing. Anticipated closing is April 01, 2005. There is also a contract pending with the adjoining property owner for eleven acres. Hopefully, the county will be able to close on that parcel at the same time or earlier.

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

#### IX. Bid Award - **SW Wilson Springs Road**

Two bids were received for this project. They were Anderson Columbia (\$756,210), and John C. Hipp Construction (\$717,008) who was the lowest bidder. Staff recommended the bid be awarded to the lowest bidder.

Motion by Commissioner Weaver to award the bid to John C. Hipp Construction at \$717,008. Second by Commissioner Porter. The motion carried unanimously.

[Clerk's Note: Additional discussion in Section XII]

#### X. Public Hearing Date

Mr. Feagle requested the public hearing originally scheduled for March 17 regarding the **Fairway View** easement be changed to April 07. He explained he needs more time to complete the work.

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

#### XI. Commissioners - Items not on agenda

The three roads approved, but not identified in the last Commissioner's Meeting to receive millings are: **Ron Peacock Road, George Kett Road and Blue Drive.**

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

#### XII. Public Comment

Mr. H.L. Sistrunk asked if this is the **Greenway and Trails** meeting the Lake City Reporter reported on which addresses Kirby Pit. Mr. Williams confirmed it is the same meeting. Mr. Sistrunk thought the matter had already been settled several meetings back and that the matter was to go to the Game and Fish Commission. Mr. Williams said that may be what they are going to propose at the meeting. He assured Mr. Sistrunk that the County has not regressed in any way, and has no involvement as far as having any ownership or operational responsibilities. Greenway and Trails' primary concern is of the reclamation that is required at the mines, because statutorily there is a deadline by which they must complete that work. Therefore, they are trying to get their Management Plan approved and the reclamation of the mines is going to be part of that plan. Once it's reclaimed, they will discuss what will ever become of it.

Mr. Sistrunk complained that every time Greenway and Trails hold a meeting it cost state tax money. The Board replied Florida Law requires they hold that meeting, and that the Board of County Commissioners has no authority to stop that process.

On another subject, he asked the distance of SW Wilson Springs Road and if the road is a paved road. Mr. Williams explained the project is a widening and resurfacing project. The area to be resurfaces is approximately 2.5 miles, and the road is the old tar and sand road.

There being no further business, the meeting adjourned at 7:50 pm.

ATTEST:

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P. DeWitt Cason  
Clerk of Circuit Court

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Jennifer Flinn, Commissioner  
Board of County Commissioners