



COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. The first meeting of every month is at 9:30AM while the second meeting of every month takes place at 5:30PM. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 12/5/2024 Meeting Date: 12/12/2024

Department: County Attorney

1. Nature and purpose of agenda item:

DRAFT Special Act relating to dissolution of the Lake Shore Hospital Authority

2. Recommended Motion/Action:

To approve draft Special Bill relating to the dissolution of the Lake Shore Hospital Authority.

3. Fiscal impact on current budget.

This item has no effect on the current budget.

MEMORANDUM

To: Board Agenda, December 12, 2024

From: Joel F. Foreman 

Re: **DRAFT Special Act relating to dissolution of the Lake Shore Hospital Authority**

Date: December 5, 2024

Pursuant to the non-binding referendum approved at the General Election, Staz Guntek has drafted and I have edited the attached proposed special bill to be presented to the Legislative Delegation on January 7, 2025.

The bill calls for dissolution of the LSHA; transfer of its real, personal, and mixed property to the County Commission; transfer of all cash to the County Commission subject to a restriction that it be expended only for indigent care and public health purposes; and for the creation of a “Public Health Advisory Board” to provide guidance to the County Commission on issues relating to public health and indigent care.

If the Legislative Delegation approves, the bill will be presented during the 2025 legislative session.

Also attached is a draft resolution to create the Public Health Advisory Board, presented as a rough draft for the Commissioners’ and the public’s input. If the special bill is passed into law, this resolution will need to be finalized and adopted to create the advisory board.

Recommended motion: To approve the proposed special bill for presentation to the Legislative Delegation.

1 A bill to be entitled
2 An act relating to the Lake Shore Hospital Authority,
3 Columbia County; repealing chapter 2005-315, Laws of
4 Florida; abolishing the district; Providing for the
5 disbursement of assets and liabilities; Requiring the
6 creation of an advisory board; Providing an effective
7 date.

8 Be it enacted by the Legislature of the State of Florida:

9 Section 1. Chapter 2005-315, Laws of Florida, is repealed.

10 Section 2. The Lake Shore Hospital Authority is hereby
11 abolished, effective on the 30th day after this act becomes law.

12 Section 3. Disposition of authority assets.

13 (1) All property, whether real, personal, or mixed, which is
14 owned, possessed, or controlled by the Lake Shore Hospital
15 Authority, as well as all liabilities of the Lake Shore Hospital
16 Authority of every kind and nature, are immediately transferred
17 and vested to the Columbia County Board of County Commissioners.
18 The Commission shall have all rights and powers to make use and
19 disposition of that property as it would any other property held
20 by it pursuant to the Home Rule Charter for Columbia County,
21 Florida, and general law.

22 (2) All liquid assets of the Lake Shore Hospital Authority as of
23 the effective date hereof shall be transferred to the Columbia
24 County Board of County Commissioners, to be expended exclusively
25 for the purpose of indigent care and for other public health
26 purposes pursuant to chapter 154, Florida Statutes and general
27 law.

28 Section 4. As of the effective date, the Lake Shore Hospital
29 Authority shall take only such actions as are necessary to wind
30 down its affairs; it shall not incur any new debt, obligation,
31 or liability; and it shall take all steps necessary for the

32 orderly transfer of its assets and liabilities to the Columbia
33 County Board of County Commissioners as provided herein.
34 Section 5. The Columbia County Board of County Commissioners
35 shall create an advisory board known as the Public Health
36 Advisory Board to provide advice to the Commission on issues
37 relating to public health and indigent care, and for the
38 expenditure of those funds conveyed to the Commission pursuant
39 to Section 3.(2), such that expenditure shall be for indigent
40 care and for other public health purposes pursuant to chapter
41 154, Florida Statutes and general law. One member of the Public
42 Health Advisory Board shall be the director of the county health
43 department or a designee.
44 Section 6. This act shall be effective upon becoming law.

**COLUMBIA COUNTY, FLORIDA
RESOLUTION NO. 2025R- [REDACTED]**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, RELATING TO THE ESTABLISHMENT AND FUNCTION OF THE COLUMBIA COUNTY PRIMARY HEALTHCARE ADVISORY BOARD; PROVIDING FOR INTENT; PROVIDING FOR DEFINITIONS; CREATING THE PRIMARY HEALTHCARE ADVISORY BOARD; PROVIDING FOR POWERS, FUNCTIONS AND DUTIES OF THE PRIMARY HEALTHCARE ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Columbia County, by and through its Board of County Commissioners, is charged by the Florida Legislature to coordinate with the Florida Department of Health for the provision of certain primary health care services to the citizens of Columbia County;

WHEREAS, the Lake Shore Hospital Authority was an independent district, created by the Florida Legislature, organized and operated to meet the primary health care needs of indigent citizens of Columbia County;

WHEREAS, at the 2024 General Election, the electorate of Columbia County overwhelmingly supported the dissolution of the Lake Shore Hospital Authority through a non-binding referendum vote;

WHEREAS, in response to that referendum vote, the Board of County Commissioners approved the submission of special bill number [REDACTED] to the Florida Legislature, providing for the dissolution of the Lake Short Hospital Authority and transfer of its assets and liabilities to the County;

WHEREAS, the Florida House of Representatives passed the special bill on [DATE], the Florida Senate passed the special bill on [DATE], and Governor Ron DeSantis signed that special bill into law on [DATE];

WHEREAS, the special bill provided for the effective date of dissolution for the Lake Shore Hospital Authority to be [thirty days following the date the bill was signed

into law by the Governor];

WHEREAS, the special bill expressly conditioned the County's receipt of any funds held by the Lake Shore Hospital Authority on the County Commission's creation of a Primary Healthcare Advisory Board to ensure any monies received by the County from the former special district are used only for providing primary healthcare to the County's citizens in accordance with the requirements of Florida Statutes chapter 154;

WHEREAS, the Board of County Commissioners, pursuant to the special bill now made law, desires to create the Primary Healthcare Advisory Board, to determine its membership, to enumerate its powers, to charge it with certain duties, and to otherwise constitute the board to satisfy the requirements of the special law.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Columbia County that:

Section 1. **INTENT**. It is the intent of this resolution to promote, protect, and improve the health, safety, and welfare of the citizens of Columbia County by ensuring the County, through the function of the Primary Healthcare Advisory Board, meets its obligations under general and special law to provide for coordination with the Florida Department of Health, through its local Health Department, for the provision of primary healthcare services to the citizens of Columbia County as provided by Chapter 154, Florida Statutes.

Section 2. **DEFINITIONS**. As used in this resolution, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

- A. "PHAB" means the Columbia County Primary Healthcare Advisory Board established herein.
- B. "Primary Healthcare" means any health care service or services offered directly through the Columbia County Health Department; such services contracted with individual or group practitioners for all or part of such service; and any developed service delivery model organized through the Columbia County Health Departments utilizing other service or delivery systems available, such as federal primary care programs or prepaid health plans. It may also include health care services provided through pooling resources and joining with neighboring counties in order to fulfill any requirement of Chapter 154, Florida Statutes, or other

general law.

- C. “Commission” means the Board of County Commissioners of Columbia County, Florida.
- D. “Commissioner” means a duly elected, current member of the Board of County Commissioners of Columbia County, Florida.
- E. “County” means Columbia County, Florida.
- F. “Public Board Member” means a member of the PHAB who is not a Commissioner.

Section 3. **BOARD STRUCTURE.** For the public purposes provided herein and to achieve legitimate public purposes under the County’s Charter and general law, there is hereby created the Columbia County Primary Healthcare Advisory Board (“PHAB”) in accordance with the guidelines contained herein.

- A. The PHAB will consist of nine (9) members, one of whom shall be a Columbia County Commissioner appointed by the chair of the Commission, one of whom shall be appointed by the City Council for the City of Lake City, one of whom shall be ... [ideas include the College through its nursing program, one from each hospital, etc.]
- B. All other members of the PHAB shall be members of the Columbia County electorate engaged in some way in the provision of medical, dental, or vision care to the citizens of Columbia County, and shall be appointed to serve by and at the pleasure of the Commission.
- C. The Commission may from time to time appoint two alternate members, designating them as such. Such alternate members may act in the temporary absence or disability of any regular members or may act when a regular member is otherwise disqualified in a particular subject that may be presented to the Board. Alternate members may participate in all meetings of the PHAB and serve on committees of the PHAB at the pleasure of the Chairperson of the PHAB.
- D. The Chairperson of the Commission shall annually designate one (1) Commissioner to serve during each calendar year on the PHAB. The Chairperson of the Commission or his designated appointed Commissioner shall serve as the

Chairperson of the PHAB.

E. One (1) Board Member shall be a Councilmember of the City Council of the City of Lake City or his or her designee as designated from time to time by the City Council for the City of Lake City. The City of Lake City's designee shall possess knowledge of the City of Lake City's public health interests and concerns, and other matters relevant to provision of primary healthcare to citizens of Columbia County. The designee under this section shall share all rights, powers, duties and obligations of every other Public Board Member. No designee shall serve for more than six consecutive years.

F. One (1) Board Member shall be a designee of [REDACTED]. The designee under this section shall share all rights, powers, duties and obligations of every other Public Board Member. No designee shall serve for more than six consecutive years. (we can add this para as many times as necessary to accommodate reserved seats)

G. The remaining [REDACTED] () Public Board Members shall each be appointed to serve a term of three (3) years, with terms staggered so that not more than two (2) such members' terms shall expire in any one year. Seats shall be numbered one through [REDACTED], and each three-year term shall begin at 5 o'clock p.m. on the last business day of February and shall terminate at 5 o'clock p.m. on the third anniversary date, at which time the next three-year term shall begin. Some initial members of the PHAB shall be seated with terms less than three years to create staggering of terms as set forth herein.

H. Public Board Members of the PHAB shall serve at the pleasure of the Commission. The Commission recognizes the diverse interests of our community, and therefore shall make every reasonable effort to ensure the composition of the PHAB reflects the diversity of those interests. Any Public Board Member of the PHAB may be removed by the Commission for misfeasance, malfeasance, or willful neglect of duty.

I. Current terms of three years are as follows:

Seats 1 and 2:	February 28, 2025 – February 29, 2028
Seats 3 and 4:	February 28, 2025 – February 28, 2027
Seats 5 and 6:	February 28, 2025 – February 28, 2026

- J. Members shall be eligible for reappointment subject to limitations provided by Board rules and policies, however, upon the expiration of any term the Commission shall advertise so that other interested parties may apply for appointment to be considered along with any member seeking reappointment. Any vacancy occurring within a term shall be filled for the unexpired term by alternates until the vacancy is filled as the Commission shall so desire.
- K. The PHAB shall meet from time to time with such frequency as determined by the Chair of the PHAB or a majority vote of its members. The PHAB shall meet in a public meeting not less than quarterly to transact its public business. Business shall be transacted in accordance with Chapter 286, Florida Statutes. Public comment shall be permitted when provided by Commission policy and section 286.0114, Florida Statutes.
- L. The County Manager or designee shall provide support staff to the PHAB who shall keep records of the proceedings of the PHAB and shall be custodian of all books and records of the PHAB, and shall provide other assistance to the PHAB as directed by the County Manager. The County Manager shall also ensure counsel is available to the PHAB if and when necessary.
- M. The presence of five (5) or more members of the PHAB shall constitute a quorum, and the affirmative vote of a majority of the members present and voting shall be necessary for any action approved by the PHAB. In the event of a tie vote, the motion before the PHAB shall fail. No vacancy in the membership of the PHAB shall impair the right of a quorum to perform the duties of the PHAB. Each member present, including the chairperson, shall vote on each issue for which a vote is called unless abstaining or disqualified from voting in accordance with Florida Law. If any member fails to vote audibly or refuses to vote audibly either for or against any proposition, then the member's silence shall be counted as a vote in support of the proposition then before the PHAB. The chairperson may make motions and second motions.
- N. The members of the PHAB shall receive no compensation from the County for the performance of their duties hereunder, but each such member may receive reimbursement for expenses reasonably incurred while engaged in the performance of their duties, subject to the limitations of Florida law, with written approval by the County Manager.

- O. By majority vote of any quorum of its membership, and subject to review and approval of the County Attorney, the PHAB may adopt rules of procedure or Bylaws for the conduct of its meetings.

Section 4. **POWERS.** For accomplishment of the public purpose of this resolution, the PHAB shall have the duty, power and authority to:

- A. Oversee and advise the Commission as to any expenditure of funds restricted to or reserved for the creation or implementation of any primary healthcare program, including specifically all such funds as were transferred to the County pursuant to Laws of Florida [REDACTED].
- B. Provide advice as requested by County staff to help develop any primary healthcare program for recommendation to the Commission. The PHAB may render recommendations relating to activities necessary for implementation of any such program, the projected staff required to implement and complete any proposed program, the projected funding required to implement and complete any proposed program, an examination and recommendation of possible funding sources for any proposed program, criteria for measuring achievement of the purposes of any proposed program, and any other elements the PHAB finds logical in the circumstances to include in any proposed program.
- C. Provide continuing advice and guidance throughout implementation of any healthcare program that may be adopted by the Commission. Such guidance shall include, at a minimum, review of annual goals and program indicators regarding the success of any program and review of the annual operating budget for any program.
- D. Serve as review board for any healthcare-related application, grant, program, or other matter requiring such a board.
- E. Perform other duties and responsibilities as requested by County staff and as permitted under Florida law.

All reports, reviews, recommendations, proposed programs, or any other actions prepared, presented, or performed by the PHAB shall only be advisory to the Commission, and no such reports, reviews, recommendations, proposed programs, or other actions by PHAB shall be in any way binding on the Commission absent separate Commission approval.

Section 5. **PROHIBITED ACTIVITIES.** No part of the funds available for activities of the PHAB or income from operations shall inure to the benefit of its members except to the extent permitted hereunder. The PHAB shall take no action which will serve to facilitate the transaction of specific business by any of its members or promote the private interest of any member or engage in any activities which would constitute regular business of a kind ordinarily carried on for profit.

Section 6. **IMPLEMENTATION.** All approved recommendations of the PHAB shall be presented to the Commission at a public meeting in accordance with Chapter 286, Florida Statutes. No recommendation shall constitute action by the Commission unless and until approved by the Commission at such a meeting. County staff shall annually or more frequently as requested by the Chair of the Commission prepare and present to the Commission a report detailing the activities and expenditures relating to the PHAB for the preceding year, together with review of any programs approved by the Commission and restricted funds expended pursuant to PHAB advice.

Section 7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon approval by the Commission.

PASSED AND DULY ADOPTED at its regular meeting this ____ day of _____ 2025.

**BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, FLORIDA**

By: _____
_____, Chairman

ATTEST: _____
James M. Swisher, Jr., Clerk of Court

(SEAL)

Approval as to form:

Joel F. Foreman
County Attorney