

Columbia County
Board of County Commissioners

Minutes of
July 20, 2017

The Columbia County Board of County Commissioners met in a regular meeting at the auditorium of the School Board Administrative Complex at 5:30 p.m. The meeting opened with prayer and the Pledge of Allegiance to the Flag of the United States of America.

Commissioners in Attendance: Chairman Ronald Williams, Rusty DePratter, Tim Murphy, Bucky Nash and Everett Phillips.

Others in Attendance: County Manager Ben Scott ("CM")
Assistant County Manager Scott Ward ("ACM")
Assistant County Manager Kevin Kirby ("ACM")
County Attorney Joel Foreman
Deputy Clerk Katrina Vercher

Agenda Additions/Deletions

Additions:
None

Deletions:
Resolution No. 2017R-23

MOTION by Commissioner Phillips to approve the agenda as amended.
SECOND by Commissioner Nash. The motion carried unanimously.

Ministerial Matters

Fire Assessment Study

The County retained Tindale Oliver to prepare a study supporting an update of the County's fire protection special assessment rate schedule.

Using the attached PowerPoint presentation, Steve Tindale of Tindale Oliver, presented the results of the study.

Discussion ensued.

County Extension Office Highlights

Carree Musgrove, County UF/IFAS Extension Director, presented a video introducing County Extension faculty and staff. The video had highlights of the Extension Office's impact in the Community.

Proclamation No. 2017P-8

Commissioner Murphy read Proclamation No. 2017P-8 designating the week of July 16-22, 2017 Pretrial, Probation and Parole Supervision Week in Columbia County.

MOTION by Commissioner Murphy to approve Proclamation 2017P-8. SECOND by Commissioner Phillips. The motion carried unanimously.

Public Hearings:

Cypress Lake Business Park, Unit 1

SD 0176 – A request for a subdivision for portion of tax parcel 02433-001.

The public hearing opened and closed without comment.

MOTION by Commissioner Nash to approve SD 0176, Cypress Lake Business Park, Unit 1. SECOND by Commissioner DePratter. The motion carried unanimously.

Land Development Regulations ("LDR") Amendment

CPA 0225 -To amend Ordinance No.91-6 relating to an amendment to the future land use plan map of the Comprehensive Plan, from residential, very low density to residential, low density for parcel 025973-000. [Ordinance No. 2017-13]

The public hearing opened and closed without comment.

MOTION by Commissioner Nash to approve CPA 0225, Ordinance No. 2017-13. SECOND by Commissioner Phillips. The motion carried unanimously.

Florida-Friendly use of Fertilizer/Ordinance 2017-09 (adoption hearing)

An ordinance regulating the proper use of fertilizers, requiring proper training and establishing training and licensing requirements. It also establishes application rates and methods, fertilizer free zones; low maintenance zones and provides for exemptions and enforcement.

The public hearing opened.

Merrilee Malwitz-Jipson with the Sierra Club offered comment.

The public hearing closed.

Commissioner Murphy requested that a committee be formed of himself, the County Extension Office and perhaps Ms. Malwitz-Jipson to look into amending the ordinance.

MOTION by Commissioner Murphy to approve Ordinance No. 2017-09.
SECOND by Commissioner Phillips. The motion carried unanimously.

Public Comment on Discussion and Action Items:

Citizen Barbara Lemley offered comment on consent item #52 and the fire rate increase.

Citizen Jeffery Hill offered comment on case no. 17-132 CA.

MOTION by Commissioner Nash to approve the consent agenda. SECOND by Commissioner Phillips. The motion carried unanimously.

Consent Agenda:

- (1) BCC Administration - Appointment of Commissioner Bucky Nash to the Suwanee River Economic Council, Inc. Board of Directors
- (2) BCC Administration - Budget Amendment Request for Insurance Proceeds Estimate for Damaged HVAC Unit - Less Deductible - Unit was Damaged in Lightning Storm on April 3, 2017 - BA 17-61 - \$76,880
- (3) BCC Administration - Requesting Approval of Surplus Real Property
- (4) BCC Administration - Requesting Approval of the Recapitulation of Errors and Insolvencies for the 2016 Tax Roll - (\$2,207,830)
- (5) BCC Administration - Requesting Approval of Minutes - Board of County Commissioners - Special Meeting - May 18, 2017
- (6) BCC Administration - Requesting Approval of Minutes - Board of County Commissioners - Regular Meeting - May 18, 2017
- (7) BCC Administration - Requesting Approval of Minutes - Board of County Commissioners - Regular Meeting - May 25, 2017
- (8) BCC Administration - Requesting Approval of Minutes - Board of County Commissioners - Regular Meeting - June 1, 2017
- (9) BCC Administration - Requesting Approval of Minutes - Board of County Commissioners - Regular Meeting - June 15, 2017

- (10) Building and Zoning - Special Family Lot Permit - Oman Eugene Barber, Stepson – Patricia Ann Ward Barber, Property Owner
- (11) County Attorney - Requesting Approval of Interlocal Agreement for Mutual Assistance (Mutual Aid) - Columbia County and Suwannee County Fire-Rescue
- (12) County Attorney - Resolution 2017R-18 - Issue Certificate of Public Convenience and Necessity to the Columbia County Fire Rescue Department for ALS Services
- (13) County Attorney - Resolution 2017R-19 - Issue Certificate of Public Convenience and Necessity to Century Ambulance Service, Inc. to Provide EMS, Ambulance, and Transportation Services within the County
- (14) County Attorney - Resolution 2017R-20 - Issue Certificate of Public Convenience and Necessity to Century Ambulance Service, Inc., d/b/a Century EMS-Columbia County for EMS Ambulance and Transportation Services within the County
- (15) County Attorney - Resolution 2017R-22 - Authorizing County Manger to Enter Construction and Maintenance Agreement with the Florida Department of Transportation
- (16) Emergency Management - Requesting Approval of Emergency Management Preparedness and Assistance Grant (EMPA) - BA 17-59 - \$105,806
- (17) Emergency Management - Requesting Approval of the Emergency Management Performance Grant (EMPG) Contracts - BA 17-60 - \$52,150
- (18) Operations - Requesting Permission to Enter Private Property - James Hollnagel - Repair Water Runoff and Eroding Driveway - 309 SW Dairy Street
- (19) Operations - Requesting Permission to Enter Private Property - Don David Weiffenbach - Repair Washout - 362 Story Street after the fact
- (20) Operations - Requesting Permission to Enter Private Property - Arky Rogers - Dead Tree Removal and Fence Repair - Gabe Road and US 441 after the fact
- (21) Operations - Approval of FDOT Traffic Signal Maintenance Agreement #ARV18 - \$82,447
- (22) Operations - Utility Permit - City of Lake City - SW Michigan Street
- (23) Operations - Utility Permit - City of Lake City - SW Ring Court
- (24) Operations - Utility Permit - Comcast Cable - S Avalon Avenue and 138 SE Beech Street
- (25) Operations - Utility Permit - Comcast Cable - SE Academic Avenue
- (26) Operations - Utility Permit - Comcast Cable - SW Kessler Glen
- (27) Operations - Utility Permit - Comcast Cable - SW Fieldstone Court
- (28) Operations - Utility Permit - Comcast Cable - SE Rosewood Circle

- (29) Operations - Utility Permit - Comcast Cable - SW Silver Palm Drive
- (30) Operations - Utility Permit - Comcast Cable - SE Elm Loop and Rosewood Circle
- (31) Operations - Utility Permit - Florida Power and Light Company - NW Lake Jeffery Road
- (32) Operations - Utility Permit - Florida Power and Light Company - NW Brown Road
- (33) Operations - Utility Permit - Florida Power and Light Company - SW Koonville Road and Pinemount Road
- (34) Operations - Utility Permit - Florida Power and Light Company - NW Outlaw Glen and Nye Hunter Drive
- (35) Operations - Utility Permit - Florida Power and Light Company - Tomerline Lane, Pounds Hammock Road, County Road 363, Tyre Road, SE County Line Road, 12023 Road, Jefferson Road
- (36) Operations - Utility Permit - Florida Power and Light Company - NW Brown Road and Crossing Court
- (37) Operations - Utility Permit - Florida Power and Light Company - NW Brown Road and NW Celtic Court
- (38) Operations - Utility Permit - Florida Power and Light Company - NW Nash Road
- (39) Operations - Utility Permit - Florida Power and Light Company - NW Lake Jeffery Road, Scenic Lake Drive, and NW Bascom Norris Drive
- (40) Operations - Utility Permit - Florida Power and Light Company - NW Nash Road, NW Ranch Court, and NW Bert Avenue
- (41) Operations - Utility Permit - Florida Power and Light Company - NW Moore Road and NW Lake Jeffery Road
- (42) Operations - Utility Permit - Florida Power and Light Company - SW Birley Ave and SW Paces Glen
- (43) Operations - Utility Permit - Florida Power and Light Company - NW Moore Road
- (44) Operations - Utility Permit - Florida Power and Light Company - NW Noegel Road
- (45) Operations - Utility Permit - Florida Power and Light Company - NW Noegel Road
- (46) Operations - Utility Permit - Matilitie, LLC - County Road 252 and Highlands Avenue
- (47) Operations - Utility Permit - Windstream Florida - NW Newark Drive and SW Kentucky Street
- (48) Purchasing - Requesting Approval of Bid Award - Bid No. 2017-N - Low Bidder ADAPCO - \$14.38 per gallon

- (49) Public Library - Distribute Donated Funds to Appropriate Lines - BA 17-56 - \$832
- (50) Risk Management - Requesting Approval of Satisfaction of Mortgage - Betty Murphy – 134 NW Hensley Glen
- (51) Risk Management - Requesting Approval of Satisfaction of CDBG Housing Rehabilitation Grant Mortgage - Evon White - 534 SW Country Club Road
- (52) Risk Management - Adopt Resolution 2017R-17 - Establishing 2017 Price Index for Investor Owned Utilities
- (53) Risk Management - Requesting Amendment to Equipment Lease Agreement with Columbia County School District
- (54) Risk Management - Authorize Application for First Responders Comprehensive Addiction and Recovery Act Cooperative Agreement Grant with Substance Abuse and Mental Health Services Administration (SAMHSA) Providing Narcan to All First Responders
- (55) Solid Waste - Additional Funding from DOH (PO#AF97B) to Purchase Chemicals to Spray for Zika Virus - \$5,000 and from SRWMD to Spray Ichetucknee Springshed WQIP Project - \$1,396 - BA 17-58 - \$6,396
- (56) Tourist Development Council - Requesting Board Approval of the Updated Job Description - Sports Marketing Director

MOTION by Commissioner Nash to adopt the consent agenda.
SECOND by Commissioner Phillips. The motion carried unanimously.

Discussion and Action Items:

Barwick Subdivision/Road Paving

Three bids were received on Bid No. 2017-4, C.A. Boone was the low bidder at \$293,760. Staff recommends approval.

MOTION by Commissioner Depratter to take staff recommendation. SECOND by Commissioner Phillips. The motion carried 4 to 1 with Commissioner Murphy voting in opposition.

Herlong Phase II Road Project

Staff was asked to give the Board an update on the progress of the project since the update on April 22, 2017. The status is unchanged. There are still five parcels that remain in negotiation. Staff is requesting a decision on the alignment of this phase. There are two opinions:

1. The current alignment

- A. Contains two 90 degree turns with stops
- B. Width from CR 131 to first stop to be 24'
- C. After second stop to SE 41 width can be increased from 18' to 22'
- D. Requires acquisition of seven parcels, three of which we have.
- E. Speed limit would have to be decreased

2. Proposed Alignment

- A. Eliminates two 90 degree turns
- B. Requires additional right-of-way
- C. Entire road would be widened to 24'
- D. Phase II would match Phase I

Discussion ensued.

Eminent Domain Resolution/Resolution No. 2017R-15

County Attorney Foreman requested that the Board approve Resolution 2017R-15 giving him the authority to begin eminent domain proceedings for the remaining parcels needed for the project or that they reject the resolution and leave the road alignment as is.

Discussion ensued.

MOTION by Commissioner Phillips to put the two (2) ninety's in the road and not try to acquire additional property. SECOND by Commissioner DePratter. The motion carried 3 to 2 with Commissioners Williams and Murphy voting in opposition.

Medical Marijuana Dispensaries

Staff is requesting direction from the Board regarding the regulation of medical marijuana dispensaries due to the passage of Senate Bill 8-A which provides the Board with the option to ban all such dispensaries within its jurisdiction as opposed to regulating their location.

Discussion ensued.

The following citizens spoke in favor of allowing the dispensaries:

Voncile Creamer
Ryan Drew
Delbert Mullins
Kyle Green

Steve Andrews
Tracy Briggs
Karen Mullins
Sandra Buck-Camp

Jimmy Johnson with Weed for Warriors spoke in favor.

Four representatives of Save Our Children spoke in opposition to dispensaries in Columbia County.

MOTION by Commissioner Murphy directing the County Attorney to prepare amendments to the Land Development Regulations to treat medical marijuana dispensaries as pharmacies as provided under the statute. SECOND by Commissioner Phillips. The motion carried unanimously.

Brown v. Columbia County

Trial counsel in this case has requested a meeting with the Board in a shade meeting to discuss litigation and settlement strategies. Attorney Foreman is requesting approval to set the meeting for August 3, 2017 at 2:00 p.m.

Discussion ensued.

MOTION by Commissioner DePratter to approve setting the shade meeting. SECOND by Commissioner Phillips. The motion carried unanimously.

Resolution No. 2017R-21/County Manager's Authority

Section 3.3(6) of the County Charter provides that the County Manager shall supervise the care and custody of all county property. This resolution is to make clear that the Board understands the scope of the County Manager's authority pursuant to the County Charter.

MOTION by Commissioner DePratter to approve Resolution No. 2017R-21. SECOND by Commissioner Phillips. The motion carried unanimously.

Board Rules and Policies

The County Attorney requested that the resolution to adopt new rules and policies governing the orderly and efficient operation of the Board be tabled until the next meeting.

Discussion ensued.

County Manager's Recommendations (PowerPoint attached):

BA 17-57 – Community Development Block Grant ("CDBG")

The County has been awarded a \$750,000 CDBG Subgrant Agreement with the Florida Department of Economic Opportunity for the Neighborhood Revitalization Project at Plantation Park. It requires an in-kind match of \$50,000 for engineering and labor. Staff recommends approval of the grant agreement.

Discussion ensued.

MOTION by Commissioner Murphy to approve the CDBG sub grant agreement and BA 17-57. SECOND by Commissioner Phillips. The motion carried unanimously.

Preliminary Rate Millage Rate

CM Scott requested permission to set two Public Hearings as required, to set the millage rate. CM Scott would like to schedule the first hearing on September 7, 2017 and the final hearing to adopt the budget at the September 21, 2017 regular scheduled meeting. He also asked that the Board set the preliminary mileage rate.

Discussion ensued.

MOTION by Commissioner Nash to set preliminary millage rate. Set millage and budget public hearing dates. SECOND by Commissioner Murphy.

Amended Motion by Commissioner Nash to set the preliminary millage rate at 8.87. Second by Commissioner Murphy.

The Chairman called for a vote. The motion carried 3 to 2 with Commissioners DePratter and Phillips voting in opposition.

Resolution No. 2017R-24 – Fire Protection Services

This is the preliminary rate resolution for an annual Fire Protection Assessment program in Columbia County for the fiscal year beginning October 1, 2017 and which initiates the annual process for updating the Assessment Roll.

Discussion ensued.

MOTION by Commissioner Nash to approve Preliminary Rate Resolution No. 2017R-24 for Fire Protection Services. SECOND by Commissioner Murphy. The motion carried 4 to 1 with Commissioner Williams voting in opposition.

Resolution No. 2017R-25 – Solid Waste Collection

This is the preliminary rate resolution for the collection and disposal of solid waste in Columbia County for the fiscal year beginning October 1, 2017 and authorizes the reimposition of annual Service Assessments for Solid Waste Collection and Disposal Services.

MOTION by Commissioner Murphy to approve Preliminary Rate Resolution No. 2017R-25 for Solid Waste and Disposal Services. SECOND by Commissioner Phillips. The motion carried unanimously.

Resolution No. 2017R-26 – Emerald Lake Street Lighting

This resolution is relating to the provision of street lighting services, facilities and programs for Emerald Lakes Street Lighting Municipal Service Benefit Unit and to estimate the cost of street lighting services to be accessed for the fiscal year beginning October 1, 2017.

MOTION by Commissioner Nash to approve Preliminary Rate Resolution No. 2017R-26 for Emerald Lake Street Lighting. SECOND by Commissioner Phillips. The motion carried unanimously.

Resolution No. 2017R-27 – Spring Hollow Street Lighting

This resolution is relating to the provision of street lighting services, facilities and programs for Spring Hollow Street Lighting Municipal Service Benefit Unit and to estimate the cost of street lighting services to be accessed for the fiscal year beginning October 1, 2017.

MOTION by Commissioner Nash to approve Preliminary Rate Resolution No. 2017R-27 for Spring Hollow Lighting. SECOND by Commissioner Phillips. The motion carried unanimously.

Resolution No. 2017R-28 – Carolyn Heights Street Lighting

This resolution is relating to the provision of street lighting services, facilities and programs for Carolyn Heights Street Lighting Municipal Service Benefit Unit (“MSBU”) and to estimate the cost of street lighting services to be accessed for the fiscal year beginning October 1, 2017.

MOTION by Commissioner DePratter to approve Preliminary Rate Resolution No. 2017R-28 for Carolyn Heights Street Lighting MSBU Initial Assessment. SECOND by Commissioner Murphy. The motion carried unanimously.

Resolution No. 2017R-29 – Pine Ridge Court

This resolution is to establish the estimated assessed cost for the properties that benefit from the Pine Ridge Road Improvement Project thereby directing the preparation of the updated assessment rolls to collect this cost for the fiscal year beginning October 1, 2017.

MOTION by Commissioner DePratter to approve Preliminary Rate Resolution No. 2017R-29 for Pine Ridge Court MSBU Local Improvement and Maintenance Assessment. SECOND by Commissioner Phillips. The motion carried unanimously.

Open Public Comments:

Citizen Barbara Lemley offered comment on the Lake Shore Hospital Authority. Commissioner Williams responded.

Citizen Merrilee Malwitz-Jipson requested public restrooms at all public access facilities.

Commissioner Comments:

Commissioner Murphy offered comment on the millage rate.

Commissioner DePratter asked that the cost to place porta potties at the Highway 27 Bridge and Hollingsworth Bluff be explored.

Adjournment

There being no further business, the meeting adjourned at 8:00 p.m.

ATTEST:

Ronald Williams, Chairman
Board of County Commissioners

P. DeWitt Cason
Clerk of Circuit Court