



**November 07, 2002
6:00 P.M.**

The Board of County Commissioners met at the School Board Administration Office in a regularly scheduled meeting.

Commissioners Present: James Montgomery, George Skinner, Dewey Weaver,
Kenneth Witt (Chairman) and Ronald Williams.

Others Present: County Coordinator - Dale Williams, County Attorney -
Marlin Feagle, Asst. County Coordinator - Lisa Roberts,
Clerk of Courts - DeWitt Cason, and Deputy Clerk -
Sandy A. Markham.

The meeting came to order. Commissioner Montgomery opened with prayer and the Pledge of Allegiance to the Flag of the United States of America followed.

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I. Planning and Zoning presented the following for the Board's consideration:

PUBLIC HEARINGS:

- (1) A 0035, Appeal to the Board of County Commission, a decision of the Board of Adjustment. Appellant – Gloria Gardner Davis regarding Florida/ Georgia Dirt Drag. This was a continuation from the October 03, 2002, public hearing.

Commissioner Williams reported that he visited the track in Dublin, Georgia and that Commissioner Montgomery visited a similar track in Branford, Florida. He said that he spoke in-depth with the facility owners, the neighbors who were in close proximity, and many participating drivers. Commissioner Williams explained that he also drove to different areas located away from the track for observing the noise levels while larger trucks were racing.

Commissioner Williams told the Board he spoke with Ms. Gloria Davis the night before. He said that Ms. Davis indicated she was willing to work with the Commission and the community, and asked that the Board not shut all doors completely. Per Commissioner Williams, Ms. Davis indicated that she would at least like to be able to do some of the "things" expressed at a previous meeting that would not be as noisy as a dirt track.

Commissioner Montgomery said he found the Branford track to be a "family affair." He told the Board that there didn't appear to be any alcoholic beverages on the premises, and that the crowd was very well behaved. He concluded by stating everything about the operation seemed to run very smoothly.

Commissioner Weaver said his concern was not those participating, but the nuisance of the noise. He said, "When you get ready for bed, it doesn't matter if it's 300 hp, or 1000 hp it's still a nuisance when you are trying to rest."

Commissioner Skinner concurred with Commissioner Weaver, but stated that he would back the decision of Commissioner Williams.

Commissioner Williams said even though the runs were short, there was a constant rumble of engines that could be heard. He said the trucks were massive, loud and fast. However, after speaking with the drivers, he said that he found the racers wouldn't be interested in the type track proposed by the Davis'. Commissioner Williams added that the Dublin track was also a smooth operation and managed very tightly.

Motion by Commissioner Williams to uphold to the recommendation of the Board of Adjustment, and leave the Davis' with the option of appealing the Board of County Commissioners' decision to Circuit Court. He said that if the Davis' would like to pursue other avenues in the development of their property, they can apply again for a special exception. Second by Commissioner Weaver. The motion carried unanimously.

- (2) LDR 02-5 – Board of County Commissioners – Temporary Vendor Text Amendment. This is a text amendment to the Land Development Regulations, and gives the appropriate definitions, and the process for making application for a Temporary Vendor Permit. This will also make the LDR compliant with the Ordinance passed in September 2002.

The Chair declared the public hearing open and called for input. There being none, the public hearing closed.

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

MINOR SUBDIVISION – FINAL PLAT (S):

- (1) SD 0118 – Darwin L. Perry Subdivision – District 2. There are three lots each 5 - 5 1/2 acres. The subdivision is located on Old Ichetucknee Road, approximately two miles south of County Road 240, and approximately 1/2 mile north of Ichetucknee State Park.

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

- (2) SD 0119 – Flatt Subdivision – Darwin Perry - District 2. There are three lots with 5.04 acres. The property is located adjacent to the Darwin L. Perry Subdivision, which is two miles south of County Road 240, on Old Ichetucknee Road.

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

II Public Hearings by Marlin Feagle:

- (1) Road Closing – **Lenton Road**. This matter was addressed in the latter part of the meeting since it was advertised for 7:00 pm. (See Item X.)
- (2) The terms of **Dale Williams'** 1997 **Employment Contract** expired September 30, 2002. A proposed contract was submitted and summarized in the form of a memorandum to the Board of County Commissioners for consideration. See the attached contract.

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

III. CONSENT AGENDA

- (1) Invoice – Small County Coalition Participation Dues 2002-2003 – \$2,250.00
- (2) Invoice – Saxelbye Architects, Inc. - \$1,379.43
- (3) Invoice – Saxelbye Architects, Inc. - \$333.58
- (4) Invoice – Florida Association of Counties Trust - \$1,367.76
- (5) Invoice – CSX Transportation – Signal Maintenance **Nash Road** - \$1,410.00
- (6) Invoice – Dale's Excavation – **Bonnie Plant Farm** - \$7,365.00
- (7) Invoice – Darabi and Associates, Inc. - \$440.60
- (8) Invoice – Darabi and Associates, Inc. - \$4,899.98

- (9) Invoice – Darabi and Associates, Inc. - \$15,359.48
- (10) Public Works Department – **Budget Amendment #02-01** – Revenue from Surplus Equipment Sale – Equipment Reserve - \$23,066.30
- (11) South Birley Avenue Project – Acquisition of **Right -of-Way Settlement** – Parcel No. 1 – **Mary A. Williams** - \$6,000.00
- (12) Code Enforcement – **Paul Evans**, Owner – **Removal of Dangerous Building – Promissory Note**
- (13) **Construction Management – Change Order #7** – Shea’s Glass Company - \$94.00 Additive
- (14) **Construction Management – Change Order #18** – A.L. Smith Mechanical Contractors - \$344,526.00 Deduction
- (15) **Construction Management – Change Order #19** – O’Neal Roofing Company - \$489,800.55 Additive
- (16) Sheriff’s Department – Florida Contraband Forfeiture Trust Fund Semi-annual Report
- (17) **Preferred Governmental Insurance Trust – Uninsured Motorists Limits, Participation Agreement & Application for Drug-Free Workplace Worker’s Compensation Credit Program.** See attached agreement.
- (18) C/C and Associates Inc. – The Hartford – **Deferred Compensation Plan Resolution & Authorized Signatures.** See attached resolution.
- (19) **Emergency Management – Surplus Property** – 1991 Ford Taurus #9654
- (20) **Suwannee River Economic Council, Inc. – Subordination Agreement – Richard R. Frazee, Jr. and Theresa B. Frazee** - \$56,000.00. See attached agreement.
- (21) Sheriff’s Department – Contraband Forfeiture Trust Fund – Release of Funds - \$820.50
- (22) Utility Permit – **BellSouth Telecommunications** – SW Birley Avenue
- (23) Utility Permit – **BellSouth Telecommunications** – NW Evanston Road
- (24) Utility Permit – **Alltel Florida, Inc.** – SW Wilson Springs Road

- (25) Court Administration – **Grant-in-Aid Agreement for Child Dependency** \$26,864.99. **See attached agreement.**
- (26) Court Administration – **Grant-in-Aid Agreement for the Family Courts Initiative** \$14,246.00. **See attached agreement.**
- (27) Designation of **North Central Florida Regional Planning Council** as Lead Agency to Coordinate the Preparation & Adoption of the **Inter-local Agreement** concerning **School Planning and Land Use Planning.** **See attached agreement.**
- (28) Supervisor of Elections – **Constitutional Officers Financial Report FY 2001 2002**
- (29) Fort White **Public Library** – **Florida Pest Control** & Chemical Company – **Subterranean Termite Control** and Service Policy and Full Warranty **Agreement.** **See attached agreement.**
- (30) **Bid Award** – Anderson Columbia Company, Inc. – **County Road 25A** \$1,087,321.47
- (31) Draw Request **Bonnie Plant Farm** Loading Dock – **Florida Vault Homes** \$13,700.00
- (32) **North Central Florida Regional Planning Council** – Inter local Agreement – **Hazardous Materials Response Team.** **See attached agreement.**
- (33) BellSouth Business – Master Agreement for Purchase of Equipment and/or Services \$35,862.70. **See attached agreement.**
- (34) Fee Resolution – Special Temporary Use **Vendors Permit**

Motion by Commissioner Williams to approve the consent agenda. Second by Commissioner Skinner.

Commissioner Williams announced a conflict with items #30 and #55. **See attached Form 8 B.** The items were pulled.

There was a call from the public to give clarification on items #15, #30, #33 and #55. Mr. Dale Williams provided additional information.

The motion carried unanimously.

Regarding items # 30 and #55.

Motion by Commissioner Weaver to approve. Second by Commissioner Skinner. The motion carried 4-0 with Commissioner Williams abstaining.

IV. As an informational item, Mr. Dale Williams discussed the County's **Insurance** Report for Fiscal Year 2002-2003. He began with **Property Inland Marine** Coverage, previously with the **Coregius** Company. Coregius' premium increase was almost doubled from last year. Prior to the Board being able to contract with them, they withdrew and declined to offer coverage due to their loss of a reinsure. There was discussion during the budget process that the County was concerned they may have no option but to self-insure. However, this will not be necessary as the County has been able to place this particular coverage with Preferred Governmental Insurance Trust. The annual cost is \$93, 432.

Automobile Insurance with Coregius was also cancelled and has now been placed with Preferred Governmental Insurance Trust. There have been no substantial market increases in this particular coverage, but the cost is approximately \$10,000 higher due to claims and additional vehicles being added to the policy.

Workers Compensation Insurance has been placed with **Preferred Governmental Insurance** instead of the Florida League of Cities due to a considerable rate increase. In order to ensure everything is classified properly, Preferred Governmental Insurance is now in the process of auditing payroll records to determine workers compensation premiums. Mr. Dale Williams explained, "We've placed the coverage with PGIT based on the same schedule that the **Florida League of Cities** had. It's up about \$5,000, and that includes the exposure for the presumption. By placing this coverage, we were able to skirt the presumption increase that the Florida League of Cities offered.

General Liability Insurance had no market increases, but the cost is up due to the County's need to expand their coverage. Mr. Williams explained that it is based largely on road miles and budget increases. He noted that due to a new appellant court ruling, that should the Sheriff be sued, the Board of County Commissioners is also being sued because the Board has budget authority over the Sheriff and his departments. The County's standard liability coverage does not cover that exposure. Therefore, the County is required to purchase **Contingent Law Enforcement Liability**, which is a separate insurance. The purchase is through the **Sheriff's Liability Trust Fund**, with the **Hunt Group**. This premium is up slightly.

Total premiums for the prior year was \$957,000. Budgeted premiums for 2002-2003 is \$1,046,000.

V. Michael Flanagan, Superintendent of the **Columbia County School System** has requested that the Board of County Commissioners consider enacting a **three dollar surcharge** on all civil **traffic citations**. State funding previously earmarked for the drivers improvement programs has been cut from the State's budget. Mr. Dale Williams explained that the surcharge was recently approved by the Florida Legislature and is allowed per Florida Statutes 318.1215.

Mr. Flanagan advised that unless there is a revenue source to fund this position, once the current driving instructor retires, the position will be discontinued. The Board was advised that the money collected through the surcharge can only be used to fund driver improvement programs.

The Board agreed that the ordinance should indicate that if the School Board choose to discontinue the **drivers education** position, the surcharge shall be nullified. Mr. Feagle stated that the funds shall be used for direct educational expenses, and shall not be used for administration. The Commission will ask the School Board to give a yearly notice of their intent regarding the continuation of future driver education programs.

Motion by Commissioner Williams to levy the surcharge. Second by Commissioner Skinner. The motion carried unanimously. **See the attached ordinance.**

VI. Columbia County has completed negotiations with **Northeast Florida Public Employee Local 630**, a **collective bargaining unit** the **Labor's International Union of North America**. Mr. Dale Williams recommended an agreement that will be effective from October 1, 2002, through September 30, 2005. **Collective Bargaining Employees** have also ratified this agreement with a 55-13 vote. The only changes from the prior year are economic. The proposed agreement will provide a three percent or thirty cent per hour raise; whichever is greater. The raise will be effective October 01, 2002. Beginning October 01, 2003, they have negotiated a three percent raise or thirty-five cents per hour; whichever is greater. Beginning October 01, 2004 a three percent or thirty-five cents per hour raise; whichever is greater. Mr. Williams explained that a provision is in place to renegotiate salaries should the county have funding problems. **See attached Agreement.**

Motion by Commissioner Williams to approve. Second by Commissioner Montgomery. The motion carried unanimously.

VII. The Board was asked to consider supporting a **grant application** to the Department of State, **Division of Historical Resources**. The grant will be used to purchase twelve educational kiosks along the **Ichetucknee Trail**, located on Ichetucknee State Park property. Staff seeks to send a recommendation of approval to the Department of State, as well as the **Ichetucknee Springs State Park**. Staff suggested there be a request for a match requirement waiver through the State's program, since the County qualifies and they may fall under the county's umbrella.

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

VIII. The Board of County Commissioners considered the **Department of Environmental Protection, Division of Land Management's** proposed lease of the Anderson Lime-Rock Mines in a prior meeting. The County made suggested changes to the lease and resubmitted to D.E.P. Mr. Feagle advised that according to a transmittal letter received from D.E.P., almost all of the County's suggested changes were found to be unacceptable and rejected.

Commissioner Williams suggested that a meeting be scheduled with Governor Bush to resolve this issue. Commissioner Williams reminded the Board that there was a gentlemen's agreement between the State and the Board of County Commissioners regarding the purchase and management of the **Anderson Lime-Rock Mines** property, and everyone understood the amount of upfront work, and the amount of money that would be needed to develop the property. He said, "There was no hidden agenda on the part of the Board of County Commissioners." He suggested the County not enter into a contract or **lease agreement** with the State at this time.

Commissioner Weaver said he recalled that the reclamation cost 2.4 million dollars for the piece of property, and the State agreed to assume that liability. He said, "They agreed to it, and now they are trying to pass it through the backdoor to Columbia County." Commissioner Weaver elaborated on the expense of the property by saying that an immediate security cost of \$100,000 will be incurred to fence the property. Commissioner Weaver also recommended the County not enter into a lease with the State at this time.

The Board was of the opinion that it would be nice to have the property as a park, but if it meant opening themselves up to liability and investing large amounts of money then it would be better to vacate the idea. The Board is open to negotiate the lease, but was not incline to accept the lease as presented.

Motion by Commissioner Weaver to deny the proposed lease at this time. Second by Commissioner Weaver. The motion carried unanimously.

IX. Mr. Dale Williams reminded the Board that some time back that they had received the financial reports for the period ending September 30, 2001. In addition, the Management letter was received and copies were distributed. He apologized for the delay in conducting the public presentation.

Each Commissioner was provided with a copy of the **Annual Audit/Financial Report**. Mr. Richard Powell reviewed the contents of the annual audit with the Board. He explained that the audit is performed in compliance with generally accepted auditing standards, and with the rules of the Auditor General as to how the audit is completed and presented.

Mr. Powell concluded by saying the Annual Report filed with the State of Florida reflects that the County complied with Florida Statutes regarding investments of public funds. Financial Condition Assessment procedures were applied to monitor the County's financial condition. The County was financially sound, and wasn't in a financial emergency situation at the end of the fiscal year. All findings have been reviewed with the appropriate officials/employees.

Commissioner Williams asked, "On a scale of 1-10 (10 being the best), how does Columbia County rate overall?" The response was approximately an eight.

A copy of the **Annual Financial Report** is on file.

Motion by Commissioner Williams to adopt the Annual Financial Report as presented. Second by Commissioner Weaver. The motion carried unanimously.

X. Mr. Feagle reported he reviewed the notice published in the Lake City Reporter regarding the public hearing to close Lenton Road. He said that assuming it was published within the required timeframe, it is ready for public hearing. **Lenton Road** is a short road lying West of Highway 441.

The Chair declared the public hearing open and called for input.

Mr. Richard Chapple expressed that for as long as he can remember the road has been maintained by Columbia County. He told the Board he wasn't sure how long the fence had been in place, but as the owner, he would be happy to take the fence down if it's causing a problem. He asked that the County continue maintaining the road.

Mr. Duane Bostick stated that since 1985 there has been no maintenance on the road other than once during Commissioner Petty's term in office. He requested the Board close the road.

Commissioner Williams asked Mr. Chapple, "If we elect to leave the road open, how quick can you move your fence?" Mr. Chapple responded, "Next week."

There was discussion regarding how wide the county road is. Mr. Feagle advised that the survey shows the County owns fifty feet.

They also discussed the handicap ramp. Mr. Feagle advised that it would have to be moved if it's in the road. Mr. Feagle said that conceivably, if the Board wanted to, they could close only the last ten feet of the road. However, if the ramp or the fence is in the county road right-of-way, it must be moved.

There being no further input, the public hearing closed.

Motion by Commissioner Skinner to keep the road open. Second by Commissioner Weaver. The motion carried unanimously.

XI. Commissioner Witt requested permission to enter **Jimmy Knox's property** to make a repair to his driveway. Mr. Witt explained that water running off of **Old Country Club Road** has damaged the drive.

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

XII. Commissioner Witt requested permission to call for bids to widen and resurface **County Road 18** and **County Road 131**. (Both been funded for the current year).

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

XIII. Commissioner Williams reminded the Board that the Patti Bridge issue will be addressed at the next regularly scheduled meeting on Nov. 21, 2002. He asked everyone, including the new commissioner to go look at the bridge before the next meeting.

XIV. Citizen Input

Mr. Dave Rountree complained of leakage from the **Waste Control Garbage** truck. He explained that last Tuesday, the stench was so atrocious that they were not able to take walks in the neighborhood. Mr. Dale Williams explained that Waste Management has been put on notice. He said he would contact Scott Kishton, Local Manager for Waste Management tomorrow advising him of the problem. Mr. Williams said they would put Waste Management on notice again, and Mr. Feagle will review the contract to determine if additional action can be taken at this time.

Regarding the surcharge approved for drivers' education, Mr. Dave Rountree asked what other taxes are currently placed on traffic citations. DeWitt Cason, Clerk of Courts responded that most of the surcharges are enacted by the State of Florida.. He mentioned the **Teen Court surcharge** and the **Special Victim's surcharge**. Dale Williams added that the only surcharge currently being collected along with the traffic citations and being remitted back to the county is the **Radio Communications Surcharge**. Mr. Rountree asked, "Have we reached a point where the surcharges are actually greater than the **traffic citation** amount?" The response was, "In most cases the answer is yes."

Mr. Rountree stated he was reassured Monday by Mr. Williams that the **County's website** would be back in operation this week. Mr. Rountree asked for a status report since it is still not up. Mr. Williams recalled that the county contracted with a local company to provide a server. That business decided to discontinue the County's service, and the County purchased the used server from them since it was already programmed with the County's information. Unfortunately, the server crashed very soon after being purchased, and crashed before the backup system could be put into place. The email portion of the system is operable, while the actual site is still inoperable. The County will continue to be diligent in their efforts to get the site back on line as soon as possible.

Mr. Guy Brim spoke to the **Patti Bridge closure**. He asked that while the County is involved in this issue, that they consider having the fences along the road restored. He complained that the Thomas' have several cows that are not contained as they should be. He stated he was worried that if the fence problem isn't corrected there may be an accident due to the cows roaming loose. Mr. Brim told the Board that the Bridge is used quite regular by people in the North end of the county. He said that he, as well as many others would like to see the Bridge maintained by the County and re-opened. Mr. **Winton Thomas** responded there have been no cows on that particular property in over a year.

XV. **Commissioner Witt** expressed thanks to the commission and the public for everything as he prepared to relinquish his position as Commissioner to **Jennifer Flinn**. Commissioner Williams, on behalf of the Board of County Commission bid Commissioner Witt a sincere farewell, and presented him with a commemorative gavel.

XVI. Commissioner Witt, Chairman of the Board relinquished his position as Chairman to Commissioner Williams.

There being no further business of the Board, the meeting adjourned at 8:10 p.m.

ATTEST:

Board of County Commissioners

P. DeWitt Cason
Clerk of Circuit Court

Kenneth Witt, Chairman