

Board of County Commissioners

Minutes of

December 04, 2003

The Board of County Commissioners met in a **Regularly Schedule Meeting** at the School Board Administration Office at 7:00 p.m. Commissioner James Montgomery opened with prayer. The Pledge of Allegiance to the Flag of the United States of America followed.

Chairman George Skinner called the meeting to order.

In Attendance:

Commissioners: Ronald Williams, Jennifer Flinn, James Montgomery, Dewey Weaver and George Skinner.

Others: County Attorney Marlin Feagle, Asst. County Manager Lisa Roberts, and Deputy Clerk Sandy A. Markham.
Mr. Dale Williams was absent due to illness.

I. On behalf of the Board of County Commissioners, Chairman Skinner presented Commissioner Williams, former chair, with a gavel of appreciation.

II. Building and Zoning by County Planner Brian Kepner.

Preliminary Plat Subdivisions

(1) **SD 0140 Laurel Lake Phase 2** - District III. There are twelve lots ranging in sizes from one half acre to .9 acre. The property is located on Pinemount Road.

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

(2) **SD 0141 Laurel Lake Phase 3** - District III. There are thirteen lots ranging in one half acre to 1.1 acres. The property is located on Pinemount Road.

Motion by Commissioner Williams to approve. Second by Commissioner Montgomery for discussion.

Commissioner Skinner expressed concern with potential drainage issues. Mr. Kepner said that the SRWM will require retention areas. The County's engineer has studied the topography and does not foresee drainage problems as long as the retention ponds are in place. The matter will be discussed again prior to the adoption of the final plat.

The motion carried unanimously.

(3) **SD 0142 Melissa's Secret Garden** - District 4. There are four lots, all 5.01 acres in size. The property is located in District IV. The property is located on the East side of Tustenuggee Road. Commissioner Flinn asked if it was yet known what type of buildings would be situated on the property. Mr. Kepner responded it is not known since no deed restrictions have been submitted.

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

II. Consent Agenda

Motion by Commissioner Williams to adopt the Consent Agenda except for items #2, #42, #43. Second by Commissioner Montgomery.

There was a call for clarification on item #17. Ms. Lisa Roberts assisted. This is an agreement with Norfolk Southern Railroad to construct a side track to serve the Hunter Panel facility. The project will be paid for from a grant.

The motion carried unanimously.

Motion by Commissioner Flinn to adopt items #2, #42 and #43. Second by Commissioner Montgomery. The motion carried 4-0 with Commissioner Williams abstaining. **See Form 8-B attached.**

(1) Invoice – North Central Florida Regional Planning Council – Comprehensive Planning Services Fiscal Year 2004 - \$16,500.00

(2) Invoice – Anderson Columbia Company, Inc. – Pay Request No. 14 - NW CR 25A - \$117,885.07

(3) Invoice – Darabi and Associates, Inc. – Engineering Services - \$1,061.25

(4) Invoice – Darabi and Associates, Inc. – Engineering Services - \$2,207.98

(5) Invoice – Darabi and Associates, Inc. – Engineering Services - \$41,000.00

- (6) Invoice – Florida Association of Counties Trust - \$1,909.45
- (7) 9-1-1 Addressing – Naming of Found Unnamed Roads – **see attached lists**
- (8) 9-1-1 Addressing – Change to Approved Street/Road Names – SW Gary Liberty Loop
- (9) Utility Permit – Alltel Florida, Inc. – SW Heron Drive
- (10) Utility Permit – Bell South Telecommunications – SW Sisters Welcome Road
- (11) Utility Permit – Bell South Telecommunications – SE Weeks Road
- (12) Courthouse Renovation – Contractors Pay Request Summary – Phase II, IIA, & IIB - \$379,375.97
- (13) Suwannee River Economic Council, Inc. – State Housing Initiatives Partnership (SHIP) Program – Release of Lien Agreement – Louis E. Conaway - \$4,000.00. **[REDACTED]**
- (14) Lease Agreement – Xerox -Columbia County Emergency Management Copier. **See Agreement Attached.**
- (15) Public Library – Increase Petty Cash from \$50.00 to \$100.00
- (16) Sheriff's Office – Courthouse Security from 10/29/03 thru 11/06/03 - \$6,930.00
- (17) Norfolk Southern – Side Track Agreement Proposal for Hunter Panels, LLC. **See Agreement Attached.**
- (18) Minute Approval – Board of County Commissioners – Budget Workshop – August 25, 2003
- (19) Minute Approval – Board of County Commissioners – Regular Meeting – September 18, 2003
- (20) Minute Approval – Board of County Commissioners – Regular Meeting – October 2, 2003
- (21) Invoice – Donald F. Lee & Associates, Inc. – Engineering Services - \$330.00

(22) Invoice – Donald F. Lee & Associates, Inc. – Engineering Services - \$640.00

(23) Invoice – Donald F. Lee & Associates, Inc. - Engineering Services - \$160.00

(24) Invoice – Donald F. Lee & Associates, Inc. – Engineering Services - \$1,067.50

(25) Invoice – Donald F. Lee & Associates, Inc. – Troy Road Drainage - \$1,267.50

(26) Invoice – Donald F. Lee & Associates, Inc. – SW Cypress Lake Road - \$507.50

(27) Invoice – Donald F. Lee & Associates, Inc. – Booker T. Combs Road - \$160.00

(28) Invoice – Donald F. Lee & Associates, Inc. – Kirby Road - \$160.00

(29) Invoice – Donald F. Lee & Associates, Inc. – Birley Road-South - \$160.00

(30) Invoice – Donald F. Lee & Associates, Inc. – Brook Loop - \$1,695.00

(31) Invoice – Donald F. Lee & Associates, Inc. – Bascom Norris Drive - \$1,300.00

(32) Invoice – Donald F. Lee & Associates, Inc. – Bascom Norris Drive - \$530.00

(33) Invoice – Donald F. Lee & Associates, Inc. – Bascom Norris Drive - \$3,880.00

(34) Invoice – Donald F. Lee & Associates, Inc. – Bascom Norris Drive - \$3,560.00

(35) Invoice – Donald F. Lee & Associates, Inc. – Hope Henry Road - \$406.25

(36) Invoice – Donald F. Lee & Associates, Inc. – Hamp Farmer Road - \$81.25

(37) Invoice – Donald F. Lee & Associates, Inc. – Hunter Paneling - \$6,180.00

(38) Invoice – Donald F. Lee & Associates, Inc. – NW Thomas Terrace - \$2,635.63

(39) Invoice – Donald F. Lee & Associates, Inc. – Double Run Road - \$1,714.95

(40) Invoice – Donald F. Lee & Associates, Inc. – SW Lee Dairy Road - \$1,790.00

(41) Invoice – Donald F. Lee & Associates, Inc. – Boone Road - \$5,781.23

(42) Invoice – Anderson Columbia Company, Inc. – Pay Request No. 15 – Bascom Norris Drive - \$126,008.29

(43) Invoice – Anderson Columbia Company, Inc. – Pay Request No. 6 – Sisters Welcome Road to SR 247 (Bascom Norris Drive) - \$299,490.82

(44) External Budget Amendment – BA #03-05 - Sheriff's Office – BA #4 – Victims of Crime Act (VOCA) Grant - \$4,413.78

(45) Tourist Development Council – Gartner Films – Request to Temporarily Close 1 Lane of Traffic for Filming of Marriott T.V. Commercial on a Portion of CR 778 & Tommy Lites Road

III. Commissioner Williams expressed concern with **salvage, wreck and junk yards** remaining in compliance with local codes. Commissioner Williams explained that today they may have all of the junk vehicles inside the fences, but tomorrow the junk vehicles will be parked all along the right-of-ways of the County, and that it is a safety issue. He asked the County Attorney for direction. Mr. Feagle responded that normally, the County shouldn't have to adopt an ordinance since state law addresses the problem. Mr. Feagle being aware of the tremendous nuisance this has become, recommended the County adopt an ordinance tracking the state law prohibiting the obstruction of county right-of-way, and adding other verbiage regarding the **towing of vehicles** for those in violation. Mr. Feagle will study the matter and report in January. The Board expressed that the ordinance should be broad enough to include any road right-of-ways.

IV. Commissioner Williams advised the Board of an ongoing problem with falling limbs in the County's right-of-way on **Leona Way** and **Queen Way** from two large trees located on private property. Both **trees** are situated on private property, but are leaning over the County's **right-of-way**. Commissioner Williams expressed safety concerns with a school bus that travels in the vicinity. He requested by motion, permission to remove the two dead Oak Trees situated approximately 4 feet from the County's right-of-way. Mr. Feagle recommended approval if it is for the protection and preservation of the county's right-of-way, and if it is a public safety issue. Authorization from the property owners would be needed. Mr. Feagle said, "I would suggest we do the minimum

necessary to protect our right-of-way." Second by Commissioner Montgomery. The motion carried unanimously.

V. Commissioner Montgomery.

Commissioner Montgomery provided the following as information, "Ralph Cellon of **Morgan Keegan & Company** has reported back that there were nine loans for housing in Columbia County for a total of \$610,000 last year."

Clerk's Note: The Commissioner did not elaborate and no additional information was provided.

Commissioner Montgomery also advised that he had placed a memo into each commissioners box from himself, asking them to consider obligating funds for the **Southside fencing**. He recalled the City and the County both committed in a joint meeting last month to attempt to locate monies that may be used for the fencing. Commissioner Montgomery said last month's price for fencing the four fields was \$60,000 total. He was concerned that the new **bypass** would destroy the **ball fields** if the fences aren't erected soon.

Motion by Commissioner Montgomery to have the Board of County Commissioners obligate \$30,000 in funding for the **fencing** at Southside from contingency. Second by Commissioner Weaver on the condition that the City match the County's \$30,000.

Commissioner Flinn asked Mr. Feagle, "If this is being destroyed because of the bypass, and we're repairing everything else we're destroying with the bypass money, why can't we take the money out of the **Bypass Fund** instead of contingency?" Commissioner Montgomery interjected that he agrees with Commissioner Flinn. He said, "When private homes and lands are needed, the County takes them and pays for them, but when we destroy the **softball complex**, why don't we pay for it?" He acknowledged one of the problem may be the concern that there is enough money in place to complete the **Connector Road Project**. Commissioner Williams said the ball fields were not a projected expenditure, but if there are leftover funds after the bypass is completed, the County may be able to reimburse itself for unanticipated expenditures. Commissioner Williams said, "One of the items in contingency that we can take it from is the \$100,000 plus dollars that was placed in the floor budget for **Property Appraiser Doyle Crews'** additional employees and vehicles, because he later revised his budget request and the money was placed in **General Fund Contingency**. So, it's unspent money. We can take the \$30,000 for it, and somewhere down the road later come back and reimburse ourselves if there is money left in the Road Improvement Fund for the **Bypass/Connector Road**."

The motion carried 4-1 with Commissioner Flinn voting in opposition

VI. Dr. Jerry Patterta made the commissioners aware of a **petition** circulating throughout the County for a **constitutional amendment** for Florida that would protect **Florida's medically injured**. He explained that often the attorneys for the injured will charge 40%

of the judgment award, plus other costs which will result in more than 50% of the award. This amendment will ensure that the injured receive at least 70% of the first \$250,000, and 90% of anything over that amount. He said this will help ensure the injured is treated fairly compared to other states. He said the matter is a patient advocacy issue, and his intent in coming before the Board was to raise public awareness. Those interested in signing petitions can do so at most physicians offices around the county.

VII. Mr. Charles Espisito, a/k/a Chuck Shane asked for an update on the hearing that took place yesterday with the **ex-tenants** of the **Welcome Center**, and asked if and when advertising would begin to find a new tenant for the building. Mr. Feagle offered that a judgment of **eviction** was entered yesterday that formally evicted the tenant, and the damages issue is still pending and may be heard by a jury. Mediation and depositions regarding damages will begin soon. Mr. Feagle said that it is his understanding that a RFP is in the works to have a realtor advertise, and that there is already a few entities who have expressed some possible interest in the building.

VIII. Mr. David Rountree expressed appreciation to Mr. Dale Williams and Commissioner Dewey Weaver for attending the legislative meeting earlier in the week. He also thanked Mr. Dale Williams and the Public Works Department for making needed repairs to the culverts in **Spring Hollow Subdivision**. He thanked the Public Works Department and Commissioner George Skinner for the [..inaudible..] removal and the asphalt paving in Spring Hollow Subdivision.

IX. Commissioner Skinner said he'd like to see the **Jail Committee** moving forward with their works. Commissioner Williams said the committee can't move forward until after the schematic phase has been completed.

There being no further business to come before the Board, the meeting adjourned at 7:55 P.M.

ATTEST:

Chairman Ronald Williams

Board of County Commissioners

P. DeWitt Cason
Clerk of Circuit Court