

# Board of County Commissioners

## Minutes of **April 21, 2005**

The Board of County Commissioners met in a **Regular Meeting** at the School Board Administration Office at 7:00 p.m. Chairwoman Flinn 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, Elizabeth Porter  
Jennifer Flinn, and George Skinner.

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

### I. Essays

**Erica Silcox** and **Ezra Brooker** were essay winners for their writings in the National County Government Week Essay. Each of the winners were presented with plaques recognizing their accomplishments and a savings bond in the amount of \$150.

### II. Building and Zoning

#### *Small Scale Land Use Amendments*

**CPA 0134** Wise Family L.L.C/Austin Peele, Agent - District III  
The public hearing opened. Attorney Austin Peele spoke in favor.  
The public hearing closed without objection.  
Motion by Commissioner Skinner to approve. Second by Commissioner Weaver.  
The motion carried unanimously.

**CPA 0135** Donald Williams - District III  
The public hearing opened and closed without input.  
Motion by Commissioner Skinner to approve. Second by Commissioner Porter.  
The motion carried unanimously.

**CPA 0139** Lori Giebeig Simpson/Austin Peele, Agent - District III  
The public hearing opened. Attorney Austin Peele spoke in favor.  
The public hearing closed without objection.  
Motion by Commissioner Skinner to approve. Second by Commissioner Porter.  
The motion carried unanimously.

**CPA 0142 Bullard Development Company** - District IV  
The public hearing opened. Developer Chris Bullard spoke in favor.  
The public hearing closed without objection.  
Motion by Commissioner Porter to approve. Second by Commissioner Weaver.

The motion carried unanimously.

**CPA 0143** Woods and River Properties, LL.C. - District III

The public hearing opened and closed without input.

Motion by Commissioner Skinner to approve. Second by Commissioner Porter.

The motion carried unanimously.

III. Caring Award

On behalf of all volunteer fire departments, Mr. Jerry Stanley Chief of the West Columbia Volunteer Fire Department presented the Board of County Commissioner with the **Caring Award** recently received in Washington. He thanked them for the opportunity to travel to Washington, and expressed appreciation to everyone who played a part in the volunteer fire fighters receiving this award. Fire Chief Wilson and volunteers Edmund Hudson and Steven Bailey were also present, and echoed the sentiments of Mr. Stanley. They added they are grateful for the support of the Board of County commissioners.

IV. Public Hearing

A **public hearing** was scheduled at the March 17, 2005 Board of County Commissioners meeting to consider closing a portion of SW Ponce De Leon Avenue. Ms. Margie Shaw owns a home located at the intersection of Balboa (f/k/a Iowa Street) and Ponce de Leon Street. She is attempting to sell her home to her daughter Brenda Jones. However, a recent survey shows the Shaw home was constructed on, and is encroaching upon the county right-of-way of Ponce de Leon by approximately 26 inches. Because of this encroachment Ms. Jones is unable to obtain a mortgage. Motion by Commissioner Porter to approve closing that portion of SW Ponce De Leon Avenue. Second by Commissioner Williams. The motion carried unanimously. **See attachment.**

V. Consent Agenda

- (1) Invoice – Adopt a Shore Quarterly Report – Reimbursement Request – \$2,631.00
- (2) Invoice – Eutaw Utilities, Inc. – Wastewater Facility Plan Phase I - \$25,956.00
- (3) Columbia County Emergency Medical Services – Refund Request – Ralph Edwards - \$374.75
- (4) Columbia County Emergency Medical Services – Refund Request – Medicare - \$224.68
- (5) Columbia County Emergency Medical Services – Refund Request – Laverne Gainer - \$116.10
- (6) Development Agreement with Pete Giebeig and Columbia County – Property Development off Wendy Road (See minutes of 3/17/05). **See attachment**
- (7) CodeRed Agreement – Columbia County Emergency Management and Emergency Communications Network, Inc. - \$11,000. **See attachment**
- (8) Solid Waste – Declaration of Surplus Property – County ID# 9771 – Yazoo Lawn Mower
- (9) Purchasing – Communications Study and Agreement – Professional Services Contract between Columbia County and L. Robert Kimball & Associates, Inc.

- for Telecommunications Services - \$44,970. **See attachment**
- (10) Suwannee River Economic Council – (S.H.I.P.) – Release of Lien Agreement – Evangeline Jackson - \$389.32. **See attachment**
- (11) Suwannee River Economic Council – (S.H.I.P.) – Release of Lien Agreement – Aimee Purvis - \$8,000. **See attachment**
- (12) Suwannee River Economic Council – (S.H.I.P.) – Release of Lien Agreement – Gregory Damron - \$4,000. **See attachment**
- (13) [Clerk's Note: Due to typographical error, there was no item #13]
- (14) 9-1-1 Addressing – Naming of Found Unnamed Roads – SW Lukegret Court, SW Mady Leigh Court – District 2
- (15) Sheriff's Office – Florida Contraband Forfeiture Trust Fund Semi-Annual Report from October 1, 2004 to March 31, 2005
- (16) Proclamation – Declaring Columbia County Public Safety Appreciation Month in Columbia County. **See attachment**
- (17) Resignation of Gayle Cannon (Columbia County Planning and Zoning Board /Board of Adjustment) – Conflict with Florida Commission on Human Relations
- (18) Utility Permit – Alltel Florida, Inc. – SW Healan Court
- (19) Utility Permit – Bell South Telecommunications – County Road 250
- (20) Utility Permit – Bell South Telecommunications – NE Bascom Norris Drive
- (21) Public Library – Long-Range Planning Committee Members
- (22) Purchasing – Top Ranked Firm for the Library Consultant for Long Range Planning - Ruth O'Donnell
- (23) Solid Waste – Change Order – Bid No. 2005-F Dozier Repairs – \$8,028.13
- (24) Purchasing – Interlocal Agreement between Columbia County and Preferred Government Insurance Trust
- (25) Bid Award – Graham and Sons, Inc. – Public Works Generator and Transfer Switch Bid No. 2005-J - \$38,850.00
- (26) Bid Award – Anderson Columbia Company, Inc. – CR 240 from SR 247 to SR 47 Bid No. 2004-09 - \$874,384.34
- (27) Indigent Burial – Mizell's Funeral Home – Miracle Kadesha Mitchell, Deceased - \$500.00
- (28) External Budget Amendment – Public Works – BA# 04-30 – Gas and Oil, Road Materials, Equipment Purchase - \$367,191.84
- (29) Utility Permit – Bell South Telecommunications – NW Moore Farms Road
- (30) Suwannee River Economic Council – (S.H.I.P.) – Release of Lien – Sandra Ellerkamp - \$3,000.00
- (31) Suwannee River Economic Council - (S.H.I.P.) - Release of Lien - Ernest DelGrosso - \$300.

Motion by Commissioner Williams to approve the Consent Agenda with exception to items #26. Second by Commissioner Porter.

There was a call for clarification on items #6, #25, and #28. Mr. Williams assisted with clarification.

The motion carried unanimously.

Regarding item #26. Motion by Commissioner Weaver to approve. Second by Commissioner Skinner. The motion carried 4-0 with Commissioner Williams abstaining from the vote. **See Form 8B attached.**

#### VI. Impact Fees

Due to rapid county growth, the Board will consider the idea of putting into practice the use of **impact fees**. Impact fees would allow the **growth** to pay for itself, and will financially assist with growth in other areas of the county. Mr. Feagle explained there are pending legislative changes relating to impact fees, and that there are certain expenditure restrictions the county must adhere to when dealing with impact fees. An Impact Fee **Workshop** will be scheduled in June 2005. Details will be announced.

#### VII. Construction Debris

Commissioner Skinner asked the Board to consider adopting an ordinance that would prohibit **burial of construction debris** as it is causing some problems for local residents. Mr. Feagle told the Board that there is a **Flow Control Ordinance** in place that may assist with this problem, or that it could possibly be modified to assist with the problem. The Board agreed to consider the matter at a public hearing. Commissioner Skinner asked Ms. Jessica Natale to explain her personal predicament to the Board.

Ms. Natale explained that on March 30, 2005 a large hole opened in her yard in **Laurel Lakes Subdivision**. After being inspected by the Commissioner Skinner and Ronnie McCardle of the Emergency Management Department, it was believed to be a small sinkhole. It was recommended that the loose dirt be dug out and that the hole be filled. She explained a backhoe was brought in to assist, and the removal of the first bit of dirt revealed the hole was very large pit full of construction debris, and was not a sinkhole. Ms. Natale made a visit to the Building Department to inspect the **Building Permit** for her home, but was told there was no permit indexed for her home. According to Ms. Natale, she left and returned with an identifying number from her personal records. After providing this number to Building and Zoning they were eventually able to locate the permit for Ms. Natale's property, but found that the house described in the building permit was not Ms. Natale's home. Instead, it was the home of **County Building Inspector Richard Keen's** wife. The permit also indicated that the home's inspections were carried out by the person she had purchased the home from (Richard Keen). Ms. Natale said there has been problems with the home she purchased from Mr. Keen, such as cracking walls and cracking of the foundation. However, she said that Mr. Keen has made an effort to correct the problems.

County Manager Dale Williams said that he had just learned of Ms. Natale's situation only hours before the meeting and has not yet had an opportunity to investigate. Commissioner Flinn asked that the Sheriff work in conjunction with County Staff to rule out criminal intent. Commissioner Williams suggested staff be allowed to do there investigation first to determine if there was any wrong doing prior to there being an investigation to determine criminal intent. Commissioner Flinn disagreed and stood by her suggestion that the Sheriff assist.

[Clerk's Note: See Item XIV below for additional discussions relating to this issue.]

### VIII. Inmate Workers

The Board considered a proposal submitted by Sheriff Gootee for **inmate work crews**. The crews will be made up of one corrections officer and six minimum custody inmates. The crews will be used for roadside litter pickup and grass mowing. They will also be used to assist public works. The cost for these squads will include transportation, equipment and corrections officer's salaries.

The cost for the squad(s) are:

	Recurring	Non-recurring
One Squad	\$50,740	\$33,246
Two Squads	\$101,480	\$66,492

Motion by Commissioner Williams to support the proposal and enter into an agreement with the Sheriff Department for inmate crews. Second by Commissioner Weaver. The motion carried unanimously.

### IX. Memorial Day Celebration

On behalf of the **North Florida Memorial Day** Committee Judge Douglas requested the commission consider a \$500 contribution to help defray the cost of producing the May 30, 2005 Memorial Day event at the Lake City Community College. The event will feature one of the most decorated fliers of WWII, Joseph Banks, who will speak on the miracle of prayer from his popular book, "A Distant Prayer." With the commissioner's contributions, the event will be free to the public and will feature the Navy Band, Army Quartet, Kylie Williams, and Joseph Banks.

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

### X. Lake City/Columbia County Youth Baseball

There is a need to purchase overhead safety netting for the **Southside Baseball Complex** for the safety of spectators. The cost of the net is \$25,639.57.

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

### XI. HIPAA

Per Federal Law, counties are required to have a **Heath Insurance Portability and Accountability Act Policy** in place. The draft policy was provided to each of the commissioners for their review. The Privacy Office is Lisa Roberts and Todd Manning is the Information Security Officer.

Motion by Commissioner Williams to adopt. Second by Commissioner Skinner. The motion carried unanimously.

### XII. Sheriff's Proposal

The Sheriff believes it will save the county money by having a full time **mechanic** on staff with the Sheriff's Department. The county has two bays not being utilized at the Watertown building that the Sheriff's mechanic could utilize. Mr. Williams said the bays also have left over mechanical equipment that could be used. By canceling

the current contract with the maintenance providers, the department will be able to pay a mechanic's salary. The purchase of the tools is \$23,215. This will be paid from the administrative building budget balance. The Board also considered the Sheriff's proposal to purchase new patrol cars. At the cost of \$225,000 the Sheriff could purchase approximately seven new units, and get back on schedule with the **vehicle rotation**. Motion by Commissioner Williams to accept the Sheriff's proposal. Second by Commissioner Skinner. The motion carried unanimously.

#### XIII. Donny Williams Construction

Mr. Donny Williams requested permission from the Board to leave the two Live Oak Trees in the intersection of **Stonehenge Subdivision** Phase II. The trees are approximately 36" and 48" in diameter and are probably 50-75 years old. The trees add a point of distinction and character to the subdivision that is in line with the Old English Theme reflected in the subdivision name and street names used.

Motion by Commissioner Skinner to approve subject to inspection and approval by Landscape Director Clint Pittman and County Engineer John Colson. Second by Commissioner Porter. The motion carried unanimously.

#### XIV. Public Comment

Mr. Jason Sinor who recently moved to Lake City purchased his home on SW Maple Way in January 2005. He said the home was owned by Mr. **Richard Keen** and was advertised for sale by Mr. Jimmy Johnston of Hometown Homes. Mr. Sinor said he had been experiencing yard depression and erosion, and now with his shed beginning to shift, and a neighbor having a large **construction pit full of debris** open, he began investigating his own property. He learned through the current developer that there is a construction pit at the edge or underneath the large, shifting shed that is valued in excess of \$4,000. This finding prompted Mr. Sinor to visit the **Building Department** where he inspected the **construction permit**. He reported to the Board that he found the person who owned the home had also been the same person who had inspected the home. Mr. Sinor said that he learned through other contractors that the home should have undergone nine to ten **inspections**, but the permit reflects only five inspections were made of the home. He noted the final inspection date on the permit reflected a date "after" he moved in. According to Mr. Sinor, that inspection did not take place. He said that to date he still has not received his Certificate of Occupancy from Building and Zoning.

Commissioner Flinn asked who was at the closing, Mr. Johnston or Mr. Keen. The response was, "It was Mr. Keen."

Ms. Rita Hetrick of Apache Way off of Old Country Club Road told the Board that a home has been built, and is advertised for sale by **Hometown Homes** on a street she believes to be **Hubble Street**. She said that because of the land buildup and the flooding problem she believes the buildup will cause for the neighbors, she went to the Building Department where she learned the home is owned by **Mr. Richard Keen**.

Mr. Billy Carter asked that the culverts be cleaned out on **Lake Jeffrey Road**, and if the County would look into a flooding problem with "a house" on Washington Street. Public Works will be notified regarding the culverts on Lake Jeffrey. Commissioner Williams explained he is working on a solution to the flooding problem

affecting Washington Street, but said litter clogging the inlets is causing the majority of the problems.

Mr. Joel Robinson a resident of the Country Club area said that the County had began **digging a ditch** behind his house to provide **flood relief**, but never finished the job. He asked that the county complete the ditch project so that it would provide his property with relief from standing waters, and so that future rain waters would flow directly into Alligator Lake. He complained that his septic tank has had to be pumped twice since the flood because of the standing water. Former commissioner James Montgomery explained there was never a plan for the ditch to be dug so that flood waters would flow directly into the lake. That would not be legal.

Mr. Tim Murphy an affiliate of Babe Ruth thanked the commissioners for their continued support of the sports park and invited them to visit.

Mr. Hal Williams requested the Board consider paving **Old Wire Road**. He told the Board he had a petition with 190 signatures requesting the road be **paved**. Mr. Williams responded this project would take a huge financial commitment and perhaps a gas tax levy before it would be possible. The paving project would cost at least \$3,000,000.

Sheriff Gootee thanked the Board for their generosity. He also gave a report regarding negligent **ATV use**. Since the last meeting there have been two citations issued, four warnings, one arrest, and fifty contacts made with parents of minor ATV riders.

#### XV. Commissioners

Commissioner Williams reported to the Board that Mr. Darby, a resident of 616 Double Run Road suffered driveway damage that needed to be repaired by the County during the hurricanes, but did not want limerock put in the drive. This was also the case of a Mr. Albritton. Both residents elected to wait for the ground to dry, and then have dirt hauled in. Commissioner Williams requested permission to haul in the dirt. Motion by Commissioner Weaver to approve. Second by Commissioner Skinner. The motion carried unanimously.

Commissioner Flinn requested the month of May be recognized as Public Safety Appreciation Month. **See attached proclamation.**

There being no further business to come before the Board, the meeting adjourned at 8:55 p.m.

ATTEST:

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P. DeWitt Cason  
Clerk of Circuit Court

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Chairwoman Jennifer Flinn  
Board of County Commissioners