

Columbia County
BOARD of COUNTY COMMISSIONERS

The Board of County Commissioners met in a regularly scheduled meeting on **December 06, 2007** in the School Board Administration Building at 7:00 p.m.

Commissioners in Attendance:

Ronald Williams	District 1
Dewey Weaver	District 2
George Skinner	District 3
Stephen Bailey	District 4
Elizabeth Porter	District 5

Others in Attendance:

Dale Williams, County Manager
Marlin Feagle, County Attorney
Sandy Markham, Deputy Clerk
Carolyn Baker, BCC Admin. Secretary

Chairwoman Porter called the meeting to **order**. Commissioner Williams opened with prayer. The Pledge of Allegiance to the Flag of the United States of America followed.

I. The Columbia County Charter requires that the Board hold its **re-organizational meeting** during the first December meeting. Historically, the **vice chair** assumes the position of **chair**.

MOTION by Commissioner Williams to appoint Vice Chairman Weaver to serve as Chairman. Second by Commissioner Skinner. The motion carried unanimously.

Chairwoman Porter turned the gavel over to Commissioner Weaver and thanked everyone for their year of support. Commissioner Weaver thanked Commissioner Porter for her service and presented her with a ceremonial gavel.

MOTION by Commissioner Williams to appoint Commissioner Bailey as **Vice Chairman**. Second by Commissioner Skinner. The motion carried unanimously.

Chairman Weaver asked if there was any commissioner who did not agree with or who would like to change the **Board's meeting time** of 7:00 p.m. or the meeting days of the first and third Thursdays of each month. There was no suggestion to change.

MOTION by Commissioner Porter to remain with the same meeting days and time. Second by Commissioner Bailey. The motion carried unanimously.

II. Mr. Dan Rountree from **Current Problems, Inc.** made a power point presentation discussing Current Problems' mission and past endeavors to protect the Ichetucknee Springs and basin. They expressed thanks to the County for their support over the years. The Board expressed their desire to continue in a positive working relationship.

III. Mr. David Still of the **SUWANNEE RIVER WATER MANAGEMENT DISTRICT** ("SRWMD") introduced two of its board members; Mr. O.J. Lake and Ms. Georgia Jones, and made a presentation on **ICHETUCKNEE SPRINGS**. He stressed that the Ichetucknee is critical to Columbia County, and that the springs are by far the most critical resource SRWMD

will need to manage in our lifetimes. He briefly discussed programs and proposed legislation relating to the springs, and shared with the Board a video of the springs. Included in his presentation was a proposal to create The Ichetucknee Partnership, (voluntary & incentive based initiative) supporting local springhead management. The Commissioners each spoke in favor of the plan. Chairman Weaver offered that help is needed on the local, state and federal level to generate money to help fund this project. All support in the past has been only local. This issue will be placed on January 03, 2008 Board agenda for decision.

IV. Mr. Cecil Shaw, a local RV park owner, on behalf of other RV park owners requested the Board pass an ordinance that would prohibit **OVERNIGHT PARKING OF RV's**. Mr. Shaw pointed out that many of the commercial enterprises and not for profit organizations that are allowing overnight parking is not zoned or licensed to provide this type of parking, and that the State of Florida Department of Health does not inspect the commercial parking lots as they do RV Campgrounds. As a result, many of the RV parks are losing money. Mr. Shaw reminded the Board that RV park owners are required to pay taxes on each parking site. Mr. Shaw clarified that his primary concern is not as much with large trucks as it is with the actual RVs. Chairman Weaver asked for legal opinion from County Attorney Feagle, who noted overnight camping may already be prohibited by the County's Land Development regulations. Attorney Feagle suggested that prior to a decision being made that he be allowed to discuss this issue with County Planner Brian Kepner to determine whether the LDR's have a provision that would prohibit camping in commercial lots. Attorney Feagle noted there is a fine line between camping and parking and that parking will likely be hard to regulate.

Discussion: Commissioner Porter said that she doesn't see how government can regulate what businesses do in their own parking lots. She said that she would not support regulating this activity. Chairman Weaver pointed out Wal-Mart is in the city limits.

Also offering input on the matter was Ms. Carol Maddox, owner of newly opened October Bend RV Park. She said she is regulated by the state and has certain restrictions and requirements that she must abide by in order to have RV parking. She told Commissioner Porter that it is unconstitutional to have requirements (zoning, fees, etc.) applied to their private businesses [RV park owners], but not require another private business allowing overnight camping to have the same rules and regulations apply to them. She concluded regulating laws, fees, and restrictions should be equitably imposed.

The Chair asked Attorney Feagle to report back to the Board.

V. IDA Director Jim Poole, a member of the **MITIGATION COMMITTEE** provided a recommendation from the committee to **purchase 65.8 acres** in the Falling Creek Basin to ensure that any wetlands disturbed by economic development could be replaced with preservation property or through enhancement property. Mr. Poole reported that several tracks of property were considered for the mitigation credit (c/k/a mitigation bank), but the other parcels did not have as much wetlands as the parcel being recommended. As a matter of public information Mr. Poole explained that if any wetlands are disturbed in the development process, the Suwannee River Water Management District or the Department of Environmental Protection, by formula, dictate how much property will be required to be set aside

for replacement mitigation. Generally speaking the credit ratio is 3 to 1 acres. Additional credits can be acquired through property enhancement. Mr. Poole said it would cost approximately \$20,000 to enhance the property for the purpose of gaining credits. He concluded that the committee feels that from a county standpoint that over the next three years the 65.8 acres will be sufficient to meet the needs of the projects in the immediate future.

County Attorney Feagle reviewed the purchase price. Two companies provided appraisals for this track of property; Daryl Hunt's Appraisals (\$7,000 per acre) and Chandler Appraisals (\$6,608 per acre). The landowner, Lake City Development, L.L.C. has agreed to sell the property for \$7,000 per acre. Attorney Feagle advised the Board that state law will allow the County to pay the higher price rather than averaging the two, if they so choose. If paying the higher price is agreeable, the county can move forward with the closing immediately.

MOTION by Commissioner Williams to purchase the 65.8 for \$7,000 per acre. Second by Commissioner Bailey.

Attorney Feagle advised that the county will need to enter into a short-term *Contract for Sale and Purchase* and authorize the chairman to execute contract under the approved terms. Standard closing costs will apply to seller, which will require the seller to pay title insurance and provide documentary stamps (if required). Commissioner Williams agreed and asked that the wording be included in his motion.

MOTION AMENDED by Commissioner Williams to purchase the 65.8 for \$7,000 per acre (Total Price: \$459,800). The county will enter into a short-term *Contract for Sale and Purchase* and authorize the chairman to execute the contract under the approved terms. Standard closing costs will apply to seller, which will require the seller to pay title insurance and provide documentary stamps (if required).

Commissioner Bailey asked if there is money set aside in the budget to make this purchase. County Manager Williams explained that he thinks the intended plan is that currently the SRWMD holds a cash bond that the County posted on the Target project. That cash bond amount is not sufficient to cover the entire purchase price. The County Manager said that initially, the Board's posture would be to acquire the money from the county's General Fund Contingency and then reimburse the contingency with the cash bond refund as soon as the Water Management District releases it.

The motion carried unanimously.

VI. The **FLORIDA CROWN WORKFORCE CONSORTIUM MEMBERS** met regarding the interlocal agreement with **Florida Crown Workforce**. The consortium members agreed to reappoint the existing workforce board members to ensure compliance with the interlocal, and are now completely satisfied with the interlocal.

Mr. John Chastain, Executive Director of Florida Crown Workforce Development Board invited each of the commissioners to take a tour of Florida Crown and learn more about the services it provides for the constituents.

MOTION by Commissioner Bailey to approve the interlocal agreement with Florida Crown Workforce, the Workforce Investment Act, and the applicable resolution. Second by Commissioner Skinner. The motion carried unanimously.

VII. CONSENT AGENDA

- (1) Invoice – GTC Design Group, LLC – Emerald Forest/Calloway S/D – \$4,620.00
- (2) Invoice – Anderson Columbia Company, Inc. – County Road 245 (Olustee Creek Bridge – Emergency Repairs) - \$41,296.20
- (3) Invoice – Nabors, Giblin & Nickerson, P.A. – School Impact Fees – \$6,000.00
- (4) Invoice – Florida Association of Counties Trust - \$10,000.00
- (5) Invoice – Cal-Tech Testing, Inc. – Bascom Norris Bypass Road – \$81,766.25
- (6) Indigent Burial – Combs Funeral Home – Joe Willie Lee, Deceased - \$500.00
- (7) External Budget Amendment – Public Works – BA #07-06 – Equipment Purchases - \$49,499.00
- (8) Special Exception Appeal Fee Refund – Lora Gretchen Haake – \$750.00
- (9) Plaque Approval – Columbia County Fire Department – Station #48
- (10) Memorandum of Understanding – Richardson Gym/Annie Mattox Lease Agreement
- (11) Street Lighting Agreement – Florida Power & Light Company – County Road 252B at SW Whitetail Circle – Deercreek Subdivision
- (12) Public Library – Requesting Wireless Internet – Main, Fort White and West Libraries - \$3,900.00
- (13) Public Library – Additional Hours and New Schedule for West Branch Library
- (14) Special Events Permit – Christmas Parade – Three Rivers Estates Subdivision – December 15, 2007
- (15) 9-1-1 Addressing – Naming of Unnamed Road – NW Spanish Oaks Circle
- (16) 9-1-1 Addressing – Change of Approved Street/Road – NW Spring Hill Court
- (17) Memorandum of Agreement - Florida Department of Transportation - Resurfacing State Road 47/US 441 from State Road 25 to City Limits
- (18) Utility Permit – Comcast Cable – NW Wilks Lane
- (19) Utility Permit – Williams Agricultural Enterprises, LTD. – SW Midtown Place
- (20) Human Resource – Safety Director/Fixed Asset Manager Position Description Revisions
- (21) Columbia County Fire Department – New Job Description Entitled “Shift Commander” and Revised Columbia County Fire Department Pay Grade Schedule Reflecting Appropriate Pay Grade of Shift Commander, Division Chief/Fire Prevention, Assistant Chief and Chief
- (25) Invoice – Darabi and Associates, Inc. – Closed Landfill Inspection - \$1,237.47
- (26) Invoice – Darabi and Associates, Inc. – Closed Landfill Monitoring- \$3,264.33
- (27) Invoice – Darabi and Associates, Inc. – Winfield Landfill Monitoring - \$11,699.12
- (28) Invoice – Anderson Columbia Company, Inc. – Target Retention Pond - \$27,113.94
- (29) Invoice – Donald F. Lee & Associates, Inc. – Engineering Services - \$8,325.00
- (30) Invoice – Donald F. Lee & Associates, Inc. – Waste Water Utilities – \$5,532.50
- (31) Invoice – Donald F. Lee & Associates, Inc. – Price Creek and Clay Hole Branch Drainage Study - \$7,528.00

- (32) Hunter Panels Tax Abatement – Rebate - \$114,412.60
- (33) Suwannee River Economic Council, Inc. – (S.H.I.P.) – Release of Lien – Robert S. Melgaard - \$900.00
- (34) Letter of Agreement – Columbia County/State of Florida, Agency for Health Care Administration - \$18,304.00
- (35) Purchasing – Ellisville Wells Bid - Request Rejecting Current Bids for Project No. 2007-Q – Ellisville Public Supply Water Wells – Reissue Specifications by Engineering Firm
- (36) Purchasing – Lease Space for Office of Criminal Conflict
- (37) Utility Permit – City of Lake City – NW Lake Jeffrey Road
- (38) Resolution – Approving Reimbursement Agreement for Resurfacing of SR 47/US 441 from SR 25 to City Limits
- (39) Purchasing – MOA – Fire Fighter One Course – Columbia County/Lake City Community College - \$9,320.00
- (40) Nabors Giblin & Nickerson, P.A. – Proposal for Legal Services – FY 2008-09 - Annual Fire Protection, Solid Waste and Local Road Improvement Assessment Programs - \$10,000.00 Lump Sum Fee
- (41) Emergency Management – Billboard Contract – Funded from Office Domestic Preparedness Grant 2007-2008 - \$7,599.00
- (42) Property Exchange – Columbia County and Jewell Huchingson Pueschel - Section 4, Township 3 South, Range 16 East, County Road 252 (formerly Pinemount Road) and SW Deputy Jefferson Davis Lane – Containing 0.60 acres, more or less
- (43) Interlocal Agreements – Educational System Impact Fee – Uniform Procedure for the Collection & Disbursement of Fees:
 - (a) Interlocal Agreement between Columbia County, Florida, the School Board of Columbia County & the City of Lake City, Florida
 - (b) Interlocal Agreement between Columbia County, Florida & the School Board of Columbia County, Florida
 - (c) Columbia County – School Board of Columbia County Defense & Indemnification Agreement
- (22) Human Resource - Public Works – Reclassification – Finish Motor Grader Position Revised Pay Grade 110 to Reclassified to Equipment Operator III Pay Grade 109
- (23) County Manager – Request for Annual Leave – December 26, 2007 to December 31, 2007
- (24) Minute Approval – Board of County Commissioners – Regular Meeting – October 18, 2007

MOTION by Commissioner Williams to adopt Consent Agenda. Second by Commissioner Skinner.

Citizen Stewart Lilker asked for clarification on items #6, #22 and #35. County Manager Williams assisted. From questions asked by Mr. Lilker regarding item #6, he learned that no credit check or application process is required. The person requesting assistance is simply required to submit a statement in writing.

The motion carried unanimously.

VIII. The County's efforts to finalize the final phase of the **BASCOM NORRIS BYPASS PROJECT** has had its setbacks. Mr. & Mrs. William Giles originally consented for the county to enter their property for testing and alignment purposes. Once testing began on the property, the desired density was not there, without going to great expense, to support the infrastructure. The county has requested permission to re-enter the property to obtain a new centerline for the final phase, but Mr. & Mrs. Giles is hesitant and has not given the needed consent. Attorney Feagle has advised that the county has the right to seek an order of the court to enter the property. The County Manager explained that realizing there are attorneys involved in the case, and with there not being Board permission to do so, he has avoided conversations with Mr. Giles. Mr. Giles has requested that he be allowed to speak to the County Manager prior to the Board taking any type of legal action. The County Manager said he has known the property owner for many years and has no problem speaking with Mr. Giles on behalf of the County to determine what his issues are, but would not do so without the Board's direction. Any agreement reached with Mr. Giles would be subject to Board approval.

Commissioner Williams feels it would be financially wise to sit down and listen to what Mr. Giles has to say without involving the attorneys at this time.

MOTION by Commissioner Williams, "I move we do so." Second by Commissioner Skinner. The motion carried unanimously.

IX. Commissioner Porter wishes to allocate \$2500 of **DISTRICT 5's SPECIAL PROJECTS FUNDS** to assist with the cost of **Snow Day**. Commissioner Williams advised that he and Commissioner Bailey have agreed that they will each contribute \$1250 their special projects funds to assist with this event (District 1 and District 4).

MOTION to approve by Commissioner Williams. Second by Commissioner Bailey. The motion carried unanimously.

X. Uncertainty relating to the potential financial impact caused by Property Tax Reform caused the county to adopt a *Notice of Intent to Adopt an EMS Tax Assessment*. The primary purpose in adopting this notice was to protect the county's options. While this notice is not binding, it does reserve the right to levy an EMS assessment next year, if the Board chooses to do so. **GOVERNMENT SERVICES GROUP** has submitted a proposal to begin the preliminary work that would be necessary to determine whether an EMS is a tax the Board would want to consider. The cost to do that is \$40,000. The County now has more information than it did to work with. The County Manager said that he does not believe it is worthwhile for the County to invest, only to determine whether an **EMS tax** is something the county may want to pursue. If necessary, the Board has the option of adopting a new *Notice of Intent* next year. Denial of proposal was recommended.

MOTION by Commissioner Williams to accept staff recommendation. Second by Commissioner Skinner. The motion carried unanimously.

XI. The position of **COUNTY EXTENSION DIRECTOR** is vacant. The Chair appointed a committee to interview the two applicants. Appointments: Commissioner Bailey, Citizen Charlie Crawford (Associated with Col. Co. Cattle Assoc.), and Citizen Karl Burkhardt (Master Gardner Program).

MOTION by Commissioner Porter to approve. Second by Commissioner Bailey. The motion carried unanimously.

XII. NON-AGENDA ITEMS

Commissioner Williams requested the board to amend the ordinance dealing with **SPEED BUMPS**. He explained there is a dangerous situation on Eloise Street where speed bumps are needed. The majority of the property on Eloise Street is rental property. As a result, when the ballots are sent out to the addresses on Eloise Street, the renters are not able to vote regarding the speed bumps. All unreturned ballots are considered "no" votes.

MOTION by Commissioner Williams to amend the ordinance that will allow speed bumps to be put into place without a majority vote from property owners. Second by Commissioner Skinner.

Attorney Feagle advised amendments to the ordinance with require the matter be advertised. The matter will need to be taken back up at the January 03, 2007 meeting.

CORRECTED MOTION by Commissioner Williams to authorize Attorney Feagle to advertise for the purpose of amending the ordinance. Second by Commissioner Skinner. The motion carried unanimously.

SENATE BILL 1088 was discussed in the budget workshops and hearings. SB 1088 created a new state agency to handle matters that would formerly be handled by court appointed attorneys. **Attorney Dan Clark** has been appointed over this circuit's **Office of Criminal Conflict**. The County is required to provide space for this office. This was a consent agenda item.

XIII. PUBLIC COMMENT:

Ms. Judy Wyndham: Expressed concern of illegal **euthanization of pets** by **Animal Shelter**. Ms. Windham, a veterinarian technician, said that if this injection is administered improperly the animal suffers a horrible death. She reported that that she has been told by animal shelter employees that all of the employees participate in euthanizing animals. She complained that none of these employees are trained or certified as is required in F.S. 828.058. She told the Board that this is illegal and is a first degree misdemeanor. Ms. Windham advised that she has asked for the police and county assistance, but to no avail. She requested the Board take action immediately to resolve the issue of illegal euthanizations. In addition, she contended citations are being issued improperly. The Commission asked County Manager Williams to look into the matter on their behalf and report.

Mr. Sammy Dunn: Voiced concerns about **gas prices** in Columbia County compared to surrounding counties. Also expressed concern over the costs of indigent care in hospitals and

questioned why the taxpayers fund indigent care when other counties are able to do it differently. Attorney Feagle replied the county has no control over the prices, but that the change must come through consumer advocacy. Commissioner Weaver explained a special act of the legislature requires the taxpayers to pay for indigent care.

Laura Bradford: Reported having trouble locating **county ordinances**. Asked where the county ordinances are housed and how she would go about getting a copy of an **ordinance**. She said the ordinances should be easily accessible to everyone in the county. The County Manager explained the county has to put the **codified ordinances** on the website. He said there is an issue as they have not officially been adopted. The ordinances will be on the web in the future and will be easier to access. Ms. Bradford said that she too has been the victim of the **Animal Shelters** operations/procedures. She told the Board the same complaints have been on-going regarding the Shelter. She said the City and County assists with funding the Shelter and should be able to take action.

Don Bridges: Questioned if the other half of **Brook Loop** was going to be paved in conjunction with Brown Road as was promised. The County Manager responded it was simply an oversight. The county engineers were asked today to generate the cost to pave the road. The County Manager said it makes sense that the small portion of Brook Loop be paved at the same time as Brown Road. The paperwork was in motion to finish the **paving of Brook Loop** as discussed. Mr. Bridges voiced that he personally does not see a need for a retention pond behind his house.

Barbara Lemley: Asked exactly what the problem was in getting the **ordinances online**. She asked if it was possible to put hard copies of the ordinances in the library at least until they can be put on line. She learned the problem is that the ordinances have not been adopted as codified ordinances. The sections dealing the Land Development Regulations and the Comprehensive Plan are not yet complete and hold up the approval process. Once complete and received back from the contractor and approved by the Board, the codified ordinances and will then be placed on the website.

Stew Lilker: Regarding the **ordinance codification process**, he questioned why Volume I, which consists of the ordinances, could not be approved and put on the website since they have been ready for some time. Mr. Feagle explained there was a needed revision to the ordinance relating to the Jail Committee. Attorney Feagle said that he thinks there was a second revision and that the revision has not been sent back to the County from Municipal Code.

Mr. Lilker was uncertain of Commissioner Weaver and Williams' Position on "**pumping or trucking water south**." The response was that the entire Board's opposes bottled water plants drawing water from the Santa Fe River. The Board's position has been made known to the governor, Suwannee River Management District, senators, and other government entities.

Industrial Development Authority disclosure. In order for the IDA Board members to be required to continue filing **financial disclosures** a resolution will be needed. Mr. Lilker asked that the county attorney be directed to draft a resolution to be considered by the Board at the next BCC meeting. Commissioner Skinner stated he feels the IDA members should file financial

disclosures. The Chair asked if the request was being made in the form of a motion. Commissioner Skinner responded, "Yes."

MOTION by Commissioner Skinner to have Attorney Feagle draft a resolution for consideration. The motion died for a lack of a second.

Mr. Lilker asked why it was that Commissioner Bailey could simply "ask" Attorney Feagle to do something, such as attend a Florida Crown meeting and he would do it. Yet, when Commissioner Skinner asks for the Attorney Feagle to do something, he doesn't. It was explained that Commissioner Skinner made his request in the form of a motion. The motion died because the other four commissioners do not support the requirement for filing financial disclosures.

Relating to the **Mitigation Committee** discussed earlier in the meeting, Mr. Lilker asked exactly where on the agenda it indicates the Board was preparing to spend almost \$500,000 of the taxpayer's money. Chairman Weaver responded the Board has the authority to take action on the report. Mr. Lilker asked if the Board thought "the people" should know if the Board plans to spend \$500,000 of their money. The Chair responded that he did not know. Mr. Lilker interjected that the Board decided to take action to spend almost \$500,000 of the taxpayers' money with virtually no discussion. He concluded that the matter was either discussed with the County Manager in his office (one board member at a time), or "you just decided to make it up and throw it on the floor tonight." He asked for someone to explain how the Board action was fair to the public. The Chair responded the Board is entitled to take those actions at a meeting of the Board of County Commissioners. There was a motion, a second and the issue was resolved. Mr. Lilker asked if the people have a right to know beforehand that the Board is preparing to spend \$500,000. Chairman Porter voiced that anything on the agenda is subject to be voted on. The Chair advised Mr. Lilker that he had his answer.

Mr. Lilker said by statute the commissioners have the authority to pass a local ordinance requiring a higher standard of ethics than the state requires. He advised he plans to work on this and present it to the Board. He concluded that the Charter dictates that item on the agenda and its backup material will be posted on the net. He pointed out that Attorney Feagle mentioned that he had just handed out the information regarding the mitigation report at the beginning of the meeting, which is not in compliance with the Charter.

Mr. Ford Brewer: Commented that he supports the Board's prudent decision and wise investment relating to the **mitigation property**.

Arlene Craft: Regarding the **RV parking issue**, she commented that there is no RV Park Organization, and that Mr. Cecil Shaw speaks for himself. She said that she does not have a problem with RVs parking in Wal-Mart and stated the long arm of the government should stay out of things as much as possible. She does not support the ordinance suggested earlier.

Rita Hedrick: Opposes a **RV Parking Ordinance** as most RV's are self-contained units and likely find a safe haven in commercial parking lots. She also commented on the Animal Shelter issue stating she was not aware that such a large number of animals were being euthanized. She

asked the County to find out if there is equipment on hand to check the pets for computerized chips that would identify the pet's owners.

XIV. OTHER:

Commissioner Porter clarified her position on making the IDA members file **financial disclosures**. She agrees the salaries should be made public, but pointed out that there could be many other places from which a person receives income (investments, alimony, rentals, etc.) She said that it is not the business of the people and they have no right to know where a person gets every penny of their money from.

XV. MEETING ADJOURNED

There being no further business to come before the Board, the meeting adjourned at 9:20 p.m.

ATTEST:

P. DeWitt Cason
Clerk of Circuit Court

Board of County Commissioners