

**March 7, 2017**

**JASPER, FLORIDA**

**REGULAR SESSION**

The Board of County Commissioners, Hamilton County, Florida, met in regular session on Tuesday, March 7, 2017 at 9:00 a.m. in the Board Meeting Room, 207 Northeast First Street, Jasper, Florida. Present were Commissioners Robert Brown, Randy Ogburn, Beth Burnam and William Mitchell. Commissioner Josh Smith was absent due to training for Windstream. Also present was County Coordinator Louie Goodin and Attorney Cliff Adams. County Attorney John McCormick was absent due to being sick.

Chairman Randy Ogburn, called the meeting to order, led the Board in prayer and the Pledge of Allegiance.

**CONSENT AGENDA**

- Motion by Commissioner Brown to approve the Consent Agenda. Second was made by Commissioner Burnam, motion carried with a unanimous vote.

**SHIP / CDBG PROGRAM – STATUS REPORT**

Ship Administrator Spencer Nabors gave the Board an update on the current CDBG and Ship projects. Mr. Nabors discussed with the Board the need to change the Purchase Assistance rule in the LHAP.

- Motion by Commissioner Burnam to follow the recommendation of Mr. Nabors, with ITC, and approve the change to the LHAP. Second was made by Commissioner Mitchell, motion carried with a unanimous vote.

Mr. Nabors also presented the Board with a response letter to the information received from DEO and will further discuss the issue with the Board at the next meeting in order to allow legal staff time to review.

## **ROAD PAVING PROJECTS – STATUS REPORT**

Engineer Greg Bailey gave the Board a status report on the current road projects.

**SW 55<sup>TH</sup> DRIVE** – Mr. Bailey advised the Board that he met with Superintendent Mitchell regarding the paving of SW 55<sup>th</sup> Drive and will present the plans for the road at the March 13<sup>th</sup> School Board meeting. Mr. Bailey stated that the location of the right of way will need to be determined.

**SW 107<sup>TH</sup> AVE.** – Mr. Bailey stated that he is preparing the final review for FDOT and will be prepared to bid the project soon.

**SW 79<sup>TH</sup> DRIVE** – Mr. Bailey advised the Board that the surveyor is working on the legal descriptions for the properties that must be obtained for the additional right-of-way.

**LOVES TRAVEL STOP ENTRANCE** – Mr. Bailey advised the Board that the Loves By-pass project is progressing.

**SW 59<sup>TH</sup> DRIVE** – Mr. Bailey advised the Board that the contractor is ready to begin with the installation of the base material for the paving project.

**CR-145 / NW 4<sup>TH</sup> BLVD.** – Mr. Bailey presented the Board with a preliminary realignment for NW 34<sup>th</sup> Ave. and CR-145 and discussed the different options. After reviewing and discussing the options, the Board directed staff to contact the land owner in order to determine their willingness to allow the county to purchase the necessary right of way.

**SE 141<sup>ST</sup> BLVD.** – Mr. Bailey stated that the survey of the road is being prepared.

**SR 6 / CR-751** – Mr. Bailey stated that FDOT has staked the placement of guardrail for the county to be able to construct.

**NW 23<sup>RD</sup> BLVD.** – Commissioner Burnam questioned staff as to whether SVEC has obtained the necessary right of way for the road construction. Mr. Bailey stated that he would contact SVEC in order to determine where they are in the process.

**PUBLIC HEARING – SP 17-01 – TEMPORARY USE PERMIT FOR SPECIAL EVENT FOR FIREWORKS ON OCTOBER 29- NOVEMBER 4, 2017 (SQUIRES)**

Chairman Ogburn recessed the regular Board meeting and called the public hearing (SP 17-01 Squires) to order at 9:25 a.m.

Land Use Administrator Megan Carter explained the action before the Board as an application for a temporary use permit for fireworks by Robin Squires from October 29, 2017 to November 4, 2017. Ms. Carter advised the Board that the permit is the same as in previous years and was recommended for approval by the Planning and Zoning Board.

The following nearby residents spoke in opposition to the Board approving the temporary use permit due to the noise, annoyance to their animals and the disruption to their way of life: Randall Smidt, Marilyn Fenner, Nathaniel Combass, Jan Faulk, Charles Lambert, Willie Bristol, Lynn Pennington, Diane Welms and John Reddy. Several of the residents were also concerned with the length of the permit. James Magrayer discussed with the Board the possibility of placing limitations on the days, time and magnitude of the fireworks.

The applicant Robin Squires was present for the hearing and stated that the event will not be for a week and that the only days fireworks will be shot will be on Friday and Saturday. Mr. Squires also stated that the purpose of the week long permit is the requirement to allow the individuals to locate on the property. Mr. Squires stated that most of the fireworks that will be used can be bought at local fireworks stores and that the event will shut down at 11:00 p.m. on both nights with the bigger bottom shots to be shot prior to 10:00 p.m. Commissioner Mitchell questioned Mr. Squires as to the number and strength of the fireworks being used. Mr. Squires explained that some of the bottom shots are very strong and that the event is a private event but open to the public along the roadway. Commissioner Burnam questioned Mr. Squires as to how the event is structured and whether pyro-techs will be present. Glen Carter questioned Mr. Squires regarding the time frame of the event and the noise. Clay Lambert requested that the Board deny the temporary use permit due to there being no benefit to the county. The Board was also questioned as to whether the Volunteer Fire Departments have to be on stand-by for the event and if so whether they are compensated for their time.

There being no further questions from the Board or public, Chairman Ogburn closed the public hearing and reconvened the regular Board meeting.

- Motion by Commissioner Burnam to deny the temporary use permit (SP 17-01 Squires) due to the opposition of the near-by residents. Chairman Ogburn relinquished the Chair to Vice Chairman Brown in order to second the motion, the motion failed due to a two (2) to two (2) vote. Voting against the motion was Commissioner Mitchell and Commissioner Brown, for the motion was Commissioner Burnam and Commissioner Ogburn.
  
- Motion by Commissioner Mitchell to continue the public hearing until the March 21, 2017 meeting at 6:15 p.m. Second was made by Commissioner Brown, motion carried with a unanimous vote.

### **PROJECT BARK – DISCUSSION**

Attorney Cliff Adams presented the Board with the First Amendment To Purchase and Sale Agreement for the Board to review and stated that the closing date will be March 31, 2017. Mr. Adams explained that there are a number of exceptions in the amendment that are not normal; however, the Board will have to determine whether or not to accept the agreement.

- Motion by Commissioner Burnam to accept the Amendment to the contract and purchase the property from PCS Phosphate. Second was made by Commissioner Mitchell, motion carried with a unanimous vote.

County Coordinator Louie Goodin advised the Board that the off take agreements with Project Bark appear to be more favorable than in the past.

### **HAMILTON COUNTY DEVELOPMENT AUTHORITY – STATUS REPORT**

Economic Development Director Susan Ramsey gave the Board a status report on the current projects. Ms. Ramsey advised the Board that the Interstate Task Force is applying for a grant from DEO in order to develop plans for the Jennings / I-75 Interchange. Ms. Ramsey also talked about having a Health Care round table to discuss the needs for the county. Ms. Ramsey then stated she will be involved in a job fair at NFCC on Friday from 8:00 to 3:00. The

Board also agreed to allow the property that will be purchased from PCS Phosphate to be included in the sites that are being currently marketed by the Development Authority.

Mr. Goodin reminded the Board that the Economic Development Director's position is scheduled to be discussed at the next Board meeting. Ms. Ramsey requested that the Board delay the discussion until the April 4<sup>th</sup> meeting due to her being out of town for the March 21<sup>st</sup> meeting. Mr. Goodin will check with Commissioner Smith and determine the date for the item to be placed on the agenda.

### **HAMILTON COUNTY SCHOOL BOARD 0.25 MILLAGE REFERENDUM**

Attorney Cliff Adams advised the Board that they need to approve the Amended Resolution for the Hamilton County School Board's request for a referendum.

- Motion by Commissioner Mitchell to declare an emergency and approve the Amended Resolution for the Ham. Co. School Board Referendum. Second was made by Commissioner Brown, motion carried with a unanimous vote.

### **OPERATION LIFESAVER**

Pam Allen discussed with the Board the purpose of Operation Lifesaver. Ms. Allen stated that the project is also called Project Leo and places an transmitter on certain individuals with special needs in order to be able to locate them in the event that they were lost ect. Ms. Allen requested that the Board allocate \$2,500.00 for an additional ten (10) transmitters.

- Motion by Commissioner Mitchell to declare an emergency and approve the request for ten (10) transmitters in the amount of \$2,500. Second was made by Commissioner Burnam, motion carried with a unanimous vote.

## **APPROVE BILLS**

- Motion by Commissioner Burnam to approve the bills (vouchers 121883 – 122097 and checks 053775 – 053879). Second was made by Commissioner Brown, motion carried with a unanimous vote.

## **CORRESPONDENCE AND ANNOUNCEMENTS**

- Commissioner Mitchell requested for Mosquito Control and update on technology for the Board room be placed on the agenda for the next meeting.
- County Coordinator Louie Goodin announced that opening day for Little League is set for April 1<sup>st</sup> at 9:00 a.m. and encouraged the Board to attend if possible.
- Commissioner Burnam shared with the Board her concern with Dr. Rana only having office hours in the county for a half a day.
- Commissioner Burnam also advised the Board that she has several interesting ideas for the use of the property at Jennings Bluff.
- Commissioner Brown advised the Board that he has received a letter from Suwannee River Economic Council that this year is Hamilton County's year to not serve on the Council.
- Attorney Cliff Adams discussed briefly with the Board the bill that is working its way through the legislature concerning home rule powers for local government.
- Chairman Ogburn advised the Board that he met with David Still, with PCS Phosphate, regarding the closure of the Gyp Stacks and that PCS has received a two (2) year extension for the dewatering of the stacks.

- Chairman Ogburn also stated that March 30<sup>th</sup> will be the next Technical Working Group meeting. Members of the Board stated that they would be in attendance only for the meeting.

There being no further business before the Board, Chairman Ogburn adjourned the meeting at 11:05 a.m.

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RANDY OGBURN, CHAIRMAN

ATTEST:

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GREG GODWIN, EX-OFFICIO CLERK





