

APRIL 2, 2013

JASPER, FLORIDA

REGULAR SESSION

The Board of County Commissioners, Hamilton County, Florida, met in regular session on Tuesday, April 2, 2013, at 9:00 a.m. in the Board Meeting Room, 207 Northeast First Street, Jasper, Florida. Present were Commissioners Josh Smith, Robert Brown, Randy Ogburn, Beth Burnam and Buster Oxendine, a full Board being present. Also present was County Attorney John McCormick and County Coordinator Danny Johnson.

The meeting was called to order by Chairman Randy Ogburn and led in prayer by John McCormick with the Pledge of Allegiance being led by Chairman Ogburn.

COMMENTS FROM THE PUBLIC

Ship Administrator Spencer Nabors gave the Board a Ship report on the current projects.

William Shaffner discussed with the Board the possibility of abandoning a portion of NW 9th Drive. Mr. Shaffner explained why he would like to see the road closed and Chairman Ogburn explained that the issue needs to be placed on the agenda in order for the proper procedures for a road closure to take place.

ROAD PAVING PROJECTS – STATUS REPORT

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

WHITE SPRINGS STREETS – Mr. Bailey advised the Board that the contractor is finishing the Cauthen project and will then be moving to Kendrick Street. Mr. Bailey also reminded the Board that the amendment for NRCS will need to be approved by the Board.

CR-51 SPEED LIMIT – Mr. Bailey stated that he has completed the speed limit issue for CR-51.

CR-135 – Mr. Bailey stated that the CR-135 paving project will be let for advertising next month. Mr. Bailey also stated that he is still awaiting the permit from the ACOE.

GIBSON PARK BOAT RAMP – Commissioner Oxendine questioned Mr. Bailey as to the construction time frame for the Gibson Park Boat ramp construction. Mr. Bailey stated that the delay is with the FWC, the grant has been awarded, however, no funds have been released as of yet.

2ND PUBLIC HEARING – SE 13-01 – SUWANNEE RIVER VALLEY GOLF & COUNTY CLUB

Chairman Ogburn recessed the regular meeting and called the public hearing (SE 13-01 Suwannee River Valley Golf & Country Club) to order at 9:17 a.m.

Land Use Administrator Megan Carter explained that the action before the Board is to allow the alcohol sales and consumption on the premises. Ms. Carter also advised the Board that the Planning and Zoning Board recommended approval. Commissioner Oxendine questioned staff as to whether this action will meet the setbacks. Ms. Carter stated that due to the fact that the Country Club was in existence prior to the LDR's that it would be grandfathered.

There being no further questions from the Board or public, Chairman Ogburn closed the public hearing and called the regular meeting back to order at 9:21 a.m.

- Motion by Commissioner Oxendine to approve SE 13-01 Suwannee River Valley Golf and Country Club. Second was made by Commissioner Smith, motion carried with a four (4) to one (1) vote. Voting against the motion was Commissioner Ogburn.

USE OF ELECTIONS POLLING PLACE IN WHITE SPRINGS AS FOOD PANTRY

Richard Marshall addressed the Board in order to continue his request for the Board's approval to use the Elections building as the New Hope Food Pantry. Mr. Marshall advised the Board that they have purchased a \$1million dollar general liability policy and provided a copy of the policy to County Attorney John McCormick for review. Mr. Marshall explained the Good Samaritan Act by reading #7 of the act which explains the liability per F.S. 68.136. Chairman Ogburn explained that the Board is still waiting on information from the County's insurance carrier as to whether it is legal for the building to be used as a food pantry. George L. Roberson questioned the Board as to how Mr. Marshall would vacate the building during an election; Chairman Ogburn stated that Mr. Marshall is aware that he would be required to vacate the building during an election.

EARLY VOTING ISSUES – LAURA DEES – SUPERVISOR OF ELECTIONS

Supervisor of Elections Laura Dees presented the Board with email responses and the Florida Statute that governs the early voting process. Ms. Dees explained the procedures and accommodations of how the early voting is set-up in her office. Commissioner Burnam stated that Ms. Dees's response and the information clarifies the legality of the process. George L. Roberson assured the Board that he was not put up to discuss this issue and that his questions were due to the experience that he had while running for office. Mr. Roberson stated that his issue is that when a person comes into the office to vote absentee or early vote that the last person that they see is Ms. Dees as the Supervisor of Election. Mr. Roberson requested that the process be moved out of the office. Chairman Ogburn stated that according to the Florida Statute that the Board cannot dictate that a Constitutional Officer

make changes as long as they are following the Florida Statutes. Mr. Roberson also stated that Ms. Dees should have to follow the same rules that all other candidates have to follow when she herself is a candidate. Ms. Dees then stated that she is the Supervisor of Elections prior to being a candidate. After a lengthy conversation, the Board stated that if Mr. Roberson has further issues with the office, that he should take his issues to the State Division of Elections. Ms. Dees advised Mr. Roberson that she would be willing to assist him in contacting the DOE.

REQUEST FOR IRC FUNDS - JASPER POLICE DEPARTMENT AND FLORIDA HIGHWAY PATROL

SGT. Matthew Morgan, with the City of Jasper Police Department, clarified that in his previous request for IRC funds the number of computers was correct. County Attorney John McCormick presented the Board with several Attorney General Opinions explaining the legal opinion of how the IRC funds are to be expended. After a brief discussion, Mr. McCormick stated that according to his research and legal opinion that the request from the City of Jasper and the Florida Highway Patrol is legal and that the funds can be distributed just as has been the previous practice of the Board. The request from the Jasper Police Department was \$20,717.00 and FHP \$11,000.00. Chairman Ogburn stated that according to the figures that the fund would be close to having the amount needed by the Sheriff and that if there is a shortage the Board would have to make-up the difference.

- Motion by Commissioner Burnam to approve the IRC request as submitted by the Jasper Police Department in the amount of \$20,717.00 and the FHP in the amount of \$11,000.00. Second was made by Commissioner Brown, motion carried with a four (4) to one (1) vote.

CRIMINAL AND CIVIL IMMUNITY OF HAMILTON ECONOMIC DEVELOPMENT PARTNERS – BOB BURTON

Bob Burton addressed the Board and stated that he has emailed information to the Board concerning the State Agencies that are being recruited to make decisions to carry out a Global agenda. Mr. Burton stated that he has a gypsy wagon and that he is still working to solicit petitions. Mr. Burton stated that he would forward the links to his emails that were sent to further explain the information. Mr. Burton then stated that the environment is being devastated by the government due to large multi-national companies.

PCS PHOSPHATE-WHITE SPRINGS – ACCEPTANCE OF RELOCATION OF BLACKSTILL ROAD – MIKE WILLIAMS

Mike Williams, with PCS Phosphate, stated that the guardrail has been installed and that everything has been advertised according to policy for the Blackstill road and is ready for consideration from the Board. Mr. Williams reminded the Board that the road will be placed back in its original place at the end of mining operations by PCS Phosphate.

- Motion by Commissioner Brown to accept the relocation of the Black Still road as

requested by PCS Phosphate. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

CONSENT AGENDA

- Motion by Commissioner Smith to approve the Consent Agenda and to pull Item #1B (3/19/2013 Minutes). Second was made by Commissioner Burnam, motion carried with a unanimous vote.

ECONOMIC DEVELOPMENT REPORTS AND REQUESTS

Economic Development Director Susan Ramsey was not present for the meeting; however, Clerk of Court Greg Godwin advised that according to Ms. Ramsey that the Development Authority will be approving the sign for the Industrial Park at their next meeting. Commissioner Smith stated his concern with the lack of effort on the part of the Development Authority and will make a recommendation to have the County hire their own Economic Development director if something doesn't change. The Board agreed that something needs to be done and will further discuss the issue at a later date.

STATUS OF HOSPITAL PROPERTY / RURAL HEALTH CLINIC

County Engineer Greg Bailey advised the Board that the bids for the asbestos survey have been received. Chairman Ogburn opened the bids and gave them to Mr. Bailey for review. After reviewing the bids Mr. Bailey advised that there were two (2) bids: GLE Associates \$6,985.00 and Skytec \$5,450.00. Mr. Bailey stated that the bids appear to be in order with the exception of an insurance certificate from Skytec. Chairman Ogburn questioned County Attorney John McCormick as to the legality of approving the low bid from Skytec contingent upon them producing a certificate of insurance, Mr. McCormick stated that there was no problem with the Board taking the action.

- Motion by Commissioner Smith to award the asbestos survey bid to Skytec in the amount of \$5,450.00 contingent upon the company producing a certificate of insurance and if no certificate can be produced to proceed with GLE Associates. Second was made by Commissioner Burnam, motion carried with a unanimous vote.

GREENE / GRIMSLEY PROPERTY

The Board discussed the property with staff advising that the survey of the property has been completed. After a brief discussion the Board agreed to do a site visit during the meeting in order to determine which trees to remove from the property. The Board after doing a site visit took the following action:

- Motion by Commissioner Smith to clear the entire lot of all trees. The motion however, died for a lack of a second.
- Motion by Commissioner Smith to relocate two (2) palm trees to the south entrance, leave the cedar tree on the north side of the property and a ten (10) foot buffer of the

reeds in the rear of the property. Second was made by Commissioner Burnam, motion carried with a unanimous vote.

DISASTER HOUSING – ORDINANCE

County Attorney John McCormick requested that the Board allow additional time to prepare the ordinance.

SHELTER FOR RECREATION CENTER

Commissioner Smith presented the Board with a quote from Advantage Steel for the Recreation Center shelter. After a review of the information the Board stated that per the procurement policy that the shelter would have to be bid and the Board would like for the gabled ends to be enclosed.

- Motion by Commissioner Smith to allow for a 32X60 shelter to be bid with Building Official to provide the specifications for the shelter. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

FLORIDA LEADERS ORGANIZED FOR WATER (FLOW)

Chairman Ogburn stated that there is nothing to report at this time regarding FLOW.

STONINGTON INSURANCE COMPANY CASE – STATUS REVIEW

County Attorney John McCormick advised the Board that the insurance company is reconsidering the action at this time and will make a determination within a few days.

PETITION TO CLOSE A PUBLIC ROAD – PINE STREET

Clerk of Court Greg Godwin presented the Board with a petition authorized by Gwen Black to abandon and close Pine Street north of 1st Street and south of 6th Street.

- Motion by Commissioner Brown to allow County Attorney John McCormick to draft a notice and have the Clerk advertise and publish the notice to close Pine Street. Second was made by Commissioner Smith, motion carried with a unanimous vote.

VETERANS MEMORIAL PARK – STATUS REPORT

Veterans Service Officer Clay Lambert gave the Board a status report on the Veteran Memorial Park. Mr. Lambert stated that work is continuing on the entrance way and that brick orders are being accepted. The Board agreed by unanimous consent to allow Mr. Lambert to place the bulk order for bricks in the amount of \$1,650.00. Mr. Lambert also stated that the next committee meeting will be held on April 9th at 12:00 p.m. Mr. Lambert then stated that he has people working on a drawing of the park.

RELOCATION OF “OLD CAMP SCHOOL” – DISCUSSION

Chairman Ogburn explained that the Road Department will need to underbrush the lot prior to being able to relocate the old Camp School. Chairman Ogburn explained for the benefit of the new Commissioners that the moving of the building onto the Library property was in the original agreement with the Camp family.

APPROVE BILLS

- Motion by Commissioner Oxendine to approve the bills (vouchers 094987 – 095008 and checks 041574 – 042048). Second was made by Commissioner Brown, motion carried with a unanimous vote.

FLORIDA BOATING IMPROVEMENT PROGRAM – GIBSON PARK

- Motion by Commissioner Smith to declare an emergency and allow Chairman Ogburn to sign and execute the site dedication for Gibson Park. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

LEAVE PAYOUT

- Motion by Commissioner Burnam to declare an emergency and to approve the leave payout for Brian Hawkins in the amount of \$83.84. Second was made by Commissioner Brown, motion carried with a unanimous vote.

MEETING WITH SHANDS HOSPITAL AND HAMILTON COUNTY HOSPITAL BOARD REGARDING RURAL HEALTH CLINIC

The Board, Hospital Board and Shands met in order to discuss the particulars of the RFP for the Rural Health Clinic. Shands CEO Richard Huth was present to answer questions from both Boards. After a lengthy discussion of the RFP, both Boards’ requested that Shands prepare new figures for the new items discussed and forward to the Boards’ as soon as possible.

CORRESPONDENCE AND ANNOUNCEMENTS

- Betty Lawrence, the Executive Director of the Suwannee River Regional Library, thanked the Board for the staff raises and all of the support that the county has given to the library system. Ms. Lawrence advised the Board that the foot traffic in the new White Springs Library has doubled and that everything is working great and that she is now working on upgrades to the Jennings Library. Commissioner Smith

questioned staff and Ms. Lawrence about the downspout from the roof being over the sidewalk. After a discussion of the downspout the Board agreed for Building Official John Auer to take a look at the issue and make a recommendation to the Board. Ms. Lawrence then thanked the Maintenance Department for their work on the White Springs Library.

- County Coordinator Danny Johnson advised the Board that Custodial employee Renee Romine passed away and that her position is being advertised in house.
- Mr. Johnson advised the Board that the SRWMD grant will be awarded to the county for the modifications to the Water and Sewer plant in the amount of \$42,000.
- Mr. Johnson announced that on Thursday, April 4th Commissioner Burnam and Brown will be attending the FAC Conference and that staff and Chairman Ogburn will be attending on Friday.
- Commissioner Smith questioned staff as to the temporary stoppage of the water at SR-6 / I-75 interchange. Engineer Greg Bailey explained that the issue was due to issues at the Water Plant and that everything is back to normal.
- The Board discussed the accusation that was forwarded to the Board by Bob Burton about FWC arrests and stated that there were no specific targeted arrests by FWC but did arrest an individual on a felony warrant.
- Commissioner Smith requested that the Board consider making an application to the Development Authority for an indoor bathing facility. After a brief discussion, Commissioner Smith stated that he would bring the specs to for the Board to review at the next meeting.
- Commissioner Burnam advised the Board that she has received several complaints regarding the speed limit on NW 16th Ave. and requested that the Board allow engineer Greg Bailey to do a speed study and report back to the Board. The Board agreed by unanimous consent.
- Commissioner Burnam advised the Board that another county has withdrawn from the North Florida Broad Band Authority.
- Commissioner Burnam also discussed with the Board an issue with a dead pine tree that is just off of the county right-of-way and needs to be taken down; however, the Board stated that if the tree is not on the county right-of-way that the county will not be able to remove the tree.

- Commissioner Oxendine discussed an issue with the LDR's about allowing power to property. Commissioner Oxendine stated that currently under the LDR's an individual must have a well and septic system in order to get power. After a lengthy discussion, the Board directed County Attorney John McCormick to pull the current ordinance and LDR's and place the item on the agenda for the next Board meeting.

At 12:07 p.m. Chairman Ogburn relinquished the Chair to Vice-Chairman Oxendine due to having to leave the meeting.

- County Attorney John McCormick presented the Board with several different Attorney General Opinions to back-up the legal opinion that he rendered regarding the IRC fund expenditures.
- George L. Roberson requested that the Board resend the resolution regarding the cancer information to the legislature representatives and congressional representatives. The Board directed County Coordinator Danny Johnson to forward the information.
- Mr. Roberson also stated that the Board needs to be careful allowing individuals with small acreage to have power for animals due to most not taking adequate care of them.

There being no further business before the Board, the Vice Chairman Oxendine adjourned the meeting at 12:55 p.m.

RANDY OGBURN, CHAIRMAN

ATTEST:

GREG GODWIN, EX-OFFICIO CLERK

