

**November 4, 2014**

**JASPER, FLORIDA**

**REGULAR SESSION**

The Board of County Commissioners, Hamilton County, Florida, met in regular session on Tuesday, November 4, 2014, at 9:00 a.m. in the Board Meeting Room, 207 Northeast First Street, Jasper, Florida. Present were Commissioners Robert Brown, Randy Ogburn, Josh Smith, Beth Burnam and Buster Oxendine, a full Board being present. Also present was County Attorney John McCormick, Attorney Cliff Adams and County Coordinator Louie Goodin.

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

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**CONSENT AGENDA**

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

**HAMILTON COUNTY DEVELOPMENT AUTHORITY – STATUS REPORT**

There was no one present from the Development Authority.

**VETERANS MEMORAIL PARK – STATUS REPORT**

Veterans Service Officer Clay Lambert gave the Board a status report regarding the Veterans Memorial Park. Mr. Lambert stated that the first round of landscaping is complete and that there will be additional landscaping taking place on November 24<sup>th</sup>. Mr. Lambert reminded the Board that the ribbon

cutting will be at 10:30 a.m. on November 11<sup>th</sup> with the Veterans Day Ceremony starting at 11:00 a.m. Mr. Lambert also advised the Board that the Pavilion construction project has been let for bids and that he will have approximately \$47,000 to begin the project. Mr. Lambert then discussed the possible purchase of specific benches with small name plates attached recognizing those that have contributed to the park. The Board cautioned Mr. Lambert about the benches due to some possibly not being able to afford to participate.

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

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

**CR-135** – Mr. Bailey presented the Board with an undated construction schedule for the Hunter Creek Bridge. Mr. Bailey then stated that according to the new schedule that the construction should be completed around the middle of December. Commissioner Ogburn questioned Jordan Green, with FDOT, as to whether the delays is standard with the industry to which he stated that there are normally significant delays in bridge construction.

**CR-143** – Mr. Bailey stated that he contacted Reams in Valdosta upon the request of the Board for additional bidders for asphalt projects and they are not FDOT certified and wouldn't be able to work in the State of Florida.

**GIBSON PARK RENOVATIONS** – Mr. Bailey presented the Board with an overall site plan for the Gibson Park Improvements and advised the Board that there is now a provision for a handicap parking area and ramp access. The Board agreed by unanimous consent to the change. Mr. Bailey then gave the Board an update on the construction. Mr. Bailey also presented the Board with a survey showing the county boundary and the property owned by Attorney Cliff Adams. The Board directed County Attorney John McCormick to prepare the necessary documentation regarding the property. The Board also agreed by unanimous consent to proceed with clearing the debris along the property line in order to construct a board fence.

**NW 23<sup>RD</sup> BLVD FDOT CONTRACT** – Chairman Smith read the resolution for the NW 23<sup>rd</sup> Blvd contract agreement between the Board and FDOT.

- Motion by Commissioner Burnam to accept and execute the contract with FDOT for NW 23<sup>rd</sup> Blvd. Second was made by Commissioner Ogburn, motion carried with a unanimous vote.
  
- Motion by Commissioner Burnam to approve the resolution for the contract as previously stated. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

### **FDOT FIVE YEAR TRANSPORTATION PLAN REVIEW – JORDAN GREEN AND BILL HENDERSON**

Jordan Green, with FDOT, presented the Board with the updated five (5) year transportation plan for review and also advised the Board of the public hearing scheduled for Tuesday, December 9<sup>th</sup> from 2:00 p.m. – 6:00 p.m. in Lake City. Mr. Green reviewed the 5 year transportation plan with the Board and also discussed the new SCOP projects for Municipalities. Mr. Green also presented the Board with an overview of the Freight and Logistics for Hamilton County as computed by FDOT.

### **SHIP / CDBG PROGRAM – STATUS REPORT**

Ship Administrator Spencer Nabors presented the Board with a status report on the Ship program. Mr. Nabors also advised the Board that the 2013 CDBG site visit has been scheduled for November 6<sup>th</sup> at 9:00 a.m.

### **RESOLUTION – ESTABLISHMENT OF THE WATER TRAILS**

County Attorney John McCormick presented the Board with a draft Resolution for the establishment of water trails along the Alapaha River. Mr. McCormick read the resolution for the benefit of the Board and public. Chris Mericle was present and stated that his intent is for the promotion of transportation on the waterways. Mr. McCormick stated that he hasn't received a petition or application for the resolution. After a brief discussion, the Board agreed to continue the Resolution in order to allow the Board the opportunity to review.

## PCS ANNUAL REVIEW, 2013 ANNUAL REPORT AND 2014 ESTIMATES

Special Counsel Scott Shirley discussed the 2013 PCS Annual report and 2014 estimates with the Board. Mr. Shirley discussed with the Board his concern about the gap in the percent of reclamation based on the number of acres mined being about even rather than more acres being reclaimed than mined. Mr. Shirley stated that PCS is currently moving to a three (3) dragline format and has stated that the life of the mine is now fifteen (15) years. Mr. Shirley discussed at length the financial responsibility of PCS to provide adequate funds to ensure that the reclamation of the entire mined area takes place even after the mining subsides. Mr. Shirley also discussed the need for the Board to consider revising the fee structure for reclamation and to continue to discuss a guarantee from PCS Phosphate for their financial responsibility for the reclamation. Mr. Shirley then discussed the need to also revise the Mining Code in order to update the financial assurance fees by establishing a true cost estimate and to also work on reducing the amount of Clay Sediment areas over the life of the mine. Commissioner Ogburn suggested that the Board consider the recommendations as suggested by Mr. Shirley and hold a workshop to further discuss the issues. Mr. Shirley then stated that the first step should be to amend the Mining Plan and then to suggest changes to the Master Mining Plan. Mr. Shirley advised the Board that he and Greg Hitz will be meeting with FDEP on Thursday to further discuss the Clay Sediment areas. Mike Williams, with PCS Phosphate, talked with the Board about the Annual Report and the need for PCS to have legal counsel present for the next Technical Working Group meeting. Mr. Williams assured the Board that PCS is working to reduce the amount of acreage for Clay Sediment Areas. Mr. Williams stated that he felt that the comments by Mr. Shirley were supposed to be only about the Annual Report and that if he had known that all of the discussion was going to be about the issues discussed he would have had legal counsel present for the discussion. Mr. Shirley and the Board clarified their comments and stated that they in no way were speaking negatively about PCS Phosphate and that the discussion was primarily to protect the county in the future. Mr. Shirley then recommended that the Board approve the 2013 Annual Report and 2014 Estimates.

- Motion by Commissioner Ogburn to approve the 2013 PCS Phosphate Annual Report and 2014 Estimates as recommended by Special Counsel Scott Shirley. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

## **NW 23<sup>RD</sup> BLVD DEED ACCEPTANCE**

Attorney Cliff Adams presented the Board with deeds from the following: Madison Radiology, Eula Wright Heirs, Rosa Dorman Heirs and Viola Rayam for approval by the Board.

- Motion by Commissioner Burnam to execute and accept the deeds previously mentioned by Attorney Adams for the NW 23<sup>rd</sup> Blvd. right-of-way. Second was made by Commissioner Brown, motion carried with a unanimous vote.

## **SHERIFF HARRELL REID – REQUEST FOR ADDITIONAL FUNDING**

Sheriff Reid addressed the Board and requested to be able to utilize all or a portion of the \$91,000 returned to the Board. Sheriff Reid stated that he needs the funds for overtime and capital outlay.

- Motion by Commissioner Oxendine to declare an emergency and allow the Sheriff's Department to utilize \$60,000 of the revenue. Second was made by Commissioner Brown, motion carried with a unanimous vote.

## **JENNINGS BLUFF PROPERTY**

County Attorney John McCormick explained that he has received a deed from SRWMD that was previously used in Gilchrist County; however, he will need time to make the necessary changes to the deed.

## **AMENDMENT TO LEASE AGREEMENT FOR “AT HOME” PROJECT AT COURTHOUSE ANNEX**

Mr. McCormick presented the Board with the amended lease agreement for the “At Home” project.

- Motion by Commissioner Oxendine to approve the amended lease agreement for Project “At Home” as presented by County Attorney John McCormick. Second was made by Commissioner Burnam, motion carried with a unanimous vote.

## **EMERGENCY MEDICAL SERVICES LOCATION – DISCUSSION**

Chairman Smith announced that this item will be removed from the agenda until a later date.

## **TECHNOLOGY QUOTES FOR BOARD ROOM – DISCUSSION**

Clerk of Court Greg Godwin requested that this item be tabled until the next meeting due a slight change in the specifications of the design of the technology. The Board agreed by unanimous consent.

## **PROJECT BARK – ECONOMIC DEVELOPMENT AGREEMENT AND OTHER RELATED AGREEMENTS**

County Coordinator Louie Goodin recommended that the Board approve the formal task order by NFPS for the Geotechnical Survey and compaction test for the Project Bark property.

- Motion by Commissioner Burnam to approve the formal task order by NFPS for the Geotechnical Survey and Compaction test for the Project Bark property. Second was made by Commissioner Ogburn, motion carried with a unanimous vote.

Mr. Goodin then discussed the need to have an Economic Development Agreement drafted. Mr. McCormick informed the Board that he has discussed the need for the agreement with William Graham, with Carr Allison P.A., and that he will charge \$250 per hour for an attorney and \$95 per hour for a Paralegal assistant. Mr. McCormick stated that those charges are in line and the Board agreed to proceed. Commissioner Oxendine requested that the Board request that the Development Authority participate in the process.

- Motion by Commissioner Ogburn to allow staff to proceed with the development of the Economic Development Agreement and to request that the Development Authority participate in the process. Second was made by Commissioner Oxendine, motion carried with a unanimous vote.

## **DISCUSSION OF REDISTRICTING**

County Attorney John McCormick presented the Board with an evaluation of proposed option C as determined by Dr. Pennock. Mr. McCormick reviewed the information with the Board and recommended that the Board allow Dr. Pennock to balance out the districts and then review the information. The Board agreed by unanimous consent.

## **APPROVE BILLS**

- Motion by Commissioner Oxendine to approve the bills (vouchers 105113 – 105315 and checks 047074 – 047180). Second was made by Commissioner Ogburn, motion carried with a unanimous vote.

## **CORRESPONDENCE AND ANNOUNCEMENTS**

- County Coordinator Louie Goodin advised the Board that the North Florida Broad Band is in economic distress and doesn't appear to be able to continue.
- Mr. Goodin advised the Board that the School District has requested two (2) loads of dirt for North Hamilton, the Board agreed by unanimous consent.
- Mr. Goodin reminded the Board about their Ethic's Training that will be due prior to December 31<sup>st</sup>.
- Mr. Goodin announced that staff will be meeting with a representative from the Hospital Board and Shands to review the 2<sup>nd</sup> and 2<sup>rd</sup> quarter financials on Friday, November 7<sup>th</sup> at 1:30 p.m.
- Commissioner Ogburn shared with the Board a letter from the Board of Trustees for the Swift Creek Historical Church and Cemetery requesting that the Board assist by requesting that the DOC assist the Board of Trustees with a metal roof. Commissioner Ogburn recommended that the Board direct staff to request that the DOC build the panels. The Board agreed by unanimous consent; however, Commissioner Oxendine stated that he was concerned about other similar organizations making the same request.

- Commissioner Oxendine advised the Board that he filed a complaint regarding the Goat Plant due to the carcasses not being properly disposed of. Commissioner Oxendine stated that the Department of Health will review their permit and have meeting with staff and others to verify their permit requirements.
- Chairman Smith discussed with the Board the Inter-Local Agreement between the Board and School Board for the Fire Training Site to be located on the old High School baseball field. According to Chairman Smith there are issues with the School Board Attorney and the Board agreed to allow Mr. McCormick to take care of the issue.

There being no further business before the Board, the Chairman adjourned the meeting at 12:46 p.m.

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JOSH SMITH, CHAIRMAN

ATTEST:

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GREG GODWIN, EX-OFFICIO CLERK