

Columbia County Board of County
Minutes of
February 05, 2009

The Columbia County Board of County Commissioners met in a regularly scheduled meeting at the School Board Administration Office. The meeting opened at 7:00 p.m.

Commissioners in Attendance: Dewey Weaver, Stephen Bailey, Ronald Williams, Scarlet Frisina, and Jody Dupree.

Others in Attendance: County Manager Dale Williams, Attorney Marlin Feagle, Deputy Clerk Sandy Markham, County Planner Brian Kepner and Asst. County Manager Lisa Roberts.

The meeting came to order with prayer by Commissioner Weaver. The Pledge of Allegiance to the Flag of the United States of America was led by the Florida 4-H Youth Development Program.

Proclamation 2009P-3 - Anniversary of 100 Years.

MOTION by Commissioner Weaver to approve Proclamation 2009P-3 relating to Florida 4-H. Second by Commissioner Frisina. The motion carried unanimously.

Chairman Bailey summarized the proclamation, and thanked the children, parents and 4H workers for their time and commitment to the organization.

Crosswinds Stormwater Pond

Attorney Feagle explained that Crosswinds Subdivision was developed with several ponds. The adjoining commercial property is owned by the same developer. There is one pond, Pond "D," that is located on the eastern end of the property and extends onto the adjoining commercial property. The developer has now sold the parcel surrounding the pond to a commercial developer. The new owner of the commercial property is interested in reconfiguring the pond so that there will be more commercial road frontage to their piece of property. The Board considered an agreement whereby Lake City Truck Parts would take over the operation and maintenance of this pond. The County Engineer has no problem with this agreement being approved. The agreement will relieve the county of maintenance obligations as it relates to this particular retention area.

MOTION by Commissioner Dupree to approve the agreement which will allow Lake City Truck Parts to reconfigure the retention pond at their expense. This will be contingent upon the Board closing this at the public hearing (next item), and contingent upon the developer following through with all terms of the agreement including, but not limited to maintenance of the pond and obtaining required permitting. Second by Commissioner Weaver. The motion carried unanimously.

Crosswinds Stormwater Modification of Subdivision Plat

Because this easement is dedicated to the public, a public hearing is required before the easement may be closed.

The public hearing opened. Citizen Warren Dunsmark asked if there would be any changes in the pond's holding capacity when the pond is relocated. Attorney Feagle answered that it would at least have the same holding capacity and possibly a greater capacity. The pond's design will have to be approved by the SRWM District. The public hearing closed.

MOTION by Commissioner Dupree to approve Resolution 2009R-3. Second by Commissioner Frisina. The motion carried unanimously.

Clinton Randolph, PMD – Liberty Ambulance

Mr. Randolph advised the Board office, via telephone, that he had a family emergency and would not be in attendance to address the Certificate of Public Convenience and Necessity (COPCN). Mr. Randolph asked that this item be placed on the March 19, 2009 agenda.

Consent Agenda

MOTION by Commissioner Weaver to approve Consent Agenda unless there are items to be pulled. Second by Commissioner Dupree.

The County Manager asked the Board to consider pulling items #14 and #21 and placing them on the next meeting agenda.

The Chairman asked Commissioner Weaver if he would like his motion to reflect that the two items be pulled. The commissioner replied “yes”.

Commissioner Williams said that he’d first like an explanation as to why items #14 and #21 should be removed.

County Manager Williams explained that there are Board members who feel both of the items should be considered separately, because the two items may result in continuing funding, and because of the uncertainties with the funding of the Ellisville Project.

Additionally, pertaining to item #21, the County Manager said that information has been requested pertaining to a salary survey and the summer program, and there is also an accusation relating to violating the sunshine law that still needs addressing. The County Manager said that there is no problem with addressing these matters, but he simply has not had an opportunity to respond.

Commissioner Williams said that item #21 is a funded, line item project. He reminded the Board that this money was funded in last year’s budget. He didn’t agree with analyzing and picking apart one approve budget at the last hour, without going back and doing the same for all budgets.

Chairman Weaver requested the Board act on his motion to approve the Consent Agenda with the exception of items #14 and #21.

There was a call for clarification on items #5, #9, and #19. The County Manager assisted with clarification.

The motion carried unanimously.

Commissioner Williams asked for and clarification of the motion was given.

Commissioner Williams said that if the motion included the removal of items #14 and #21, that he wanted to change his vote to be in opposition. Attorney Feagle explained that it would be acceptable to let the record reflect Commissioner Williams’ intent would be to vote against the motion after having received clarification. Attorney Feagle advised the Board that they could offer a motion to discuss the two items separately at a later date, or in the current meeting.

MOTION by Commissioner Dupree to table items #14 and #21 until the next meeting. Second by Commissioner Frisina. The motion carried 3-2. Commissioner Williams and Commissioner Dupree voted against the motion.

- (1) Resolution - Renewal of Certificate of Public Convenience and Necessity - Century Ambulance Service, Inc.
- (2) Indigent Burial - Combs Funeral Home - Erna Maudree Laster, Deceased - \$500.00

- (3) External Budget Amendment - Purchasing - #BA 08-07 Document
Camera and Projector Cart - Board of County
Commissioners Meetings - \$2,368.00
- (4) Columbia County Emergency Medical Services - Refund Request Humana
- \$337.40
- (5) Columbia County Emergency Medical Services - Refund Request Blue
Cross and Blue Shield - \$70.00
- (6) Columbia County Health Department - Activities and Expenditures
Report - Period Ending 12/31/08
- (7) Renewal of Roadside Memorial Marker - Zoltan Steve Szabo,
Deceased - Sister Welcome Road
- (8) Purchasing - Emergency Management RFP - Emergency Management
Homeland Security Planning and Training Project - Negotiate
Separate Contracts with Two (2) Firms to complete various
portions of the Required Elements
- (9) Bid Award - Lake City Management Group - Softball Parking
Landscape Islands - Bid No. 2009-C - \$15,810.36 (low bid)
- (10) Purchasing - Bid Award to HD Supply Waterworks for Landfill
Soil Tight Pipe, Would not Honor his Bid - Request to Award to
Next Low Bidder, Advanced Drainage System - \$11,178.00 Recommend
the Board Disqualify HD Supply Waterworks from
Bidding on *County* Projects for a Period of Four Years
- (11) Columbia *County* Industrial Development Authority - Mayo
Fertilizer - Tax Rebate - \$16,513.30
- (12) Suwannee River Economic Council, Inc. - (S.H.I.P.) - Release of
Lien Agreement - *Cathy* Donaldson - \$6,000.00
- (13) Suwannee River Economic Council, Inc. - (S.H.I.P.) - Release of
Lien Agreement - S.H.I.P. Emergency Repair - Jobie Wright \$
717.94
- (14) Lake *City* Animal Shelter - Vehicle Replacement Assistance FY
07-08 Fund Balance - \$25,000.00
- (15) Emergency Management - Federally-Funded Subgrant Agreement \$
27,000.00
- (16) Utility Permit - AT&T (fka: BellSouth Telecommunications) - *County*
Road 100A
- (17) Utility Permit - BellSouth Telecommunications - NW Falling Creek
Road
- (18) Utility Permit - BellSouth Telecommunications - *County* Road 252
- (19) Utility Permit - Windstream Florida, Inc. - Elim Church Road
(*County* Road 238)
- (20) Utility Permit - *City* of Lake *City* Natural Gas - SW Forest Lawn
Way
- (23) Letter of Support - Suwannee River Water Management District's
Fiscal Year 2010 Civilian Appropriations Request for the Heartland
Springs Protection Initiatives - Federal Grant Application
- (24) Columbia County Emergency Medical Services - Refund Request Blue
Cross and Blue Shield - \$1*n*. 76

(25) Waste Pro Consumer Price Index (CPI) Increase - New Rate \$11 .64 effective October 1, 2008

Ellisville Utility Discussion

Two Board meetings ago the Board conducted conversations concerning the Ellisville Utility Project (“EUP”). A sanitary system is proposed for the future for the EUP, but currently, the project is a water utility only. A sanitary system is proposed for the future.

The County Manager offered a power point presentation that provided a brief history of the Ellisville Project, and the need for a utility project at the Ellisville exchange. He spoke specifically about the environmental issues in that area pertaining to coliform and e coli bacteria, chemical contamination, and the economic opportunities in the area that simply could not be met due to the lack of utilities. In addition to the environmental issues, the Board determined this was an underdeveloped interchange, there were no transportation concurrency issues related to the county’s land development regulations and comprehensive plan, and a rural area of critical economic concern site was being considered for the area. Initially, there were discussions of a truck stop, hotel, a truck dealership and a franchise restaurant going into the area. On that basis, and based on the issues addressed by Mark Landers of the Columbia County Health Department in a letter dated January 2006, the Board made a decision to proceed with a water facility plan that would provide water in Ellisville. Eutaw Utilities was hired to assist with this effort and a plan was presented.

Eutaw Utility’s original proposal would provide water for nineteen (19) businesses, ten (10) homes, and would cost just over \$2,000,000. At that time, the cost pro forma was based on an annual growth rate in the county of 7.5% per year. A 5% connection fee increase annually was proposed. The Board authorized work to begin.

Since that time, the Board has asked for different water distribution scenarios that could be considered. The County Manager said that ten (10) have been identified. He reviewed the scenarios. **Scenarios attached to the original minutes.** Scenario #1 is the original facility plans distribution route. At the bottom of each of the scenarios/maps there are two sets of cost estimates; one is Eutaw’s and the other is the county’s estimate. The amount reflected is not the total project cost, but is for the distribution only. In addition to that will be the cost for production/supply, administration (legal, engineering, surveys), etc. The costs are only estimates and are based on a 20 year state revolving loan fund amortization. The presentation is attached to the original minutes and can also be found on the county’s website.

The County Manager said that the Board needs to make decisions on the following: The scenario it will use for the Ellisville Utility. Assuming a scenario is selected, a re-affirmation is needed relating to impact fees and mandatory connection fees. The Board also needs to decide what to do with the bids that have been received, catalogued and opened for distribution lines. Also, as was discussed at a previous meeting, there is a change order that has been submitted by Hughes Well Drilling (\$375,205.07) that needs action. Finally, the Board needs to make a decision on bringing in three phase power to the site at a cost of \$97,775.

Citizen Stewart Lilker asked which of the scenarios, if any have, have an accessibility fee included. The County Manager replied that none of the county proposals have an accessibility fee. Mr. Lilker voiced that he would be opposed to future scenarios that included accessibility fees as they would be very unfair for this area.

Each of the commissioner voiced that they understood the need for water and sewer in the Ellisville area. However, they were not completely unified on a scenario, connection fees, etc.

Commissioner Bailey will not support an accessibility fee, but does support mandatory hookup for everyone. Commissioner Bailey said that those newcomers who go into the area after

the distribution lines are put down should be required to pay the hookup fees. Already established residences, if forced to hook onto the system, should not be expected to pay the connection fees. He said the primary purpose in creating utilities is to service commercial businesses at the interchange and the focus should be on business and growth at the interchange. He said that developing the utility at Ellisville will help the county to “shine,” and will give the county a marketing tool for bringing in new businesses.

Commissioner Weaver responded to Commissioner Bailey’s comments. He agreed that a few years back the county made a decision to build the utility and could afford to do so at that time based on the economy. Commissioner Weaver said there was certain criteria used in the beginning that does not apply today, because the economic conditions are now much different than what they were when the project originally began. He told Commissioner Bailey that when original decisions were being made that the county was experiencing positive growth and was experiencing a steady revenue growth, which made it very easy for the Board to approve moving forward. Commissioner Weaver stressed to Commissioner Bailey that conditions are different today. Ellisville no longer has the industrial development site, nor the 7.5 percent growth, or the rural area of critical economic concern, etc. Commissioner Weaver said that based on the original factors, the original plan was that the utility would be self-supporting in approximately seven (7) years. As it is now, not only will the project not be self supporting, but would have to be subsidized by the county residents \$400,000 - \$450,000 per year. He also reminded Commissioner Bailey that the Board is being forced to cut over \$2,000,000 from the upcoming budget, because there is no new money coming in. If this is approved, another \$450,000 will have to be trimmed from another area of the budget to fund this project. Commissioner Weaver said trim would have to come from some services such as senior services, all youth activities, and Alligator Lake Park. He said but even cutting these three would not be a big enough cut to come up with the \$450,000. He said if the project moves forward, it may become necessary to trim the fire budget and other budgets in order to afford this project. Commissioner Weaver asked Commissioner Bailey if he had any ideas on how the county could afford this project, especially considering the fact that the county already has to try to figure a way to trim \$2,000,000 from next year’s budget, without having to tack on another \$450,000 per year [at this time]. He reiterated that the money will have to be cut from somewhere as there is no new money coming in.

Commissioner Bailey said that the question was not easy to answer on the “spot.” Commissioner Bailey said that he believe the old adage “*Build it and they will come,*” and that the utility will give the county a marketing tool to try to lure in businesses. He mentioned that there was a business lost to Georgia and one of the reasons was that they needed a commitment regarding the water. He said that the county made a commitment several years ago to do the project, and he feels the county should proceed.

Commissioner Weaver said that while he understands the need for the project and supports the project fully, that he personally believes that it would be very irresponsible for the county to move forward with this project in such tough economic times knowing in advance that the project is not affordable at this time. He said that it would not cost anything to place the project on hold until the county could afford it or until the project could more closely pay for itself. Commissioner Weaver said that he would not want to be remembered as one of the commissioners who voted to approve an unaffordable project that bankrupted the county. Commissioner Weaver said that it is very clear when looking at the budget, the county absolutely cannot afford to move forward with the project at this time.

Commissioner Dupree said that he agreed with everything Commissioner Weaver said. Commissioner Dupree said that the original plan does not encompass the entire service area being proposed. That leaves a problem in that the county will be limited as to “what you can put on that

line” and the fact that the line doesn’t “loop up.” He said you have to figure that you will eventually end up with a service area similar to scenario 6, 8 or 10 in order to achieve the desired commercial development. Commissioner Dupree said that when considering the numbers provided by the Property Appraiser and the Building and Zoning Department’s that there has been approximately 1 – 1.5% growth per year in the area for the past six years in the proposed service area. Commissioner Dupree said that he done a cost pro forma using the same facts as the county, but he figured it without adding mandatory tap fees and availability fees. He considered that water revenues and operating expenses would “wash”. Using scenario #6 as an example, when factoring in the cost of the well, distribution costs, and the current customer base with a 4% per year increase, Commissioner Dupree said he personally calculates the cost to be around \$4,300,000. He said not figured into the other pro forma’s is the cost for maintaining the lines and well plant operations. Maintenance costs of \$144,000 per year, reinvestment/depreciation \$32,339 per year, and the debt service and future expansion costs must be tallied into the figures. Commissioner Dupree calculated the debt service over 20 year term would be over \$5,500,000. The total cost to the county over a 20 year period would be approximately 9,000,000. Which means at the end of the 20 year period, considering scenario #6, the county will be out approximately \$5,934,008. This number does not include the cost of sewer, which could run another \$14,000,000 - \$16,000,000. He said when these big businesses come, they have to have both water and sewer. He reiterated the County Manager’s comments that you never know how cost pro formas will work out.

Commissioner Dupree said that he feels like utilities should be put at the Ellisville interchange, but there needs to be a method to put the county back into the “black” as soon as possible when doing that. He said that based on the information that the Board has that he simply does not see how the county could proceed with this project at this time. He said instead, the county should develop an Economic Development Team specifically created to develop a “real” plan for growing the Ellisville Interchange with types of businesses the county would desire locate there. Then a marketing strategy should be put into place for pursuing those businesses. He noted that everyone must remember that the numbers already discussed does not include the \$100,000 power cost. Commissioner Dupree said that the day the utility goes on line there will be a customer base of 245 - 576 customers. Commissioner Dupree said that he agrees with the project, but would not support jeopardizing all of the other youth programs, senior citizens, and more in order to have Ellisville, and certainly will not support it without a true long term plan on how it will work and be afforded.

Commissioner Weaver reminded everyone that the school system recently obligated themselves to \$10,000,000-\$15,000,000 to build a new school based on the same growth projections used by the Board for the utility. Unfortunately, the school system is in a position now where they cannot afford to occupy the building. He said that he worries if the county moves forward that they may find themselves in the same position.

Commissioner Williams agrees that Ellisville is a sleeping giant. The original vision was to take advantage of a piece of property that could be developed into another U.S. 90/I-75. He agreed that there are water problems at that interchange and recalled very vividly the conversations where DEP encouraged the Board to take action to correct the water problem for quality of life purposes. Commissioner Williams recalled the Board took on the Ellisville project hoping to change the water quality and to grow the area. Commissioner Williams advised Commissioner Bailey that the business he referred to earlier that was lost to Georgia was a bread company. Commissioner Williams said the business was lost to Georgia because they had a better package deal, which consisted of an additional \$1,500,000. Florida refused to match that amount. Commissioner Williams said that he is against availability taxes, but that he continues to support

the mandatory hookups proposed in the original project. He said that it is a “must” when looking at having to subsidize \$450,000 per year. He also feels that the people of other districts should not have to subsidize the cost for developing that interchange. Commissioner Williams supports the original route chosen. He said if the numbers are correct, that he cannot see any way that the county could come up with \$450,000 to proceed with this utility project at this time. Commissioner Williams said that it would have to be proven to him that the county could come up with the \$450,000 needed to subsidize. Commissioner Williams said when property prices were at an all time high, so were the tax dollars. He said when this project was originally discussed that the County could come up with \$450,000 relatively easy, but that certainly is not the case today. He said that he would like to see Ellisville become a premier interchange, but said the country is experiencing tough economic times and that the Board has got to be good stewards of the taxpayer’s money. Commissioner Williams said that the Board needs to be completely unified in developing this project. He said that he could not support moving forward unless “everyone” could sit down and reconsider the budget together and collectively agree on what existing services should be cut from the budget in order to make the Ellisville Project happen. He said the vote shouldn’t be based on which district the project is in. Commissioner Williams said the county should move forward with the project as soon as there is sufficient money to do so and there is growth again. He said it will do no one any good to put the lines into the ground and not be able to afford hooking the water to the lines. Commissioner Weaver said that with the customer base, it will be equal to subsidizing \$15,000 per year per customer.

Commissioner Frisina said that you can’t argue with the numbers. If the money isn’t there, it simply isn’t there. She said that it irritates her that she’s not even been on the Board three months and has been placed in a predicament of having to decide between quality water for Ellisville or cutting other services enjoyed throughout the county for others. She said she is definitely in support of the project, but understands that it’s useless to put the lines down and not be able to do anything else with the project. Commissioner Weaver agreed that it is a bad position to be in, but said commissioners are elected to make tough decision and that none of them have the ability to control the economy of the country. Commissioner Frisina said that it seems there have been years of “hymn-hawing around” with this project, then suddenly it seems everyone is on fire about the Ellisville Project.

Commissioner Weaver told Commissioner Frisina that unfortunately, more tough decisions are ahead. Especially when you consider that by October 1st that a balanced budget will need to be in place, and in order to do that the Board will have to figure out a way to trim \$2,000,000 from the current budget. County Manager Williams concurred there are tough decisions ahead relating to the budget.

Citizen Mr. Densmark who has been a resident in the Ellisville area for 37 years said that he has very good water at his home. He told the Board if there is development in the area, the county will receive taxes and an increased volume of people in the area. He feels the county will gain as much as they invest in the project. He told the Board that he does not support going into debt but asks that they consider the entire picture. He said the county needs to move forward with the project, but agrees that this may not be the best time to do so.

Answering a question from Commissioner Williams, the County Manager said that the land required for this project was paid for from the county’s cash reserves. To date, the county owes approximately \$750,000 on the project and it is primarily being funded through the State Revolving Loan Fund.

Commissioner Williams said that the county has received a good price to put the distribution lines down. He said that he’d be interested in taking advantage of that bid to put the

lines in place so that the county will be that far ahead when a decision is made to proceed with the project.

The County Manager offered that the bids for the distribution line are good for 30 days on scenario #1. There is still time to award the bid to the low bidder [Curt's Construction] if the Board is inclined to do so.

Commissioner Dupree spoke against the idea until the Board decides on a scenario and a real plan is put into place to promote Ellisville. He said that laying the pipes will tie the Board's hands and dictate a scenario. He is also not in favor of increasing the county's debt by another \$6,000 just to get pipe in the ground. He told Commissioner Williams that he did agree with him, no mistakes are needed in the planning and that there should be workshops scheduled to look at this project further.

The money from the state revolving loan does have some constraints regarding the time frame the money must be used in. But it also has provisions for delayed projects. Dale Drainsfield, Eutaw Utilities said that postponing it for a short period of time would not be a problem. If it's delayed two years, the state would want to terminate. He said that the first payment becomes due two years from the date the construction loan is signed or six months from the day the well field goes into production.

Developer Arky Rogers told the Board that until Commissioner Dupree came on board that the project was going through without any problems. He told Commissioner Dupree that he has done a fine job of convincing the Board that the project is not needed. Mr. Rogers asked the Board exactly what the problem is with moving the project forward as planned. Commissioner Williams assured Mr. Rogers that the holdup is simply the down-turn of the economy, budget cuts, and funding.

Mr. Rogers told the Board that since they've spent "all that money" on engineers and buying land that they need to move forward. Mr. Rogers told the Board that \$450,000 wasn't a lot of money, and that once the "right" businesses finally locate at the interchange it will grow. He told the Board that sometimes you have to take a chance in order to get somewhere, and that some of the best deals are made in bad times. Commissioner Williams replied that \$450,000 is actually a lot of money when you try to find that amount in the current budget of the county.

Mr. Rogers told the Board that he wasn't going to say anything else about the project and that they could do what they wanted to do. However, his offer regarding his land still stands.

Commissioner Williams asked the Chair and staff to work together on a date when the commission could sit down for the purpose of reviewing the budget to determine whether there are budget cuts the Board is unanimously willing to make in order to move the project forward.

Commissioner Frisina suggested the Board move forward with Scenario #1.

There was more discussion.

MOTION by Commissioner Williams to accept the lowest bid [Curt's Construction] to put the lines in the ground according to the original route [Scenario #1]. Second by Commissioner Frisina.

Discussion continued. Commissioner Weaver said that he agrees that the original route is the best route, but refused to vote for something that the county has absolutely no idea how it will pay for.

Commissioner Dupree agreed with Commissioner Weaver. He also reminded the Board that the County's Engineer advised that the north side of Bailey Road is not the county's best route. The County Manager said that that county engineer's preference would be to modify scenario #1 and take advantage of Mr. Rogers' offer to allow the county to cross over the north end of his property. Commissioner Dupree said that the low bid referenced in the motion is not a bid for the route recommended by the county's engineer.

After further discussion, Commissioner Williams withdrew his motion saying that he'd rather do that then to take a chance in making a mistake. He said that he'd rather wait until after the workshop to begin making decisions. Commissioner Frisina withdrew her second.

MOTION by Commissioner Williams to choose no formal scenario or make any type of commitment until there is more budgetary work done. Second by Commissioner Weaver. The motion carried unanimously.

MOTION by Commissioner Frisina to require mandatory hookups and to charge a mandatory impact/connection fee to old and new businesses and to the new residences. Already established residences should not be charged to hook up. Second by Commissioner Weaver.

Commissioner Williams asked how the Board could exempt the nine established residents in the area from paying to hook on and later require anyone else needing water to pay a hook on fee. He said that everyone should be treated equally. He said that when water is made available on the other side of the interstate, there will likely be over 200 established residences ready to hook on. He asked if they would be exempt like the nine on the other side of the interstate. He reminded the Board that as the project expands, there will be many established residents that will be required to hook on when it's their turn. He asked if they would be required to hook on and if the intent would be to exempt them also.

Commissioner Weaver withdrew his second. The motion died for a lack of a second.

MOTION by Commissioner Weaver that there be mandatory connection required and mandatory impact fees charged for everyone at the Ellisville service area. Second by Commissioner Dupree.

Commissioner Bailey supports mandatory hookup, but has a problem with charging mandatory connection fees. He said that the original focus was on the businesses. Paying the water rates in the area will be enough for the residents without adding connection fees to the price. He said many of the residents in the area are low income and will not be able to pay the impact fee. He did not agree with forcing them to hook on and then making them pay a connection fee.

Commissioner Williams told Commissioner Bailey that he could not have his cake and eat it too. Commissioner Weaver replied that if Commissioner Bailey didn't want the mandatory hookup for the residents that he wouldn't vote for it. He said that the commissioners need to be unified in their decision for the county.

The motion failed unanimously.

The County Manager suggested holding the decision on the connection/impact fee to a later date, but moving forward with the decision to require mandatory hookup. When more budgetary work is done, a decision can be made on the impact fee issue.

MOTION by Commissioner Weaver to require mandatory hookup. Second by Commissioner Frisina. The motion carried unanimously.

MOTION by Commissioner Williams to authorize staff to approach Curt's Construction regarding an extension on their bid. Second by Commissioner Weaver. The motion carried unanimously.

Regarding Proposed Change Order #2 relating to the Ellisville Project

Staff said that at this time, item #4 (\$10,000) is the only portion of the change order that needs approving.

MOTION by Commissioner Weaver to approve only item #4 of Change Order #2 in the amount of \$10,000. Second by Commissioner Williams. The motion carried unanimously.

The County Manager recommended the Board approve the invoice for the three phase power, subject to it being paid for from the state legislative appropriations that was originally intended for the project in Ellisville. That cost is \$97,775.

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

Three Rivers Property

Mr. Jim Johnson has approximately eleven acres located in the Two Rivers area that he believes will make an excellent park. The property doesn't appear to be in any of the floodways. A significant portion of the property is believed to fall within the 100 year flood area. The soil would need to be checked to see if septic and drain fields would be compatible with the property. This testing will cost approximately \$4,000. Commissioner Williams said that the upfront cost should be at the expense of Mr. Johnson. The county will not guarantee it would be in a position to purchase the property. Commissioner Weaver agreed and added that he could not see the county being in a position to purchase this property any time soon.

MOTION by Commissioner Weaver to deny. Second by Commissioner Williams. The motion carried unanimously.

Special Projects – District 2 – Meridian Behavioral Healthcare, Inc. - \$10,000.00

Mr. Lilker reminded the Commission that the \$10,000 proposed allocation to assist Meridian Behavioral with the cost of being able to create electronic records is money that belongs to the taxpayers. Mr. Lilker objected to this allocation. He said that Commissioner Weaver's wife sits on that Board at Meridian and that Commissioner Weaver should avoid even the appearance of impropriety. He also objected to the amount being approved because he said that the money is unbudgeted and there were no prerequisites required for Meridian to receive these funds.

Mr. Lilker suggested that before the county helps Meridian to be able to create electronic records that they first help themselves to come out of their "Flintstone" era as it relates to the creation of electronic records. Mr. Lilker said that rather than giving the money to an outside agency, it would make perfect sense for Commissioner Weaver to use the \$10,000 to help the county in producing its own electronic records. Mr. Lilker questioned why the Board would even consider the allocation knowing that they have to find a way to trim \$2,000,000 from next year's budget, and why would they would help an outside agency to be able to do something that they [county] are not able to do themselves at the moment.

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

Meeting Rules and Procedures

The Board considered the draft Rules of Procedures.

MOTION to approve by Commissioner Dupree. Second by Commissioner Frisina. The motion carried unanimously.

Citizen Stew Lilker reported from the audience that he requested permission prior to the meeting to be able to speak on this matter. Chairman Bailey's recollection was the Mr. Lilker's request was only to speak regarding item #3.

Public Records Request Policy (New)

Per the Board's request, the public records procedure was reviewed and placed in the form of a policy. Following up on an earlier comments by Citizen Stewart Lilker, the County Manager

said that the proposed policy also states that nothing requires the county to provided a public record in a format other than which it already exists.

MOTION by Commissioner Williams to approve the policy as presented. Second by Commissioner Frisina. The motion carried unanimously.

Homeless Shelter – Community Mercy Center

Commissioner Frisina reported that she and Commissioner Dupree, along with two City Council members met with the Community Mercy Center last week for the purpose of discussing proposed property that may be suitable for locating a homeless shelter. At that meeting everyone learned where the center has located and plans to purchase property. The center will advise if it needs further assistance in any manner from the County or the City. The Center will be submitting their policies and procedures concerning their operations for the purpose of being able to obtain possible support in the future. The matter of this center will come back before the Board in the future.

Lulu Road Closings – Date Change

Attorney Feagle needs to do more work and meet with a couple of more people on the matter of closing some of the roads and alleyways in Lulu. He asked that the public hearing date be changed to March 19, 2009.

MOTION by Commissioner Weaver to approve changing the date. Second by Commissioner Dupree. The motion carried unanimously.

Letters Regarding Assistance

Commissioner Williams asked if the letters had gone out to the agencies the county normally provides financial assistance to advising them that there is a very good possibility that the county will not be able to afford assistance in the upcoming year. The County Manager said that he had planned to send the letters out after the Board does the situational budget review. Commissioner Williams asked that he move forward with sending the letters as soon as possible.

Public Comment

Citizen Cecil Shaw said of the Ellisville Water Project that he personally was looking forward to being able to have approximately 12-18 hookups for his RV Park from this project. He encouraged the Board to move forward with sewer as well as water.

Citizen Stewart Lilker said if the scenario discussed by Commissioner Williams would have been followed as originally planned, it would have provided water and **potentially sewer from** the Oasis Bar on Hwy. 411 to Ellisville along time ago.

Mr. Lilker said that that a few weeks ago that he requested Internal Auditor Judy Lewis provide him with Attorney Feagle's **latest billing statement**. He reported that to date he has not received the records.

Mr. Lilker complained that the citizens in the far south end of the county still have to pay **long distance telephone rates** to make local calls within the county. He asked that the Board be diligent in helping to resolve this issue. Commissioner Dupree told Mr. Lilker that he didn't understand what it is that Mr. Lilker feels should be or could be done in the matter by the Board. Mr. Lilker replied that he would explain it after his 5 minutes to speak had lapsed or after the meeting, or that Commissioner Dupree may find answers to his questions in the past minutes.

Mr. Lilker said that some of the Board's actions simply go to show that an at large commissioner is needed in the county. He reminded the Board that every commissioner represents every district and not just their own.

Mr. Lilker said that 578 people in the south end of the county have experienced a 30-40% fire **insurance** increase. He said that the fire station that the Board approved to build approximately two years ago would have alleviated this type of problem. He said that unfortunately, many people receiving the increase may not realize it, because it is paid through escrow. He told the Board that they've approved \$450,000 in land sales with Sam Oosterhoudt in the blink of an eye, which is more than the fire house would cost, and are quick to approve payments of what he believes is questionable expenditures, yet the people of the south end are getting mugged on insurance rates because they do not live within a five mile radius of the fire department. He told the Board that they were negligent in their duties. He told the Board it was time to sit down with High Springs and make things happen

There being no further business to come before the Board, the meeting adjourned at 9:45 p.m.

ATTEST:
Clerk of Circuit Court

Board of County Commissioners

P. DeWitt Cason