

5:00 p.m.

The Suwannee County Board of County Commissioners met on the above date and time for a regular meeting and the following were present: Chairman Franklin White; Commissioner Don Hale; Commissioner Clyde Fleming; Commissioner Travis Land; and Commissioner Len Stapleton. Eric Musgrove and Logan Woods, Deputy Clerks; Randy Harris, County Administrator; and James W. Prevatt, Jr., County Attorney, were also present.

Chairman White called the meeting to order at 5:01 p.m. and asked Commissioner Fleming to lead the invocation and Pledge of Allegiance to the Flag of the United States of America.

MINUTES:

The first item on the agenda was to approve the minutes of the April 19, 2022 Regular meeting.

Deputy Clerk Musgrove noted a wording change regarding public comments from Moses Clepper.

Commissioner Fleming moved to approve the minutes of the April 19, 2022 Regular meeting, as corrected. Commissioner Land seconded, and the motion carried unanimously.

CONSENT:

Item ten was pulled for discussion.

The second item on the agenda was to approve payment of \$4,529,001.52 in processed invoices.

The third item on the agenda was acceptance of the E911 Rural County Grant in the amount of \$58,790.00, including the Chairman's signature, and consent to process invoices totaling the same to AK Associates for the yearly maintenance of the E911 System. **(Agreement No. 2022-67)**

The fourth item on the agenda was approval of an amendment to the FY 2021-2022 contract with the Suwannee County Health Department. **(Agreement No. 2021-108-01)**

The fifth item on the agenda was approval of an amendment to the Letter of Agreement with Trulieve Suwannee, LLC and authorize the Chairman to sign the same. **(Agreement No. 2021-80-01)**

The sixth item on the agenda was approval of renovations to the Meridian Behavior Healthcare building located at 920 Nobles Ferry Road, Live Oak, FL. Budget impact: Meridian will fund all facility improvements related to this project.

The seventh item on the agenda was approval of a Quiet Title Representation Agreement (with the Chauncey Law Firm) regarding surplus property (on 173rd Road). **(Agreement No. 2022-64)**

The eighth item on the agenda was authorization to advertise for bids for terminal renovations at the Suwannee County Airport and authorize staff to execute all related documents. Budget impact: funded by FDOT.

The ninth item on the agenda was award of a bid and execution of a contract with Security 101 for installation of cameras at the Suwannee County Jail. Budgeted item. (Bid No. 2022-15; bids were opened April 19, 2022) **(Agreement No. 2022-65)**

The tenth item on the agenda was award of a bid and authorize the County Administrator to submit an order with Ring Power for eight (8) motor graders for the Public Works Department. (Bid No. 2022-19; bids were opened April 12, 2022)

This item was pulled from the consent agenda for discussion.

The eleventh item on the agenda was reappointment of Clifford Gwinn as an At Large member on the Suwannee County Development Authority.

Commissioner Hale moved to approve consent items 2-9 and 11. Commissioner Stapleton seconded, and the motion carried unanimously.

Chairman White moved to agenda item fourteen.

GENERAL BUSINESS:

The fourteenth item on the agenda was to discuss, with possible Board action, appointments to the Affordable Housing Advisory Committee.

Chairman White noted that the County had grown to the point where an Advisory Committee was required and asked for a volunteer from the Commission to serve.

Commissioner Stapleton volunteered to serve on the Committee.

The Board agreed by consensus to appoint Commissioner Stapleton to the Affordable Housing Advisory Committee.

TIME-SPECIFIC ITEMS:

The twelfth item on the agenda was at 5:05 p.m., or as soon thereafter as the matter could be heard, to hold a public hearing to consider adoption of a resolution approving Special Permit Request No. SP-22-04-01 by Ignite Wireless, authorized agent for property owners CSX Transportation Inc., to be granted a special permit under Section 14.11 of the Suwannee County Land Development Regulations for an essential service (266-foot self-support communications tower and associated equipment).

Chairman White opened the public hearing.

County Attorney Prevatt swore in all those wishing to speak.

Ronald Meeks, Planning and Zoning Director, noted that this was a continuation of an application discussed in a previous meeting and had nothing further to add to the original application. No additional information had been submitted pertinent to the request as well.

Chairman White asked if there was any reason for the County not to approve the application. Mr. Meeks replied that the County had the allowance to make the decision on a case-by-case basis based

upon scale of need, but he added that nothing stopped the County from approving several towers within close proximity. He then discussed several items related to the scale of need.

County Attorney Prevatt suggested that the Chairman hear from the applicant and any rebuttals, in case there was additional information to be submitted for the record, before proceeding to hearing public comments.

Andy Rotenstreich of 420 20th Street in Birmingham, Alabama, representing Ignite Wireless (on behalf of City Switch and CSX), stated that there was a County ordinance in place whose requirements the company met, and he believed that the application therefore should be approved. Mr. Rotenstreich submitted additional information to the Board and discussed it in some detail, noting that the proposed tower would improve coverage and that there were already other locations in Suwannee County that had several towers in close proximity. Mr. Rotenstreich added that all the extra talk about AT&T leaving the SBA tower to move to the proposed one was immaterial to the application, but since it was discussed in great detail, he submitted a ruling from the State of Kentucky against SBA for their practices.

County Attorney Prevatt accepted the applicants' additional information as Exhibits 1 through 4.

Chairman White opened the floor to public comments.

Ryan Maloney, One Independent Drive, Jacksonville, representing SBA, stated that the information just provided by Mr. Rotenstreich had not been available to the public or to his company before the meeting. He then noted several points in the proposed resolution and asked if the application actually met the County's requirements. Mr. Maloney then read part of the County's Land Development Regulations relating to tower co-location and suggested that if the Board approved the application, it would be setting a bad precedent.

Mr. Bo Hancock, 6135 Wiggins Road, suggested that the issue was one of economic development. He believed that SBA was in business to make money, and if they were serious, they could lower their rent

to be competitive with other providers. Mr. Hancock stated that CSX was a property owner in Suwannee County and wished to use their own land to fix a gap in their coverage, and he saw it as a property rights and economic development issue. He added that SBA had performed similar actions across the country and urged the Board to pass the resolution.

Mr. Moses Clepper, 14581 102nd Path, was concerned about aesthetics and did not like monopolies. He also saw an opportunity for the County to change the current Land Development Regulations to protect the appearance in the County. Mr. Clepper also suggested using camouflaged poles, although they were three times the cost of a regular one, and he also did not see the need for a 266-foot-high tower. He saw conflicting opinions from the various companies and again suggested taking the time to rewrite part of the County's Land Development Regulations.

There being no further comments, Chairman White closed the floor to public comments.

Chairman White stated that he was in favor of landowner rights, and the only determination to be made tonight was if CSX needed the tower.

Commissioner Hale stated that according to the Planning and Zoning Director, the application met all the requirements found in the County's Land Development Regulations, and the Board should stick with the issue at hand, not getting bogged down in other issues as the previous meeting.

Commissioner Fleming agreed with Commissioner Hale's comments and did not want to get into a debate such as had been held at the previous meeting related to the application, and tonight's agenda item was simply to approve or disapprove the application.

Commissioner Land agreed that the debate at the last meeting drifted from the application into tenant-landlord issues that were not related to the application.

Commissioner Stapleton agreed with the previous comments but did not like how the applicant had presented at the first meeting. He added that the application met the County's requirements.

Commissioner Stapleton moved to approve a resolution approving Special Permit Request No. SP-22-04-01 by Ignite Wireless, authorized agent for property owners CSX Transportation Inc., to be granted a special permit under Section 14.11 of the Suwannee County Land Development Regulations for an essential service (266-foot self-support communications tower and associated equipment). Commissioner Land seconded, and the motion carried unanimously. (Resolution No. 2022-33)

COMMISSIONERS ITEMS:

There were none.

COUNTY ATTORNEY ITEMS:

The thirteenth item on the agenda was consideration to exercise an option to purchase for property along 169th Road.

County Attorney Prevatt stated that he had been instructed to review the approximately 170.99-acre property for future needs and as a result, had entered into an option to purchase it at \$5,300 per acre (\$906,247 total originally); after survey adjustments, it was determined to have additional acreage for a total cost of \$919,974. Two appraisals had been performed on the property, and the proposed purchase price was less than the appraisals. County Attorney Prevatt asked that the Board exercise the option to purchase the property along 169th Road, declare it as a public purpose and to enter into a standard real estate agreement, and approve the Clerk's Office to make payment.

Commissioner Stapleton asked about the appraisal estimates. County Attorney Prevatt replied that the two appraisals were \$5,600 per acre and \$5,311 per acre, more than what the County would pay.

Commissioner Land was concerned because documentation had not been submitted to the Board for review, although he was in favor of the purchase itself. County Attorney Prevatt stated that he would leave the meeting momentarily to get copies for the Board to review.

Chairman White returned to item ten while County Attorney Prevatt was out.

The tenth item on the agenda was award of a bid and authorize the County Administrator to submit an order with Ring Power for eight (8) motor graders for the Public Works Department. (Bid No. 2022-19; bids were opened April 12, 2022)

Commissioner Land discussed the various motor grader models being proposed and suggested the heavier-duty 140 models, which seemed to hold up and do better than the 120 models. He noted that in the past, the County often entered five-year leases that allowed 7,500 hours, but suggested the County buy the two Model 140 graders currently being operated in order to save expenses. Commissioner Land then explained the lease cycle for the fourteen motor graders currently utilized by the County.

County Administrator Harris noted that motor graders on the construction crews would run fewer hours, and thus should last longer.

After questioning, Commissioner Land replied that if the County purchased the current Model 140s, they would cost approximately \$165,000 each.

Commissioner Stapleton asked for clarification on what Commissioner Land was suggesting. Commissioner Land replied that he would like to see the County purchase the two current Model 140s and purchase perhaps two new Model 140s, if funding permitted, instead of leasing eight new ones.

Commissioner Hale asked how warranties worked for the new or used machines. Mr. Todd Sandlin of Ring Power replied that the warranties extended the length of the lease, and extended warranties were available for purchased motor graders but he did not have specifics at this time.

Commissioner Fleming was concerned with purchasing motor graders because the County would eventually be responsible for all repairs, instead of through leasing, whereby the machines were covered by warranties. He reminded the Board of previous actions in which the County had purchased machines outright but they were eventually unusable without costly repairs or warranties.

County Administrator Harris asked what the warranty would be on a brand-new purchase. Mr. Sandlin replied that Ring Power could set the warranty for up to five years.

After further questioning, Mr. Sandlin replied that a standard manufacturer's warranty was for one year, but after that, Ring Power could customize an extended warranty to fit the County's needs.

Commissioner Stapleton stated that he had no problem purchasing the two current Model 140s and continue to lease other machines for now. He also agreed with leasing or purchasing all Model 140s in the future, since they were more capable than the Model 120s.

Some discussion ensued on the value of the current Model 140s compared to the price of a new machine and using the current machines for road construction, which would extend their life.

Commissioner Fleming moved to purchase the two current Model 140 motor graders, award a bid, and authorize the County Administrator to submit an order with Ring Power for six (6) Model 140 motor graders for the Public Works Department. (Bid No. 2022-19; bids were opened April 12, 2022). Commissioner Land seconded, and after some discussion about the Model 140s, the motion carried unanimously. (Agreement No. 2022-66)

County Administrator Harris stated that the County had come a long way over the years, as previously the County would have to purchase machines outright and then trade them in. He believed that the current leasing system had worked well and saved the taxpayers money.

Chairman White returned to item thirteen.

County Attorney Prevatt handed out the exclusive option to purchase on the property off 169th Road. He asked for the Board to exercise the option to purchase, declare the purchase for a public purpose, and authorize the Chairman to enter into a standard real estate agreement.

County Administrator Harris stated that he had been in contact with a bank that would provide a 2.28% interest rate for the property from the County's line of credit. He then discussed various loans and

CDs that were maturing within the next year and a half and that could be used after that point to complete payment of the proposed property, if desired.

Chairman White agreed with the County Administrator's comments and suggested that the County use the funds from the sale of surplus properties to help pay down the principal for the proposed property purchase.

County Administrator Harris discussed the County's line of credit and cash flow for operations, especially projects that would be reimbursed.

Discussion ensued on using revenues from the sale of surplus properties to pay down the principal of the property purchase.

By consensus the Board agreed to pay down the principal on the proposed property as surplus property sale revenue was received.

Mr. Hancock noted that the Board was going to discuss, with possible approval, the sale of further surplus property later in the agenda and suggested waiting to make a decision. The Board replied that they would pay down the principal as revenue from the sale of surplus properties was received, whether or not they approved the later agenda item, and a decision had to be made tonight for the current item due to time constraints on the option.

Commissioner Land moved to approve an option to purchase approximately 171 acres off 169th Road and authorize the exercise of the option to purchase. Commissioner Fleming seconded, and the motion carried unanimously.

Commissioner Hale moved to declare the purchase as a public purpose and authorize the Chairman to enter into a standard real estate agreement with standard assumption of buyer/seller costs as approved by the County Attorney to purchase the property. Commissioner Land seconded, and the motion carried unanimously.

Commissioner Land moved to authorize the Finance Department to issue and release a check for the purchase price and expenses, with availability for closing, from the line of credit with First Federal. Commissioner Hale seconded, and the motion carried unanimously.

Commissioner Land moved to use the proceeds of surplus property sales to pay down the principal of the property purchase off 169th Road, as it was received. Commissioner Fleming seconded, and the motion carried unanimously.

GENERAL BUSINESS:

The fourteenth item on the agenda was to discuss, with possible Board action, appointments to the Affordable Housing Advisory Committee.

This item was discussed prior to item twelve.

The fifteenth item on the agenda was to discuss, with possible Board action, offers on surplus property located on 112th Street, Parcel ID No. 12-03S-13E-08610-000000.

County Administrator Harris discussed the quotes.

Commissioner Stapleton was not interested in accepting the bids, as they were far lower than the property that the County just purchased.

Commissioner Land asked if the property was bid or listed, and then asked about the minimum listing price. County Administrator Harris replied that the property was listed, and he believed it to be for a minimum of \$7,000 per acre.

Commissioner Land agreed with Commissioner Stapleton's comments.

Commissioner Stapleton did not believe that the County should hold to \$7,000 per acre but wanted a higher price per acre than the bids had proposed.

After questioning, County Attorney Prevatt stated that the Board must reject the bids and relist the properties if they were not satisfied with the current bid prices.

Commissioner Land asked if the Board could change the language to allow providing counteroffers. County Attorney Prevatt replied that the Board could not counteroffer on sealed bids but could change the minimum price per acre.

Commissioner Stapleton moved to reject all bids for surplus property located on 112th Street, Parcel ID No. 12-03S-13E-08610-000000. Commissioner Fleming seconded, and the motion carried unanimously.

Commissioner Stapleton moved to relist the property at \$6,500 per acre for thirty days. Commissioner Land seconded, and the motion carried unanimously.

The sixteenth item on the agenda was to discuss road projects.

Chairman White pulled this item from the agenda for discussion at a later date.

The seventeenth item on the agenda was Additional Agenda Items.

There were two additional agenda items:

The first additional agenda item was to approve Modification No. 1 to Subgrant Agreement No. F0023 between the Division of Emergency Management and the Suwannee County Board of County Commissioners for the engineering and design of an Emergency Operations Center.

The second additional agenda item was to adopt a resolution authorizing the County Administrator to administer Subgrant Agreement No. F0023 for the engineering and design of an Emergency Operations Center and sign all related documents.

County Administrator Harris stated that the additional agenda items dealt with the same issue. He stated that a grant was about to expire and it needed to be extended.

Commissioner Stapleton wanted assurances that when the time came to design the EOC building, that the Sheriff would be allowed to participate.

Sheriff Sam St. John clarified that his office would like to have input on the design of the building.

Commissioner Stapleton moved to approve Modification No. 1 to Subgrant Agreement No. F0023 between the Division of Emergency Management and the Suwannee County Board of County Commissioners for the engineering and design of an Emergency Operations Center, and to adopt a resolution authorizing the County Administrator to administer the Subgrant Agreement. Commissioner Hale seconded. Mr. Hancock asked why the grant needed to be extended and work had not been completed sooner. County Administrator Harris replied that the issue was due to a former employee being set up as grant administrator, but the grant had fallen between the cracks when the employee had left for another job. Another Sheriff's Office employee had later signed for an extension but had been rejected since they were not listed as grant administrator, thus the need for the changes.

Commissioner Land left the meeting at 6:35 p.m.

County Administrator Harris also noted that in prior years, grant money had to be received before engineering designs could be started, but recently the State had changed its requirements and looked favorably upon entities that performed engineering work before applying for grants.

Commissioner Land returned to the meeting at 6:36 p.m. Commissioner Hale left the meeting at 6:36 p.m.

Discussion ensued on grants for replacement of the Emergency Operations Center and if someone in the County Offices made sure that decisions made by the Board were carried out.

Commissioner Hale returned to the meeting at 6:38 p.m.

County Administrator Harris added that the Board had different priorities and sometimes decisions were changed. Chairman Stapleton clarified that the money was the taxpayers' money, and if a

project was not completed, then the funding was still available for other projects. Mr. Hancock again asked where the oversight was for project funding. The Board replied that they were the oversight, prioritized by County staff. Discussion continued on funding or escrowing funds for large projects, changes in County priorities, and changes in circumstances. **The motion to approve changes to Subgrant Agreement No. F0023 for the engineering and design of an Emergency Operations Center and to adopt a resolution authorizing the County Administrator to administer the Subgrant Agreement carried unanimously. (Agreement No. 2019-141-01 and Resolution No. 2022-34)**

The eighteenth item on the agenda was public concerns and comments.

Mr. Wayne Hannaka, 11883 93rd Road, discussed internet cafes and asked if the County was going to ban them by ordinance, as discussed at earlier meetings. County Attorney Prevatt replied that he was the hold-up on the item, as the advertisement had not been submitted in time. He would be working to place it on the agenda as soon as possible.

The nineteenth item on the agenda was Administrator's comments and information.

County Administrator Harris stated that the Board made policy decisions, but there was constant discussion and work by County staff and the Board on many projects, especially over the last two months. He then went into details about some of the improvements that had been made over the years.

The twentieth item on the agenda was Board Members' inquiries, requests, and comments.

Commissioner Fleming stated that there had been many improvements in the County since he had become a commissioner. He also understood some of the public's frustrations and thanked County staff for their hard work.

Commissioner Stapleton apologized for his response to Mr. Hancock's comments and thanked his mother for his love of Suwannee County.

Commissioner Land had nothing to discuss.

May 3, 2022
Regular Board Meeting
Live Oak City Hall
Live Oak, Florida


Commissioner Hale was proud of what the Board had accomplished over the years.

Chairman White stated that Economic Development Director Jimmy Norris had put on a presentation about economic development sponsored by the North Florida Economic Development Partnership the previous week that had been helpful. He also thanked the Board for working together.

Commissioner Fleming moved to adjourn the meeting. Commissioner Land seconded, and the motion carried unanimously.

There being no further business to discuss, the meeting adjourned at 7:05 p.m.

ATTEST


BARRY A. BAKER, DC
BARRY A. BAKER
CLERK OF THE CIRCUIT COURT


FRANKLIN WHITE, CHAIRMAN
SUWANNEE COUNTY BOARD OF
COUNTY COMMISSIONERS