

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. Barry Baker, Clerk of Court; Keith Gentry, Clerk Finance Director; Eric Musgrove, Deputy Clerk; Randy Harris, County Administrator; and James W. Prevatt, Jr., County Attorney, were also present.

Chairman White called the meeting to order at 5:00 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 May 3, 2022 Regular meeting.

Commissioner Hale moved to approve the minutes of the May 3, 2022 Regular meeting, as written. Commissioner Land seconded, and the motion carried unanimously.

CONSENT:

Item nine was pulled from the agenda. Items eight and twelve were pulled for discussion.

The second item on the agenda was to approve payment of \$2,335,765.04 in processed invoices.

The third item on the agenda was approval to hold the June 7, 2022, regularly scheduled Board meeting at Live Oak City Hall, 101 White Avenue S. E. Live Oak, Florida 32064 at 5:00 p.m.

The fourth item on the agenda was approval of Storage Tank Liability Warranty Renewal with Terrorism Act Premium.

The fifth item on the agenda was approval of an agreement with Wood Environment & Infrastructure Solutions, Inc. in the amount of \$12,588.82 for professional services associated with

sampling and review of petroleum cleanup, pending County Attorney review. Budget impact: to be paid from Board's professional services line. **(Agreement No. 2022-68)**

The sixth item on the agenda was approval of an additional \$3,000 for the collection site permit decal project.

The seventh item on the agenda was approval of a Task Order with North Florida Professional Services, Inc. for survey of the Catalyst Site rail spur. Budget impact: \$1,395.00 to be paid from Board's professional services line. **(Agreement No. 2022-69)**

The eighth item on the agenda was approval of an agreement with North Florida Professional Services, Inc. for architectural/engineering services for the design of the building and site for the CDBG-CV multiuse building. Budget impact: \$214,000 to be paid from grant proceeds.

This item was pulled from the consent agenda for discussion.

The ninth item on the agenda was approval of payment of Non-Ad Valorem Assessments in the amount of \$1,966.92.

This item was pulled from the agenda.

The tenth item on the agenda was approval of AECOM Task Order No. 25 for construction phase services for rehabilitation of Taxiway A and Taxiway Connector widening project at the Suwannee County Airport. Budget impact: funded by FAA. **(Agreement No. 2020-05-04)**

The eleventh item on the agenda was approval of a settlement with Walgreens, participation in the State of Florida settlement, and authorize the County Attorney to execute on behalf of the County the appropriate Participation Agreement and all associated documents.

The twelfth item on the agenda was approval of a contract with Fred Fox Enterprises, Inc. for administration of the CDBG-CV grant. Budget impact: to be funded by grant proceeds.

This item was pulled from the consent agenda for discussion.

The thirteenth item on the agenda was approval of an Agreement with Dewberry Engineering, Inc. for construction engineering inspection services associated with CR 137 utilities extensions. Budget impact: to be paid from ARPA funds. **(Agreement No. 2022-70)**

The fourteenth item on the agenda was authorization to execute grant applications for infrastructure, including but not limited to, construction of a sewer plant and collection lines and water transmission lines for the Catalyst Site, and adoption of an enabling resolution. **(Resolution No. 2022-35)**

The fifteenth item on the agenda was authorization for Fire Rescue to send a letter of intent for the re-chassis and refurbish of two existing Frazer Type 1 14' ambulance modules on a 2023 International CV 4500 Duramax Diesel Chassis. Work to be completed by Frazer Ltd as a sole source provider. Budget impact: \$419,710 will be budgeted into the Fire Rescue budget for the 2022-23 Fiscal Year.

The sixteenth item on the agenda was authorization to procure a 150KW natural gas generator for standby power usage at the Suwannee County Courthouse. Budgeted item.

The seventeenth item on the agenda was award of a bid and authorize the Chairman to execute a contract with Curt's Construction (pending County Attorney review) for rehabilitation of Taxiway A and Taxiway Connectors at the Suwannee County Airport and authorize staff to sign all related documents. Budget impact: funded by FDOT and FAA. (Bid No. 2022-20; bids were opened April 26, 2022) **(Agreement No. 2022-71)**

Commissioner Fleming moved to approve consent items 2-7, 10-11, and 13-17. Commissioner Land seconded, and the motion carried unanimously.

The eighth item on the agenda was approval of an agreement with North Florida Professional Services, Inc. for architectural/engineering services for the design of the building and site for the CDBG-CV multiuse building. Budget impact: \$214,000 to be paid from grant proceeds.

The twelfth item on the agenda was approval of a contract with Fred Fox Enterprises, Inc. for administration of the CDBG-CV grant. Budget impact: to be funded by grant proceeds.

County Administrator Harris noted that items eight and twelve were similar because they were related to the approximately \$5 million multipurpose building grant that had recently been approved. He noted that unlike other grants, the expenses to the grant were being conducted prior to receiving the executed agreement, based upon documentation from the State. County Administrator Harris stated that he had not conducted a grant in this manner before but had communicated with the State in writing on the matter. He added that he had also requested an exception to begin some of the work on the project prior to receiving the signed grant, since there was a two-year deadline to have the building completed. County Administrator Harris read through documentation he submitted to the Board relating to the County's discussions with the State and that the costs were reimbursable expenses.

Commissioner Fleming left the meeting at 5:09 p.m.

Discussion ensued on specific costs for items eight and twelve of approximately \$500,000.

Commissioner Fleming returned to the meeting at 5:10 p.m.

County Administrator Harris clarified that the County would not be out the entire \$500,000 because the grant paperwork would be received before all aspects of the proposed work were complete. The work would only be paid out as it was completed.

Discussion ensued on funding for the project work until the grant agreement was in place and that it had been taking much longer to receive grants from the State level over the last few years.

Commissioner Land suggested capping expenses at \$300,000 before receiving grant funding.

After questioning, County Administrator Harris stated that the proposed location was on thirty acres off Goldkist Boulevard.

Commissioner Land moved to approve an agreement with North Florida Professional Services, Inc. for architectural/engineering services for the design of the building and site for the CDBG-CV multiuse building (Budget impact: \$214,000 to be paid from grant proceeds); and approve a contract with Fred Fox Enterprises, Inc. for administration of the CDBG-CV grant (Budget impact: to be funded by grant proceeds), with a cap of \$300,000 in the current fiscal year. Commissioner Stapleton seconded, and the motion carried unanimously. (Agreement No. 2022-72 and Agreement No. 2022-06)

TIME-SPECIFIC ITEMS:

The eighteenth 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 for Temporary Use Request No. SPTU-22-04-01 by American Promotional Events, DBA TNT Fireworks, to be granted a special permit for temporary use under Section 14.10 of the Suwannee County Land Development Regulations for a Fireworks Tent Sale, to be held starting June 21, 2022, through July 5, 2022, on property zoned Commercial Intensive (CI).

Chairman White opened the public hearings.

County Attorney Prevatt swore in all those wishing to speak.

Ronald Meeks, Planning and Zoning Director, discussed the application, noting that the same company regularly came before the Board twice a year to hold the fireworks tent sale. He added that there had been no negative comments made about the company and submitted the application as Composite Exhibit #1.

Chairman White opened the floor to public comments. There being none, he closed the floor to public comments.

Commissioner Fleming moved to approve a resolution approving Special Permit for Temporary Use Request No. SPTU-22-04-01 by American Promotional Events, DBA TNT Fireworks, to be granted a special permit for temporary use under Section 14.10 of the Suwannee County Land Development Regulations for a Fireworks Tent Sale, to be held starting June 21, 2022, through July 5, 2022, on property zoned Commercial Intensive (CI). Commissioner Land seconded, and the motion carried unanimously. (Resolution No. 2022-36)

The nineteenth 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 an Ordinance approving LDR 22-02, an application by Jacqueline and Michael Taylor, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district from RESIDENTIAL SINGLE FAMILY-1 (RSF-1) to RESIDENTIAL SINGLE FAMILY/MOBILE HOME-1 (RSF-1/MH-1).

County Attorney Prevatt swore in those wishing to speak on this item.

Mr. Meeks discussed the application, noting that the request was for a 3.29-acre parcel to allow residential homes or mobile homes. The property was located on 96th Trail near 109th Drive, off Ichetucknee Road. Mr. Meeks further discussed the specifics of the application, the options available to the applicants, and that the Planning and Zoning Board had recommended approval of the change.

Some discussion ensued on the makeup of homes in the area, which was a combination of single- and double-wide homes and site-built homes within the same family, past permitting, and the proximity to the City of Live Oak.

Chairman White opened the floor to public comments.

Jackie Taylor, 10724 96th Trail, Live Oak, applicant, stated that she had a single-wide mobile home that she would like to move to the property in order to assist her elderly parents. The property would not be sold or divided, as it was long-time family property.

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

Commissioners Stapleton, Land, and Hale noted that the Planning and Zoning Board had recommended approval of the application.

Mr. Meeks entered the file into the record as Composite Exhibit #1.

Commissioner Stapleton moved to approve an Ordinance approving LDR 22-02, an application by Jacqueline and Michael Taylor, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district from RESIDENTIAL SINGLE FAMILY-1 (RSF-1) to RESIDENTIAL SINGLE FAMILY/MOBILE HOME-1 (RSF-1/MH-1). Commissioner Fleming seconded, and the motion carried unanimously. (Ordinance No. 2022-06)

COMMISSIONERS ITEMS:

There were none.

COUNTY ATTORNEY ITEMS:

There were none.

GENERAL BUSINESS:

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

County Administrator Harris noted an updated list of road projects he had provided to the Board, which he then reviewed in great detail. He recommended bidding out 68th Terrace (adjoining Fusion Buffet in District 1) and funding the difference. The balance of leftover funds for District 3 from repairs to CR 250, if any, could be used to repair 177th Road and chip seal 155th Loop and 155th Lane (estimated total cost of approximately \$145,000). County Administrator Harris discussed 153rd Road new construction in some detail, including the possibility of the County doing the base work and only bidding out the asphalt.

He also spoke about CR10-A and CR 137 repairs in District 4 as well as work on 196th Street and 192nd Street/77th Road in District 5. County Administrator Harris pointed out that the Board had approved helping the City of Live Oak with Palm Street construction and repaving part of Eva Street, but he had no specifics as to prices.

After questioning, County Administrator Harris stated that Palm Street would probably cost \$50,000 to \$75,000 for asphalt, not including base work that the County could do. He had not spoken with the City of Live Oak yet to work out the details.

Commissioner Stapleton believed that the County could do the base work and the City could perform the asphalt work.

Discussion ensued on the joint nature of the work on Palm Street and potential water and sewer utilities construction there.

County Administrator Harris agreed to speak with the City of Live Oak about their portion of the work on Palm Street.

Discussion continued on specific road projects and the possibility of the County performing base work on several roads to save costs.

County Administrator Harris also asked to add asphalt paving of 170th Terrace for \$20,000 in District 5 to assist with some dust problems in the McAlpin area.

The Board agreed by consensus to County Administrator Harris' revised road project schedule for 2022.

County Administrator Harris updated the Board on proposed changes to the 2023 road project schedule in detail (a total of some \$913,400), pointing out that roadwork takes time and the County could not work on a road the day after approval. He also noted that part of Hughes Road needed to be widened

and reworked (at an engineer's proposed cost of \$765,000), and he would be checking with the Department of Transportation for funding.

Discussion ensued on various road projects, including substituting chip seal for some of the paving projects to cut costs.

County Administrator Harris agreed to look into chip sealing Oakwood Forest roads instead of repaving them to save approximately three-quarters of the project cost, which could then be used on other road projects.

There was discussion of the upcoming budget process and funding sources.

The Board agreed to chip seal Oakwood Forest and move \$85,000 of the saved expenses into District 4 while still lowering the overall total 2023 road project budget below \$900,000.

Commissioner Land left the meeting at 6:21 p.m. and returned at 6:22 p.m.

The twenty-first item on the agenda was Additional Agenda Items.

There were four additional agenda items:

The first additional agenda item was to authorize renewal with Florida Blue (for insurance) at a 4% increase over the current rate.

County Administrator Harris stated that there was a modest increase for the upcoming year, and the Board needed to make a decision in order to provide proper information for the budget workshops.

Commissioner Land moved to approve renewal with Florida Blue (for insurance) at a 4% increase over the current rate. Commissioner Stapleton seconded, and the motion carried unanimously. (Agreement No. 2022-73)

The second additional agenda item was to discuss, with possible Board action, permitting with the Suwannee River Water Management District.

This item was discussed at the end of additional agenda items.

The third additional agenda item was to discuss, with possible Board action, representing a County employee involved in a traffic accident.

County Administrator Harris stated that a dump truck driver had been involved in a traffic accident, and many staff and witnesses believed that he was not at fault despite being written up by law enforcement. He asked the Board to utilize legal counsel to defend the employee, adding that the insurance company would handle the damages portion.

County Attorney Prevatt noted that normally the individual would pay for expenses and then be reimbursed by the County, but there was no reason not to help the employee in the legal process. He added that since the employee was working for the County at the time, it could also become a civil matter.

After questioning, County Administrator Harris replied that this was the first time that he believed it was in the County's interest to provide legal assistance to an employee.

Commissioner Stapleton moved to approve representing a County employee involved in a traffic accident. Commissioner Fleming seconded, and the motion carried unanimously.

The fourth additional agenda item was consideration of a Donated Space Agreement for the Third Circuit Guardian ad Litem Program with Live Oak Investments 140, LLC.

County Attorney Prevatt stated that before October of 2021, the County had approved a lease agreement for the Guardian ad Litem Program in the Live Oak Commons building (Live Oak Investments 140, LLC), and since then extra space had been provided by the owner in a nearby location. The owner, Dana Berman, had asked to formalize the situation via agreement, and there would be no additional costs. County Attorney Prevatt added that the space should be added to the County's list of properties for insurance purposes, which would also allow Mr. Berman to receive a tax benefit for the donation of space.

Commissioner Land moved to approve a Donated Space Agreement for the Third Circuit Guardian ad Litem Program with Live Oak Investments 140, LLC. Commissioner Hale seconded, and the motion carried unanimously. (Agreement No. 2022-74)

The second additional agenda item was to discuss, with possible Board action, permitting with the Suwannee River Water Management District.

Mr. Don Wainwright, 7173 63rd Drive, Live Oak, stated that a lot of growth was coming to Suwannee County, but there were some problems associated with it. He added that the City used to be a great hindrance in growth, but the new administration had been overly helpful. Mr. Wainwright discussed several projects along 72nd Trace and then stated that for many years, he had a great working relationship with the Suwannee River Water Management District, but recently things had changed and he was greatly concerned with one overzealous employee there who was hindering his work. Mr. Wainwright discussed in detail continued Requests for Additional Information (RAI) from Water Management regarding one of his projects near 72nd Trace. He added that Water Management was requiring water retention pond sizes and amounts three times the State average (and more than any other water district in the State), which had led to several developers cancelling their land purchases due to the expense and space required for enlarged retention ponds. Mr. Wainwright expressed his frustration with the process, asked for a letter of help from the County Commission, and noted other projects that were hindered by the same Water Management employee. He again asked the Board for help by writing a letter to Water Management requesting a solution, with a copy sent to the Governor explaining the issues.

After questioning, Mr. Wainwright noted that Water Management had made improvements in several aspects of their work, but this present issue was running off business in Suwannee County.

Chairman White stated that Water Management's retention requirements were double or triple that of other districts. He also added that other counties were having similar issues with permits from the Suwannee River Water Management District.

Mr. Wainwright continued his discussion of problems with Water Management within Suwannee County, and he was contacting politicians at all levels to try to fix the problem.

Mr. Ben Glass, Water Management Legislative Government Affairs Chief, 9225 County Road 49, Live Oak, stated that there were some misconceptions that had been mentioned. He stated that work was underway to update rules, but it was a long process that would take until October, at the earliest. Mr. Glass stated that Water Management had worked with Mr. Wainwright many times to come to an understanding, but to date, was waiting on updated plans from him after their last meeting. Mr. Glass added that Water Management would continue to work with Suwannee County.

Chairman White was concerned with Water Management delaying commercial projects.

Mr. Glass stated that staff did not have authority to adjust the current rules, and Water Management was simply following their policies until it could be changed through the proper process.

Commissioner Stapleton stated that if the Water Management Board felt that the changes were important, they would not wait until October to make the rule changes. He suggested Mr. Glass petition his directors to speed up the process in order to allow growth in Suwannee County.

Chairman White expressed his frustration with the slow speed of Water Management's policy changes and asked Mr. Glass to request expediting the process due to common sense.

Commissioner Hale understood Mr. Glass's position but asked that he expedite the process in the proper manner.

Commissioner Land asked that the Board's message of frustration be carried back to Water Management directors, noting that it was a volatile economy and beneficial deals were being lost.

Commissioner Fleming asked that Mr. Glass return to his superiors and speed up the process, noting that the property on US 129 North around 72nd Trace was a great asset for the County.

Mr. Glass stated that he would bring the questions and concerns back to the Water Management Board, adding that they were doing everything they could to have the rules ready for approval at the earliest time.

After questioning, Mr. Glass replied that an accelerated permit process could be followed once the final plans had been provided by Mr. Wainwright's engineer.

County Administrator Harris stated that the situation was a case of paralysis by analysis, and although it was good that the rules would be reviewed and eventually updated, a timeline needed to be established to approve the permit requests in a timely manner that would not drive off developers. He explained his frustrations with Water Management permitting issues that were keeping interested developers from moving into the County. County Administrator Harris hoped that Water Management could return to the next County Commission meeting with a firm and near date of when the changes would be completed to allow easier permitting based upon institutional knowledge and common sense.

Mr. Wainwright stated that Mr. Glass's presentation was a misrepresentation and he was actually waiting on Water Management. He continued to express his great frustration with a Water Management employee that was holding up permits, explaining some of the continued problems that had never been an issue with previous employees. Mr. Wainwright stated that the issue was not a Water Management rule problem, but a Water Management employee problem.

Commissioner Fleming left the meeting at 7:25 p.m.

Mr. Wainwright continued to express his frustration with the situation and further asked the Board to individually call the Water Management director and its board.

Commissioner Fleming returned to the meeting at 7:27 p.m.

Mr. Wainwright also asked that the public call the Water Management director and its board in order to effect change with the permitting process to spur commercial growth.

Mrs. Tori Humphries, representing North Florida Professional Services as Mr. Greg Bailey had a previous engagement (Mr. Wainwright's engineering firm), stated that new engineering plans for Mr. Wainwright were being redrawn and should hopefully be ready by the end of the following week.

The Board agreed by consensus to have a letter written the following day to Water Management expressing the Board's concerns, to be signed by the entire Board.

The twenty-second item on the agenda was public concerns and comments.

Mr. Stephan Blue, 519 Taylor Avenue, discussed an economic development meeting he had recently attended that had indicated that sometimes government was in the way of progress.

The twenty-third item on the agenda was Administrator's comments and information.

County Administrator Harris had nothing to discuss.

The twenty-fourth item on the agenda was Board Members' inquiries, requests, and comments.

Commissioner Fleming again expressed concerns with the lack of economic growth in Suwannee County due to various governmental holdups and hoped that the problems would be resolved quickly.

Commissioner Stapleton noted that several companies were looking to come to Suwannee County, but the permitting problems needed to be resolved first.

Commissioner Land thanked Mr. Wainwright for his work around 72nd Trace as well as others who brought development into the County, adding that the Board's frustrations were not directed at Mr. Glass personally. He also stated the Suwannee Bulldogs baseball team was playing in district championships.

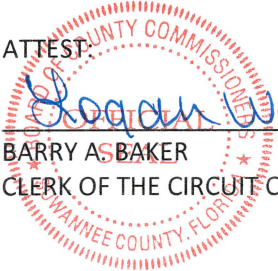
Commissioner Hale thanked everyone for their work and expressed the need for help from Water Management to expedite permitting to allow growth within the County.

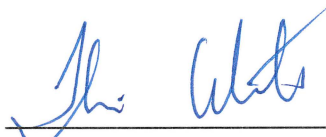
May 17, 2022
Regular Board Meeting
Judicial Annex
Live Oak, Florida

Chairman White thanked Mr. Glass and Mr. Wainwright for attending the meeting and expressing their thoughts on the permitting issue. He added that holding up development also held up tax revenues to the County.

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

There being no further business to discuss, the meeting adjourned at 7:38 p.m.

ATTEST:

Barry A. Baker DC
BARRY A. BAKER
CLERK OF THE CIRCUIT COURT



FRANKLIN WHITE, CHAIRMAN
SUWANNEE COUNTY BOARD OF
COUNTY COMMISSIONERS