

Workshop
***Driveway Ordinance, Scrap Metal Contracts, Lease
property/building in Suwannee
Dixie County Courthouse
Commission Board Room
214 NE Hwy 351, Cross City, FL 32628
March 03, 2022 – 9:00 AM***

While adhering to the CDC Guidelines and following State of Florida Executive Orders: 20-51 Establishing Response Protocol, 20-52 declaring a Public Health Emergency, 20-69 regarding Local Government Public Meetings and the Dixie County Emergency Declaration 2020-29. The Board will meet and limit access by staff and the public to the meeting room. The Board meetings are audio recorded. The public can hear and participate in the meeting via conference call by dialing 1(917)900-1022 and enter code 32628.

COMMISSIONERS

Jody Stephenson, District 1
W. C. Mills, District 2, Vice Chairman
Mark Hatch, District 3
Jamie Storey, District 4, Chairman
James Valentine, District 5

STAFF

Duane Cannon, County Manager
Paul Gainey, Asst. County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Michael Osteen, County Attorney
Barbie Higginbotham, Clerk of Court
Della Rhymes, Asst. Chief Deputy Clerk
Jacki Johnson, Chief Financial Officer

CALL TO ORDER

The Board meeting was called to order at 9:03 AM by Commissioner Storey.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Valentine and the Pledge to the American Flag was led by Commissioner Mills.

SUWANNEE PROPERTY/BUILDING LEASE

County Attorney Michael Osteen appeared before the Board to inform them they will be discussing several items at the Workshop today. He started the discussion of the first item by introducing Mr. David Hughes to everyone.

Mr. David Hughes appeared before the Board and said he lives in the Town of Suwannee and moved there from Gainesville in 2007. He said he is a Licensed/Certified Occupational Therapist and a Certified Personal Trainer. He said he has worked with patients at the Tri County Nursing Home and with Pinnacle Home Care as well as clients throughout the Tri County area. He informed the Board that he is interested in the building located at 23461 SE Hwy 349 in Old Town, FL 32680 (Suwannee). He said that he would like to open an outpatient rehabilitation facility, wellness and fitness center at this site. He said the community and people from Suwannee would benefit greatly from this facility.

Attorney Osteen said he wanted to go over this with everyone and get some direction from the Board. He said this building needs some repairs and must be safe for the public. He said that liability insurance would be necessary to go along with a three to five-year contract for lease.

Commissioner Stephenson asked if he could do some repairs along with the county. Mr. Hughes said he wasn't sure how that would work.

Commissioner Mills said the repairs done by Mr. Hughes could be taken off the lease. Commissioner Hatch said that could make the lease free for several years. County Manager Duane Cannon said the lease rates need to be according to square footage.

Attorney Osteen asked how bad of shape is the building currently in. Building Official Leon Wright said he has looked at the building.

Commissioner Stephenson asked Mr. Hughes his opinion of the fair market value for a lease.

Mr. Hughes replied the building needs a lot of work. He said that he had a building contractor, a heat and air contractor, and a roofing contractor look at the building.

Mr. Wright said this pre-existing building will fall under the Flood Plain Ordinance. He said it would be easier to renovate versus starting a new build project.

Commissioner Hatch said that the garage doors being swapped for regular doors would save some money. He said a restroom and an office would be needed. He said a lot of the space is open. He said the county should do the repairs.

Commissioner Mills agreed that a contractor would not be needed for the repairs.

Commissioner Storey said that Mr. Wright will do the inspections.

Manager Cannon asked for Mr. Wright to assist him with establishing the fair market value of the rental.

Commissioner Mills added that commercial rental rates are high.

Mr. Wright agreed for Mr. Hughes to meet him at the Building and Zoning office on Thursday, March 10 at 9:00 AM to go over some particulars.

Attorney Osteen said they should have something put together for the March 17 Board meeting.

DRIVEWAY ORDINANCE

Attorney Osteen moved on to the next topic for discussion which was the driveway ordinance. He said that there is a driveway Ordinance, 1993-05, that has been in effect for years. He said that the need for a culvert is determined by the Road Department conducting an inspection. He pointed out that the current ordinance mandates a minimum size of 18 inches for the opening. He asked who has the credentials to determine if a larger culvert is needed and who will enforce the ordinance.

Commissioner Stephenson said the Road Department has an employee who does this.

Commissioner Mills added that Mr. Danny Dey has had training for this.

Manager Cannon introduced Mr. Greg Bailey and Mr. Kellan Bailey of North Florida Professional Services. He said they have looked at several sites for an assessment.

Mr. Greg Bailey appeared before the Board and said first a driveway permit is requested then the inspection should be done, and then a determination of the culvert size is made. He said a State of Emergency may also influence the sizes needed.

Attorney Osteen said the current Ordinance also mandates that 16-gauge materials be used. He said there are better made materials available now than in years past.

Commissioner Stephenson said that plastic is cheaper than steel and does not rust in the coastal areas.

Attorney Osteen asked the Board if they want to have tapered or mitered ends for the culverts.

Commissioner Mills said they will not be dealing with one size fits all scenarios.

Mr. Greg Bailey spoke to the Board about materials. He said if they chose metal or plastic, it should depend on the market price. He said that coated materials can last longer than metal. He said that concrete is always expensive. He said that mitered ends are better for long term maintenance. He said that typically the Road Department and Building Department have staff to handle culvert permitting. He said that his office can help with the review and size determination.

Attorney Osteen said they need a formula to prove how and why the determination was made for a certain size of culvert. He said that every driveway may be different.

Commissioner Stephenson discussed a particular property and said the burden belongs to the homeowner who purchases land in the low-lying area.

Mr. Wright said there is not a dedicated floodway in this location.

Commissioner Stephenson said this is called Bear Slew.

Commissioner Hatch suggested they have the Flood Plain Manager look at this.

Commissioner Mills stated that if you buy property, you are responsible for the driveway.

Commissioner Hatch asked shouldn't the county need to know if this lot is buildable at all in the first place.

Mr. Wright replied they do this already. He said they go above and beyond what is required.

Mr. Bailey said that driveways are for access to the property only. He said this does not mean the person intends to build on this property.

He said that typically you stake the driveway, then the Road Department looks at this and assesses the drainage and safety issues. He said they may need to move the driveway to another location after the evaluation. Mr. Bailey presented a detailed drawing of a mitered end on a culvert.

Attorney Osteen requested that Mr. Bailey help him with the ordinance; and he will present it later.

Commissioner Stephenson said this financial burden should not fall on the taxpayer but on the landowner.

Attorney Osteen cautioned everyone that the price will be higher than it has been in the past.

Mr. Wright said that Mr. Danny Dey does not like the possibility of public confrontation regarding this driveway and or culvert inspection and assessment.

Commissioner Mills suggested that Mr. Dey pass the information to the Building and Zoning Department.

Mr. Jeff Hardison of Hardison Ink asked if the ordinance will be amended or will they be creating a new one.

Attorney Osteen replied they will be amending the current ordinance.

SCRAP METAL CONTRACTS

Attorney Osteen presented the next item for discussion. He said there has been a historical pattern of how the metal removal from the dump sites have been handled. He said that he has compared the procedure from other counties. He suggested that all the scrap metal be taken to the Transfer Station. He suggested that only household garbage be accepted at the roll off sites. He said this cost the county more money to have metal at the roll off sites. He said that Mac Osteen and "Goob" Osteen are the current metal contractors. He asked what if someone else wants to remove the metal. He suggested the county advertise and take bids on the removal of the metal.

Commissioner Stephenson asked about the legality of not accepting bids for the removal of the scrap metal. He said he has also spoke with other counties about their scrap metal. He said they all have a different method for removal, but that all produce less metal than Dixie County.

Commissioner Mills said he would not vote on this issue when it comes up for a vote in the Regular Board Meeting. He said he does not want to show partiality.

Mr. Hardison asked the county attorney if Commissioner Mills is allowed to not cast a vote.

Attorney Osteen replied yes, if he has a conflict.

Commissioner Mills clarified that he does not have any financial interest or gain in this vote either way.

Attorney Osteen added that the reason for not voting will be clarified when the time comes.

Mr. Todd Herring appeared before the Board and clarified that he is not taking any work from anyone or causing any conflict. He said it is expensive for the contractor to move this metal. He said it pays \$.03 per pound. He added that if you change the process then the public may go back to dumping it in the woods or wherever. He suggested the Board call the contractor when the site needs to be cleaned up. He said an outside contractor will charge much more to remove the metal.

Attorney Osteen suggested the Board alternate between the three contractors within the county.

Commissioner Stephenson said they need a contract.

Solid Waste Director Michael Latson said he wants to see a written contract for the scrap metal removal. He said the contractor will need to weigh in and out so they can keep up with the records. He said they must show proof that the county is recycling.

Commissioner Stephenson said a lot of citizens recycle metal.

Mr. Herring added that those people are loading this by hand. He said the contractor has equipment and insurance for liability.

Manager Cannon said the Board has verbal contracts with the two vendors and have divided the sites between them. He asked if they want to add Mr. Herring to the list. He said they need to have someone be accountable for cleaning up the sites and the removal.

Mr. Wright agreed and suggested that if they call one contractor and he can't get to it by the specified deadline then to call the next one on the list and so forth.

Clerk of Court Barbie Higginbotham added there needs to be a written contract. Chief Financial Officer Jackie Johnson agreed.

Commissioner Storey instructed the attorney to get a contract put together.

Attorney Osteen said that three contractors will be handling the scrap metal; and this will be difficult to manage. He said this may need to be advertised each time due to the changing market value. He said the county can't store the metal waiting for the market value to increase.

Clerk Higginbotham asked where is the money going from the scrap metal clean ups and removals. She said that no money has been received.

Commissioner Stephenson recommended they write up a contract with Mac Osteen and "Goob" Osteen and have Mr. Todd Herring as a third choice for the scrap metal cleanup and removal. Commissioner Hatch agreed.

Commissioner Storey instructed Mr. Latson to work down the list of three contractors. He said if one doesn't show up then call the next one and so forth.

Attorney Osteen recommended they weigh in at the Transfer Station. Ms. Johnson said they will need to pay for the metal, too.

Commissioner Stephenson said the market value for scrap metal fluctuates.

Commissioner Mills said the price should be set at \$3.00 per one hundred pounds. He said this price will stay the same no matter what the market price is. He said if the market rises then that is more incentive for the contractor to make more money.

Attorney Osteen added that the contractor must move the metal off the county property. Mr. Latson agreed the contractor can store the metal on their own property.

Mr. James Ward asked why the county hasn't received any money from the scrap metal removals. Manager Cannon replied the metal has not been removed.

Clerk Higginbotham added that is not correct. She said that metal has been removed and that no payments have been received.

PUBLIC COMMENTS AND CONCERNS

There were no questions or comments from the public at this time.

ADJOURN

Commissioner Hatch made the motion to adjourn at 10:11 AM. Commissioner Mills seconded. Board approved.

APPROVED

ADJOURN

Commissioner Hatch made the motion to adjourn at 10:11 AM. Commissioner Mills seconded. Board approved.



ATTEST:

BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

WC Mills

W. C. Mills, Vice-Chairman

Barbie Higginbotham

Barbie Higginbotham, Clerk-Auditor

PLEASE BE ADVISED that if a person decided to appeal any decision made by the Board with respect to any matter considered at such meeting or hearings, he/ she will need a record of the proceedings, and for such purpose, he/ she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

“Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (352) 486-4931 (Voice & TDD) or via Florida Relay Service at (800) 955-8771.”

The Board meets the first Thursday of each month at 10:00 AM and the third Thursday of each month at 6:00 PM. Individuals that would like to be placed on the agenda should call Barbie Higginbotham, Clerk of Court, by 4:00 PM on the Friday Preceding the Board meeting, at (352) 498-1200.