**Work Shop**

***Horseshoe Canals***

***Commission Meeting Room***

***May 16, 2019 – 5:00 PM***

**COMMISSIONERS PRESENT:**

W. C. Mills, Chairman

David Osteen, Vice-Chairman

Gene Higginbotham

Mark Hatch

Jamie Storey

**STAFF PRESENT:**

Tim Alexander, County Manager

Michael Osteen, County Attorney

Dana D. Johnson, Clerk of Court

Della J. Petty, Deputy Clerk

**CALL TO ORDER:**

The Work Shop was called to order at 5:00 PM by Chairman Mills.

**INVOCATION AND PLEDGE:**

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

Chairman Mills asked County Manager Tim Alexander to discuss the Horseshoe Beach canals. Manager Alexander stated the Board, Horseshoe Beach Mayor and Town Council have been working together to get ownership of the canals and then help with dredging. He said he reviewed the interlocal agreement and he was not comfortable with the language so he revised it and sent it back. Manager Alexander stated on April 22, 2019 County Attorney Michael Osteen sent an email about redrafting the agreement. County Attorney Osteen stated he don’t see where the County could have any interest to take the canals. He asked Horseshoe Beach would not take the canals even with their Attorney, Mr. Bishop, completing hold harmless agreements for each lot owner. Mayor Bennett stated the Town does not have the manpower to dredge. Commissioner Osteen added the County will help them if the need arises and County Attorney Osteen said we can give them help. Commissioner Hatch stated the seawall panels in Suwannee are deeper in the water and he is concerned about the seawall blowing out when dredging near those. County Attorney Osteen said again for the record he wants it clear down the road there may be some issues not contemplated and there can be problems. Commissioner Hatch inquired if the lot owners would deed their portion of the canal to the County and after dredging is complete then the County would deed the canals to the Town of Horseshoe and County Attorney Osteen reiterated why go through the County to make it happen.

Mayor Talmadge Bennett appeared before the Board and informed them the Town of Horseshoe was looking for a barge to purchase and they have found one for $80,000.00 which can be built on site and then put in the water which will save money. He said they have been talking with the County about this project for three years now and still have no commitment. He said they would like to sign an interlocal agreement and set a time to begin the project. He said the Town of Horseshoe has set aside money for the project and there are people here in the audience who are in full support of the project. Mayor Bennett said though the County’s Coastal Resiliency Grant they had a Public Hearing for Horseshoe Beach and it was discussed and suggested by the Engineers to place the dredged material on the rim for protection. Horseshoe Beach Attorney Conrad Bishop appeared before the Board and said he had revised Paragraph six of the interlocal agreement to strike the phrase "with all due speed". He said they will need to confirm when to pay expenses and when to begin the work in the interlocal agreement.

Manager Alexander commented his main concern was the County losing State Funding and Commissioner Hatch asked for a cost estimate. Mayor Bennett replied the estimated cost for the project is $316,000.00 minus the $100,000.00 from Horseshoe which leaves $216,000.00 to be paid by the County. Manager Alexander added the County has $25,000.00 set aside for this project. Commissioner Mills asked if the County can supply the equipment and some employees for use and deduct the cost from the project and Mayor Bennett replied the cost of labor is included in the quoted package price. Manager Alexander said a portion can be in kind from the County and they can use the excavator that has been in the salt water already and Mayor Bennett said the equipment will need a long arm for better reach. Commissioner Hatch asked how much an excavator will cost and Mayor Bennett replied $150,000.00. Commissioner Mills suggested using the excavator that has been in the salt water.

Mayor Bennett expressed his concern with getting storm damage reimbursement from FEMA and Manager Alexander pointed out FEMA will pay a claim directly to the city or the county. Commissioner Hatch stated the Town of Horseshoe currently pays taxes for services the County provides anyway so it makes no sense to deed the canal property back and forth or get this work done. Manager Alexander said the County cannot commit to pledging over $200,000.00 to this project from the County Budget. Commissioner Higginbotham asked if they can you dump the dredged material on the barge and then dump on spoil site and Road Superintendent Steve Hutchinson replied that won't work because the spoil site is too far away. Mayor Bennett added the barge won't fit in some of the canals and will have to be dredged from the hill.

Commissioner Hatch said after running some figures that the County would owe $50,000.00 after deducting all the in kind matches and Mayor Bennett said the project can be started in the fall from October 2019 through March to work with the spring low tides. Commissioner Mills suggested the property owners in Horseshoe Quit Claim Deed the canals to the Town of Horseshoe and Commissioner Hatch added the County has always helped with clean up efforts even when they don't own the land. Commissioner Higginbotham added the County and Town need to get a hold harmless from each land owner and said the County will do the storm clean up and Horseshoe will file with FEMA for reimbursement money in the future.

Mr. Bennett asked for clarification on all that has been addressed thus far: the Town of Horseshoe will pledge their $100,000.00 to the project; Horseshoe will purchase a barge with their pledged funds and the balance will go towards additional expenses; the County will be responsible for all other steps necessary to dredge the canals; Attorney Conrad Bishop will re vise the interlocal agreement between Horseshoe and the County; Attorney Conrad Bishop will revise the quit claim deed for the canals to the Town of Horseshoe and the project can be started in the fall from October 2019 thru March 2020.

A project manager was discussed and Road Superintendent Hutchison said he can do the equipment work and would enjoy it because it is in his hometown. Manager Alexander commented the Town of Horseshoe would get paid by FEMA quicker than the County would. Mayor Bennett said it may take four months to get all deeds from property owners and Commissioner Hatch asked how long it will take to build a barge then Mayor Bennett replied 90 days.

Manager Alexander informed the Board of another issue in Horseshoe is the FDOT survey of the Right-of-Way and the most recent survey. He said if you look at the plat of Horseshoe Beach you can see many properties encroaching into the main road. He said the FDOT survey shows encroachment on some other properties as well and the dilemma is which one to honor for the Right-of-Way. Commissioner Hatch recommended they use the FDOT survey for any road issue because they will honor their own survey when paving funds are needed. County Attorney Michael Osteen said Assistant Manager Duane Cannon has done a lot of research on this area due to the previous Capo and parking issue. He said he would recommend using the newest survey and grandfather in the prior encroachments. Assistant Manager Cannon said the plat was recorded in 1933 and surveys and permits of structure were not done or were not followed. Commissioner Hatch asked Mayor Talmadge Bennett if the Town of Horseshoe would agree to accept the FDOT survey and Mayor Bennett replied yes. Commissioner Hatch pointed out that all structures built in the future must follow this survey.

Mayor Bennett informed the Board that he responded to a medical emergency at the boat ramp yesterday. A woman had slipped and cut her leg badly on the oyster shells. He requested the Board look at the ramp because the end is very slippery and people are getting cut on oyster shells. He requested the Board have Mr. B. D. Douglas clean the shells from the ramp.

**ADJOURN**

The motion to adjourn was made by Commissioner Higginbotham and seconded by Commissioner Osteen. The Board approved and the meeting adjourned at 6:00 P.M.

BOARD OF COUNTY COMMISSIONERS

DIXIE COUNTY, FLORIDA

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Dana D. Johnson, Clerk-Auditor