

Special Meeting
Suwannee River Water Management District
Dixie County EOC Building
17600 SE Hwy 19, Cross City, Florida 32628
August 19, 2021 – 10:00 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 2020-27. 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
Martha McCaskill, Administrative Asst/Grant Coordinator
Michael Osteen, County Attorney
Barbie Higginbotham, Clerk of Court
Verna Wilson, Chief Deputy Clerk
Della Rhymes, Asst. Chief Deputy Clerk
Jacki Johnson, Chief Financial Officer

CALL TO ORDER

The Board meeting was called to order at 10:00 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.

County Manager Duane Cannon appeared before the Board and reminded everyone that they are meeting with Suwannee River Water Management District at the requests of the Board. He said the two Boards can work together and speak with each other about the water issues and come up with some ideas to solve some problems. He said they should be able to use this information to help prepare for the next event and future use.

Commissioner Stephenson said the gates were blocked as part of the Aquifer Recharge Project for Mallory Swamp.

Mr. Hugh Thomas, Director of SRWMD, replied yes.

Commissioner Stephenson asked if the SRWMD had done a study before they started this project.

Mr. Hugh Thomas requested the opportunity to introduce his staff. He introduced Mr. Tim Alexander as the Assistant Director, Mr. Leroy Marshal from permitting, Mr. Tom Mirti as the Hydrologist, and Mr. Pat Webster.

Mr. Thomas answered the question with they had some engineering work done upon initiation of the project. He said they are currently developing a management plan for the Aquifer Recharge Project and then they will finalize the plan. He said there was additional data needed and that Locklear and Associates are working on some of this data.

Commissioner Stephenson questioned that they were doing a study now after the affect. He said the county had to do a study to change out pipes on Old Hwy 19.

Commissioner Stephenson asked if the taxpayer's money was used to place culverts on private property, then why can't the Board get permission from the property owner to access the culverts. He said the private owner controls the gates in these culverts now.

Mr. Thomas explained that the Middle Suwannee Project and the MBAR is similar. The private landowner signs an Agreement for a Management Plan in return for a conservation benefit. They are then responsible for the culverts.

Commissioner Stephenson said he checked some pipes on the East and West in Mallory swamp and the gates were closed. He said there were boards in the pipes blocking the water flow. He said he had previously asked about this and was told the boards were out of the pipes. He said he requested permission to pull the boards from the pipes. He asked who is responsible for removing the boards when needed.

Mr. Tim Alexander stated he was not happy, either, as he was given bad information.

Mr. Thomas said they need a better plan. He said this is a recharge project not a flood control project. He asked the Board if they think that Mallory was the cause of this flood.

Commissioner Stephenson said it is a contributing factor, yes. We couldn't handle any more water at that time.

Mr. Thomas said he disagrees with the drainage system.

Commissioner Stephenson said the water is flowing South to Dixie County because it couldn't go East or West.

Mr. Thomas said the Steinhatchee River is high and is flowing back, too. He said the water will seek the lowest point.

Commissioner Stephenson said that the water table is high; and all is full.

Commissioner Storey said that the hammock canal is very high and level with Hwy 351. He said he is flooded at his home, too. He said the water lowered when it was able to move towards the Suwannee River.

Mr. Thomas said that there are also several blockages within the drainage systems.

Commissioner Storey said the canals need to be cleaned, too.

Mr. Thomas added that there was a huge amount of rainfall.

Commissioner Hatch said he would like to add that back when the well water was drying up, they started the Recharge Projects. He said there are 450,000 acres in Dixie County and that water is everywhere. He said he doesn't agree with the way the Recharge Projects are monitored. He said the water should be allowed to flow when it reaches a certain level. He said the county has done a lot of drainage work, too. He said a better system must be put in place. He thanked the members of the SRWMD for attending this meeting.

Mr. Thomas said they are trying to complete the management operation plan for the Mallory Swamp structures and identify and address the drainages that are off site too.

Mr. Tom Mirti spoke to the Board and said the Suwannee River is cresting today in Fanning Springs. He directed everyone's attention to a rainfall map. He said the red area is high and the blue area is low. He said that Jena got 42 inches of rain and Mallory Swamp got 30 inches. He agreed that if the east and west is blocked, then the water will flow South. He said they had put in several wells around Dixie County to monitor the water levels. He said they have some at Hines, Holly Hill, Horseshoe Tower Road. He said some are South of Hwy 19 and some are near the old GP sawmill. He said the record back in 1988 was 40 ½ inches. He said the county is above 39 inches now. He said the river is at 10 feet above the normal water level and sea level.

Mr. Thomas said he agrees the Suwannee River Water Management District must manage Mallory Swamp and the county will have a say in this agreement.

Commissioner Stephenson said he doesn't like the Mallory Recharge Project. He said the water table in Dixie County doesn't fluctuate dramatically like in other places. He said there is a very small window of error because of the elevation.

Mr. Thomas agreed.

Commissioner Stephenson asked to see some Lidar maps from 2000 and some from today so they can compare the changes.

Mr. Thomas said they can get the maps for all to see and use.

Commissioner Stephenson said he wishes they could take all gates out and let everything flow naturally. He said they need help to fix these issues. He said there is no FEMA help for this.

Mr. Tim Alexander said that the scope of work had to be stretched out for some of the grants that were applied for.

Commissioner Mills said that a large amount of rainfall has fell and the river has risen over a short period of time. He said the Mallory Swamp Project began in 2009. He said that the flooding in 2016 was bad. He said that this is becoming a reoccurring event every two or three years.

Mr. Tom Mirti agreed. He said that they must keep in mind how to balance and work on a plan. He said that funding is also an issue.

Commissioner Mills said a private landowner should not have sole control over these flood gates.

Commissioner Hatch said he would like to add that private landowners are also building burms and blocking the natural flow. He asked how the county can legally regulate and enforce this.

County Attorney Michael Osteen advised the Board that there are legal ways to address this concern.

Mr. Thomas said they must have an easement from the landowners to access the culverts.

Attorney Osteen reminded everyone that some landowners will comply while others will not. He said the county may have to enter a lawsuit for Imminent Domain for the better benefit of the public.

Commissioner Stephenson asked who governs the culverts and ditches.

Mr. Leroy Marshall informed the Board that they have an agreement between DEP and SRWMD regarding who has regulatory authority and who does the work. If the landowner is a single family residence, then the DEP has authority. If the landowner is agricultural then SRWMD has authority. He said whenever they are notified of an issue, they will look over the agreement and pass it on to the correct agency. He said if it's Federal then the Army Corp has authority and the EPA is over them at a higher level.

Building Official Leon Wright added that if the development is through a Flood Plain Ordinance then it should be permitted; and documentation is still needed.

Attorney Osteen said the landowner is required to maintain the drain.

Mr. Leon Wright said that no work should be done in a flood hazardous area and that questions should be asked first.

Mr. Thomas agreed that a permit should have been obtained through the Building Department.

Commissioner Stephenson said the Board may not know this is happening.

Mr. Wright said that violations within the flood hazardous area are punishable by law.

Commissioner Stephenson said more people are moving in since the 1980 flood when they had to cut Chavous road. He said the people are buying property and building the property up and back filling the low areas. He said the water must get higher and deeper to move along like it use to.

Mr. Wright said the county has a Flood Plain Ordinance Program.

Commissioner Stephenson said that someone must be able to check these private property culverts before a problem occurs.

Attorney Osteen said that would be the county and SRWMD.

Commissioner Storey said that the water on one side is level with the culvert and boiling. He said a larger size culvert may help the water flow better.

Attorney Osteen said that if you flood someone else by removing water from your property it is a liability issue.

Mr. Leroy Marshall said they do not inspect the non-permitted work or culvert sizes on private property. He said if the work is permitted then it is put in writing that the SRWMD can do an inspection. He said a lot of this work is non-permitted work.

Commissioner Hatch said that's what we want to fix.

Attorney Osteen said the local government can resolve drainage problems and set a level of service within their district. He said they can establish proper construction and maintenance procedures.

Commissioner Stephenson said the Lidar maps will show these changes.

Mr. Leroy Marshall agreed, yes, the maps will show the changes. He said he doesn't know when the change took place.

Mr. Thomas asked if they want to see the Lidar maps for the whole county.

Commissioner Stephenson replied yes.

Commissioner Mills informed the Board that he is working with some private landowners to dig ditches and help move the water out of the area.

Commissioner Storey asked if the county were to find a blockage can they go on that property and clean this out.

Attorney Osteen said he will research and get some answers for the Board.

Commissioner Storey agreed that landowners moving into the Old Town Hammock area have been changing the level of the land by building it up.

Mr. Jason Hay recommended the Board take some elevations up and down stream with a transit.

Commissioner Stephenson said there is more to it than that. He said the canals need to be wider and deeper to accommodate the water flow.

Ms. Lori Gilbert asked why you can't use a pump truck and pump it out into the ocean.

A concerned citizen said some folks are flooded and others are not.

Mr. William Young asked if some blockages can be removed. He said that some of this water is not going to the ditches at all, it's flowing towards someone's front door.

Commissioner Stephenson asked if the county had to agree to the Recharge Projects in order to get funding to clean out the ditches.

Mr. Tim Alexander replied yes.

Commissioner Stephenson asked what the county can apply for or what can SRWMD apply for in order to correct some of these problems.

Mr. Thomas replied there is some funding through the state. He said there is one called Resilient Florida for coastline flooding and inland flooding concerns. He said they should get a plan to submit for funding. He said this is a new kind of grant with some time constraints.

Commissioner Stephenson said they have been trying to get some help from the state level. He asked if the SRWMD can help with this.

Mr. Thomas said they have made some calls and are waiting for a response.

Director of Emergency Service Darian Brown informed the Board that a Disaster Team had come down and surveyed the damage. He said of the 173 homes they have seen 20 and they were given photos and addresses to take back to Tallahassee and then to FEMA.

He said they were given all the photos from the web site and the FSU aerial video footage too.

Division Chief Scott Garner said that there is no public assistance from FEMA at this time. He said the county must meet a threshold of \$68,385.00 to get reimbursements for county expenses only and the state must meet a threshold of \$29 million for the state to get help. He said even if the county meets its threshold, the state still must meet their threshold before the county can get reimbursed. He said for individual assistance there must be so many homes at a certain level of damage or destroyed. He said the information moves up the chain to FEMA in Atlanta and they have to say yes. He said the population and poverty level is also considered. He said they did have a fatality due to the storm.

Director Brown said they need more documentation of homes that were damaged.

Commissioner Stephenson asked if they were told that the water is still rising.

Director Brown replied the event is ongoing and not over yet.

Chief Garner said they usually don't show up until after the water has gone down. He said they came early this time. He said they know the importance of the issue.

Mr. Thomas said they have sent the rainfall data and river level data to the Governor's office.

Commissioner Hatch asked if the SRWMD members can attend the regular Commission meeting tonight.

Ms. Lori Gilbert asked about what is being done to eliminate mosquitos.

Commissioner Stephenson said there is too much water and we cannot spray with an airplane, either.

Commissioner Hatch said the public can call the Mosquito Control Office and request pellets.

Manager Cannon added that the spray kills adult mosquitos and the pellets kill the larvae. He said there are restrictions regarding aerial spraying and cross contamination of well water due to the ground water levels.

Attorney Osteen gave the Board a legal opinion regarding accessing private property. He said that if someone has done unpermitted work and it is causing a problem then they must put it back to the original state. If they don't fix the issue, then the county can enter the property and charge the landowner or can lien the property for the cost associated with fixing the issue. He said there are procedures and protocol to follow.

Mr. Wright said he will give an update at the meeting tonight.

Attorney Osteen said he will help and have the statute for better understanding.

Mr. William Young said he had told SRWMD about this issue. He said he also notified DEP and got an email response saying they would have to look at the area in question.

Mr. Jason Hayes said that in a state of emergency that deadlines and timelines can be altered to take care of the county.

Commissioner Mills agreed some of these issues need to be addressed now.

Commissioner Hatch thanked everyone for coming to the meeting today.

Commissioner Mills wanted to inform everyone that he has been asked to Chair a new task force made up of citizens to help address the flooding issues around the county. He said that several men from Dixie County have got together and want to help maintain the ditches and canals at no cost to the county. He said they are using their own money and equipment to do this. He said they met this morning at 8:00 AM to discuss the issues and come up with some ideas and solutions. He said they understand that they can start cleaning ditches and canals if they do not make them wider or deeper or put in bigger culverts without permits. He said he will get a list of the people on the task force and have that ready for the meeting tonight.

Commissioner Hatch cautioned we want everything done legally. He said the task force has already been working on Road 30 and have gotten the water flowing. He said these men are donating their own time, money, and equipment to help the county.

Commissioner Mills asked SRWMD to look at the elevation of the Hwy 19 ditch near the Health Department. He said the elevation needs to be lowered to help with water flow. He said this would have possibly helped with the flooding at the prison. He said that FDOT had to cut the road at the Cross City Veneer Mill to help with water flow.

Manager Cannon said the county should be proactive and add culverts where needed. He said he would like the public to know the county has been working on these issues since 2018. He said the county has spent \$96,000.00 on purchasing culverts and replaced old one from years past. He said add in the manpower and the county has spent ½ million dollars. He said they met with SRWMD last month to get a conceptual permit plan together for more construction to begin. He said once the budgeted money is released then the work can begin. He said engineers are working to advise what structures can be put in place. He said that sediment and debris will be removed prior to structural changes. He said the county has completed 12 miles of ditch work alone.

Commissioner Mills also stated that what is portrayed in the media is not 100 % accurate. He said he recently gave TV20 a 10-minute interview about the Fire and Solid Waste Assessment Study and area Flooding. He said the finished product was showing him holding two fish. He said the whole interview was edited out. He said that is not a fair representation by the media. He said the Board has the best interest of the community at heart and have been transparent with all that they do.

Mr. William Young asked about installing ditches along the paved roads.

Commissioner Mills said they are working on that as well.

Commissioner Stephenson said the timber companies should be helping with some of this maintenance work and help pay for the cost.

Mr. William Young said that the trimming done for the power lines is also stopping up the culverts.

Commissioner Mills agreed they need to take they debris with them.

Commissioner Storey thanked everyone for attending this meeting.

Commissioner Stephenson asked Warden Billy Malloy from the Cross City Correctional Facility to speak.

Warden Malloy said they still have water at the prison. He said they will have to deal with the mud and then the mold. He said they are not closing the institution because it is a huge employment opportunity for the county, but they have temporarily relocated many prisoners and staff due to the flooding. He said they will open the work camp first. He expressed his thanks to the Board and the County Manager and the Road Department.

Mr. Malloy asked as a concerned citizen who pays for the culverts on private land, the taxpayer or the landowner.

Mr. Hugh Thomas answered that the SRWMD builds the structures and the landowner receives a conservation benefit and is supposed to manage the structures.

PUBLIC COMMENTS AND CONCERNS

There were no comments or concerns expressed at this time.

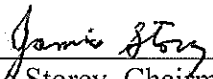
ADJOURN

Commissioner Hatch made the motion to adjourn at 12:15 PM. Commissioner Mills seconded. Board approved.


BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

ATTEST:





Jamie Storey, Chairman



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.