

Regular Meeting

Commission Board Room
Dixie County Courthouse
214 NE Hwy 351, Cross City, FL 32628
May 18, 2023 – 6:00 PM

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, Vice Chairman
Daniel Wood, District 2
Mark Hatch, District 3
David Osteen, District 5

STAFF

Duane Cannon, County Manager
Paul Gainey, Asst. County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Chana Watson, County Attorney
Barbie Higginbotham, Clerk of Court
Della Rhymes, Asst. Chief Deputy Clerk
Brenda Royal, Chief Financial Officer

CALL TO ORDER

The Board Meeting/Workshop was called to order at 6:00 PM by Commissioner Stephenson.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Hatch and the Pledge to the American Flag was led by Commissioner Osteen.

APPROVAL OF COMMISSION MINUTES

Commissioner Osteen made the motion to approve Minutes from the Regular Meeting of May 04, 2023. Commissioner Wood seconded. Board approved.

VOUCHER APPROVAL

Commissioner Osteen made the motion to approve the vouchers. Commissioner Hatch seconded. Board approved.

CONSTITUTIONAL OFFICERS

None were present.

PUBLIC HEARING: THE PUBLIC HEARING MAY BE CONTINUED TO ONE OR MORE FUTURE DATES. ANY INTERESTED PARTY IS ADVISED THAT THE DATE, TIME, AND PLACE OF ANY CONTINUATION OF THE PUBLIC HEARING SHALL BE ANNOUNCED DURING THE PUBLIC HEARING AND THAT NO FURTHER NOTICE CONCERNING THE MATTERS WILL BE PUBLISHED.

The motion to go into the Public Hearing was made by Commissioner Osteen. Seconded by Commissioner Wood. Board approved.

APPLICATIONS for VARIANCES

A petition by **Brett Molzen** located on the property as described as follows: Dixie County Parcel # 30-09-10-0309-0000-1060, 119 SW 285 Ave, Steinhatchee, FL 32359 to request a **Variance** for a reduction of side setbacks on both sides from 15 feet to 5 feet to construct a new home by the petition dated 04/17/2023 which is located within Section 4.7.7 RSF/MH subparagraph (2) of the Dixie County Land Development Regulations in accordance with section 12.3 Variance Procedures. **(Commission District 5, David Osteen)**

Building Official Leon Wright appeared before the Board and read the Variance request made by Brett Molzen. There was no opposition.

Commissioner Osteen made the motion to approve the Variance request made by Brett Molzen. Commissioner Hatch seconded. Board approved.

A petition by **Larry and Ursula Williams** located on the property as described as follows: Dixie County Parcel # 11-11-13-6674-0001-0310, 26 SE 297th Ave, Old Town, FL 32680 to request a **Variance** for a reduction of rear setbacks from 25 feet to 14 feet for new construction of an addition and deck by the petition dated 04/20/2023 which is located within Section 4.3.7 ESA subparagraph (1) of the Dixie County Land Development Regulations in accordance with section 12.3 Variance Procedures. **(Commission District 2, Daniel Wood)**

Mr. Wright appeared before the Board and read the variance request made by Larry and Ursula Williams. This property was not physically posted.

Commissioner Wood made the motion to table the variance request made by Larry and Ursula Williams. Commissioner Osteen seconded. Board tabled.

The motion to go out of the Public Hearing was made by Commissioner Osteen. Seconded by Commissioner Hatch. Board approved.

RESOLUTION 2023-47

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, TO APPROVE A VARIANCE TO BE GRANTED, AS PROVIDED IN SECTION 12.3.1 OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS, TO GRANT A VARIANCE FOR A REDUCTION WITHIN SECTION 4.7.7 SUBPARAGRAPH (2) OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS FOR A REDUCTION OF SIDE SETBACKS ON BOTH SIDES FROM 15 FEET TO 5 FEET TO CONSTRUCT NEW HOME WHICH IS LOCATED WITHIN SECTION 4.7.7. A RESIDENTIAL SINGLE FAMILY/MOBILE HOME AREA (RSF/MH) ZONING DISTRICT, AS PROVIDED IN THE PETITION DATED APRIL 17, 2023. **Brett Molzen**

Mr. Wright appeared before the Board and read Resolution 2023-47 in support of Brett Molzen.

Commissioner Hatch made the motion to approve Resolution 2023-47 in support of Brett Molzen. Commissioner Wood seconded. Board approved.

RESOLUTION 2023-48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, TO APPROVE A VARIANCE TO BE GRANTED, AS PROVIDED IN SECTION 12.3.1 OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS, TO GRANT A VARIANCE FOR A REDUCTION WITHIN SECTION 4.3.7 ESA SUBPARAGRAPH (1) OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS FOR A REDUCTION OF REAR SETBACKS FROM 25 FEET TO 14 FEET FOR NEW CONSTRUCTION OF ADDITION AND DECK WHICH IS LOCATED WITHIN SECTION 4.3.7. An ENVIRONMENTALLY SENSITIVE AREA (ESA) ZONING DISTRICT, AS PROVIDED IN THE PETITION DATED APRIL 20, 2023. **Larry and Ursula Williams**

Resolution 2023-48 was tabled due to the Variance request it supported being tabled earlier in the meeting.

GREG BAILEY, NORTH FLORIDA PROFESSIONAL SERVICES

Mr. Bailey had nothing to discuss at this time.

JERED LIZOTTE, LOCKLEAR AND ASSOCIATES

Mr. Lizotte was not present for this meeting.

CINDY BELLOT, LIBRARY DIRECTOR

Ms. Bellot informed the Board that the library roof is still leaking. She said they must put down tarps and buckets to catch the water and protect the books every time it rains. She said the ceiling tiles fall when they get wet from rainwater.

Mr. Phil Bishop of North Florida Professional Services spoke to the Board and said they are working on this. He said the decision for the location of the AC units is causing the delay. He said they are deciding between putting them back on the roof again or on the ground. He said that Cassidy Heat and Air is the contractor they are working with and he will get in touch with them.

Commissioner Osteen suggested moving them to the ground so the roof can be fixed.

Mr. Bishop said there are more factors involved.

Ms. Bellot said the units are old and will need to be replaced.

County Attorney Chana Watson asked if they are closing the library when it rains due to liability.

Ms. Bellot replied yes.

Commissioner Hatch said to look at getting new AC units and place them on the ground.

Mr. Bishop said placing them on the ground will add to the cost of the roof repairs.

County Manager Duane Cannon said they have local quotes for the roof repairs.

He said \$40,000.00 was budgeted last year. He said the library roof joins other owners within the same building.

Mr. Bishop said the warranty on the roof will be reduced, unless the whole building roof is re-done. He said the other owners may not want to have their portion of the roof re-done.

Commissioner Stephenson said the county has paid to fix the septic system for the whole building and that does not seem fair.

STEVE FREMEN, CODE ENFORCEMENT & VETERANS SERVICE OFFICER

Mr. Fremem had nothing to discuss at this time.

Commissioner Osteen asked about the “Crab Trap” issue in Jena.
Mr. Fremem said they are working on the LDR’s for the county.

STEVE HUTCHISON, COUNTY ROAD SUPERINTENDENT

Mr. Hutchison was not present for this meeting.

DWAYNE CHAUNCEY, MOSQUITO CONTROL DIRECTOR

Mr. Chauncey was not present for this meeting.

MICHAEL LATSON, SOLID WASTE DIRECTOR

Mr. Tim Johnson spoke to the Board and thanked them for the opportunity to serve as Interim Solid Waste Director when Mr. Latson retires as of May 25, 2023.

LEON WRIGHT, BUILDING AND ZONING OFFICIAL

Mr. Wright appeared before the Board and informed them of the re-opening of an Asphalt Plant on Pinner Road which will employ 25-50 people.

DARIAN BROWN, DIRECTOR OF EMERGENCY SERVICES

Director Brown appeared before the Board and presented their collections report.

Director Brown informed the Board that next week, from May 21 through May 27, 2023, is EMS Week. He said they will celebrate with a Family Day for staff at Camp Anderson on the Suwannee River.

Director Brown said that Hurricane Season begins June 01, 2023 and they will have a Pre-Hurricane Season kick-off meeting at the EOC on May 19, 2023 at 11:00 AM.

**SCOTT PENDARVIS, 911 COMMUNICATIONS DIRECTOR
& I.T. ADMINISTRATOR**

Mr. Pendarvis appeared before the Board and said he received an email from the state of Florida regarding 30 million dollars to help counties with Cyber Security. He said that Dixie County has been awarded some of this grant money.

Mr. Pendarvis said if any more discussion is needed on this project it will require an Executive Session of the BOCC due to the subject matter.

Commissioner Hatch made the motion to accept and sign the grant agreement. Commissioner Osteen seconded. Board approved.

GAIL CARTER, INDIGENT CARE

Ms. Carter was not present for this meeting.

HOLLY HOUGHTON, COUNTY EXTENSION AGENT

Ms. Houghton was not present for this meeting.

ANGIE CROWLEY, HUMAN RESOURCES ADMINISTRATOR

Ms. Crowley was not present for this meeting.

DUANE CANNON, COUNTY MANAGER

Manager Cannon appeared before the Board to request their approval of several items.

Manager Cannon requested the Board's approval to execute the Contract Agreement with DBT Transportation Services for the AWOS system at the Cross City Airport in the amount of \$5,820.00.

Commissioner Osteen made the motion to approve the execution of the Contract Agreement with DBT Transportation Services for the AWOS system at the Cross City Airport in the amount of \$5,820.00. Commissioner Wood seconded. Board approved.

Manager Cannon requested the Board's approval to execute the Work Order 23-14 for Passero Associates, LLC for the T-Hangar, Parking, and Entrance Road Design Only at the Cross City Airport in the amount of \$60,000.00.

Commissioner Osteen made the motion to approve the execution of the Work Order 23-14 for Passero Associates, LLC for the T-Hangar, Parking, and Entrance Road Design Only at the Cross City Airport in the amount of \$60,000.00. Commissioner Wood seconded. Board approved.

Manager Cannon requested the Board's approval to execute the NFPS contract for the Administration Services of the CDBG 95th and 97th Grant Project in the amount of \$52,500.00.

Commissioner Wood made the motion to approve the execution of the NFPS contract for the Administration Services of the CDBG 95th and 97th Grant Project in the amount of \$52,500.00. Commissioner Osteen seconded. Board approved.

Manager Cannon requested the Board's approval to execute the NFPS contract for Engineering Services of the CDBG 95th and 97th Grant Project in the amount of \$109,102.00.

Commissioner Osteen made the motion to approve the execution of the NFPS contract for Engineering Services of the CDBG 95th and 97th Grant Project in the amount of \$109,102.00. Commissioner Hatch seconded. Board approved.

Manager Cannon requested the Board's approval of the Mosquito Control Service Agreement with Dwayne Chauncey to manage the program pending attorney review.

Commissioner Wood made the motion to approve the Mosquito Control Service Agreement with Dwayne Chauncey to manage the program pending attorney review. Commissioner Osteen seconded. Board approved.

Manager Cannon informed everyone of the following:

- The County Offices will be closed on May 29, 2023, in observance of Memorial Day.
- The Pre-Hurricane kickoff meeting will be held at the EOC on May 19, 2023, at 11:00 AM.
- Mr. Michael Latson, Solid Waste Director, has submitted his two (2) weeks' notice of resignation. His last day working for the county will be May 25, 2023. He has 23 years of service with Dixie County and more with the state of Florida.

Commissioner Stephenson opened the floor for public comments about the Scrap Metal Contracts. The three current contractors, Mac Osteen and William Osteen and Todd Herring, were present for discussion.

Mr. Mac Osteen said they had negotiated a contract with the BOCC last year.

Manager Cannon clarified there had been some discussion over a year ago with them and the previous County Attorney. He said no previous advertisements for bids and/or contracts could be found. He said the previous County Attorney, Michael Osteen, had recommended the BOCC advertise and write up a contract. However, this was not completed.

He said the current County Attorney, Chana Watson, agreed that an advertisement for bids and a written contract was needed. He said the BOCC gave instruction to continue business with a verbal agreement. He said there has always been issues when the BOCC or Solid Waste has called the contractors to clean up and/or pick up the metal. He said, at the last meeting, the BOCC agreed to advertise for bids on the Scrap Metal clean up and/or pick up from the roll off sites and have a written contract with the winning bidder. He said an advertisement will be run in the Dixie County Advocate.

Mr. Mac Osteen said their previous agreement with the BOCC was to clean each site four (4) times per year and quarterly. He said the contractors are now given two (2) weeks' notice to start the job when called.

Manager Cannon said that is correct. He said this service needs to be handled with a contract like all the others.

Attorney Watson said legal protocol needs to be followed.

Manager Cannon and Attorney Watson will draft the advertisement and draft a contract for the winning bidder within the next few weeks.

Mr. Todd Herring said he cleaned up and picked up the metal when he was called to do so.

CHANA WATSON, COUNTY ATTORNEY

Attorney Watson informed the Board she has prepared the “Special Act” Ordinance and it will be advertised and ready for the next BOCC meeting.

Attorney Watson said FDOT met informally regarding the funding for the School Access Road. She said the County agreed for the County Manager to be the consultant for the school. She said an interlocal agreement is needed between the BOCC and the School Board. The proposal will be for the School to handle construction and administration with the county serving as a consultant and provide what services they can without obligation.

Attorney Watson informed the Board of an issue with Rollison Road. She said some of the property deeds read that the property extends to the center line of the paved road. She said a property owner wants a release of liability from the county or sell the road back to the county. She said the county has maintained this road for over 30 years. The property owner has proposed to deed the road and right of way back to the county if they will pay for the survey to be done. The owner is also requesting a release of liability from the county until the process is completed.

Commissioner Stephenson said the county has maintained this road for years and gains ownership due to maintenance. He said there are roads all over the county that would fit this same scenario. He said this would open the door to other people wanting to sell their road to the county.

Attorney Watson said the property owner wants \$170,000.00 for his interest in Rollison Road. She said the property owner could take the matter to court and the county would likely win the case anyway. However, it is always subject to the Judge’s decision. She said a survey may cost \$500.00 to \$600.00. She said there are roads issue and canal issue all over the county and the canals should have been Imminent Domain from the beginning.

Attorney Watson requested the Board decide on surveying the road or not. Commissioner Hatch said there is more liability with the canal.

Commissioner Hatch made the motion pay for the survey of Rollison Road, if the canal is included. Commissioner Osteen seconded. Board approved.

Attorney Watson informed the Board of two (2) active Code Enforcement cases that are waiting for court dates to be scheduled.

Commissioner Hatch asked about the process after the Magistrate sets a timeline for compliance. Code Enforcement Officer, Steve Fremen, replied he will re-inspection the property for compliance and the fines of \$100.00 to \$200.00 daily accumulate until they reach the value of the property and then the case is hand over to the County Attorney to file in court.

Commissioner Hatch asked who determines whether progress is being made towards compliance. Mr. Fremen replied, he does. He said there is documentation to support his decision.

BARBIE HIGGINBOTHAM, CLERK OF COURT

Clerk Higginbotham presented the County Probation Services Contract to the Board for approval. She said there was one (1) response to the advertisement and the County Judge interviewed the applicant and another company that responded later. She said the Judge chose the first applicant which is the same person whom had been the former contact with Salvation Army. She requested the Board approve the proposed contract.

Commissioner Hatch made the motion to approve the County Probation Services Contract as presented. Commissioner Osteen seconded. Board approved.

COUNTY COMMISSION ITEMS

Commissioner Wood had nothing further to discuss.

Commissioner Hatch had nothing further to discuss.

Commissioner Osteen updated everyone on DTRAC in Jena. He said the field has been graded and seeded. He said the area does need to be fenced.

Commissioner Stephenson apologized for missing the last meeting due to illness in his family. He said that the Solid Waste Department in Greenville is trying to contract with a company to grind tires. However, they can only have 1500 tires on site and that's not enough to justify bringing the grinder to the site.

PUBLIC COMMENTS AND CONCERNS

There were no comments or concerns discussed at this time.

ADJOURN

Commissioner Wood made the motion to adjourn at 6:57 PM. Commissioner Osteen seconded. Board approved.



BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

ATTEST:

Jamie Storey

Jamie Storey, Chairman

Barbie Higginbotham

Barbie Higginbotham, Clerk-Auditor

PLEASE BE ADVISED that if a person decides 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.