

23718 W US HWY 27  
High Springs, Florida 32643



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**CITY COMMISSION MEETING  
AGENDA  
City Hall  
23718 W US HWY 27**

**OCTOBER 27, 2016**

**6:30 PM**

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**CALL TO ORDER:** MAYOR BYRAN D. WILLIAMS

**INVOCATION:** PASTOR TERRY HULL, HIGH SPRINGS CHURCH OF GOD

**PLEDGE OF ALLEGIANCE:** MAYOR BYRAN D. WILLIAMS

**ROLL CALL:** ANGELA STONE, ASSISTANT CITY CLERK

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES:** OCTOBER 13, 2016 COMMISSION MEETING

**UNFINISHED BUSINESS - NONE**

**CITIZEN REQUESTS AND COMMENTS – FOR ISSUES NOT ON AGENDA (PLEASE STATE NAME FOR THE RECORD – LIMIT COMMENTS TO 5 MINUTES)**

**NEW BUSINESS**

- 1. CONSIDER A REQUEST BY JIM TATUM FOR A LETTER OF SUPPORT IN REFERENCE TO PHOSPHATE MINING.**
- 2. CONSIDER ORDINANCE 2016-10, AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 “PERSONNEL MANUAL ADOPTED” OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION.**
  - A. DISCUSSION AND CONSIDERATION IN PASSAGE OF ORDINANCE 2016-10 ON FIRST READING.**

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**3. PRESENTATION BY CITY MANAGER ON DEVELOPMENT OF WETLANDS.**

**CITY ATTORNEY REPORT/UPDATE**

**CITY MANAGER REPORT/UPDATE**

**A. ANNEXATION UPDATE**

**COMMENTS AND CONCERNS:**

- 1. COMMISSIONERS**
- 2. MAYOR**

**MOTION TO ADJOURN**

**PLEASE NOTE:** PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR 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. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY COMMISSION MEETINGS, SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 23718 W US HWY 27, HIGH SPRINGS, FLORIDA 32643, TELEPHONE (386)454-1416.



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CITY COMMISSION MEETING  
MINUTES  
October 13, 2016

Mayor Williams called the meeting to order at 6:30 p.m.

Invocation by Pastor Byran Williams, Mt. Carmel United Methodist Church.

Pledge of Allegiance.

Roll Call: Mayor Byran Williams – Present  
Vice Mayor Gloria James – Present  
Commissioner Jason Evans – Absent  
Commissioner Scott Jamison – Present  
Commissioner Sue Weller – Present

Staff Present: Ed Booth, City Manager  
Jenny L. Parham, City Clerk  
Scott Walker, City Attorney  
Joel DeCoursey, Police Chief  
Jennifer Stull, Finance Director  
Bruce Gillingham, Fire Chief

**APPROVAL OF AGENDA:**

**Motion Commissioner Weller to approve the agenda as presented.  
Second Vice Mayor James.  
Motion carried 4-0.**

**APPROVAL OF MINUTES:**

**Motion Vice Mayor James to approve the minutes of September 19, 2016 Commission Workshop as presented.  
Second Commissioner Weller.  
Motion carried 4-0.**

**CONTINUED BUSINESS**

**DISCUSSION ON REQUEST FOR PASSAGE OF A RESOLUTION REQUESTING THE DEDICATION OF FUNDS FOR WATER CONSERVATION PROJECTS IN NORTH AND CENTRAL FLORIDA.**

Commissioner Weller stated that after additional information that has come forward on this, she is not willing to move forward.

Jim Tatum, Our Santa Fe River, spoke against the resolution.

**CONSIDER CODE BOARD MEMBER KRISTEN RUBIN'S REQUEST TO BE ASSIGNED TO THE PLAN BOARD.**

**Motion Commissioner Weller to approve the appointment of Kristen Rubin to the Plan Board.  
Second Commissioner Jamison.  
Motion carried 4-0.**

**UNFINISHED BUSINESS**

**CITY ATTORNEY UPDATE ON PARCELS 01098-000-000 AND 00826-000-000 AND REQUEST FOR DIRECTION TO STAFF ON DONATION OF PARCELS TO HABITAT FOR HUMANITY.**

Attorney Walker presented an update on the properties. He states the deed is ready for the first listed property. He adds that the seconded listed property has a reverter clause that it is to be used for a park or lift station for the wastewater treatment facility. He states that the quickest, easiest way to handle that property is to deed it back to the County. There is no guarantee the County will deed it to Habitat, but they are promising they will and are working with Habitat now.

**CITIZEN REQUESTS AND COMMENTS – FOR ISSUES NOT ON AGENDA (PLEASE STATE NAME FOR THE RECORD – LIMIT COMMENTS TO 5 MINUTES)**

Jim Tatum, Our Santa Fe River, requests a letter of opposition of Phosphate Mining in Bradford and Union Counties. Item will be put on agenda for next meeting.

**NEW BUSINESS**

**DISCUSSION ON IMPACT FEE ORDINANCE AND WHEN FEES ARE TO BE PAID.**

Mr. Booth explains that the Impact Fees have in the past been paid at time of C/O (Certificate of Occupancy), but our ordinance says it is to be paid at time of connection to the sewer.

Attorney Walker states that they will look at this and implement this clearly, that the intent is to have the Impact Fees paid at C/O. Attorney Walker states that they will have by next meeting.

Jack Londono, Developer Bailye Estates, speaks of the impact fees being paid at time of sale, paying a

minimal nominal fee for irrigation , and not paying for sewer despite the water usage until the house is sold.

Rick Howe, Developer of Oak Ridge, expresses his agreement with Mr. Londono. He speaks of the County collecting impact fees at time of C/O.

**DISCUSSION ON SEWER RATES FOR DEVELOPERS.**

Commissioner Jamison states that he is fine with adding sewer at C/O, as long as, no one is using the building for an office or any kind of occupancy.

Mr. Howe stated that he cannot see any incentive to hold off on issuing a C/O for a house.

Commissioner Weller wants to make sure the City Manager has authority in the Ordinance to make the builder/developer get a C/O if need be.

Mr. Londono wants to hold off on the C/O until the house sells to keep from paying taxes on the house.

Attorney Walker stated they will work on this and bring back to commission.

**CONSIDER APPROVAL OF VOLUNTARY COOPERATION AND OPERATIONS ASSISTANCE MUTUAL AID AGREEMENT WITH COLUMBIA COUNTY SHERIFF'S OFFICE.**

**Motion Commissioner Weller to approve the Mutual Aid Agreement with Columbia County Sheriff's Office.**

**Second Vice Mayor James.**

**Motion carried 4-0.**

**CONSIDER APPROVAL OF INTERLOCAL AGREEMENT FOR MAINTENANCE AND OPERATIONS OF TRAFFIC SIGNAL, SCHOOL BEACONS WITH THE CITY OF GAINESVILLE.**

**Motion Commissioner Weller to approve the Interlocal Agreement with the City of Gainesville for the Maintenance and Operations of Traffic Signals and School Beacons.**

**Second Commissioner Jamison.**

**Motion carried 4-0**

**CONSIDER DECLARING HSPD 2006 LETC SPEED TRAILER (VIN A132042) SURPLUS AND DONATING TO SANTA FE COLLEGE POLICE DEPARTMENT.**

Chief Decoursey explained that this is an item we no longer need, and Santa Fe College Police Department is in need of.

**Motion Vice Mayor James to approve declaring HSPD 2006 LETC Speed Trailer as surplus and donating it to Santa Fe College Police Department.**

**Second Commissioner Weller.**

**Motion carried 4- 0.**

**CONSIDER APPOINTING REPRESENTATIVE TO THE ALACHUA LEAGUE OF CITIES.**

**Motion Commissioner Jamison to appoint Mayor Byran Williams as the Representative to the Alachua League of Cities.  
Second Vice Chair James.  
Motion carried 4-0.**

**ESTABLISH ALTERNATE DATES FOR THE NOVEMBER AND DECEMBER CITY COMMISSION MEETINGS IN ORDER TO AVOID CONFLICT WITH THE HOLIDAYS.**

**Motion Commissioner Jamison to approve the alternate meeting dates for November and December 2016.  
Second Vice Mayor James.  
Motion carried 4-0.**

**CITY ATTORNEY REPORT/UPDATE.**

Nothing at this time.

Eva Wright spoke of her concern with the Shell Station at CR340, and the gas fumes when trucks are filling tanks making her and her family sick. Mr. Booth advised that Codes has complaint and will address on Monday.

**CITY MANAGER REPORT/UPDATE**

Advised that the Fire Chief will take day to day complaints for Code Enforcement. The Building Official will take building complaints, and he, Mr. Booth, will taking care of the overgrown properties.

Advised the storm that came through, we were ready for. He adds that he is convinced that we are prepared for storms if they come through. He spoke of the problem with storm debris. He stated that the pick-up of the storm debris is not part of our Solid Waste Contract.

Advised that the house that the County gave the City will be auctioned off in 30 days. House will be up for bid without showing it.

**COMMENTS AND CONCERNS:**

**COMMISSIONERS.**

Commissioner Jamison was to make sure we remain diligent on the overgrown lots and dilapidated houses. He does not think that WCA should charge extra for hurricane or storm debris removal.

Vice Mayor James reminded everyone to register and vote, and that registration has been extended.

**MAYOR**

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Mayor Bryan Williams reminds everyone that the next food drive will be on Nov 5<sup>th</sup>. He commended staff on Hurricane Matthew preparations. He stated that the new Library renovations are very nice

**Motion Commissioner Weller to adjourn.**

**Second Vice Mayor James.**

**Mayor Williams adjourned the meeting at 7:50 p.m.**



## The Phosphate Mine in Bradford and Union Counties Proposed by HPS II Company

In the spring of 2016, HPS II Enterprises proposed a 10,775 acre mine bordering the Santa Fe River, and straddling New River, a major tributary which divides Union and Bradford Counties.

Following overwhelming citizen opposition, Union Co. quickly voted in a one-year moratorium on mine permit applications on April 18, 2016, giving them time to revise outdated and inadequate Land Development Regulations (LDRs). Bradford Co. did not issue a moratorium and soon after, on April 29, 2016, the mining company submitted to them a mine permit application. A workshop was scheduled and canceled, enraging the opposition.

At this time Alachua Co. made a strong stance against the mine, sending a letter of concern to several state and federal agencies. They addressed the Bradford commissioners and offered assistance in revising the LDRs. The mine has not been discussed at the board meetings by commissioners since May 19, 2016 and the current status is unknown to the public.

Lawyers for the Center for Biological Diversity, a national environmental group, have determined that the mine application was handled incorrectly by the Bradford commissioners and they have asked them to enact a moratorium on processing mining applications. With ample documentation, they give legal precedent in Florida for enacting moratoria after an application has been submitted.

There are many reasons to reject this phosphate mine. Phosphate mines pollute, destroy terrain and contaminate the aquifer. One has only to look to Polk Co. for the most recent environmental catastrophe. Mosaic Company has had previous spills and contaminations, and last year were fined almost two BILLION dollars. They continue to pollute. A mine on the river upstream from High Springs would jeopardize our greatest natural resource, our river, springs and aquifer.

The phosphate industry is one of the most polluting industries we have in Florida. It's a cradle-to-grave operation of pollution, and phosphogypsum is the grave," said Glenn Compton, from the environmental group ManaSota-88. The 1.8 billion settlement "is a small drop in the bucket of what the industry is doing to the State of Florida."

The Santa Fe River has many layers of special protections. It is designated an "Outstanding Florida Waterway," it is an "impaired waterway," meaning people have damaged it by over-drawing and allowing too much fertilizer into it. The river is protected by Minimum Flows and Levels, which are already not being met. Yet the mine will have to withdraw about 20 MGD to operate. These state-declared designations are in the Florida Statutes and give it greater legal protection than most Florida streams. The New River area is also designated an Area of Critical Habitat for the Oval Pigtoe Mussel and other threatened wildlife species. The river is also a Water Resource Caution Area.

The North Central Florida Regional Planning Council has previously advised the Bradford Board of Commissioners that their county's LDRs are inadequate to address a large-scale mine.

The phosphate industry itself provides much of the ammunition against it. The Florida Industrial and Phosphate Research Institute (FIPR Institute) tells us that up to 40 percent of the land that has been mined is being left in clay settling areas with no attempt at reclamation. About 340,000 acres have already been mined in Florida and less than 62,000 have been reclaimed.

Mining operations have gone bankrupt, leaving huge messes for the state to clean up at the taxpayer's expense. Also at the environment's expense—Several years ago the DEP allowed dumping 295 million gallons of poisoned wastewater into Bishop's Harbor, just south of Tampa.

The abandoned gypsum stacks had to be drained so the state negotiated for weeks with the EPA to allow 240 million gallons to be dumped 100 miles out into the Gulf of Mexico.

They admit that counties "...such as Hardee...) are trying to find income-generating uses for mined and reclaimed land. "The ponds where the waste clays are dumped after they are separated from the ore cover more than 100,000 acres and it can take three to five years for a full settling area to crust into a land that can be used—and even then its use is limited since the clay below the crust is the consistency of pudding.

Contrary to what Mosaic Company says, we do not need the phosphate industry in Florida. Scientists at Columbia University say:

*"phosphorus is fundamental to all living things. It is vital for food production. Phosphorus cannot be manufactured or destroyed, and there is no substitute or synthetic version of it available.*

*In fact, phosphorus is a renewable resource and there is plenty of it left on earth. Animals and humans excrete almost 100 percent of the phosphorus they consume in food. All of the most reliable estimate show that we have enough phosphate rock resources to last between 300 and 400 more years."*

*"Unfortunately, most phosphorus is wasted. Only 20 percent of the phosphorus in phosphate rock reaches the food consumed globally. Thirty to 40 percent is lost during mining and processing; 50 percent is wasted in the food chain between farm and fork; and only half of all manure is recycled back into farmland around the world.*

*Most of the wasted phosphorus enters our rivers, lakes and oceans from agricultural or manure runoff or from phosphates in detergent and soda dumped down drains, resulting in eutrophication. This is a serious form of water pollution wherein algae bloom, then die, consuming oxygen and creating a "dead zone" where nothing can live. Over 400 coastal dead zones at the mouths of rivers exist and are expanding at the rate of 10 percent per decade. In the United States alone, economic damage from eutrophication is estimated to be \$2.2 billion a year."*

The concerns for the safety of the river are increased because HPS II Enterprises is a new company with no experience in what it is trying to do. They have already proven to break the rules and cut corners, disregarding proper legal procedures.

They already have three violations in the short time they have been in business. They were cited on March 15, 2016 by the Suwannee River Water Management District for engaging in dredge and fill activities in wetlands with no permits, making illegal drainage ditches. They admitted, also in March, to the construction of 38 water wells without permits, and in June, 2016, they were cited for digging a well without permission on property they did not own.

These violations are the earmarks of a company which has no regard for obeying regulations which exist to protect the welfare of others. This irresponsible company should not be allowed to put at risk the natural resources which we all enjoy and from which our community benefits. The Santa Fe River and surrounding springs are the engine which drives our economy and brings people to our area.

Once the aquifer is contaminated, it cannot be restored in our lifetime.



ORDINANCE 2016-10

AN ORDINANCE REVOKING CHAPTER 2 ARTICLE III, SECTION 2-61 "PERSONNEL MANUAL ADOPTED" OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR ALL SUBSEQUENT ADOPTIONS OR AMENDMENTS OF PERSONNEL POLICIES TO BE ADOPTED BY RESOLUTION BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION

**WHEREAS**, Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances adopted the City's personnel policy via Ordinance 98-35; and

**WHEREAS**, the City Commission has subsequently adopted amendments to the personnel policy via ordinance, but such adoption has not been reflected in the Code of Ordinances; and

**WHEREAS**, the City Commission desires to revoke Section 2-61 and authorize subsequent amendments to the personnel policy to be adopted via Resolution by affirmative vote of the City Commission; and

**WHEREAS**, after proper notice and public hearing, the City Commission has determined that it is prudent to amend the High Springs Code of Ordinances relating to the personnel policy; and

**WHEREAS**, the City Commission of the City of High Springs has determined that it is desirable to revoke Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances as that policy is not the most recent personnel policy adopted by the City Commission, and to allow for subsequent adoptions of changes to be via resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:

**Section 1:** Chapter 2, Article III, Section 2-61 of the High Springs Code of Ordinances entitled "Personnel Policy adopted" is hereby amended to read as follows (words ~~struck through~~ have been deleted, and words underlined have been added):

~~Sec. 2-61. Personnel manual adopted.~~

~~The city personnel policy and procedure manual (Ver. 11-98) as attached to Ord. No. 98-35, and incorporated in this section by reference, is adopted.~~

Sec. 2-61 Personnel manual

The city shall adopt a personnel policy or manual to govern the city's employees. Such

policy or manual may be adopted or amended as necessary by the city commission via resolution after recommendation from the city manager and the personnel director.

**Section 2:** Henceforth, any subsequent amendments or modifications of the City's personnel policy may be adopted by resolution of the City Commission after recommendation by the City Manager and Personnel Director.

**Section 3:** EFFECTIVE DATE. This Ordinance shall take effect upon its passage at second and final reading.

**Section 4:** INCLUSION IN THE CODE, SCRIVENER'S ERROR. It is the intention of the City Commission of the City of High Springs, Florida, and it is hereby provided that the provisions of this Ordinance shall become and made part of the Code of Ordinances of the City of High Springs, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or re-codified copy of the same with the City.

**Section 5:** CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6:** SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

First reading was held on the 27th day of October, 2016.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this 17th day of November, 2016.

**BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA**

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TBD , Mayor

ATTEST, BY THE CLERK OF THE  
CITY COMMISSION OF THE CITY OF  
HIGH SPRINGS, FLORIDA:

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Jenny L. Parham, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

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S. Scott Walker, City Attorney