



# Jefferson County Board of County Commissioners

Thursday, August 4, 2022 at 6:00 pm

## REGULAR SESSION AGENDA

Courthouse Annex, 435 W. Walnut Street, Monticello, FL 32344

- 1. 6 PM CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE**
- 2. PUBLIC ANNOUNCEMENTS, PRESENTATIONS & AWARDS**
  - a. Second Harvest Presentation
- 3. CONSENT AGENDA**
  - a. Transportation Fund Vouchers
  - b. General Fund Vouchers
- 4. GENERAL BUSINESS**
  - a. CDBG Agreement "ABC Department" Discussion (MAY BE POSTPONED, PENDING FURTHER INFORMATION)
  - b. Preliminary Fire and Solid Waste Rate Resolutions

### Attachments:

- **Fire Cover Letter** (Agenda\_Item\_Request\_-\_Fire\_PRR.docx)
- **Fire Resolution Draft** (preliminary\_rate\_resolution\_FIRE\_draft2\_7.26.22.docx)
- **Solid Waste Cover Letter** (Agenda\_Item\_Request\_-\_Solid\_Waste\_PRR.docx)
- **Solid Waste Resolution Draft** (preliminary\_rate\_resolution\_\_SW\_Draft1\_07\_24\_22.docx)

- c. Continued Hearing on Special Exception for Pursley Event Venue**

### Attachments:

- **Bardominium Cover Letter** (Agenda\_Item\_Request\_Form\_-Barndominium.doc)
- **Bardominium Memo** (Bardominium\_Memo.\_7-22-22.docx)

- d. Public Hearing Valley View Assessment**

### Attachments:

- **Valley View Cover Letter** (Valley\_View.doc)
- **Annual Assessment Resolution Valley View** (Annual\_Assessment\_Resolution\_Valley\_Viewv2\_07\_15\_22.docx)

- e. Public Hearing to Consider Adoption of an Emergency Ordinance Imposing a Temporary Moratorium on Special Exceptions**

### Attachments:

- **Emergency Moratorium Cover Letter** (Agenda\_Item\_Request\_-\_Special\_Exception\_Moratorium.doc)
- **Emergency Moratorium Ordinance** (Special\_Exception\_Moratorium\_Emergency\_Ord.docx)

**f. County Coordinator Recruitment Services**

**Attachments:**

- **Recruitment Services Cover Letter** (Agenda\_Item\_County\_Coordinator\_Reruitment.doc)
- **FaCM Letter** (Letter\_Agreement\_with\_Jefferson\_County.docx)

**g. H2 Solutions Consulting Services-Chris Holley**

**Attachments:**

- **H2 Solutions Cover Letter** (Chris\_Holley\_Cover\_Letter.docx)
- **H2 Solutions Agreement for Services** (2022.07.22\_H2\_SOLUTIONS-JEFFERSON\_COUNTY\_AGREEMENT\_FOR\_PROFESSIONAL\_SERVICES\_v3\_FINAL.docx)

**h. Mosquito Control Director**

**i. Road Department Management**

**5. Citizens Request & Input on Non-Agenda Items**

(3 Minute Limit Please)

**6. CLERK OF COURTS**

**7. COUNTY COORDINATOR**

Information Reports

**8. COUNTY ATTORNEY**

**9. COUNTY COMMISSIONER DISCUSSION ITEMS**

**10. ADJOURN**

From the manual "Government in the Sunshine", page 40: Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may 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.

## **PARTICIPATING IN A COUNTY COMMISSION MEETING: A CITIZEN'S GUIDE**

The Jefferson County Commission is pleased to have you at our Commission meeting. We appreciate your presence, welcome your participation, and want your visit to be interesting and informative. The following is a brief summary of the Commission's Meeting Rules of Procedure that apply to citizen participation.

See the meeting agenda so that you can follow each item of business the Commission will be discussing.

### **SPEAKING BEFORE THE COMMISSION: WHEN CAN I TALK?**

If you want to address the Commission about an issue that's not on the agenda, notice there are two places to do this. To reserve a time to speak for up to 3 minutes, please sign a speaker request form usually found near the speaker's rostrum.

The first place to speak is soon after the meeting begins. This time is reserved for citizens who want to make a request or provide input that doesn't require discussion. The spot is frequently used by citizens who don't want to stay for the entire meeting and don't need an immediate response from the Commission.

The second place is near the end of the meeting after the Commission has finished the general business part of its agenda. Again, each speaker is allotted up to 3 minutes. The Commission may enter into discussion of items brought to its attention during this segment of the meeting.

Citizens may also have a chance to address the Commission about items of interest during the General Business part of the agenda. After the Commissioners have had a chance to discuss a general business item, the Chair usually asks if there are any comments from the audience. Again, if you wish to speak, please limit remarks to no more than 3 minutes.

For the record, always give your name and address before you begin speaking. If you're representing a particular group or organization, state that, too. Always address remarks to the Chair or the Commission as a whole, never to an individual commissioner or the audience. Speakers may speak only once on an issue and may not yield their time to another person.

### **THE COMMON COURTESY RULE: PLEASE BE BRIEF, RELEVANT, AND ALWAYS CIVIL**

Commission meetings can be long. Our Commission works hard to keep meetings moving along in a productive and civil manner. Please plan your remarks so that you can make your point clearly and quickly. Always be courteous and civil.

The Chair may call down speakers (or members of the audience) who violate the

Commission's rules of decorum. Here are some "no-no's": personal attacks or threats, booing, heckling, cheering, inappropriate clapping, verbal outbursts, and distracting private conversations during proceedings. Also, signs are okay outside of the meeting room but are not allowed in it.

Commission Meeting Rules of Procedure (available at [jeffersoncountyfl.gov](http://jeffersoncountyfl.gov)) give the Chair control of the meeting, much like a judge controls his courtroom. These same rules also give the Chair a lot of flexibility to use his or her judgment in running an efficient and orderly meeting. So if you think you need help or more time, let the Chair know. If time allows, the Chair will usually grant reasonable requests.

Again, thanks for your interest. We're glad you're here!

*NOTE: Except for Common Courtesy rules, slightly different guidelines may apply to public hearings and workshops.*

# Board of County Commissioners

## Agenda Request

Date of Meeting: August 4, 2022

Date Submitted: July 25, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Consideration of a Preliminary Rate Resolution Initiating the Process to Re-Impose Fire Protection Special Assessments for FY22-23

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### **Statement of Issue:**

This agenda item requests Board consideration of a preliminary rate resolution which initiates the process for re-imposing a special assessment to fund Fire Protection services to all residential and commercial property within the County for FY22-23.

### **Background and Analysis:**

The County's master assessment ordinance (Ordinance No. 2020-050720-02) provides that the re-imposition of a service assessment requires the adoption of two resolutions: a preliminary rate resolution and an annual rate resolution. The attached resolution constitutes the preliminary rate resolution for the County's Fire Protection special assessment.

The proposed Fire Protection special assessment rates for FY22-23 are as follows, which are consistent with the rates imposed by the County for FY 21-22:

<b>Residential Property Use Categories</b>	<b>Rate Per Dwelling Unit</b>
Single Family Residential Property	\$113.40
Multi-Family Residential Property	\$64.41
<b>Non-Residential Property Use Category</b>	<b>Rate Per Square Foot</b>
Non-Residential	\$0.063

If the Board approves the resolution, a public hearing will be noticed for September 15 at which time the Board will consider adoption of an annual rate resolution, which is the final step in the process for levying Fire Protection special assessments for FY 22-23 and collecting same on the ad valorem tax bill.

### **Options:**

1. Adopt the Preliminary Rate Resolution for Fire Protection Services.
2. Do not Adopt the Preliminary Rate Resolution for Fire Protection Services.
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Preliminary Rate Resolution for Fire Protection Services.

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**JEFFERSON COUNTY, FLORIDA**

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**PRELIMINARY RATE RESOLUTION  
FOR FIRE PROTECTION SERVICES**

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**ADOPTED AUGUST 4, 2022**

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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE UNINCORPORATED AND ALL INCORPORATED AREAS OF JEFFERSON COUNTY, FLORIDA; DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSED COST AGAINST ASSESSED PROPERTY LOCATED WITHIN JEFFERSON COUNTY, FLORIDA; DETERMINING THE FIRE PROTECTION ASSESSED COST AND THE INITIAL FIRE PROTECTION SPECIAL ASSESSMENTS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA:

**SECTION 1. AUTHORITY.** This resolution is adopted pursuant to the provisions of the Master Capital Project and Service Assessment Ordinance (Ordinance No. 2020-050720-02), Article VIII, Section (1)(f), Florida Constitution, Sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law.

**SECTION 2. PURPOSE AND DEFINITIONS.** Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa. As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

**"Building Area"** means the actual area of a Building expressed in square feet as reflected on the Tax Roll or, in the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, that area determined by the County.

**"Building Codes"** mean the building interior finish codes assigned by the Property Appraiser to Tax Parcels within the County, as specified in Appendix A attached hereto and incorporated herein by reference.

**"Code Descriptions"** mean the descriptions listed in the Building Codes and the DOR Codes.

**"County"** means Jefferson County, Florida.

**"DOR Code"** means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to Tax Parcels within the County, as specified in Appendix B attached hereto and incorporated herein by reference.

**"Dwelling Unit"** means (1) a Building, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes for residential purposes.

**"Emergency Medical Services Cost"** means the amount, other than first response medical rescue services, determined by the Board that is associated with the provision of emergency medical services.

**"Estimated Fire Protection Assessment Rate Schedule"** means that rate schedule specifying the Fire Protection Assessed Cost and the estimated Fire Protection Assessments established in Section 6 of this Preliminary Rate Resolution.

**"Fire Protection Assessment"** means the Service Assessment, as defined in the Ordinance, lawfully imposed by the Board against Assessed Property to fund all or any portion of the cost of the provision of fire protection services, facilities, or programs

providing a special benefit to property as a consequence of possessing a logical relationship to the value, use, or characteristics of the Assessed Property.

**"Fire Protection Assessed Cost"** means the Service Cost, as defined in the Ordinance, and hereby more specifically defined as:

(1) the amount determined by the Board to be assessed in any Fiscal Year to fund all or any portion of the cost of the provision of fire protection services, facilities, or programs which provide a special benefit to Assessed Property, and shall include, but not be limited to, the following components: (A) the cost of physical construction, reconstruction or completion of any required facility or improvement; (B) the costs incurred in any required acquisition or purchase; (C) the cost of all labor, materials, machinery, and equipment; (D) the cost of fuel, parts, supplies, maintenance, repairs, and utilities; (E) the cost of computer services, data processing, and communications; (F) the cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever; (G) the cost of any indemnity or surety bonds and premiums for insurance; (H) the cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (I) the cost of uniforms, training, travel, and per diem; (J) the cost of construction plans and specifications, surveys and estimates of costs; (K) the cost of engineering, financial, legal, and other professional services; (L) the costs of compliance with any contracts or agreements entered into by the County to provide fire protection services; (M) all costs associated with the structure, implementation, collection, and enforcement of the Fire Protection Assessments, including any service charges of the Tax Collector or Property Appraiser and amounts necessary to off-set discounts received for early payment of Fire Protection Assessments pursuant to the Uniform Assessment Collection Act or for

early payment of Fire Protection Assessments collected pursuant to Sections 4.02 or 4.03 of the Ordinance; (N) all other costs and expenses necessary or incidental to the acquisition, provision, or construction of fire protection services, facilities, or programs, and such other expenses as may be necessary or incidental to any related financing authorized by the Board by subsequent resolution; (O) a reasonable amount for contingency and anticipated delinquencies and uncollectible Fire Protection Assessments; and (P) reimbursement to the County or any other Person for any moneys advanced for any costs incurred by the County or such Person in connection with any of the foregoing components of Fire Protection Assessed Cost.

(2) In the event the County also imposes an impact fee upon that part of new growth or development for fire protection services related capital improvements paid by impact fees, the Fire Protection Assessed Cost shall not include that part of such costs attributable to capital improvements necessitated by new growth or development that will be paid by such impact fees.

(3) In no event shall the Fire Protection Assessed Cost include any amount attributable to the Emergency Medical Services.

**"Fire Protection Assessment Roll"** means the Assessment Roll as defined in the Ordinance relating to the Fire Protection Assessments.

**"Institutional Property"** means those Tax Parcels with a Code Description of 9000, 9100, 9200, 9250, or 9300 in the Building Codes specified in Appendix A.

**"Mixed Use Property"** means a Tax Parcel that contains Buildings whose use descriptions are capable of assignment under a Code Description in the Building Codes in more than one Property Use Category.

**"Multi-Family Residential Property"** means a Tax Parcel with a Code Description designated as "Multi-Family" in the Building Codes specified in Appendix A. In the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, "Multi-Family Residential Property" shall also include those properties determined by the County to be a multi-family residential use.

**"Non-Residential Property"** means Tax Parcel with a Code Description designated as "Non-Residential" in the Building Codes specified in Appendix A, including Recreational Vehicle Park property. In the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, "Non-Residential Property" shall also include those properties determined by the County to be a non-residential use.

**"Property Use Categories"** mean, collectively, Residential Property, Multi-Family Property, and Non-Residential Property.

**"Pole Barn"** means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress as defined in Section 125.01(1)(r), Florida Statutes.

**"Recreational Vehicle Park"** means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and (2) licensed by the Department of Health of the State of Florida, or its successor in function as a "recreational vehicle park" or "lodging park" under Chapter 513, Florida Statutes, as may be amended from time-to-time.

**"Residential Property"** means collectively Multi-Family Residential Property and Single Family Residential Property.

**"Single Family Residential Property"** means those Tax Parcels with a Code Description designated as "Single Family " in the Building Codes specified in Appendix A, including mobile homes. In the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, "Single Family Residential Property" shall also include those properties determined by the County to be a single family or mobile home residential use.

**"Tax Parcel"** means a parcel of property located within the County to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

### **SECTION 3. PURPOSE; PROVISION AND FUNDING OF FIRE PROTECTION SERVICES.**

(A) The purpose of this Resolution is to fund the provision of fire protection services, facilities and programs, which services, facilities and programs provide a special benefit to all Assessed Property within the County.

(B) Upon the imposition of a Fire Protection Assessment for fire protection services, facilities, or programs against Assessed Property located within the County, the County shall provide fire protection services to such Assessed Property. All or a portion of the cost to provide such fire protection services, facilities, or programs shall be funded from proceeds of the Fire Protection Assessments. The remaining cost, if any, required to provide fire protection services, facilities, and programs shall be funded by available County revenues other than Fire Protection Assessment proceeds.

(C) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the County will be benefitted by the County's provision of fire protection services, facilities, and programs in an amount not less than the Fire

Protection Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

**SECTION 4. IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS.** Fire Protection Assessments shall be imposed against all Tax Parcels within the Property Use Categories within the County. Fire Protection Assessments shall be computed in the manner set forth in this Preliminary Rate Resolution.

**SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.** It is hereby ascertained, determined, and declared that the fire protection services, facilities, and programs funded by the Fire Protection Assessed Cost provide a special benefit to and is fairly and reasonably apportioned among the Assessed Property based upon the following legislative determinations:

(A) Fire protection services possess a logical relationship to the use and enjoyment of property by: (1) protecting the value of the improvements, structures, and land through the provision of available fire protection services; (2) protecting the life and safety of intended occupants in the use and enjoyment of property; (3) stabilizing or lowering the cost of fire insurance by the presence of a professional and comprehensive fire protection program within the County; and (4) preserving and enhancing the value and marketability of property due to the availability of comprehensive fire protection services.

(B) The availability and provision of comprehensive fire protection services enhance and strengthen the relationship of such services to the use and enjoyment of the parcels of property, the desirability of the area for residential and nonresidential purposes, the market perception of the area and, ultimately, the property and rental values within the County.

(C) It is fair and reasonable to use the Building Codes and the DOR Codes to apportion the cost of providing Fire Protection Services among Assessed Property because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use, Building Area for improved property within the County, and acreage for land, and (2) the Tax Roll database employing the use of such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll. This compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Method of Collection.

(D) The data available in the Building Codes is more useful and accurate to determine Building Area than relying exclusively upon the data maintained in the DOR Codes alone because (1) the data maintained in the Building Codes reveals the existence of a Building with a different use than the use described on the DOR Code, and (2) the Building Codes represent records maintained by the Property Appraiser with the most information relative to Building Area regardless of property use.

(E) Apportioning Fire Protection Assessed Cost among classifications of property based upon Property Use Categories is a fair and reasonable method of apportionment because it reflects the property uses' potential fire risk based upon factors such as Building use, square footage, and average occupancy and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special fire fighting equipment that must be available in accordance with the County's standards and practices.

(F) It is fair and reasonable and consistent with the decision from the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So. 2d



343 (Fla. 2002), to exclude from the Fire Protection Assessed Cost amounts determined to constitute the Emergency Medical Services Cost.

(G) Apportioning the Fire Protection Assessed Cost among the Assessed Property based upon Property Use Categories is fair and reasonable and proportional to the special benefit received and will ensure that no property is assessed an amount greater than the special benefit received.

(H) The value of the Residential Property does not determine the scope of the required fire protection response. The potential demand for fire protection services is driven by the existence of a Dwelling Unit and the anticipated average occupant population.

(I) Single Family Residential Property will on average have a higher anticipated average occupant population per Dwelling Unit compared to Multi Family Residential Property. As a result, Single Family Residential Property can be reasonably expected to have a higher anticipated demand for fire protection services, and it is thus fair and reasonable to impose a higher Fire Protection Assessment against Single Family Residential Property Dwelling Units as compared to Multi Family Residential Property Dwelling Units. (J) Apportioning the Fire Protection Assessed Cost for fire protection services attributable to Residential Property on a per Dwelling Unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of apportionment based upon property use.

(K) The assessment of Non-Residential Property by actual square footage is fair and reasonable for the purpose of parcel apportionment because the demand for fire protection service, fire flow, fire fighters, quantity and size of apparatus, and other special

fire fighting equipment is determined and measured by the square footage of structures and improvements within benefited parcels.

(L) The greater the Building Area, the greater the potential for a large fire and the greater amount of fire fighting resources that must be available in the event of a fire in a structure of that Building's size. Therefore, it is fair and reasonable to use Building Area as a proxy for determining the Tax Parcel's Fire Protection Assessment.

(M) The demand for the availability of fire protection services diminishes at the outer limit of Building size because the County's fire control activities involving a fire in a structure greater than 59,208.41 square feet would not be capable of suppressing such a fire under expected conditions. Therefore, it is fair and reasonable to place a cap on the Building Area classification of benefitted parcels within Non-Residential Property.

(N) While the use of Building Area is a fair and reasonable proxy for determining the Fire Protection Assessment for a Tax Parcel of Non-Residential Property, all benefitted parcels of Non-Residential Property irrespective of size place demand on the County's fire fighting resources. The availability of fire protection services also provides a special benefit to all Non-Residential Property irrespective of size, including the specific benefits described in paragraph (A) of this Section. As a result, to ensure the Fire Protection Assessment is fairly and reasonably apportioned amongst all benefitted parcels of Non-Residential Property, including those that are smaller in size, it is fair and reasonable to use 2,557.77 square feet as the minimum size of all Tax Parcels of Non-Residential Property in determining the Fire Protection Assessment for Non-Residential Property.

(O) Section 125.0168, Florida Statutes, mandates that the County treat Recreational Vehicle Park property as commercial property in the same manner as hotel,

motel, or other similar property for non-ad valorem special assessments levied by the County. Thus, it is fair and reasonable to treat rental spaces and other Buildings within Recreational Vehicle Park property in the same manner as other Non-Residential Property.

(P) Institutional Property whose use is exempt from ad valorem taxation under Florida law provide facilities and uses to the ownership, occupants, membership as well as the public in general that otherwise might be requested or required to be provided by the County and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Protection Assessments upon Tax Parcels of Institutional Property. Accordingly, no Fire Protection Assessment shall be imposed upon a Tax Parcel of Institutional Property which is wholly exempt from ad valorem taxation under Florida law.

(Q) Government Property provides facilities and uses to the community, local constituents and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Protection Assessments upon such parcels of Government Property.

(R) Government Property that is owned by federal government mortgage entities, such as the VA and HUD, due to foreclosures are not serving a governmental purpose nor providing a public benefit but are instead being held by these federal government mortgage entities in a proprietary capacity. Accordingly, these properties shall not be exempted from the Fire Protection Assessment.

(S) In accordance with Section 125.01(1)(r), Florida Statutes, the County is required to exempt the following from the Fire Protection Assessment: (i) Buildings of Non-Residential property with a just value of \$10,000 or less that are located on lands classified

as agricultural lands pursuant to Section 193.461, Florida Statutes; and (ii) any Pole Barns that are located on lands classified as agricultural lands pursuant to Section 193.461, Florida Statutes. Accordingly, it is fair and reasonable not to impose Fire Protection Assessments upon such Buildings.

(T) Because it is in the best interest of the citizens of the County to assist totally and permanently disabled veterans and their surviving spouses who are Owners of homesteaded residential property with the financial burden created by the imposition of a Fire Protection Assessment, no Fire Protection Assessment shall be imposed against a Tax Parcel of Residential Property that is the homesteaded property of a totally and permanently disabled veteran or their surviving spouse and who receive a total property tax exemption for said Tax Parcel pursuant to either Sections 196.081 or 196.091, Florida Statutes.

**SECTION 6. DETERMINATION OF FIRE PROTECTION ASSESSED COST; ESTABLISHMENT OF INITIAL FIRE PROTECTION ASSESSMENTS.**

(A) The Fire Protection Assessed Cost to be assessed and apportioned among benefitted parcels for the Fiscal Year commencing October 1, 2022, is \$913,398.73.

(B) The estimated Fire Protection Assessments to be assessed and apportioned among benefitted parcels for the Fiscal Year commencing October 1, 2022, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

<b>Residential Property Use Categories</b>	<b>Rate Per Dwelling Unit</b>
Single Family Residential Property	\$113.40
Multi-Family Residential Property	\$64.41
<b>Non-Residential Property Use Category</b>	<b>Rate Per Square Foot</b>
Non-Residential	\$0.063

(C) All Tax Parcels of Residential Property shall pay the applicable per Dwelling Unit Rate based on the total number of Dwelling Units shown on the Tax Roll for such Tax Parcel.

(D) All Buildings in the Non-Residential Property Use Category with square feet in excess of 59,208.41 will be assigned a square footage of 59,208.41 square feet for purposes of calculating the Fire Protection Assessment for such Buildings.

(E) All Buildings in the Non-Residential Property Use Category with square feet less than 2,557.77 will be assigned a square footage of 2,557.77 square feet for purposes of calculating the Fire Protection Assessment for such Buildings.

(F) The Fire Protection Assessments for each Tax Parcel classified in two or more Property Use Categories shall be the sum of the Fire Protection Assessments computed for each Property Use Category.

(G) The following exemptions shall apply to the Fire Protection Assessment program:

(1) No Fire Protection Assessment shall be imposed upon a parcel of Government Property; however, Government Property that is owned by federal mortgage entities, such as the VA and HUD, shall not be exempted from the Fire Protection Assessment;

(2) No Fire Protection Assessment shall be imposed upon a Tax Parcel of Institutional Property which is wholly exempt from ad valorem taxation under Florida law;

(3) No Fire Protection Assessment shall be imposed against any Buildings

of Non-Residential Property located on a Tax Parcel that is classified as agricultural land pursuant to Section 193.461, Florida Statutes, unless that Building exceeds a just value of \$10,000 as determined by the Property Appraiser and is not a Pole Barn; and

(4) No Fire Protection Assessment shall be imposed against a Tax Parcel of Residential Property that is the homesteaded property of a totally and permanently disabled veteran or their surviving spouse and who receive a total property tax exemption for said Tax Parcel pursuant to either Sections 196.081 or 196.091, Florida Statutes.

(H) Any shortfall in the expected Fire Protection Assessment proceeds due to any reduction or exemption from payment of the Fire Protection Assessments required by law or authorized by the Board shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Protection Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the Board is improper or otherwise adversely affects the validity of the Fire Protection Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Protection Assessment upon each affected Tax Parcel in the amount of the Fire Protection Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the Board.

(I) The approval of the Estimated Fire Protection Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the Fire Protection Assessed Cost. The remainder of such Fiscal Year budget for fire protection services, facilities, and programs shall be funded from available County revenue other than

Fire Protection Assessment proceeds.

(J) The estimated Fire Protection Assessments specified in the Estimated Fire Protection Assessment Rate Schedule are hereby established to fund the specified Fire Protection Assessed Cost determined to be assessed in the Fiscal Year commencing October 1, 2022. No portion of such Fire Protection Assessed Cost are attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Protection Assessed Cost are attributable to the Emergency Medical Services Cost.

(K) The estimated Fire Protection Assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Property Appraiser in the preparation of the preliminary Fire Protection Assessment Roll for the Fiscal Year commencing October 1, 2022, as provided in Section 7 of this Preliminary Rate Resolution.

#### **SECTION 7. FIRE PROTECTION ASSESSMENT ROLL.**

(A) The Property Appraiser is hereby directed to prepare, or cause to be prepared, a preliminary Fire Protection Assessment Roll for the Fiscal Year commencing October 1, 2022, in the manner provided in the Ordinance. The updated Fire Protection Assessment Roll shall include all Tax Parcels within the Property Use Categories. The Property Appraiser shall apportion the estimated Fire Protection Assessed Cost to be recovered through Fire Protection Assessments in the manner set forth in this Preliminary Rate Resolution.

(B) A copy of this Preliminary Rate Resolution, documentation related to the estimated amount of the Fire Protection Assessed Cost to be recovered through the imposition of Fire Protection Assessments, and the updated Fire Protection Assessment

Roll shall be maintained on file in the office of the Property Appraiser and open to public inspection. The foregoing shall not be construed to require that the preliminary Fire Protection Assessment Roll be in printed form if the amount of the Fire Protection Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method of determining the Fire Protection Assessments for fire protection services as set forth in this Preliminary Rate Resolution is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property.

**SECTION 8. AUTHORIZATION OF PUBLIC HEARING.** There is hereby established a public hearing to be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex, 435 W. Walnut Street, Monticello, Florida, at which time the Board will receive and consider any comments on the Fire Protection Assessments from the public and affected property owners and consider imposing Fire Protection Assessments and collecting such assessments on the same bill as ad valorem taxes.

**SECTION 9. NOTICE BY PUBLICATION.** The County Coordinator shall publish a notice of the public hearing authorized by Section 8 hereof at least 20 days prior to such public hearing. The notice shall be published no later than August 25, 2022, in substantially the form attached hereto as Appendix E.

**SECTION 10. NOTICE BY MAIL.** If required pursuant to Section 3.08(C) of the Ordinance, the County Coordinator shall provide first class mailed notice of the public hearing authorized by Section 8 hereof to the Owner of each parcel of Assessed Property, in substantially the form attached hereto as Appendix F. The notice shall be mailed no later



than August 25, 2022. For Tax Parcels with exempt "home addresses" pursuant to Section 119.071 (4), Florida Statutes, the County Coordinator shall work with the Property Appraiser and/or Tax Collector for provision of notice.

**SECTION 11. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the County from the Fire Protection Assessments shall be used for the provision of fire protection services, facilities, and programs within the County. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection services, facilities, and programs.

**SECTION 12. EFFECTIVE DATE.** This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

**PASSED, ADOPTED AND APPROVED THIS 4<sup>th</sup> DAY OF AUGUST, 2022.**

**BOARD OF COUNTY COMMISSIONERS OF  
JEFFERSON COUNTY, FLORIDA**

(SEAL)

By: \_\_\_\_\_  
Gene Hall, Chair

ATTEST:

\_\_\_\_\_  
Kirk Reams, County Clerk

APPROVED FOR FORM  
AND CORRECTNESS

\_\_\_\_\_  
Heather J. Encinosa, County Attorney

**APPENDIX A**  
**BUILDING CODES**

**APPENDIX A**  
**BUILDING CODES**

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
100	SINGLE FAM	SINGLE FAMILY
101	SFR MKT 03	SINGLE FAMILY
102	A-FRAME	SINGLE FAMILY
120	SFR MODULAR	SINGLE FAMILY
210	SFR MANUF	SINGLE FAMILY
300	SFR PILING	SINGLE FAMILY
400	LOG HOME	SINGLE FAMILY
600	RECREATINL	NON-RESIDENTIAL
700	DAY CARE	NON-RESIDENTIAL
800	MOBILE HME pre2000	SINGLE FAMILY
810	TAGGED MOBILE HME	SINGLE FAMILY
820	MOBILE HME	SINGLE FAMILY
860	BARN LOW-NON AG	NON-RESIDENTIAL
864	BARN EX NON AG	NON-RESIDENTIAL
1200	MIXED USE	TBD
1201	MIXED USE=COMM RES	TBD
2200	M/FAM LOW	MULTI-FAMILY
2300	M/FAM HGH	MULTI-FAMILY
2500	M/FAM ROW	MULTI-FAMILY
2700	DUPLEX	SINGLE FAMILY
2800	TRI/QUAD	MULTI_FAMILY
3300	NCLUB/BARS	NON-RESIDENTIAL
3450	PHYSFITCTR	NON-RESIDENTIAL
3500	STORE RETL-AVG	NON-RESIDENTIAL
3530	STORE BB	NON-RESIDENTIAL
3600	STORE DISC	NON-RESIDENTIAL
3800	SHOP NBHD	NON-RESIDENTIAL
3900	SHOP COMTY	NON-RESIDENTIAL
4300	NBHD CONVE	NON-RESIDENTIAL
4600	MOTEL LOW	NON-RESIDENTIAL
4700	MOTEL HIGH	NON-RESIDENTIAL
4900	OFFICE LOW	NON-RESIDENTIAL
4950	OFFICE AVG	NON-RESIDENTIAL
5000	OFFICE HGH	NON-RESIDENTIAL

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
5200	OFFICE MEDICAL	NON-RESIDENTIAL
5600	RESTAURANT	NON-RESIDENTIAL
5750	REST FF PL	NON-RESIDENTIAL
5800	REC FACIL	NON-RESIDENTIAL
6000	AUDITORIUM	NON-RESIDENTIAL
6200	BANK	NON-RESIDENTIAL
6400	SERV STATN	NON-RESIDENTIAL
6405	GASSTA/MRT	NON-RESIDENTIAL
6500	AG GARAGE	NON-RESIDENTIAL
6520	RES GARAGE	NON-RESIDENTIAL
6530	RES METAL GARAGE	NON-RESIDENTIAL
6550	SVC GARAGE	NON-RESIDENTIAL
6600	VEH SALE/R	NON-RESIDENTIAL
6800	MORTUARY	NON-RESIDENTIAL
6900	CLUB HOUSE	NON-RESIDENTIAL
7100	TRANS TERM	NON-RESIDENTIAL
7900	EXCEP COMM	NON-RESIDENTIAL
8000	MANUF LGHT	NON-RESIDENTIAL
8050	MANUF LGHT-CLIMATE CONTROL	NON-RESIDENTIAL
8051	MANF CROP-CLIMATE CONTROL	NON-RESIDENTIAL
8100	MANUF HEVY	NON-RESIDENTIAL
8200	WAREH DIST	NON-RESIDENTIAL
8250	WAREH NEW	NON-RESIDENTIAL
8300	WAREH MINI	NON-RESIDENTIAL
8400	WAREH STOR	NON-RESIDENTIAL
8405	RETAIL JOB	NON-RESIDENTIAL
8407	WARE DIST2	NON-RESIDENTIAL
8500	AIR HANGAR	NON-RESIDENTIAL
8600	BARNS LOW	NON-RESIDENTIAL
8601	OPEN/STRG	NON-RESIDENTIAL
8602	BARNS AVG	NON-RESIDENTIAL
8603	BARNS ABOVE	NON-RESIDENTIAL
8604	BARNS EX	NON-RESIDENTIAL
8700	PREF MET B	NON-RESIDENTIAL
8800	PREF MTOFC	NON-RESIDENTIAL
8801	C B RETAIL	NON-RESIDENTIAL
9000	SCHOOL	NON-RESIDENTIAL

**DRAFT #1: 07/22/22**

Document1

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
9100	CHURCH	NON-RESIDENTIAL
9200	ED RELIGOS	NON-RESIDENTIAL
9250	ED RELIGOS	NON-RESIDENTIAL
9300	GOVT BLDG	NON-RESIDENTIAL
9400	LUMB YD BD	NON-RESIDENTIAL
9900	INDS EXEMP	NON-RESIDENTIAL

**APPENDIX B**  
**DOR CODES**

## **APPENDIX B**

### **DOR CODES**

<b>Code</b>	<b>Property Use</b>
000000	VACANT
000020	CHANGED TO 000220-USE NEW CODE
000080	VACANT W/ XFOB
000100	SINGLE FAMILY
000120	MODULAR
000200	MOBILE HOME
000210	SFR MANUFAC
000220	MH W/TAG
000300	MULTI-FAMILY
000400	CONDOMINIA
000500	COOPERATIVES
000511	HLOA-HANGR LOTS
000600	RETIREMENT HOMES
000650	NURSING HOMES
000700	MISCELLANEOUS
000750	DAY CARE
000800	MULTI-FAMILY
000801	DUPLEX
000900	RES COMMON AREA
001000	VACANT COMMERCIAL
001001	VACANT COMMERCIAL W/XFOB
001010	COMMERCIAL RURAL
001030	DOWNTN COMMERCIAL
001034	US 19 & I-10 COMM
001038	OUTER DOWNTN COMM
001040	RAILRD ST COMM
001042	NE AUCILLA INTRCHG
001046	LLOYD INTRCHG PLUS
001100	STORES, 1 STORY
001101	CONVENIENCE W/O FUEL
001102	CONVENIENCE W/ FUEL
001200	STORE/OFFICE/RESID
001205	DAYCARE
001210	LAUNDROMAT

<b>Code</b>	<b>Property Use</b>
001300	Department Stores
001400	SUPERMARKET
001500	REGIONAL SHOPPING
001600	COMMUNITY SHOPPING
001700	OFFICE BUILDINGS
001800	MULTI STORY OFFICE
001900	PROFESSIONAL BLDG
002000	TRANSIT TERMINALS
002010	RECREATIONAL BLDG
002100	RESTAURANTS/CAF
002200	DRIVE-IN REST.
002300	FINANCIAL BLDG
002400	INSURANCE COMPANY
002500	REPAIR SERVICE
002600	SERVICE STATION
002610	CAR WASH-SELF
002700	VEH SALE/REPAIR
002800	TRALR PARK
002810	PARKING LOT
002900	WHOLESALE OUTLET
003000	FLORIST/GREENHOUSE
003100	DRIVE-IN/OPEN STAD
003200	THEATER/AUDITORIUM
003300	NIGHTCLUB/BARS
003400	BOWLING ALLEY
003450	PHYSICAL FITNESS CTR
003500	TOURIST ATTRACTION
003600	CAMPS
003700	RACE TRACKS
003710	GO CART TRACK
003800	GOLF COURSES
003900	HOTELS AND MOTELS
004000	VACANT INDUSTRIAL
004001	VACANT INDUSTRIAL W/XFOB
004100	LIGHT MANUFACTURE
004200	HEAVY MANUFACTURE
004300	LUMBER YARD
004400	PACKING PLANTS



<b>Code</b>	<b>Property Use</b>
004500	CANNERIES/BOTTLERS
004600	OTHER FOOD PROCESS
004700	MINERAL PROCESSING
004800	WAREHOUSE-STORAGE
004805	RETAIL JOBBER
004810	BARNs
004820	GARAGE
004900	FUEL STORAGE
005000	IMPROVED AG
005010	IMPR AG SFR
005015	IMP AG COMM
005020	IMPR AG MH
005022	IMPR AG TAG
005030	IMPR AG MULTI
005080	IMPR AG XFOB
005100	CROPLAND CLASS 1
005200	CROPLAND CLASS 2
005300	CROPLAND CLASS 3
005350	CROPLAND CLASS
005400	TIMBERLAND 90+
005420	PLANTED PINES
005430	MIXED PINE/HDWD
005500	TIMBERLAND 80-89
005510	NATURAL PINES
005520	PLANTED PINES
005530	MIXED PINE/HDWD
005600	TIMBERLAND 70-79
005610	NATURAL PINES
005620	PLANTED PINES
005630	MIXED PINE/HDWD
005700	TIMBERLAND 60-69
005710	NATURAL PINES
005720	PLANTED PINES
005730	MIXED PINE/HDWD
005900	TIMBERLAND UNCLASS
005930	TIMBER SWAMP
005990	NON-PRODUCTIVE
005995	ROADS EASMENTS ETC

<b>Code</b>	<b>Property Use</b>
005997	PONDS
006100	PASTURELAND 2
006200	PASTURELAND 3
006600	ORCHARDS, GROVES
006670	PECANS
006677	PECANS
006681	BLUEBERRIES
006700	POULTRY,BEES,FISH
006740	BEEES
006800	DAIRIES,FEEDLOTS
006900	ORNAMENTALS,MISC
006915	NURSERY CROPS
006930	CONTAINER NURSERIES
007000	VAC INSTITUTIONAL
007100	CHURCHES
007110	RELIGIOUS
007200	PRIVATE SCHOOLS
007300	PRIVATE HOSPITALS
007400	HOMES FOR THE AGED
007500	NON-PROFIT SERVICE
007600	MORTUARY/CEMETE
007700	CLUBS/LODGES/HALLS
007800	REST HOMES
007900	CULTURAL GROUPS
008000	WATER MANAGEMENT
008100	MILITARY
008200	FOREST, PARKS, REC
008300	PUBLIC SCHOOLS
008400	COLLEGES
008500	HOSPITALS
008600	COUNTY
008700	STATE
008710	STATE TIITF
008800	FEDERAL
008900	MUNICIPAL
009000	LEASEHOLD INTEREST
009100	UTILITIES
009101	COMM TOWER

<b>Code</b>	<b>Property Use</b>
009200	MINING
009300	SUB-SURFACE RIGHTS
009400	RIGHTS-OF-WAY
009410	COMMON AREA
009500	RIVERS AND LAKES
009525	RETENTION POND
009530	PONDS
009600	WASTELAND/DUMPS
009700	CONSERVATION
009736	CONSERVATION -100%
009740	IMPROVD-CONSERVATION
009800	CENTRALLY ASSESSED
009900	NO AG ACREAGE

**APPENDIX C**  
**FORM OF NOTICE TO BE PUBLISHED**

**APPENDIX C**

**FORM OF NOTICE TO BE PUBLISHED**

To Be Published by August 25, 2022

**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR  
COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS**

Notice is hereby given that the Board of County Commissioners of Jefferson County, Florida will conduct a public hearing to consider the continued imposition of annual fire protection special assessments for the fiscal year beginning October 1, 2022, and future fiscal years to fund the provision of fire protection services within all unincorporated and incorporated areas of Jefferson County and to authorize the collection of such assessments on the tax bill.

The hearing will be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex, 435 W. Walnut Street, Monticello, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the County within 20 days of this notice. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Coordinator at (850) (850) 342-0287, at least two (2) business days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following

table reflects the proposed fire protection assessment rates for fiscal year 2022-23, which are consistent with the fire protection assessment rates imposed by the County for fiscal year 2021-22.

### **FIRE PROTECTION ASSESSMENTS**

<b>Residential Property Use Category</b>	<b>Rate Per Dwelling Unit</b>
Single Family Residential Property	\$113.40
Multi-Family Residential Property	\$64.41
<b>Non-Residential Property Use Categories</b>	<b>Rate Per Square Foot</b>
Non-Residential	\$0.063

Copies of the Master Service Assessment Ordinance, the Preliminary Rate Resolution for Fire Protection Services, and the preliminary Fire Protection Assessment Roll are available for inspection at the Office of the Property Appraiser, 480 Walnut St, Monticello, FL 32344.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the office of the County Coordinator at (850) 342-0287, Monday through Friday between 8:00 a.m. and 5:00 p.m. for additional information.

**[INSERT MAP OF COUNTY]**

**BOARD OF COUNTY COMMISSIONERS  
JEFFERSON COUNTY, FLORIDA**

**APPENDIX D**  
**FORM OF MAILED NOTICE**

Jefferson  
[Address]  
[City], Florida [zip code]

**DRAFT #1: 07/22/22**

JEFFERSON COUNTY, FLORIDA Document1

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR  
COLLECTION OF FIRE PROTECTION NON-AD VALOREM  
ASSESSMENTS

NOTICE DATE: August 25, 2022

«OwnerName»  
«OwnerAdd1»  
«City» <State> <Zip>

Parcel Tax ID: «PID»  
Sequence Number: «SeqPrefix»«SeqNum»  
Legal: <LegalDesc>

**\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\***

As required by Section 197.3632, Florida Statutes, and the direction of Jefferson County, notice is hereby given that Jefferson County will consider the continued imposition of a special assessment for fire protection services, which may be levied on your property and collected using the tax bill collection method for the fiscal year beginning October 1, 2022, and future fiscal years. The use of the annual special assessment is a fair and efficient means of funding fire protection services benefiting property located within all unincorporated and incorporated areas of Jefferson County.

The total annual fire protection assessment revenue to be collected within the County is estimated to be \$913,398.73 for fiscal year October 1, 2022 – September 30, 2023.

The annual fire protection assessment is based on the classification of each parcel of property and number of billing units contained therein. The above listed parcel has the following units:

Category	Type and Number of Billing Units	Fiscal Year 22-23 Assessment
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]
<b>Total Assessment</b>		<b>\$(SumofBld)</b>

The maximum annual Fire Protection Assessment for the above parcel for Fiscal Year 2022-23 and for future fiscal years is \$\_\_\_\_\_. The maximum annual Fire Protection Assessment that can be imposed without further notice for future fiscal years for the above parcel is \$\_\_\_\_\_.

A public hearing will be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex. 435 W. Walnut Street, Monticello, Florida, for the purpose of receiving public comment on the proposed assessment and its collection on the tax bill. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Board within 20 days of this notice. If you decide to appeal any decision made by the Board with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Coordinator at (850) 342-0287, at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Preliminary Rate Resolution (Resolution No. \_\_\_\_\_), and the preliminary assessment roll for the upcoming fiscal year are available for inspection at the Office of the Property Appraiser, 480 Walnut St, Monticello, FL



32344, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the County Coordinator at (850) 342-0287, Monday through Friday between 8:00 a.m. and 5:00 p.m.

**\* \* \* \* \* THIS IS NOT A BILL \* \* \* \* \***

# Board of County Commissioners

## Agenda Request

Date of Meeting: August 4, 2022

Date Submitted: July 25, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Consideration of a Preliminary Rate Resolution Initiating the Process to Re-Impose Solid Waste Special Assessments for FY22-23

---

### **Statement of Issue:**

This agenda item requests Board consideration of a preliminary rate resolution which initiates the process for re-imposing a special assessment to fund solid waste disposal and management services to all residential and commercial property within the County for FY22-23.

### **Background and Analysis:**

The County's master assessment ordinance (Ordinance No. 2020-050720-02) provides that the re-imposition of a service assessment requires the adoption of two resolutions: a preliminary rate resolution and an annual rate resolution. The attached resolution constitutes the preliminary rate resolution for the County's solid waste special assessment.

The proposed solid waste special assessment rates for FY22-23 are as follows, which are consistent with the rates imposed by the County for FY 21-22:

<b>Residential</b>	<b>Rate Per Dwelling Unit</b>
Residential Property	\$225.00
Multi-Family One Bedroom	\$112.50
<b>Commercial</b>	<b>Rate Per Parcel</b>
Commercial	\$225.00

If the Board approves the resolution, a public hearing will be noticed for September 15 at which time the Board will consider adoption of an annual rate resolution, which is the final step in the process for levying solid waste special assessments for FY 22-23 and collecting same on the ad valorem tax bill.

### **Options:**

1. Adopt the Preliminary Rate Resolution for Solid Waste Management and Disposal Services.
2. Do not Adopt the Preliminary Rate Resolution for Solid Waste Management and Disposal

- Services.  
3. Board Direction.

**Recommendation:**  
Option #1

**Attachments:**

1. Preliminary Rate Resolution for Solid Waste Management and Disposal Services.

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**JEFFERSON COUNTY, FLORIDA**

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**PRELIMINARY RATE RESOLUTION FOR  
SOLID WASTE MANAGEMENT AND DISPOSAL SERVICES**

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**ADOPTED AUGUST 4, 2022**

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**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, RELATING TO THE MANAGEMENT AND DISPOSAL OF SOLID WASTE IN ALL INCORPORATED AND UNINCORPORATED AREAS OF JEFFERSON COUNTY, FLORIDA; DESCRIBING THE METHOD OF ASSESSING SOLID WASTE COST AGAINST IMPROVED PROPERTY LOCATED IN THE COUNTY; DETERMINING THE SOLID WASTE COST AND THE INITIAL SOLID WASTE SERVICE ASSESSMENTS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This resolution is adopted pursuant to the provisions of the Master Capital Project and Service Assessment Ordinance (Ordinance No. 2020-050720-02) ("Ordinance"), Article VIII, Section (1)(f), Florida Constitution, Sections 125.01 and 125.66, Florida Statutes, and other applicable provisions of law.

**SECTION 2. PURPOSE AND DEFINITIONS.** This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this Preliminary Rate Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

**"Biomedical Waste"** means any Solid Waste or liquid waste which may present a threat of infection to humans. The term includes, but is not limited to, non-liquid human tissue and body parts, laboratory and veterinary waste which contains human disease-causing agents, used disposable sharps, human blood, and human blood products and body fluids, and other materials which represent a significant risk of infection to persons outside of the generating facility.

**"Building Codes"** mean the building interior finish codes assigned by the Property Appraiser to Tax Parcels within the County, as specified in Appendix A attached hereto and incorporated herein by reference.

**"Commercial Property"** means all Improved Property other than Residential Property.

**"Commercial Collection Service"** means the collection and transportation of Solid Waste from Commercial Property by the County or its contracted service provider to a Solid Waste disposal facility.

**"Dwelling Unit"** means a Building, or a portion thereof, which is lawfully used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family unit only.

**"Garbage"** means every accumulation of animal, vegetable, or other matter that attends the preparation, consumption, decay, dealing in, or storage of, meats, fish, fowl, birds, fruit or vegetables, or other putrescible matter, including animal feces, and also including cans, containers or wrappers along with the materials.

**"Hazardous Waste"** means Solid Waste, or a combination of Solid Wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics,

may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

**"Improved Property"** means all Assessed Property in the County on which a Building or other improvements have been placed or constructed, which improvements result in such property generating Solid Waste or being capable of generating Solid Waste.

**"Institutional Property"** means those Tax Parcels with a Code Description of 9000, 9100, 9200, 9250, or 9300 in the Building Codes specified in Appendix A.

**"Multi-Family One Bedroom Property"** means a Tax Parcel of Residential Property that is located within a multi-family building and contains only one bedroom.

**"Prohibited Waste"** means any Hazardous Waste, Biomedical Waste, or Special Waste.

**"Residential Property"** means all Improved Property that (i) is included on the Assessment Roll and receives a special benefit from the delivery of the Solid Waste management and disposal services, facilities, and programs, (ii) contains at least one Dwelling Unit including Improved Property that is used as a mobile home or recreational vehicle park, and (iii) does not receive Commercial Collection Service.

**"Rubbish"** means every accumulation of paper, excelsior, rags, wooden and paper boxes or containers, sweepings and all other accumulations of materials, other than garbage, which are usual to household keeping and to the operation of stores, offices and other business places, and also bottles, cans or containers.



**"Solid Waste"** includes Garbage, Yard Trash, Rubbish, or other discarded material usual to housekeeping and routine commercial business, excluding automobile bodies and parts, and shall exclude Prohibited Waste.

**"Solid Waste Assessment Roll"** means the Assessment Roll as defined in the Ordinance relating to the Solid Waste Service Assessments.

**"Solid Waste Service Assessment"** means a Service Assessment, as defined in the Ordinance, lawfully imposed by the County against Improved Property to fund all or any portion of the cost of the provision of Solid Waste management and disposal services, facilities, or programs providing a special benefit to property as a consequence of possessing a logical relationship to the value, use, or characteristics of the Improved Property.

**"Solid Waste Cost"** means the Service Cost, as defined in the Ordinance, which is the amount necessary to fund the County's collection, management, and disposal of Solid Waste that is allocable to Improved Property during a Fiscal Year and shall include, but not be limited to: (A) the cost, whether direct or indirect, of all services, programs or facilities provided by the County, or through contractual arrangements with the County relating to Solid Waste management and disposal activities; (B) the cost of any indemnity or surety bonds and premiums for insurance; (C) the cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (D) the cost of computer services, data processing, and communications; (E) the cost of training, travel and per diem; (F) the recovery of unpaid or delinquent fees or charges advanced by the County and due for Solid Waste management and disposal services, programs or facilities allocable to specific parcels; (G) the cost of engineering, financial, legal or other professional services; (H) all

costs associated with the structure, implementation, collection, and enforcement of the Solid Waste Service Assessments or a prior year's assessment for a comparable service, facility or program, including any service charges of the Tax Collector or Property Appraiser; (I) all other costs and expenses necessary or incidental to the acquisition, provision, or delivery of the services, programs or facilities funded by the Solid Waste Service Assessment, and such other expenses as may be necessary or incidental to any related financing authorized by the Board; (J) a reasonable amount for contingency and anticipated delinquencies and uncollectible Solid Waste Service Assessments; and (K) reimbursement to the County or any other Person for any monies advanced for any costs incurred by the County or such Person in connection with any of the foregoing items of Solid Waste Cost.

**"Special Waste"** means Solid Waste that requires special handling and management, including, but not limited to, asbestos, Biomedical Wastes, and such other forms as Solid Waste as may be designated by the County's Solid Waste and Recycling Department Director.

**"Tax Parcel"** means a parcel of property located within the County to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

**"Yard Trash"** means vegetative matter resulting from normal yard and landscaping maintenance and is authorized for disposal pursuant to the County's rules and regulations.

**SECTION 3. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.** It is hereby ascertained, declared and determined that the Solid Waste management and disposal services, facilities and programs to be funded by the

Solid Waste Cost provide a special benefit to the Improved Property based upon the following legislative determinations:

**General**

(A) Upon the adoption of this Preliminary Rate Resolution determining the Solid Waste Cost and identifying the Improved Property to be included in the Assessment Roll, the legislative determinations declared in Section 1.03 of the Ordinance are hereby ratified and confirmed.

(B) Pursuant to Section 403.706, Florida Statutes, the County has the responsibility and power to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the County has been legislatively granted and preempted to the County.

(C) The existence of any Building or other improvement on Improved Property results in such property generating Solid Waste or being capable of generating Solid Waste.

(D) The imposition of a recurring annual Solid Waste Service Assessment is an alternative, equitable and efficient method to fairly and reasonably apportion and recover the Solid Waste Cost experienced by the County among the parcels of Improved Property.

(E) Solid Waste management and disposal services, facilities, and programs furnished by the County possess a logical relationship to the use and enjoyment of Improved Property by providing: (1) Solid Waste management and disposal services, facilities, and programs to the Owners and occupants of Improved Property for proper, safe, and cost effective disposal of Solid Waste generated on such property, (2) better service to Owners and tenants, (3) the enhancement of environmentally responsible use and

enjoyment of Improved Property, (4) protection or enhancement of the development potential of Commercial Property, and (5) the protection of property values and the health and safety of the Owners and occupants of Improved Property resulting from the uniform availability of such services, facilities, and programs.

(F) The provision of comprehensive Solid Waste management and disposal services and programs furnished by or through the County to Improved Property enhances and strengthens the relationship of such services and programs to the use, enjoyment, and development potential of Improved Property within the County.

(G) It is fair and reasonable to use the Building Codes to apportion the Solid Waste Cost among parcels of Improved Property located within the County because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use for Improved Property within the County, and (2) the Tax Roll database is maintained by the Property Appraiser and is consistent with the coding of parcel designations on the Tax Roll which compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Assessment Collection Act.

(H) The value of Residential Property does not determine the scope and cost of Solid Waste management and disposal services to be provided to such property. The use of Solid Waste management and disposal services, facilities, and programs is driven by the existence of a Dwelling Unit and the average occupant population.

(I) The smaller size of Multi-Family One Bedroom Property limits the average occupant population of such properties and, consequently, such properties tend to demand

a lesser level of Solid Waste management and disposal services, facilities, and programs. Accordingly, it is fair and reasonable to assess such properties at half the rate of other Residential Property.

(J) Apportioning the Solid Waste Cost for Solid Waste management and disposal services provided to Residential Property, except Multi-Family One Bedroom Property, within the County on a per Dwelling Unit basis is compatible with the use of the Tax Roll data base, is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method of apportioning Solid Waste Cost.

(K) The size or value of Commercial Property does not determine the scope and cost of Solid Waste disposal services to be provided to such property. The use of Solid Waste management and disposal services, facilities, and programs is driven by the existence of a Building on Commercial Property and is substantially similar in amount and type to a Dwelling Unit of Residential Property.

(L) Apportioning the Solid Waste Cost for Solid Waste disposal services provided to Commercial Property within the County on a per parcel basis is compatible with the use of the Tax Roll data base, is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method of apportioning Solid Waste Cost.

(M) Commercial Property receives Commercial Collection Service, which is funded through a user fee paid to the commercial hauler. Commercial Property shall continue to pay the cost of its Solid Waste collection and management services, facilities, and programs through the Commercial Collection Service user fee.

(N) Section 125.0168, Florida Statutes, mandates that the County treat Recreational Vehicle Park property as Commercial Property in the same manner as hotel,

motel, or other similar property for non-ad valorem special assessments levied by the County. Thus, it is fair and reasonable to treat rental spaces and other Buildings within Recreational Vehicle Park property in the same manner as other Commercial Property.

(O) Institutional Property whose use is exempt from ad valorem taxation under Florida law provide facilities and uses to the ownership, occupants, membership as well as the public in general that otherwise might be requested or required to be provided by the County and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Solid Waste Service Assessments upon Tax Parcels of Institutional Property. Accordingly, no Solid Waste Service Assessment shall be imposed upon a Tax Parcel of Institutional Property which is wholly exempt from ad valorem taxation under Florida law.

(P) Government Property provides facilities and uses to the community, local constituents and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Solid Waste Service Assessments upon such parcels of Government Property.

(Q) Government Property that is owned by federal government mortgage entities, such as the VA and HUD, due to foreclosures are not serving a governmental purpose nor providing a public benefit but are instead being held by these federal government mortgage entities in a proprietary capacity. Accordingly, these properties shall not be exempted from the Solid Waste Service Assessment.

(R) Because it is in the best interest of the citizens of the County to assist totally and permanently disabled veterans and their surviving spouses who are Owners of homesteaded residential property with the financial burden created by the imposition of a

Solid Waste Service Assessment, no Solid Waste Service Assessment shall be imposed against a Tax Parcel of Residential Property that is the homesteaded property of a totally and permanently disabled veteran or their surviving spouse and who receive a total property tax exemption for said Tax Parcel pursuant to either Sections 196.081 or 196.091, Florida Statutes.

#### **SECTION 4. SOLID WASTE MANAGEMENT AND DISPOSAL SERVICES.**

(A) Upon the imposition of Solid Waste Service Assessments for Solid Waste management and disposal services, facilities, and programs against Improved Property located within the incorporated and unincorporated areas of the County, the County shall cause the same to be provided to such Improved Property. All or a portion of the Solid Waste Cost shall be paid from proceeds of the Solid Waste Service Assessments. The remaining cost, if any, required to provide Solid Waste management and disposal services, facilities, and programs shall be funded by available County revenues other than Solid Waste Service Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Improved Property will be benefited by the County's provision of Solid Waste management and disposal services, facilities and programs in an amount not less than the Solid Waste Service Assessment upon such parcel computed in the manner set forth in this Preliminary Rate Resolution.

#### **SECTION 5. DETERMINATION OF SOLID WASTE COST; ESTABLISHMENT OF INITIAL SOLID WASTE SERVICE ASSESSMENTS.**

(A) The Solid Waste Cost to be assessed and apportioned among Tax Parcels of Improved Property for the Fiscal Year commencing October 1, 2022, is \$1,450,013. The

approval of this Preliminary Rate Resolution determines the amount of the Solid Waste Cost. The remainder of such Fiscal Year budget for Solid Waste management and disposal services, facilities, and programs shall be funded from available County revenue other than Solid Waste Service Assessments.

(B) The estimated Solid Waste Service Assessments to be assessed and apportioned among benefited parcels of Improved Property to generate the estimated Solid Waste Cost for the Fiscal Year commencing October 1, 2022, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

<b>Residential</b>	<b>Rate Per Dwelling Unit</b>
Residential Property	\$225.00
Multi-Family One Bedroom	\$112.50
<b>Commercial</b>	<b>Rate Per Parcel</b>
Commercial	\$225.00

(C) The following exemptions shall apply to the Solid Waste Service Assessment program:

(1) No Solid Waste Service Assessment shall be imposed upon a Tax Parcel of Government Property; however, Government Property that is owned by federal mortgage entities, such as the VA and HUD, shall not be exempted from the Solid Waste Service Assessment;

(2) No Solid Waste Service Assessment shall be imposed upon a Tax Parcel of Institutional Property which is wholly exempt from ad valorem taxation under Florida law;

(3) No Solid Waste Service Assessment shall be imposed against a Tax Parcel of Residential Property that is the homesteaded property of a totally and permanently disabled veteran or their surviving spouse and who receive a total



property tax exemption for said Tax Parcel pursuant to either Sections 196.081 or 196.091, Florida Statutes.

(D) The rate of the Solid Waste Service Assessments established in this Preliminary Rate Resolution shall be the rates applied by the Property Appraiser in the preparation of the initial Solid Waste Assessment Roll for the Fiscal Year commencing October 1, 2022, as provided in Section 6 of this Preliminary Rate Resolution.

#### **SECTION 6. SOLID WASTE ASSESSMENT ROLL.**

(A) The Property Appraiser is hereby directed to prepare, or cause to be prepared, an updated Solid Waste Assessment Roll for the Fiscal Year beginning October 1, 2022, in the manner provided in the Ordinance. The updated Solid Waste Assessment Roll shall include all Tax Parcels of Improved Property within the County. The Property Appraiser shall apportion the estimated Solid Waste Cost to be recovered through Solid Waste Service Assessments in the manner set forth in this Preliminary Rate Resolution.

(B) A copy of this Preliminary Rate Resolution, documentation related to the estimated amount of the Solid Waste Cost to be recovered through the imposition of Solid Waste Service Assessments, and the updated Solid Waste Assessment Roll shall be maintained on file in the office of the Property Appraiser and open to public inspection. The foregoing shall not be construed to require that the initial Solid Waste Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(D) It is hereby ascertained, determined, and declared that the foregoing method of determining the Solid Waste Service Assessments for Solid Waste management and disposal services (1) is a fair and reasonable method of apportioning the Solid Waste Cost

among parcels of Improved Property and (2) is an equitable and efficient mechanism to recoup funds for Solid Waste management and disposal services, facilities, and programs which are allocable to specific parcels of Improved Property.

**SECTION 7. AUTHORIZATION OF PUBLIC HEARING.** There is hereby established a public hearing to be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex, 435 W. Walnut Street, Monticello, Florida, at which time the Board will receive and consider any comments on the Solid Waste Service Assessments from the public and affected property owners and consider imposing Solid Waste Service Assessments and collecting such assessments on the same bill as ad valorem taxes.

**SECTION 8. NOTICE BY PUBLICATION.** The County Coordinator shall publish a notice of the public hearing authorized by Section 7 hereof at least 20 days prior to such public hearing. The notice shall be published no later than August 25, 2022, in substantially the form attached hereto as Appendix B.

**SECTION 9. NOTICE BY MAIL.** If required pursuant to Section 3.08(C) of the Ordinance, the County Coordinator shall provide first class mailed notice of the public hearing authorized by Section 7 hereof to the Owner of each parcel of Improved Property, in substantially the form attached hereto as Appendix C. The notice shall be mailed no later than August 25, 2022. For Tax Parcels with exempt "home addresses" pursuant to Section 119.071 (4), Florida Statutes, the County Coordinator shall work with the Property Appraiser and/or Tax Collector for provision of notice.

**SECTION 10. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the County from the Solid Waste Service Assessments shall be used for the provision of Solid Waste management and disposal services, facilities, and programs within

the County. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund Solid Waste management and disposal services, facilities, and programs.

**SECTION 11. EFFECTIVE DATE.** This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

**PASSED, ADOPTED AND APPROVED THIS 4<sup>th</sup> Day OF AUGUST, 2022.**

**BOARD OF COUNTY  
COMMISSIONERS OF JEFFERSON  
COUNTY, FLORIDA**

(SEAL)

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Gene Hall, Chair

ATTEST:

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Kirk Reams, County Clerk

APPROVED FOR FORM  
AND CORRECTNESS

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Heather J. Encinosa, County Attorney

**APPENDIX A**  
**BUILDING CODES**

**APPENDIX A**

**BUILDING CODES**

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
100	SINGLE FAM	RESIDENTIAL
101	SFR MKT 03	RESIDENTIAL
102	A-FRAME	RESIDENTIAL
120	SFR MODULAR	RESIDENTIAL
210	SFR MANUF	RESIDENTIAL
300	SFR PILING	RESIDENTIAL
400	LOG HOME	RESIDENTIAL
600	RECREATINL	COMMERCIAL
700	DAY CARE	COMMERCIAL
800	MOBILE HME pre2000	RESIDENTIAL
810	TAGGED MOBILE HME	RESIDENTIAL
820	MOBILE HME	RESIDENTIAL
860	BARN LOW-NON AG	COMMERCIAL
864	BARN EX NON AG	COMMERCIAL
1200	MIXED USE	TBD
1201	MIXED USE=COMM RES	TBD
2200	M/FAM LOW	RESIDENTIAL
2300	M/FAM HGH	RESIDENTIAL
2500	M/FAM ROW	RESIDENTIAL
2700	DUPLEX	RESIDENTIAL
2800	TRI/QUAD	RESIDENTIAL
3300	NCLUB/BARS	COMMERCIAL
3450	PHYSFITCTR	COMMERCIAL
3500	STORE RETL-AVG	COMMERCIAL
3530	STORE BB	COMMERCIAL
3600	STORE DISC	COMMERCIAL
3800	SHOP NBHD	COMMERCIAL
3900	SHOP COMTY	COMMERCIAL
4300	NBHD CONVE	COMMERCIAL
4600	MOTEL LOW	COMMERCIAL
4700	MOTEL HIGH	COMMERCIAL
4900	OFFICE LOW	COMMERCIAL
4950	OFFICE AVG	COMMERCIAL
5000	OFFICE HGH	COMMERCIAL
5200	OFFICE MEDICAL	COMMERCIAL
5600	RESTAURANT	COMMERCIAL

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
5750	REST FF PL	COMMERCIAL
5800	REC FACIL	COMMERCIAL
6000	AUDITORIUM	COMMERCIAL
6200	BANK	COMMERCIAL
6400	SERV STATN	COMMERCIAL
6405	GASSTA/MRT	COMMERCIAL
6500	AG GARAGE	COMMERCIAL
6520	RES GARAGE	COMMERCIAL
6530	RES METAL GARAGE	COMMERCIAL
6550	SVC GARAGE	COMMERCIAL
6600	VEH SALE/R	COMMERCIAL
6800	MORTUARY	COMMERCIAL
6900	CLUB HOUSE	COMMERCIAL
7100	TRANS TERM	COMMERCIAL
7900	EXCEP COMM	COMMERCIAL
8000	MANUF LGHT	COMMERCIAL
8050	MANUF LGHT-CLIMATE CONTROL	COMMERCIAL
8051	MANF CROP-CLIMATE CONTROL	COMMERCIAL
8100	MANUF HEVY	COMMERCIAL
8200	WAREH DIST	COMMERCIAL
8250	WAREH NEW	COMMERCIAL
8300	WAREH MINI	COMMERCIAL
8400	WAREH STOR	COMMERCIAL
8405	RETAIL JOB	COMMERCIAL
8407	WARE DIST2	COMMERCIAL
8500	AIR HANGAR	COMMERCIAL
8600	BARNS LOW	COMMERCIAL
8601	OPEN/STRG	COMMERCIAL
8602	BARNS AVG	COMMERCIAL
8603	BARNS ABOVE	COMMERCIAL
8604	BARNS EX	COMMERCIAL
8700	PREF MET B	COMMERCIAL
8800	PREF MTOFC	COMMERCIAL
8801	C B RETAIL	COMMERCIAL
9000	SCHOOL	COMMERCIAL
9100	CHURCH	COMMERCIAL
9200	ED RELIGOS	COMMERCIAL
9250	ED RELIGOS	COMMERCIAL
9300	GOVT BLDG	COMMERCIAL

<b>Code</b>	<b>Building Use</b>	<b>Property Use Category</b>
9400	LUMB YD BD	COMMERCIAL
9900	INDS EXEMP	COMMERCIAL

## **APPENDIX B**

### **FORM OF NOTICE TO BE PUBLISHED**



To Be Published by August 25, 2022

**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR  
COLLECTION OF SOLID WASTE SERVICE SPECIAL ASSESSMENTS**

Notice is hereby given that the Board of County Commissioners of Jefferson County, Florida will conduct a public hearing to consider the continued imposition of annual solid waste special assessments against all improved residential and commercial properties located within the unincorporated and all incorporated areas of the County to fund the cost of Solid Waste management and disposal services, facilities and programs provided to such properties and to authorize collection of such assessments on the tax bill.

The hearing will be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex, 435 W. Walnut Street, Monticello, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Board within 20 days of this notice. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Coordinator at (850) 342-0287, at least two (2) business days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following table reflects the proposed solid waste service assessment schedule:

<b>Residential</b>	<b>Rate Per Dwelling Unit</b>
Residential Property	\$225.00
Multi-Family One Bedroom	\$112.50
<b>Commercial</b>	<b>Rate Per Parcel</b>
Commercial	\$225.00

The above rates are consistent with the solid waste service assessment rates imposed by the County for fiscal year 2021-22.

Copies of the Master Service Assessment Ordinance, the Preliminary Rate Resolution for Solid Waste Services, and the preliminary assessment roll, showing the amount of the assessment to be imposed against each parcel of property are available for inspection at the office of the Property Appraiser, 480 Walnut St, Monticello, FL 32344.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the office of the County Coordinator at (850) 342-0287, Monday through Friday between 8:00 a.m. and 5:00 p.m. for additional information.

**[INSERT MAP OF JEFFERSON COUNTY]**

**JEFFERSON COUNTY, FLORIDA**

## **APPENDIX C**

### **FORM OF NOTICE TO BE MAILED**

## APPENDIX C

### FORM OF NOTICE TO BE MAILED

\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\*

Jefferson County

[Address]

[Address]

JEFFERSON COUNTY, FLORIDA

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR  
COLLECTION OF SOLID WASTE

NON-AD VALOREM ASSESSMENTS

NOTICE DATE: August 25, 2022

Owner Name

Address

City, State Zip

Tax Parcel #: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Sequence #: \_\_\_\_\_

As required by section 197.3632, Florida Statutes, and the direction of the Board of County Commissioners of Jefferson County, Florida, notice is given by the County that an annual assessment for solid waste management and disposal services using the tax bill collection method may be levied on your property for the fiscal year beginning October 1, 2022 and future fiscal years.

The use of an annual special assessment is a fair, efficient and effective means of funding Solid Waste management and disposal services benefiting all improved residential and commercial property within all unincorporated and incorporated areas of the County.

The total annual solid waste assessment revenue to be collected within the County, is estimated to be \$1,450,013. The annual solid waste service assessment is based on the classification of the property and the number of billing units assigned. The above listed parcel has the following units:

Category	Type and Number of Billing Units	Fiscal Year 22-23 Assessment	Maximum Assessment
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
[Category]	[ParcelUnit][UnitDesc]	[Charge]	[Charge]
Total Assessment		[\$SumofBld]	[\$SumofBld]

The maximum annual Solid Waste Service Assessment for the above parcel for Fiscal Year 2022-23 is \$\_\_\_\_\_.

A more specific description of the assessment program is included in the Preliminary Rate Resolution adopted by the Board of County Commissioners on \_\_\_\_\_, 2022.

A public hearing will be held at 6:00 p.m. on September 15, 2022, in the Courthouse Annex, 435 West Walnut Street, Monticello, Florida, for the purpose of receiving public comment on the proposed solid waste assessments and their collection on the tax bill. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Board within 20 days of this notice. If you decide to appeal any decision made by the Board with respect to any matter considered at the hearing or at any subsequent meeting to which the Board has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Coordinator at (850) 342-0287, at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Master Service Assessment Ordinance (Ordinance No. 2020-05072020-02), the Preliminary Rate Resolution for Solid Waste (Resolution No. \_\_\_\_\_), and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the Office of the Property Appraiser, 480 Walnut St, Monticello, FL 32344, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the County Coordinator at (850) 342-0287, Monday through Friday between 8:00 a.m. and 5:00 p.m.

**\* \* \* \* \* THIS IS NOT A BILL \* \* \* \* \***

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: August 4, 2022

Date Submitted: July 25, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Pursley Application for Special Exception for Barndominium

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### **Statement of Issue:**

This agenda item requests Board consideration of an Application for Special Exception for a Wedding Event/Venue at TBD Egret Marsh Rd. Monticello, FL 32344, Property ID 03-1N-3E-0000-0013-0000 (the “Property”). The Property is approximately 60 acres and is located in the AG-3 land use district. The Applicant is Lexis Pursley.

### **Background and Analysis:**

The Application proposes the construction of a 5,270 sqft barndominium that will have a kitchen, men’s and women’s restrooms, a suite, loft and main dance floor. Further details are described in the attached memorandum from the Planning Official (the “Planning Memo”).

The Board considered this item at a prior public hearing held on July 7, 2022, and ultimately voted to continue the item to the August 4, 2022 Board meeting. At the July 7 meeting, a citizen spoke in opposition to the Application and raised several concerns. Those concerns and responses to same are summarized as follows:

1. Number of Access Points (Section 5.4.1 LDC) – The Property has existing access to Highway 90/Mahan Drive via a private road. The access point requirements in Section 5.4.1 of the LDC appear applicable to new driveway permits and roadway connection permits for proposed projects that currently lack connections to the public road system. As the Property already has access to Highway 90 via an existing public road, it does not appear that this section of the LDC would apply to the proposed project.
2. Business Permit Requirements (Section 9.13 LDC) – A business permit will be required prior to operation of the business on the Property. This is a separate process from the Special Exception. The conditions of approval recommended by staff in the Planning Memo require the applicant to apply for and obtain a business permit.
3. Parking (Section 5.5 LDC) – The Applicant will have to comply with the County's standard parking requirements contained within the LDC, including provision of the necessary

handicapped parking spaces. The Applicant will demonstrate compliance with the parking requirements through their site development plan submitted for the project, which is a prerequisite of building permit approval.

4. Alcohol Consumption (9.13.6 LDC) – Section 9.13.6 of the LDC, which relates to the County's issuance of business permits, provides that for establishments allowing consumption of alcohol on premises, "The site shall be located on an arterial or major collector unless the applicant can show reason why an alternate site is better for the County." If the applicant intends to allow consumption of alcoholic beverages on premises, they will be required to address this provision at the time of application for a business permit.
5. Noise (Section 9.15.4.F LDC) – Pursuant to Section 9.15.4.F LDC, as a condition for approval of the Special Exception, a statement shall be incorporated as part of the development order to the effect that activities sound levels emanating from the site shall not exceed a level of 55 decibels between 10 p.m. and 6 a.m. The conditions of approval recommended by staff in the Planning Memo reflect this requirement.

Pursuant to Board discussion at the July 7 meeting, the conditions of approval recommended by staff also provide that the Special Exception shall not run with the Property. In the event the property is sold or transferred, the Special Exception shall automatically terminate. Further, if the Applicant fails to comply with any of the conditions of approval or other applicable provisions of the County's Code, the Special Exception may be revoked by the Board of County Commissioners after consideration at a noticed public hearing.

**Options:**

1. Approve the Special Exception Subject to the Conditions Recommended by Staff in the Attached Planning Memo.
2. Do Not Approve the Special Exception Subject to the Conditions Recommended by Staff in the Attached Planning Memo.
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Application for Special Exception
2. Memorandum from the Planning Official Related to Special Exception Site Plan dated August 4, 2022.



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## Memorandum

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**TO:** Jefferson County Planning Commissioners  
**FROM:** Shannon Metty, Planning Official  
**SUBJECT:** Special Exception Site Plan  
**DATE:** August 4, 2022

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### Special Exception Site Plan for a Wedding/Event Venue

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A Special Exception Application has been submitted by Lexis Pursley to construct a barndominium style Event Venue to be located at TBD Egret Marsh Rd. Monticello, FL 32344. The property ID is 03-1N-3E-0000-0013-0000 and is approximately 60 acres in the AG-3 land use district.

Allowable uses within the AG-3 land use district include agriculture, residential, certain institutional, outdoor recreation, local public service activities, roadside produce stands, and other commercial activities associated with agriculture or outdoor recreational uses. As contemplated in the Jefferson County Land Development Code, a Special Exception is a use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

Mrs. Pursley is proposing the construction of a 5,270 sqft barndominium that will have a kitchen, men's and women's restrooms, a suite, loft and main dance floor. The barndominium will be built to Florida Building Code standards for a Commercial Building following the Life Safety standards with adequate exits and safety features. The venue will utilize a septic system that will be permitted through the Florida Department of Health.

Guests will enter the venue through a driveway off of Egret March Rd. The barndominium will be located approximately 60ft from the north property line, 320ft from the western property line, 1213ft from the southern property line, and 1313ft from the eastern property line. Guests will park in a gravel parking area. A line of trees are to the west and east and will serve as noise barriers.

The properties to the east, south, and west are AG-5 and Leon County to the north in rural zoning.

#### Special Exception Requirements:

##### 1. Traffic Impacts

- a. Staff determined that a traffic study was not initially required for this application, but if there are concerns with potential ingress, egress, and off-site impacts from vehicular traffic,





the County may request a traffic study as Section 9.15.4. of the Land Development Code contains such a requirement. . Egret Marsh Rd is a 60ft wide private, unpaved easement that is maintained by the property owners. An agreement from the property owners along this road will be required. In driving the property I found that Egret Marsh is only wide enough for one vehicle. It also has a blind curve. Both the insufficient driving lane width for two-way traffic and the blind curve make this access insufficient for ingress and egress for an event venue and present public safety concerns.

## 2. Drainage

- a. The drainage will follow the natural flow of the land.

## 3. Visual Appearance

- a. Adequate buffers are to the east, west, and south. The property to the north is the applicants family.

## 4. Mitigation and Avoidance of Environmentally Sensitive Lands

- a. In accordance with the National Wetlands Mapper, the location of the event venue is approximately 1,100 ft from the nearest wetland. This exceeds the County's required setback of 80ft.

## 5. Noise

- a. There are currently residential land uses on all sides of this property. There are 4 residential properties to the east and Valley View Estates abuts this property to the west. The trees to the east and west will assist in buffering noise, but this structure is located at the top of hill according to the attached topography map. There is concern that the sound will travel above the trees and settle below. While the venue will be an indoor venue, the proposed property use and the close location of residential land uses raises concerns with noise disturbances in an otherwise quiet, low density residential area.

## 6. Air Quality

- a. This venue will not be producing any odors or fumes into the air.

## 7. Compatibility

- a. The surrounding land uses are AG-5 and Rural to the North in Leon County. The only structure within 500 ft of the proposed building is owned by the family of the applicant, but there are numerous residential properties surrounding the site, including Valley View Estates, which abuts the property to the west, and [TO COME]. Florida law defines "compatibility" as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Section 163.3164(9), Florida Statutes. Additionally, Section 9.15.14 of the Land Development



Code provides that “uses which may, in the judgement of the County, come into conflict over time, or which may, in the judgment of the County, have an adverse effect on property values, may be regarded as incompatible.” Compatibility is determined through the technical review and public hearing process.

The land uses in the area of the property are predominantly low density, residential [point out if there are any other uses]. In assessing compatibility, the Board may consider that the event venue, as presented in the application, would allow a commercial-type land use into this predominately residential area with associated traffic and noise issues.

As set forth in Section 9.15.6 of the Land Development Code, the Board may deny any special exception use which it determines is “potentially incompatible with adjacent and surrounding land uses, if the potential incompatibility is not adequately mitigated.” Additionally, in granting any special exception, the County may order “such additional conditions, which the County determines to be reasonably necessary to protect the public health, safety, or welfare.”

#### 8. Additional Requirements

- a. No additional requirements are required at this time.

Based on this review and comments and input received at the July 7, 2022 hearing on this matter, which was continued to August 4, 2022, it is the recommendation of the Planning Department that this Special Exception Application is approved with the following conditions.

1. The Applicant provides a written agreement to the County that all the property owners along this easement agree to allow increased traffic of the venue. This statement must be notarized.
2. Egret Marsh Road must be improved to accommodate two-way traffic along its full length to the entry of the Applicant’s property. This will be reviewed by the County engineer and/or Road Department to meet safety standards.
3. The venue has been submitted as an indoor venue. No amplified music of any kind may be projected/played/performed outside of the walls of the venue.
4. Sound levels emanating from the site shall not exceed a level of 55 decibels between 10pm and 6am, as measured at the property line.
5. The Applicant shall apply for and obtain a Business Permit pursuant to Section 9.13.0 of the Land Development Code.
6. The Applicant shall apply for and obtain site development plan approval and building permit approval prior to construction of the proposed barndominium facility.
7. The Special Exception shall not run with the Subject Property, nor shall it otherwise be transferable, including to the Applicant’s heirs, successors, devisees, assigns, or other transferees. In the event the Subject Property is sold, transferred, or otherwise alienated and is no longer owned by the Applicant, or the Subject Property is leased to a lessee that is not the Applicant, the Special Exception shall automatically terminate and shall

Jefferson County, Florida  
Planning Department  
445 W. Palmer Mill Rd  
Monticello, FL 32344  
Phone (850) 342-0223  
Fax: (850) 342-0225



- be void and of no further force or effect. This restriction shall be recorded in the Official Records of Jefferson County at the Applicant's expense.
8. In the event Applicant fails to comply with any of the aforementioned conditions of approval or other rules or regulations applicable to the proposed Special Exception use in the County's code of ordinances or land development code, the Special Exception shall be revocable by order of the Board of County Commissioners. Prior to revocation of the Special Exception, the Board of County Commissioners shall conduct a noticed public hearing at which the Applicant and all other interested parties shall be provided the opportunity to be heard. The Special Exception may be revoked if, after considering the evidence and testimony presented at the public hearing, the Board finds that the Applicant has failed to comply with the aforementioned conditions of approval or other rules or regulations applicable to the proposed Special Exception use in the County's code of ordinances or land development code

Conditions 1, 2, and 6 must be satisfied and approved through the Planning Department before a building permit can be issued.

Sincerely,

Shannon Metty  
Planning Official

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: August 4, 2022

Date Submitted: July 15, 2022

To: Members of the Board

From: Heather Encinosa

Subject: Public Hearing and Adoption of Annual Rate Resolution for Valley View Estates Subdivision Roadway Paving Project

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### **Statement of Issue:**

This agenda item requests the Board to hold a hold public hearing and consider the adoption of the Annual Rate Resolution for Valley View Estates Subdivision Roadway Paving Project.

### **Background:**

On May 6, 2021, the Board of County Commissioners adopted Resolution No. 06052021-01, the Initial Assessment Resolution for the Valley View Estates Subdivision Roadway Paving Project (“Initial Assessment Resolution”), Thereafter, at a duly noticed public hearing held on June 3, 2021, the Board of County Commissioners adopted Resolution No. 03062021-01 (“Final Assessment Resolution”), which imposed an annual assessment for the paving of Valley View Trail, Valley View Ridge, and Valley View Court in the maximum annual amount of \$732 for a period of 10 years, commencing in November 2022.

Based upon the County’s final costs for the Valley View Estates Subdivision Roadway Paving Project, the maximum annual assessment is requested to be increased to \$741 for the remaining nine years of the program. The updated Assessment Roll has been filed with the County Coordinator, as required by the Ordinance and notice of a public hearing has been published and mailed to each property owner of the continued reimposition of the assessment, an increase in the assessment amount, and notifying such property owner of the opportunity to be heard concerning the assessments.

### **Analysis:**

The Annual Rate Resolution for the Valley View Estates Subdivision Roadway Paving Project approves the annual assessments at the rate of \$741.00 per parcel, or unified parcel (where multiple parcels under single ownership are subject to a recorded Unity of Title) and approves the Assessment Roll for the Fiscal Year commencing October 1, 2022.

### **Options:**

1. Hold the Public Hearing and Adopt the Annual Rate Resolution for Valley View Estates

Subdivision Roadway Paving Project

2. Do Not Hold the Public Hearing and Adopt the Annual Rate Resolution for Valley View Estates Subdivision Roadway Paving Project
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Annual Rate Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF JEFFERSON COUNTY, FLORIDA RELATING TO THE CONSTRUCTION AND FUNDING OF PAVING AND IMPROVEMENT OF ROADWAYS IN THE VALLEY VIEW ESTATES SUBDIVISION; APPROVING LEVYING ANNUAL ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; APPROVING AN ASSESSMENT ROLL FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; ESTABLISHING A LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE ASSESSMENT ROLL BE CERTIFIED TO THE JEFFERSON COUNTY TAX COLLECTOR; PROVIDING FOR COLLECTION OF ASSESSMENTS PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AS FOLLOWS:**

**WHEREAS**, the Board of County Commissioners of Jefferson County adopted Ordinance 2020-050720-02 ("Ordinance"), to provide for the imposition of special assessments to fund the construction of Capital Projects and the provision of Services to benefit property located within Assessment Areas; and

**WHEREAS**, on May 6, 2021, the Board of County Commissioners adopted Resolution No. 06052021-01, the Initial Assessment Resolution for the Valley View Estates Subdivision Roadway Paving Project ("Initial Assessment Resolution"), describing the method of assessing the cost of the Project, as a local improvement, against the real property that will be specially benefited thereby, and directing the preparation of the preliminary Assessment Roll and provision of the notices required by the Ordinance; and

**WHEREAS**, pursuant to the provisions of the Ordinance, at a duly noticed public hearing held on June 3, 2021, the Board of County Commissioners adopted Resolution No. 03062021-01 ("Final Assessment Resolution"), and is required to adopt an Annual Rate Resolution and approve the Assessment Roll for each fiscal year the special assessment is imposed; and

**WHEREAS**, the updated Assessment Roll has been filed with the County Coordinator, as required by the Ordinance; and

**WHEREAS**, as required by the Ordinance, notice of a public hearing has been published and mailed to each property owner of the continued reimposition of the assessment, an increase in the assessment amount, and notifying such property owner of the opportunity to be heard

concerning the assessments; the proof of publication is attached hereto as Appendix A and the affidavit of mailing is attached hereto as Appendix B; and

**WHEREAS**, a public hearing was duly held on August 4, 2022, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance; and

**WHEREAS**, the Board of County Commissioners has deemed it to be in the best interests of the citizens and residents of the Valley View Estates Subdivision that the Assessments for the roadway paving project continue to be imposed by approval of this Annual Rate Resolution for the Fiscal Year beginning on October 1, 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This Annual Rate Resolution is adopted pursuant to the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, Chapter 125, Florida Statutes, Sections 197.3632 and 197.3635, Florida Statutes and Article VIII, Section 1, Florida Constitution, and other applicable provisions of law.

**SECTION 2. DEFINITIONS.** This is the Annual Rate Resolution as defined in the Ordinance. All capitalized terms used herein shall have the meanings defined in the Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution unless the context clearly indicates an alternative meaning.

**SECTION 3, ANNUAL ASSESSMENTS TO FUND THE VALLEY VIEW SUBDIVISION ROADWAY PAVING PROJECT.**

(A) The Tax Parcels included in the Assessment Roll are hereby found to be specially benefitted by the provision of the Project in the amount of the annual assessment set forth in the Assessment Roll.

(B) The methodology set for the in the Initial Assessment Resolution for computing the annual Assessments is hereby approved and found to be a fair and reasonable method of apportioning the Project Cost among the benefited properties.

(C) For the Fiscal Year beginning October 1, 2022, the Project Cost shall continue to be allocated among all Tax Parcels in the Assessment Area in the manner described in the Initial Assessment Resolution, as approved in the Final Assessment Resolution, and shall be collected

for a period not to exceed 10 years, commencing with the ad valorem tax bill that was mailed in November 2021.

(D) The maximum annual Assessment rate approved in the Final Assessment Resolution is hereby amended to be \$741.00 per parcel, or unified parcel (where multiple parcels under single ownership are subject to a recorded Unity of Title) and shall be included on the ad valorem tax bill to be mailed in November 2022 and future fiscal years.

#### **SECTION 4. APPROVAL OF ASSESSMENT ROLL.**

(A) The Assessment Roll for the Valley View subdivision Roadway Paving Project, a copy of which was available at the above mentioned public hearing and is incorporated herein by reference, is hereby approved for the fiscal year commencing October 1, 2022.

(B) Additionally, the Assessment Roll, as approved, includes those Tax Parcels within the Assessment Area that cannot be set forth in that Assessment Roll due to the provisions of Section 119.071(4), Florida Statutes, concerning exempt “home addresses.”

#### **SECTION 5, ASSESSMENT LIEN.**

(A) Upon adoption of this Annual Rate Resolution, the Assessments shall constitute a lien against the assessed property equal in rank and dignity with the liens of all State, County, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior to all other liens, titles, and claims, until paid. The lien shall be deemed perfected upon adoption by the Board of County Commissioners of this Annual Rate Resolution and shall attach to the property as of the prior January 1, lien date for ad valorem taxes.

(B) As to any Tax Parcel that is acquired by a public entity through condemnation, negotiated sale or otherwise prior to adoption of the next Annual Rate Resolution, the outstanding Prepayment Amount shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid. The lien shall be deemed perfected upon adoption by this Annual Rate Resolution and shall attach to property as of the prior January 1, lien date for ad valorem taxes.



**SECTION 6. COLLECTION OF ASSESSMENTS.**

(A) The Assessment shall be collected pursuant to the Uniform Assessment Collection Act. Upon adoption of this Annual Rate Resolution, the County Coordinator shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

(B) The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto in Appendix C.

**SECTION 7. SEVERABILITY.** If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 8. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** in open session by the Board of County Commissioners of Jefferson County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2022.

**JEFFERSON COUNTY, FLORIDA**

By: \_\_\_\_\_  
Gene Hall, Chairman

Attest:

\_\_\_\_\_  
Kirk Reams, Clerk of Circuit Court

Approved as to form:

\_\_\_\_\_  
Heather Encinosa, County Attorney

**APPENDIX A**  
**PROOF OF PUBLICATION**

**APPENDIX B**

**AFFIDAVIT OF MAILING**

## **AFFIDAVIT OF MAILING**

BEFORE ME, the undersigned authority, personally appeared Shannon Metty, who, after being duly sworn, deposes and says:

1. Shannon Metty, as Jefferson County Planning Official, pursuant to the authority and direction received from the Board of County Commissioners (the "Board"), timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with Ordinance 2020-050720-02 adopted by the Board on May 7, 2020 (the "Ordinance").

2. Ms. Metty has caused the notices required by the Ordinance to be prepared for the Valley View Estates Subdivision Roadway Paving Project. An exemplary form of such notice is attached hereto. Ms. Metty has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the Board expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before July 14, 2022, Ms. Metty caused the mailing of the above-referenced notices in accordance with the Ordinance by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Jefferson County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

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Shannon Metty, affiant

STATE OF FLORIDA  
COUNTY OF JEFFERSON

The foregoing Affidavit of Mailing was sworn to and subscribed before me, by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by Shannon Metty, Jefferson County Planning Official. She is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public, State of Florida  
At Large  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

**APPENDIX C**

**CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the \_\_\_\_\_  
for Jefferson County, Florida (County); as such I have satisfied myself that all property  
included or includable on the non-ad valorem assessment roll for local improvements  
within the unincorporated County for the Valley View Estates Subdivision Roadway  
Paving Project Special Assessment Area is properly assessed as far as I can ascertain;  
and that all required extensions on the above described roll to show the non-ad valorem  
assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection  
Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be  
delivered to the Jefferson County Tax Collector by September 15, 2022.

IN WITNESS WHEREOF, I have subscribed this certificate and directed that same  
to e delivered to the Jefferson County Tax Collector and made part of the above-described  
Non-Ad Valorem Assessment Roll this \_\_\_\_day of \_\_\_\_\_, 2022.

JEFFERSON COUNTY, FLORIDA

By: \_\_\_\_\_

Its: \_\_\_\_\_

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: August 4, 2022

Date Submitted: July 25, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Consideration of an Emergency Ordinance Declaring a Moratorium on Special Exceptions for One Year

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### **Statement of Issue:**

This agenda item requests Board consideration of an emergency ordinance declaring a moratorium on the County's acceptance of applications for, the processing of, and the issuance and/or approval of Special Exceptions pursuant to Sections 9.15.0 – 9.15.7 of the LDC.

### **Background and Analysis:**

At the Board's July 19 meeting, the Board directed staff to prepare an ordinance declaring a moratorium on the County's issuance of Special Exception land use approvals in order to allow time to review and evaluate the County's existing regulations related to Special Exceptions and pursue necessary changes to ensure sound land use planning and compatibility.

The County Attorney's Office prepared the attached Ordinance declaring a moratorium on the acceptance of applications for, the processing of, and the issuance and/or approval of Special Exceptions pursuant to Sections 9.15.0 – 9.15.7 of the LDC. The moratorium would be in effect for one year or until repealed by subsequent action of the Board.

It is important to note that the attached Ordinance has not been advertised and is subject to the emergency enactment procedures in Section 125.66(3), Florida Statutes. Pursuant to such procedures, in the event an emergency exists and that immediate enactment of an ordinance is deemed necessary, the Board may waive the notice requirements normally associated with the enactment of County ordinances and adopt the ordinance by 4/5ths vote of the membership of the Board.

If the Ordinance is approved by the Board, it will be advertised in accordance with the regular advertising process set forth in Section 125.66, Florida Statutes, and the Ordinance will be brought back for ratification at the Board's August 25 meeting.

### **Options:**



1. Find that an emergency exists necessitating immediate action by the Board, and adopt the attached Ordinance by 4/5ths vote of the Board.
2. Do not find that an emergency exists and do not adopt the attached Ordinance.
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Proposed Ordinance

**ORDINANCE NO. 22- \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, DECLARING A MORATORIUM ON THE ISSUANCE OF SPECIAL EXCEPTIONS FOR PROPERTY LOCATED IN THE UNINCORPORATED AREA OF JEFFERSON COUNTY, FLORIDA; PROVIDING FOR EMERGENCY ENACTMENT; DECLARING A MORATORIUM ON THE COUNTY'S ACCEPTANCE OF APPLICATIONS FOR, THE PROCESSING OF, AND THE ISSUANCE OF SPECIAL EXCEPTION LAND USE APPROVALS; PROVIDING FOR THE AREA OF APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, Section 1(f) of the Florida Constitution and section 125.66, Florida Statutes, Jefferson County (the "County") possesses the authority to enact ordinances to protect the health, safety, and welfare of its citizens; and

**WHEREAS**, "Special Exceptions" are defined in Section 1.3.0 of the Jefferson County Land Development Code ("LDC") as "[a] use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;" and

**WHEREAS**, Special Exceptions are not allowed as of right on any property within the County, but are rather subject to an application, review, and approval process that is set forth in Sections 9.15.0 – 9.15.7 of the LDC; and

**WHEREAS**, the Jefferson County Board of County Commissioners ("Board") wishes to evaluate the requirements and standards in the LDC related to Special

Exceptions, including the compatibility of certain Special Exception uses with the County's future land use map classifications; and

**WHEREAS**, imposing a temporary moratorium on the County's acceptance of applications for, the processing of, and the issuance of Special Exception approvals will allow time to review, study, hold public hearings, prepare, and consider proposed revisions to the LDC related to Special Exceptions in order to ensure that Special Exceptions are properly regulated within the County in a manner which furthers the compatibility of land uses and sound land use planning principles; and

**WHEREAS**, the adoption of this Ordinance is undertaken in good faith and is intended to further the goals of the Comprehensive Plan and the comprehensive planning process set forth in Chapter 163, Florida Statutes; and

**WHEREAS**, adoption of this Ordinance will further the health, safety, and welfare of the citizens of Jefferson County.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA:**

**SECTION 1. Recitals.** The above recitals are true and correct and are hereby incorporated herein.

## **SECTION 2. Emergency Enactment.**

A. The Board of County Commissioners ("Board") expressly finds, determines, and declares that an emergency exists and the immediate enactment of this Ordinance is necessary pursuant to Section 125.66(3), Florida Statutes, to ensure that the County has adequate time to review and evaluate the County's Land Development Code regulations pertaining to Special Exceptions, as described in Sections 9.15.0 – 9.15.7 of the LDC.

B. By a 4/5ths vote as recorded below, the Board hereby waives the notice requirements associated with the regular enactment of County ordinances as set forth in Section 125.66(2), Florida Statutes.

## **SECTION 3. Moratorium Imposed.**

A. The County hereby imposes a moratorium on the acceptance of applications for, the processing of, and the issuance and/or approval of Special Exceptions pursuant to Sections 9.15.0 – 9.15.7 of the LDC.

C. The duration of this moratorium shall be 365 days from the effective date of this Ordinance, or until such time as repealed by the County, whichever occurs first, and may be extended by subsequent ordinance adopted by the Board to the extent permitted by law.

**SECTION 4. Existing Special Exception Approvals.** The moratorium imposed pursuant to this Ordinance shall not affect the validity of any existing Special Exception approvals obtained prior to the effective date of this Ordinance.

**SECTION 5. Applicability.** This Ordinance shall be applicable in the unincorporated areas of Jefferson County.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or provision shall be deemed severable and shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

**SECTION 7. Filing of Ordinance and Effective Date.** A certified copy of this Ordinance shall be transmitted by the County Clerk to the Department of State by e-mail. It shall be deemed to be filed and shall take effect when a copy has been accepted and confirmed by the Department of State by e-mail.

**PASSED AND ADOPTED** in Regular Session by a four-fifths vote of the membership of the Board of County Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF JEFFERSON COUNTY, FLORIDA

\_\_\_\_\_  
Gene Hall, Chair

ATTEST:

\_\_\_\_\_  
Kirk Reams, Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Heather Encinosa, Esq.  
County Attorney

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: August 4, 2022

Date Submitted: July 21, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Florida Association of County Managers County Management Recruitment Services

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### **Statement of Issue:**

This agenda item requests Board approval of an engagement letter with the Florida Association of County Managers to assist in the recruitment and selection of a new county coordinator.

### **Background:**

The County and Parrish Barwick entered into a voluntary termination agreement effective July 19, 2022. On this same date, Board consensus was reached to utilize the Florida Association of County Managers County Management Recruitment Services program for recruitment and selection of the new county coordinator.

### **Analysis:**

The attached engagement letter outlines the terms and conditions for the Florida Association of County Managers County Management Recruitment Services. The scope of services includes the following:

(1) Brief Board members on the best practices for the recruitment process of a professional coordinator;

(2) Assist County staff, through the provision of recommendations on recruitment techniques, by providing suggestions on where to place advertisements to solicit qualified applicants and suggestions on the wording of the County's recruitment profile and advertisement for the position;

(3) Assist the Board and County staff to develop a list of identified characteristics and attributes of a successful candidate, the appropriate selection criteria, and a suggested selection process and timeline; and

(4) Facilitate a volunteer group of Florida county administrators and/or former county administrators to review the qualifications of the list of candidates, as the list is identified by the Board and/or County staff for review, and to report the findings of that review to the Board and/or County staff, as directed. (Note: this group will review external candidates only with review of internal candidates being the responsibility of County staff.)

(5) Pursuant to item (4) above, the Association will recommend a short list of external

candidates for consideration.

A successful recruitment requires that the Board and County staff be active participants in this process, including carrying out the suggestions provided in (1), (2), and (3) above, and including but not limited to receiving the applications, screening the applicants, conducting the background checks of applicants, placing (or being responsible for placing) all advertisements soliciting applicants, scheduling and coordination of interviews and other necessary or requested County meetings related to the recruitment and selection process. The County would also be wholly responsible for negotiating the terms of any employment offer and will provide the primary point of contact for all questions and inquiries relating to the recruitment process.

The fee for these services is a lump sum of \$5,000, which will be invoiced upon the delivery of the candidate review report and short list of applicants.

**Options:**

1. Approve the engagement letter with the Florida Association of County Managers to assist in the recruitment and selection of a new county coordinator
2. Do Not Approve the engagement letter with the Florida Association of County Managers to assist in the recruitment and selection of a new county coordinator
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

- (1) Engagement Letter



July 21, 2022

The Honorable Gene Hall, Chairman  
Jefferson County Board of County Commissioners  
1 Courthouse Circle  
Monticello, FL 32344

Re: Florida Association of County Managers Consulting

Dear Chairman Hall:

Thank you for reaching out to the Florida Association of County Managers ("the Association") regarding Jefferson County's upcoming search for a new County Manager. It is the Association's pleasure to assist you in this effort.

A county's selection of a county manager is one of the most crucial decisions a Board of County Commissioners makes for its community. The professional execution of county commissions' policy decisions is the foundation of a healthy, thriving county. In recognition of the importance of this selection, the Association has launched a new initiative to provide recruiting guidance and peer-review services to those counties that desire assistance.

The Association proposes the following terms of this engagement:

**Florida Association of County Managers' Responsibilities**

If the County chooses to take the Association up on its offer, the Association will assist the County with the following tasks:

- (1) Provide assistance to Jefferson County staff on recruitment techniques, by providing suggestions on where to place advertisements to solicit qualified applicants and suggestions on the wording of the County's recruitment profile and advertisement of the position;
- (2) Provide assistance to the Board of County Commissioners and Jefferson County staff to develop a list of identified characteristics and attributes of a successful candidate, the appropriate selection criteria, and a suggested selection process and timeline;
- (3) Facilitate a volunteer group of Florida county administrators and/or former county managers to review the qualifications of the list of candidates, as



the list is identified by the Board of County Commissioners and/or Jefferson County staff for review, and to report the findings of that review to the Board and/or Jefferson County staff, as directed; and

- (4) Pursuant to item (3) above, FACM will recommend a short list of candidates for consideration.

### **County Responsibilities**

County staff is responsible for receiving the applications, screening the applicants, conducting the background checks of applicants, placing (or being responsible for placing) all advertisements soliciting applicants, scheduling and coordination of interviews and other necessary or requested County meetings related to the recruitment and selection process. The County would also be wholly responsible for negotiating the terms of any employment offer and will provide the primary point of contact for all questions and inquiries relating to the recruitment process.

### **Compensation**

The Association proposes a flat fee of \$5,000. This fee will be used to cover direct and indirect costs associated with the services and any remaining funds will be retained for the Association's mission in support of educating County Managers throughout Florida.

The Association will not invoice the County for the \$5,000 fee until the delivery of the candidate review report and/or short list. Upon delivery of that report and/or short list, this arrangement will terminate. In addition, if either the Association or the County believes it is in its individual best interest to end this arrangement, either one can do so by providing written notice to the other (via U.S. Mail, facsimile or email). Once that notice is received, this arrangement will be at an end. In the event the County terminates the Letter Agreement before the delivery of the Florida county manager candidate report, the Association, in its sole discretion, reserves the right to pro-rate the flat fee based on the work completed within the agreed upon timeline for delivery of the Florida county manager candidate report.

### **Costs**

The County will solely bear the costs of its activities and responsibilities for the filling of the county manager position (including, by way of example only, the costs of advertising for the position, any reimbursements of travel and per diem for candidates, copying, overhead, and postage). Expenses incurred by the Association relating to this effort including, conference calls; mileage; travel; copying; and, other administrative costs are included within the \$5,000 fee. There will be no additional obligations on the part of the County for the Association's costs.

It is anticipated that most of the work under this arrangement will be conducted by way of Zoom meetings, conference calls and in-person meetings.

### **Timeline**

The Association understands the County's need to move efficiently, quickly and deliberately. The Association believes that it can deliver the Florida county manager candidate review report within a reasonable the time period to be determined by Jefferson County and the Association."

**Association Point of Contact**

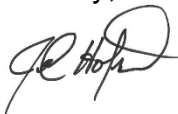
The Association anticipates that Vince Long, Leon County Administrator and FACM Immediate Past President, will be the primary point of contact for the Association under this agreement. It is anticipated there will be 2 or 3 additional county managers joining the volunteer workgroup to directly assist Jefferson County with its recruitment of a new County Manager.

**County Point of Contact**

The Association anticipates that Shannon Metty, Interim County Manager, will be the primary point of contact for Jefferson County under this agreement.

If this letter and its contents are agreeable to the County, please sign and date at the bottom of this letter. Then, please return the counter-signed letter to the attention of John Hofstad, President, Florida Association of County Managers at [jhofstad@myokaloosa.com](mailto:jhofstad@myokaloosa.com) with a "cc" to Emily Anderson at [eanderson@flcounties.com](mailto:eanderson@flcounties.com).

Sincerely,



John Hofstad, President  
Florida Association of County Managers

JH:ea

cc: FACM Officers

**AGREED TO** by Jefferson County, Florida:

By: \_\_\_\_\_  
Its Chair, Board of County Commissioners

**ATTEST: Clerk of the Circuit Court**

\_\_\_\_\_  
Clerk

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: August 4, 2022

Date Submitted: July 27, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Agreement for Professional Services Between Jefferson County and H<sup>2</sup> Solutions, LLC

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### **Statement of Issue:**

This agenda item requests Board approval of an Agreement for Professional Services Between the County and H<sup>2</sup> Solutions, LLC (Chris Holley's company), for the company to provide local government administration, management, and financial consulting services to the County.

### **Background:**

At the July 19 Board meeting, Chris Holley, a former Executive Director of the Florida Association of Counties and former County Administrator in several counties, gave a presentation to the Board concerning the County's vacant County Coordinator position and options related to recruitment as well as the overall structure and functioning of the position. Following such presentation, the Board inquired whether Mr. Holley would be willing to provide professional consulting services to assist the Interim County Coordinator and other County staff on a short-term basis, and Mr. Holley indicated that he would be interested.

### **Analysis:**

The attached engagement Agreement outlines the terms and conditions pursuant to which H<sup>2</sup> Solutions would provide professional consulting services to the County. The scope of services includes the following:

- Assisting Jefferson County in the development of management strategies including working with the Interim County Coordinator in the development of processes and procedures for the management and direction of County staff and departments.
- As directed in writing by the Interim County Coordinator or her designees, assisting Jefferson County with development and implementation of strategies regarding regulatory issues, administrative agencies, functions of the various County departments or other issues which may arise during the course of this Agreement.

- Attending meetings, workshops and conferences, and participating in telephone conference calls and webinars, in furtherance of the Contractor duties under this Agreement, as needed or as requested by Jefferson County.
- Such other tasks as requested in writing by Jefferson County, the Board of County Commissioners or its designee in connection with the subject matter of this Agreement.

The fee for these services is \$3,000 per month, plus reimbursement for travel expenses incurred in furtherance of the Agreement in accordance with Section 112.061, Florida Statutes.

The Agreement is for a term of six (6) months, provided that both the County and H<sup>2</sup> Solutions would be able to terminate the Agreement at any time upon 15 days written notice to the other party.

**Options:**

1. Approve the Agreement for Professional Services Between Jefferson County and H2 Solutions, LLC
2. Do Not Approve the Agreement for Professional Services Between Jefferson County and H2 Solutions, LLC
3. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Agreement for Professional Services Between Jefferson County and H<sup>2</sup> Solutions, LLC

**AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN  
JEFFERSON COUNTY, FLORIDA AND H<sup>2</sup> SOLUTIONS, LLC**

**THIS AGREEMENT** is made this the \_\_\_\_\_ day of August 2022, by and between Jefferson County, Florida (the “County” or “Jefferson County”) and H<sup>2</sup> Solutions, LLC, (the “Contractor”).

**WHEREAS**, the Contractor is duly experienced in the field of Florida government administration, management and finance; and

**WHEREAS**, in the judgment of Jefferson County, it is necessary and desirable to employ the services of the Contractor to assist in the transition to a new County Coordinator.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the sufficiency of which is acknowledged by all parties hereto, it is agreed as follows:

**PART I - SPECIAL PROVISIONS**

**SERVICES TO BE PROVIDED:** The Contractor shall consult, advise and/or assist the County in managing and administering the policies of the County Commission on an interim basis, including but not limited to:

- Assisting Jefferson County in the development of management strategies including working with the Interim County Coordinator in the development of processes and procedures for the management and direction of County staff and departments.
- As directed in writing by the Interim County Coordinator or her designees, assisting Jefferson County with development and implementation of strategies regarding regulatory issues, administrative agencies, functions of the various County departments or other issues which may arise during the course of this Agreement.
- Attending meetings, workshops and conferences, and participating in telephone conference calls and webinars, in furtherance of the Contractor duties under this Agreement, as needed or as requested by Jefferson County.
- Such other tasks as requested in writing by Jefferson County, the Board of County Commissioners or its designee in connection with the subject matter of this Agreement.

It is understood by Jefferson County that it may be necessary to perform services beyond the initial scope of services described above or that additional time may be required to perform the services shown. Should any unforeseen changes in the scope of services arise, the County will be notified of the circumstances and the Contractor will obtain

authorization in writing by the County Commission before performance of such services, which are over and above the services described above.

**PAYMENT:**

- For the above services, the Contractor shall be paid a monthly fee of \$3,000.00 per month.
- The Contractor shall submit monthly invoices electronically and such invoices shall be due and payable within thirty (30) days of the County's receipt of invoice (date of receipt being one business day after the date on which the electronic invoice was sent). Payment will not be made by Jefferson County until an invoice is received. The invoices shall include any actual expenses for reimbursement that have been approved and not otherwise paid for by another provision of this Agreement. Documentation for the reimbursement of any expense shall be included with the invoice.

**TRAVEL EXPENSES:** Jefferson County shall reimburse the Contractor for travel expenses incurred in furtherance of this Agreement in accordance with the provisions governing the travel of public officers and employees contained in Section 112.061, Florida Statutes, including hotel, rental cars and incidental travel expenses, like meals, taxi fares, parking and mileage (at the standard State of Florida mileage rate). All travel expenses must be approved in advance by the County.

**OFFICE AVAILABILITY:** The Contractor shall have access to and use of office space, computer access, a landline telephone, and other miscellaneous office equipment, during the regular business hours of Jefferson County, at the County's expense to be used exclusively for fulfilling the Contractor's duties under this Agreement.

**TERM OF AGREEMENT:** Upon execution, this Agreement shall remain in effect for a term of six (6) months commencing on the date first written above. However, either party may terminate this Agreement at any time upon fifteen (15) days written notice to the other party. Upon such a termination, the Contractor shall be entitled to such compensation and reimbursement of expenses accrued through and including the day of termination. Jefferson County and the Contractor can extend this term for additional services and extensions of time, under the terms and conditions of this Agreement, as mutually agreed to in writing.

**PART II - GENERAL PROVISIONS**

**STATUS OF CONTRACTOR:** The parties intend that the Contractor, in performing the services specified in this Agreement, shall receive direction from Jefferson County as to strategies and goals of the Contractor's duties under this Agreement, and may receive specific requests from Jefferson County regarding particular actions which should be made in furtherance of the Contractor's duties under this Agreement, but that the Contractor is acting at all times as an independent contractor and shall have control of The Contractor business, and the work and the manner in which it is performed. the Contractor is not to be considered an employee of Jefferson County and is not entitled to participate in any pension plan, health or other insurance, bonus, or similar benefits Jefferson County may provide to its employees. The Contractor shall have no power to bind Jefferson County to any contract or other obligation, and the Contractor is not authorized to represent that the Contractor is

a partner or employee of Jefferson County for purposes of entering into contracts or other binding obligations.

**NON-DISCRIMINATION:** The Contractor shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to non-discrimination in employment because of race, color, ancestry, national origin, religion, sex, age, marital status, medical condition, or physical or mental disability.

**METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS, AND MAKING PAYMENTS:** All notices, bills, and payments shall be made in writing and may be given by personal delivery, by mail or email. Unless otherwise designated in writing by the parties, all notices, bills and payments sent by mail or email should be addressed as follows:

**County:**

Jefferson County  
Attn: Shannon Metty  
445 W. Palmer Mill Road  
Monticello, Florida 32344  
(850) 342-0223  
smetty@jeffersoncountyfl.gov.

**Contractor:** H<sup>2</sup> Solutions, LLC  
2480 State Road 30A  
Port St. Joe, Florida 32456  
(850) 519-3887  
CHolley3887@gmail.com

**CONFLICT OF INTEREST:** The Contractor is aware of the laws of the State of Florida governing conflict of interest as contained Chapter 112, Florida Statutes, as amended, and agrees that it will fully comply in all respects with the terms of said laws. It is the intention of both Jefferson County and the Contractor that the Contractor maintain the highest standards of ethical propriety in connection with its duties under this Agreement, and that the Contractor shall have no conflicts of interest which would give the appearance of any impropriety. Conflict of interest includes, but is not limited to, the appearance of any conflict of interest with any position of Jefferson County or any of Jefferson County's interests on any subject matter, whether any such conflict of interest be on behalf of any client or on behalf of the Contractor individually. The Contractor represents that it has disclosed, prior to executing this Agreement, all potential conflicts of interest between the interests of Jefferson County and any existing clients of the Contractor. In the event that the Contractor wishes to be retained by clients other than Jefferson County, and the representation of those other clients may present a potential conflict of interest with Jefferson County, the full scope of such representation and conflicts must be disclosed to Jefferson County by the Contractor in advance, so that Jefferson County may determine if the potential conflict of interest is one that it wishes to waive, or if the potential conflict may otherwise be resolved.

**CONFLICT OF TIME AND AVAILABILITY:** It is specifically acknowledged by the Contractor and contemplated by this Agreement that the Contractor be sufficiently available to Jefferson County to fulfill its duties under this Agreement as requested by Jefferson County. In the event that the Contractor wishes to be retained by clients other than Jefferson County and the

representation by the Contractor of those other clients will require substantial portions of the Contractor's professional availability during the term of this Agreement, the Contractor shall advise Jefferson County in advance of being retained by such other clients so that Jefferson County may determine the potential for conflict between the Contractor's duties under this agreement and the duties requested by other clients, and the parties may resolve any concerns which arise.

**JURISDICTION:** This Agreement and its performance and any suits and special proceedings under this Agreement shall be construed in accordance with the laws of the State of Florida. In any action, special proceeding or other proceeding that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of Florida shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which the action or special proceeding may be instituted.

**VENUE:** The Contractor and Jefferson County acknowledge that for any and all legal action regarding this Agreement, the venue will be in Jefferson County, Florida.

**INDEMNIFICATION:** Each Party agrees to indemnify and hold harmless the other Party, its Affiliates, its licensees, its licensors, and its and their officers, directors, employees, consultants, contractors and agents from and against all claims, damages, liabilities or suits of any nature whatsoever (including reasonable outside attorneys' fees) due to any negligent act or occurrence of omission or commission of either Party. Each Party may, at its sole option, defend itself or allow the other party to provide the defense, but each party agrees in either case to make itself reasonably available and fully cooperate with the other party in the defense of any such claim. The Contractor acknowledges that ten dollars (\$10.00) is good and sufficient consideration for the indemnification of each party.

**CONSTRUCTION OF AGREEMENT:** Each party to this Agreement acknowledges that it has had the opportunity to review this contract and consult with legal counsel regarding its terms, and each party agrees that neither party will be considered the drafter of this Agreement for purposes of legal construction in the event of any dispute.

**ENTIRE AGREEMENT:** This Agreement is acknowledged to constitute the entire agreement and understanding between the parties, that the provisions of this Agreement supersede any prior oral or written agreements, communications, or understandings between the parties, and that any other oral or written representations made by either party prior to execution of this Agreement are hereby merged into this Agreement, or otherwise are void and unenforceable.

**SEVERABILITY OF PROVISIONS:** In the event that any portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remaining portions of this Agreement shall be deemed to survive as if the unenforceable provision had not been included, unless such a construction would cause this Agreement to fail of its essential terms.



**PUBLIC RECORDS:** Pursuant to Florida Statutes s. 119.0701, the Contractor shall:

- 1) Keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the service.
- 2) Provide the public with access to public records on the same terms and conditions that the County would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- 3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- 4) Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology systems of the County.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS ENGAGEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (850) 342-0223 AT 445 W. PALMER MILL ROAD, MONTICELLO, FLORIDA 32344 AND SMETTY@JEFFERSONCOUNTYFL.GOV.**

**IN WITNESS WHEREOF**, JEFFERSON COUNTY, FLORIDA and H<sup>2</sup> SOLUTIONS, LLC have caused this Agreement to be executed on the date first mentioned above.

**JEFFERSON COUNTY, FLORIDA**

**By:**

\_\_\_\_\_  
**Gene Hall, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Clerk of the Court**

**H2 SOLUTIONS, LLC**

**By:**

\_\_\_\_\_  
**Chris Holley,  
H<sup>2</sup> Solutions, LLC**