



Jefferson County Board of County Commissioners

Thursday, August 18, 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. We Care Network

Attachments:

- **Proclamation** (Jefferson_County_-_We_Care_Network_Proclamation_-_8-18-2022.docx)

3. CONSENT AGENDA

a. Transportation Fund Vouchers

b. General Fund Vouchers

c. July 7th, 2022 Meeting Minutes

Attachments:

- **07-07-2022 Draft** (7-7-2022_draft_BCC_Minutes.docx)

d. July 19th, 2022 Meeting Minutes

Attachments:

- **07-19-2022 Draft** (7-19-2022_draft_BCC_Minutes.docx)

4. GENERAL BUSINESS

a. Ratify Moratorium on Special Exceptions: H. Encinosa

Attachments:

- **Cover Letter Ratify Moratorium** (Cover_Letter-Special_Exception_Moratorium_Regular_Ordinance_8.11.22.docx)
- **Ratified Moratorium Ordinance** (Special_Exception_Moratorium_Regular_Ord_8.11.22.docx)

b. Ordinance Establishing Rules and Regulations for County Park and Recreation Facilities: Comm. Walker/ H. Encinosa

Attachments:

- **Cover Letter Park Rules** (Cover_Letter_Park_Rules_Ordinance.doc)
- **Park Rules Ordinance** (County_of_Jefferson_Parks_Rules_Ordinance.doc)

c. County Employee Health Insurance: Comm. Tuten/K. Reams

d. SCOP Supplemental Agreement: H. Encinosa

Attachments:

- **SCOP Cover Letter** (Agenda_Item_-_SCOP_Supplemental_Agreement.doc)
- **SCOP Grant Agreement** (440620-1_CR_142_Lake_Rd_G2298-Draft_SA2.pdf)
- **SCOP Grant Agreement Resolution** (SCOP_Grant_amendment.docx)

e. Broadband Expansion Comcast Partnership: Comm Barfield

Attachments:

- **Map of Project** (Jefferson_County_Comcast_w_suggestedbuilds_2022-08-10.pdf)

f. Repeal Chapter 30: H. Encinosa

Attachments:

- **Cover Letter Chapter 30** (Agenda_Item_-_Repeal_Chapter_30.doc)
- **Resolution Chapter 30** (Draft_Ch_30_repeal_v2.docx)

g. County Administrator Form of Government: S. Metty/C. Holley

Attachments:

- **Cover Letter** (Admin_Memo.docx)
- **Current Description** (JobDes.2012-09072015062613.pdf)
- **FAC** (Excerpt_from_2020_FAC_CGG_County_Manager.Commission_Form_of_Govt.docx)

h. Interim Coordinator Salary: Comm. Surles/S. Metty

Attachments:

- **Breakdown** (Memo_Breakdown.docx)
- **Memo** (Interim_Coordinator_Salary_Memo.docx)

5. Engineering Update: Jack Husband

6. Citizens Request & Input on Non-Agenda Items

(3 Minute Limit Please)

7. CLERK OF COURTS

8. COUNTY COORDINATOR

Information Reports

9. COUNTY ATTORNEY

10. COUNTY COMMISSIONER DISCUSSION ITEMS

11. 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) 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.

JEFFERSON COUNTY PROCLAMATION
We Care Network

WHEREAS, in 1991, the physicians of the Capital Medical Society desired to create an organized approach to volunteering their services to those in need; and

WHEREAS, in 1992, under the Capital Medical Society Foundation, Inc., thirty (30) physicians began serving those most in need in Leon County through donation of specialty medical care; and

WHEREAS, in 1993, this effort was expanded to serve the fellow citizens in the neighboring counties of Gadsden, Jefferson, and Wakulla; and

WHEREAS, in 2003, the physicians and dentists partnered to add dental services to the We Care Network; and

WHEREAS, today, 300 physicians, 40 dentists, Tallahassee Memorial HealthCare, HCA Florida Capital Hospital, numerous ancillary providers, and our Jefferson County referring partners, the Jefferson County Health Department and Madison Medical Center, are bridging the gap in healthcare to address the needs of low-income, uninsured adults in our four-county service area; and

WHEREAS, during the past thirty years, the physicians, dentists, and ancillary partners have donated more than \$124 million in medical and dental care to low-income, uninsured adults in our four-county service area; and

WHEREAS, in Jefferson County, in the past year, over \$349,494 in medical and dental care has been donated to those in our community; and

WHEREAS, the We Care Network is the four-county service area’s response to the lack of affordable health insurance and narrow eligibility for Medicaid; and

WHEREAS, during the past thirty years, the We Care Network has been the only access to specialty medical care for low-income, uninsured adults who fall through the cracks in our healthcare system.

NOW, THEREFORE, be it proclaimed by the Board of County Commissioners of Jefferson County, Florida, that we recognize and honor the We Care Network for providing access to specialty medical care for low-income, uninsured adults in our community for the past 30 years.

PASSED AND DULY ADOPTED in regular session this 18th day of August 2022.

Gene Hall, Chair, District 2

Betsy Barfield, Vice Chair, District 4

JT Surles, Commissioner, District 3

Chris Tuten, Commissioner, District 1

Stephen Walker, Commissioner, District 5

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
July 7, 2022
6:00 P.M.

The Board met on this date in regular session. Present were Chairman Gene Hall, Commissioners Stephen Walker, Chris Tuten, and JT Surles. Commissioner Betsy Barfield was available via zoom. Also present were County Attorney Heather Encinosa, County Coordinator, Parrish Barwick and Planning Official Shannon Metty. Clerk of Court, Kirk Reams was available telephonically.

1. Chairman Hall called the meeting to order and led the invocation and pledge of allegiance.
2. **On motion by Commissioner Surles, seconded by Commissioner Tuten, and unanimously carried, the Board allowed Commissioner Barfield to vote via zoom.**
3. Engineer, Lee Roy Marshall with the Suwannee Water River Management District announced that there would be a meeting on July 26th in Greenville concerning the updated flood map of the Aucilla River and its potential effects on this area.
4. Property Appraiser, Angela Gray introduced Anthony Siguen, from GOV Apps. who gave a short presentation about the benefits of his product which is a county wide application that citizens can utilize to receive pertinent information in real time.
5. **A motion was made by Commissioner Walker, seconded by Commissioner Surles, to approve the consent agenda consisting of General Fund Vouchers, Transportation Fund Vouchers, 5/25, 6/2 and 6/26 BCC meeting minutes.** Prior to the vote, Commissioner Barfield requested to change the verbiage in the 6/2 minutes to reflect that the new Attorney's contractual pricing and billing would be reviewed after 6 months instead of the verbiage that indicated that it was on a trial basis. Also, the Property Appraisers Budget Amendment was requested to be put on the consent agenda as item 3f. **Therefore, a second motion was made by Commissioner Walker, seconded by Commissioner Surles, and unanimously carried, the Board approved the consent agenda with the above-mentioned modifications.**
6. Clerk of Court, Kirk Reams introduced item 4a, Budget Workshop Timeline. He essentially laid out the tentative dates and times of County Budget Workshops (each Thursday at 5:00 pm) as well as the timeframes associated with the preliminary and final budget hearings (9/15 and 9/27, both at 5:30 pm).
7. Commissioner Hall introduced item 4b, Public Transportation Grant Agreement and Resolution. **On a motion by Commissioner Surles, seconded by Commissioner Walker, and unanimously carried, the Board approved moving forward with the attached Grant agreement and Resolution.**
8. County Attorney, Heather Encinosa introduced item 4c, Special Exception Application-Pursley Wedding Venue. Planning Official, Shannon Metty went through the attached application and after much discussion **On a motion by Commissioner Barfield,**

seconded by Commissioner Surles, and unanimously carried, the Board made a decision to bring this issue back to the Board at the August 4th meeting.

9. County Planning Official, Shannon Metty introduced item 4d, Park Rules Continued Discussion. Ms. Metty went through the attached rules document and after several suggested changes, the Board agreed to bring back the modified document to the next Commission meeting.
10. County Coordinator, Parrish Barwick introduced item 4e, the Mosquito Control 22-23 Detailed Work Plan. He explained that the attached plan is the proposed budget for the next fiscal year and that it needed to be approved. **On a motion by Commissioner Tuten, seconded by Commissioner Surles, and unanimously carried, the Board approved the attached mosquito control 22-23 detailed work plan.**
11. Item 4f, Chris Moran Presentation got tentatively moved to the August 4th Commission meeting.
12. Commissioner Barfield introduced item 4g, Forensic Audit Action. County Attorney, Heather Encinosa gave an update to the Board.
13. County Attorney, Heather Encinosa introduced item 4h, Restrictive Covenants. She indicated that she will draft a resolution for the Board's review to be presented at the next Board meeting on July 19th.
14. Planning Official, Shannon Metty introduced item 4i, Local Support Grant. Fire/Ems Director, Derrick Burrus indicated that they needed trucks and this would be a good grant to request for that need. After discussion, **on a motion by Commissioner Surles, seconded by Commissioner Walker, and unanimously carried, the Board approved making Derricks request the consolidated County request for this grant and agreed to draft up a letter of consolidated Board support.**
15. Pertaining to Item 4h, New Board Business. There were no decisions made or pertinent information discussed.
16. Item 4i, Old Board Business. Commissioner Surles gave an update on the Hall Road Bridge repair.
17. County Attorney, Heather Encinosa updated the Board on the Valley View Assessment project and that since the assessed amounts were going to slightly change, they will have to go through the entire administrative process again. She indicated that she wanted to have a meeting/workshop with the Commissioners concerning ethics in August., She stated that this fall she would like to analyze and discuss County Impact Fees. She also informed the Board that we would be having a new Medical Examiner because the current one is retiring.
18. Commissioner Barfield asked if we had final contract for the three county Engineers that we had selected through the formal procurement process finalized. County Attorney, Heather Encinosa indicated that she would gather that information and bring it forward to the next Board meeting for their review and formal approval.

**19. On motion by Commissioner Surles, seconded by Commissioner Walker, and
unanimously carried, the meeting was adjourned.**

**Board of County Commissioners
Jefferson County, Florida**

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
July 19, 2022
6:00 P.M.

The Board met this date in regular session. Present were Chairman Gene Hall, Commissioners Stephen Walker, Chris Tuten, JT Surles and Betsy Barfield. Also present were County Attorney Heather Encinosa and Interim County Coordinator and Planning Official Shannon Metty.

1. Chairman Hall called the meeting to order, and Chris Holley led the invocation and pledge of allegiance.
2. **On motion by Commissioner Walker, seconded by Commissioner Surles, the consent agenda consisting of General Fund Vouchers, Commissioners July 2022 report, List of Accounts Report, SHIP contract extension, CDGB Agreement Modification and the 12/16 and 6/16 BCC meeting minutes were motioned for approval.** At that time, it was deemed necessary to take off the SHIP contract extension until a later time. **Therefore, on a second by Commissioner Walker, seconded by Commissioner Surles, and unanimously carried, the consent agenda less item b, the SHIP contract extension was approved.**
3. County Attorney, Heather Encinosa introduced item 4a, a Resolution against racial restrictive covenants in Jefferson County. **On a motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board approved the attached Resolution.**
4. County Attorney, Heather Encinosa introduced item 4b, Coordinator Discussion. She introduced and discussed a draft separation agreement between the County and current County Coordinator, Parrish Barwick. **On a motion by Commissioner Barfield, seconded by Commissioner Tuten, and unanimously carried, the Board approved the separation agreement.** It was the consensus of the Board for County Attorney Encinosa to bring back a plan on 8/4 concerning the search for a new Coordinator and any contractual assistance for interim County Coordinator, Shannon Metty.
5. Commissioner Surles introduced item 4d, Commercial Solid Waste Fees. Solid Waste Director, Robbie Slack discussed the attached fee list and the proposed cost increases and the need for these increases. **On a motion by Commissioner Surles, seconded by Commissioner Walker, and unanimously carried, the Board approved the moving forward with the proposed increases effective September 1, 2022.**
6. County Attorney, Heather Encinosa introduced item 4e, Professional Services Agreements, Engineers. **On a motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board approved the attached professional services agreements.**
7. County Attorney, Heather Encinosa introduced item 4f, Medical. Examiner Agreement. She discussed the fact that this will be an interim Examiner and that the Governor's Office will appoint a permanent one. **On a motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board approved the attached Medical Examiner Agreement.**

8. Commissioner Surles introduced item 4g, GOV App Discussion. Sheriff McNeill and others discussed what a great community communication tool this could be for citizens. **On a motion by Commissioner Surles, seconded by Commissioner Barfield, and unanimously carried, the Board approved moving forward with engaging the contractor for pricing and the also determined that we will pay for the application with American Rescue Plan (ARPA) excess funds and that we would begin the project now.**
9. Item 4h, New Board Business. The Waukeelah Highway project start date was being pushed until next week because of weather.
10. Item 4i, Old Board Business. Interim County Coordinator, Shannon Metty gave an update on the current recreation park improvement project.
11. During Item 8, County Attorney, **on motion made by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board gave County Attorney, Heather Encinosa injunctive relief ability to act on the Boards behalf if necessary.**
12. Commissioner Barfield discussed having a moratorium on approving land use special exemptions. After discussion it was agreed that proposed language would be brought to the next BCC meeting.
13. It was the consensus of the Board to allow Commissioner Barfield to spend up to \$500.00 on leading the broadband speed test for county residents.
14. Commissioner Barfield spent \$1,000.00 on two gifts (\$500.00 each) for both retired County Attorney's and wanted approval for reimbursement. Commissioner Surles recused himself from the vote and **on motion made by Commissioner Tuten, seconded by Commissioner Walker, and unanimously carried, the Board approved reimbursing Commissioner Barfield \$1,000.00 from the General Fund.**
15. **On motion by Commissioner Surles, seconded by Commissioner Walker, and unanimously carried, the meeting was adjourned.**

**Board of County Commissioners
Jefferson County, Florida**

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

Board of County Commissioners

Agenda Request

Date of Meeting: August 18, 2022

Date Submitted: August 11, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney
Evan Rosenthal, Assistant County Attorney

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

Statement of Issue:

This agenda item requests Board consideration of an 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 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 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.

At the Board's August 4 meeting, the Board adopted an emergency Ordinance declaring a moratorium on Special Exceptions with the intent of ratifying such action at a subsequent Board meeting after the Ordinance had been advertised through the regular advertising process applicable to county ordinances set forth in Section 125.66, F.S. The attached Ordinance has been advertised and will ratify and confirm the moratorium on Special Exceptions imposed by the Board pursuant to the emergency Ordinance adopted by the Board on August 4.

The County Attorney's Office prepared the attached Ordinance, which ratifies the emergency Ordinance adopted by the Board on August 4 and declares a moratorium on the Board's issuance of Special Exceptions, which moratorium will be in effect until August 5, 2023 (one year from the effective date of the emergency Ordinance) or until repealed by subsequent action of the Board.

Options:

1. Adopt the Attached Ordinance Imposing a Moratorium on the County's Issuance of Special Exception Approvals.
2. 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; 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; and

WHEREAS, on August 4, 2022, the Board adopted Ordinance No. 2022-08042022-01 pursuant to the emergency enactment procedures described in Section 125.66(3), F.S., which imposed a moratorium on the County's acceptance of applications for, the processing of, and the issuance of Special Exception approvals, and the Board now wishes to ratify and confirm Ordinance No. 2022-08042022-01 through the adoption of this Ordinance.

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. 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.

B. The moratorium on Special Exceptions imposed pursuant to this Ordinance shall be in effect until August 5, 2023, or until such time as repealed by the County, whichever occurs first. The moratorium may be extended by subsequent ordinance adopted by the Board to the extent permitted by law.

SECTION 3. 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 4. Applicability. This Ordinance shall be applicable in the unincorporated areas of Jefferson County.

SECTION 5. 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 6. Filing of Ordinance and Effective Date. A certified copy of this Ordinance shall be filed by the Clerk with the Department of State within 10 days after its enactment by the Board and shall be effective upon filing with the Department of State.

PASSED AND ADOPTED by 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 18, 2022

Date Submitted: August 11, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney
Evan Rosenthal, Assistant County Attorney

Subject: Request Board Consideration of an Ordinance Establishing Rules and Regulations Relating to County Park and Recreation Facilities

Statement of Issue:

This agenda item requests Board consideration of an ordinance establishing rules and regulations relating to County park and recreation facilities.

Background and Analysis:

At the Board's July 7 meeting, the Board discussed a draft ordinance originally prepared by former County Attorney Scott Shirley related to rules and regulations governing County park facilities. At the meeting, the Board directed that several changes be made to the draft ordinance and that the ordinance be advertised and brought back for Board consideration for adoption at a future meeting.

The attached proposed ordinance includes the following:

- Provides for the designation of park hours
- Regulates the use of County boat ramps and swimming areas
- Prohibits all domestic animals from entering the water at County park facilities
- Prohibits commercial activity in any County park unless approved by the Parks and Recreation Department Director
- Prohibits commercial activity in the Wacissa River Park. Prohibited commercial activity includes, but is not limited to, the rental of vessels (including but not limited to kayaks, canoes, and tubes) and food/drink sales. Notwithstanding this prohibition, it shall be lawful for a customer renting a vessel from a vendor to launch from park facilities, provided the rental transaction does not occur in the Wacissa River Park. At the customer's request, the vendor may assist with launch and retrieval of the vessel so long as such activity does not violate any other park rule. The vendor may only occupy a parking space within the designated parking area while actively assisting a customer with launching or retrieval of a rented vessel. Off-site tour operators may use the park facility for launching, but such operators shall park only in designated areas, are limited to one vessel per person, and shall

comply with such other regulations as the Department Director may from time to time require, such as, without limitation, pre-registration.

- Prohibits numerous activities within County parks including possession of glass bottles, fires, operation of audio devices that can be heard at a distance of 100 feet, and removal of plants
- Provides for enforcement and penalties
- Authorizes the Board to establish fees for the use of County parks by subsequent resolution.

Options:

1. Adopt the Attached Ordinance Establishing Rules and Regulations Related to County Park and Recreation Facilities.
2. Do not Adopt the Attached Ordinance.
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Proposed Ordinance

ORDINANCE NO. 2022-__

A ORDINANCE OF JEFFERSON COUNTY, FLORIDA, RELATING TO COUNTY PARKS AND RECREATION FACILITIES; PROVIDING RULES AND REGULATIONS FOR THE USE OF COUNTY PARKS AND RECREATION FACILITIES; PROVIDING FINDINGS; PROVIDING DEFINITIONS; PROVIDING HOURS OF OPERATION; PROVIDING REGULATIONS ON CERTAIN USES AND ACTIVITIES WITHIN COUNTY PARK AND RECREATION FACILITIES; PROHIBITING CERTAIN ACTIVITIES WITHIN COUNTY PARK AND RECREATION FACILITIES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR THE BOARD TO ESTABLISH FEES, RATES, AND CHARGES FOR THE USE OF COUNTY PARK AND RECREATION FACILITIES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

RECITALS:

WHEREAS, Section 125.01(1), Florida Statutes, provides that the legislative and governing body of a County shall have the power to carry on County government and that said power includes, but is not restricted to, the enumerated powers set forth in Section 125.01, Florida Statutes, so long as any powers exercised are not inconsistent with general law; and

WHEREAS, Section 125.01(1)(t), Florida Statutes, provides that a County may adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, Jefferson County (“County”) owns and operates a system of parks and recreation facilities that are administered by the County for the use and enjoyment of the public; and

WHEREAS, the Jefferson County Board of County Commissioners (“Board”) has determined that it is in the public interest to assure the proper balance between the use of park facilities and the preservation of such facilities, law, and order; and

WHEREAS, the Board has determined that rules and regulations governing all parks and recreation facilities owned or controlled by the County are necessary to reduce property damage and closure of facilities due to vandalism; minimize the hazards of personal injury and loss of life; and maintain the quality of outdoor recreation resources; and

WHEREAS, the Board has further determined that the park rules and regulations enacted hereunder are necessary to promote and protect the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Florida, as follows:

SECTION 1. INCORPORATION OF RECITALS. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2. CREATION OF CHAPTER 40 OF THE JEFFERSON COUNTY CODE OF ORDINANCES, ENTITLED “PARKS AND RECREATION FACILITIES.” A new Chapter 40 of the Jefferson County Code of Ordinances entitled “Parks and Recreation Facilities,” is hereby created to read as follows:

Chapter 40 – Parks and Recreation Facilities

Sec. 40-1. - Definitions

(a) The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat ramp means any structure or clearing that extends to or waterward of the normal high water elevation or any structure or clearing upon which a vessel can be launched or retrieved, which is open to use by the public, but excluding those facilities limited to non-motorized, hand launching of vessels.

County park or recreation facilities means all real properties owned or controlled by the County, regardless of the extent of development or official designation, which serve as picnic areas, recreation areas, nature areas, exercise facilities, athletic fields and such other areas, buildings or park facilities as are established or designated by the County for the use and enjoyment of the general public. The Wacissa River Park shall also include that area of the right of way of Wacissa Springs Road extending from the park entrance to the intersection with Gamble Road and including the roadway shoulder within 25 feet of either side of the pavement.

Department means the Jefferson County Parks and Recreation Department.

Department director means the Director of the Jefferson County Parks and Recreation Department, or such person’s designee.

Department personnel means all persons employed by the Department.

Park facilities means any improvements or structures, either natural or artificial, including, but not limited to, buildings, shelters, benches, tables, playground equipment, walls, fences, fountains, walkways, toilet facilities, and signs located in, upon or around a County Park.

Park roads means all surface areas either paved or unpaved which have been designated as routes for vehicular traffic. All other traffic ways are classified as a form of trail or path.

Parking areas means any designated part of any park or road or any area contiguous thereto which has been set apart for the stopping, standing or parking of any vehicle.

Service animal means a service animal as defined by the Americans with Disabilities Act (ADA), meaning a dog that is trained to do work or perform tasks for the benefit of a person with a disability.

Vehicle means any device in, upon or by which a person or property is or may be transported on highways, streets or roadways; except that the term "vehicle" shall not include bicycles or electric or battery-powered toy cars.

Vessel means every description of boat, watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Sec. 40-2. – Designation of Hours of Operation.

(a) Unless otherwise specified by the Department Director, the hours of operation for public use shall be from sunrise to sunset, provided however, that if the Department Director designates other hours of operation a schedule thereof shall be posted in the park. No unauthorized person shall be present on a County park or recreation facility at times other than those set forth herein. The unauthorized presence of any person in in a County park or recreation facility at times other than those authorized by this section shall be unlawful and subject to penalties.

(b) At the Wacissa River Park, boats are allowed to be loaded, unloaded, launched, and retrieved after dark, however loitering and any other park use at the head of the river is prohibited after sunset.

Sec. 40-3. Regulation of Uses and Activities.

(a) Vehicle, Vessel Use. No vehicle or vessel or any trailers shall be stopped so as to obstruct traffic or parked in unauthorized areas. Vehicles, vessels, and trailers shall be parked only in designated parking spaces. Unless a different speed is posted, maximum speed shall be 5 miles per hour.

(b) Boat ramps. Users of County boat ramps shall comply with the following:

(1) No person shall block access to any boat ramp or leave vessels unattended. Any vessel left unattended for more than 10 minutes may be removed, impounded, and/or disposed of by the County.

(2) Boat ramps are for loading or unloading of vessels only. Vessels not being used must be removed from the boat ramp area immediately.

(3) All persons renting vessels (including but not limited to kayaks, canoes, and tubes) are responsible for such vessels while within their possession. Persons renting vessels are responsible for the proper return of such vessels to the vendor or lessor upon conclusion of use by the renter. Vessels are not to be left in any beach area, boat ramp area, or other County park or recreation facility area.

(c) Swimming at County parks and recreation facilities.

(1) Swimming at any County park or recreation facility shall be at the swimmer's own risk. The County does not provide any guarantees as to the water quality, safety, or suitability of county parks and county facilities for swimming. The county is not liable for any illnesses or injuries that may occur.

(2) The County does not provide lifeguards or water safety equipment at any County park or recreation facility. All persons should exercise caution and provide proper supervision for minors and non-swimming persons.

(3) All persons should exercise proper caution when swimming any County park or recreation facility and be aware that boats and other vessels, snakes, alligators and marine life may be present, which could result in injury.

(4) Swimming is not permitted in boat ramp areas.

(5) Water borne bacteria and parasites may be present in natural water bodies even if a swim advisory has not been posted. All swimmers may be at risk of contracting a serious illness from contact with natural water bodies. Swimmers should take precautions to minimize such risks by:

(i) Don't swallow the water;

(ii) Shower after swimming;

(iii) Wash hands before eating;

(iv) Avoid water contacting an open cut, wound or skin infection;

(v) Pay attention to all surroundings and follow advisory signs; and

(vi) Avoid entering the water if advised by a doctor or if at a heightened risk due to age, infirmity, or a compromised immune system.

(d) *Animals.* Anyone with ownership, care, custody or control of an animal within a County park of recreation facility shall comply with the following:

(1) Domestic animals shall not be permitted in the water or within 125 feet of public swimming areas, except when such animals are in the process of being loaded or unloaded into a vessel from a boat ramp area. Notwithstanding the foregoing, service animals are permitted to access all areas of a County park or recreation facility where the public is permitted to go, provided service animals shall not be permitted to enter the water.

(2) Dogs any other domestic animals may be on County park or recreation facility property only where not prohibited by posted signage or paragraph (1) above. Where allowed, such animals must remain on leashes and under the control of the owner or other responsible person at all times.

Sec. 40-5. Prohibited activities in County park and recreation facilities.

(a) Except for activities of a governmental agency within the scope of its governmental authority, it shall be unlawful for any person to do any one or more of the following in a County park or recreation facility:

(1) Possess any glass bottle, except for a factory sealed container stored within a vehicle.

(2) Operate any audio device that can be heard by a person with normal hearing faculties, without the help of any hearing enhancements, at a distance of one hundred (100) feet or more from the source of the sound, except for equipment used by law enforcement and County personnel.

(3) Engage in any activity which is dangerous to the health, safety or welfare of another.

(4) Engage in any activity which is not an activity allowed in such park, park area, or park facility, as such is indicated on posted signage.

(5) Fires and fireworks are prohibited.

(6) Shave, shower, or bathe in a public restroom or locker room in any county park or recreation facility, provided, that showering is permitted where shower facilities are specifically provided for public use.

(7) Stop, stand or park any vehicle as defined in this article in an area not specifically designated for parking.

(8) Operate any vehicle in any County park or recreation facility in or on any area not specifically designated as park road, except in areas where such vehicle use is allowed or approved, or otherwise operate any vehicle in violation of the laws regulating traffic F.S. Ch. 316.

(9) Discharge or deposit human wastes except in established restroom facilities.

(10) Write on, draw on or otherwise deface, damage, remove or destroy any park facilities.

(11) Hunt, trap or pursue wildlife of any kind except as specifically authorized by the Department Director.

(12) Discharge a firearm, air rifle, air gun, sling shot, bow and arrow, spear gun, or instrument of any kind that discharges or is capable of discharging a projectile by explosive means unless such instrument or device is required for participation in an activity which is organized or sponsored by the Department Director. Nothing herein shall be interpreted, applied or enforced in a manner which might constitute the regulation of firearms or ammunition, an area of regulation which is preempted to the State by §790.33, Florida Statutes.

(13) Take into, dump or deposit in any County park or recreation facility any trash or refuse of any kind; however, such refuse and trash as is generated during park or recreation area use may be disposed of properly by placing it in designated containers. Where such containers are not available, persons responsible for the refuse or trash shall remove it from the park for proper disposal elsewhere.

(14) Using a park or recreation area for the purpose of benefitting, promoting, or furthering the interests of a criminal gang in violation of § 874.04, Florida Statutes.

(15) Manufacture, possess, consume, purchase, sell or offer for sale any alcoholic beverage as defined in chapter 561, Florida Statutes, or controlled substances as defined §893.03, Florida Statutes.

(16) Enter any park or recreation facility intoxicated on alcohol or a controlled substance in a manner that endangers the safety of another person or property or causes a public disturbance in violation of §856.011, Florida Statutes.

(17) Pick flowers or damage or remove plants, trees, shrubs, grass or any other part of a county park or recreation facility, unless authorized in advance by the Department Director.

(18) Erect signs or distribute, display or affix signs on any tree, post or county park or recreation facilities, except signs posted or authorized by the Department Director.

(19) Throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream or other body of water located in or adjacent to any county park or county facility, or any drain flowing into such waters, any substance, matter or thing, either liquid or solid, which may pollute such waters.

(20) Failure to adhere to directives and instructions issued by Department personnel and law enforcement officers.

(b) Commercial Activity.

(1) Generally. Commercial activity is not permitted within a County park or recreation facility unless specifically approved in advance in writing by the Department Director.

(2) Commercial Activity in the Wacissa River Park. All commercial activity is prohibited in the Wacissa River Park, as defined herein. Prohibited commercial activity includes, but is not limited to, the rental of vessels (including but not limited to kayaks, canoes, and tubes) and food/drink sales. Notwithstanding this prohibition, it shall be lawful for a customer renting a vessel from a vendor to launch from park facilities, provided the rental transaction does not occur in the Wacissa River Park. At the customer's request, the vendor may assist with launch and retrieval of the vessel so long as such activity does not violate any other park rule. The vendor may only occupy a parking space within the designated parking area while actively assisting a customer with launching or retrieval of a rented vessel. Off-site tour operators may use the park facility for launching, but such operators shall park only in designated areas, are limited to one vessel per person, and shall comply with such other regulations as the Department Director may from time to time require, such as, without limitation, pre-registration.

Sec. 40-5. – Penalties and Enforcement.

(a) In addition to all other means of enforcement provided for in Florida law and the Jefferson County Code of Ordinances, violations of this chapter may be enforced by the county and the sheriff's office as provided for in §125.69, Florida Statutes. Such enforcement includes prosecution in the same manner as misdemeanors and imposition of fines not to exceed \$500.00 or imprisonment in county jail not to exceed 60 days or by both a fine and imprisonment. Furthermore, any violation of this chapter shall be cause for immediate removal or ejection from the county park or recreation facility and denial of future use of county parks and recreation facilities, as determined by the Department Director.

(b) Civil Infraction.

(1) In addition to all other means of enforcement provided for in Florida law and the Jefferson County Code of Ordinances, a civil citation issued pursuant to Chapter 21 of the Code may be issued to any person violating the provisions of this chapter. In such circumstances, the violation shall be deemed a civil infraction.

(2) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date, and location designated in the citation. Any person requesting a hearing in county court waives the right to pay the minimum civil penalties. Penalties shall be in addition to court costs established by statute.

(3) Minimum civil penalties for a violation not otherwise listed are as follows:

- | | |
|--|---|
| <u>(i) First offense:</u> | <u>\$50.00</u> |
| <u>(ii) Second offense:</u> | <u>\$100.00</u> |
| <u>(ii) Second offense (Commercial activity)</u> | <u>\$100.00</u>
<u>+ One Year Trespass Warning</u> |
| <u>(iv) Third and subsequent offenses:</u> | <u>\$200.00</u> |

Sec. 40-6. - Rates, fees and charges for use of county park and recreation facilities.

The Board County Commissioners may adopt a fee schedule, in the form of a resolution, setting forth the rates, fees and charges for use of County park and recreation facilities.

SECTION 3. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Jefferson County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 4. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within 10 days after its enactment by the Board and shall take effect upon filing.

PASSED AND DULY ENACTED by the Board of County Commissioners of Jefferson County, Florida in regular session, this _____ day of _____, 2022.

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

Gene Hall, Chair

ATTESTED BY:

Kirk Reams, Clerk of the Circuit Court

APPROVED as to FORM:

Heather Encinosa, County Attorney

Board of County Commissioners

Agenda Request

Date of Meeting: August 18, 2022

Date Submitted: August 3, 2022

To: Honorable Chairman and Members of the Board

From: Shannon Metty, Interim County Coordinator

Subject: Request Board Approval of A Resolution Approving a Supplemental SCOP Grant Agreement relating to the Resurfacing of CR 142

Statement of Issue:

This agenda item requests Board approval of a Resolution Approving a Supplemental SCOP Grant Agreement relating to the Resurfacing of CR 142.

Background:

Jefferson County, Florida, requested the State of Florida, Department of Transportation, provide financial assistance for costs directly related to the resurfacing of CR 142 Lake Road from SR 57 to Cocroft Road (the "Project"). The State of Florida, Department of Transportation, provided the County with financial assistance under Financial Project No. 440620-1-54-01 1 and Contract No. G2298 for costs directly related to the Project, which grant agreement was approved in January 2022. However, upon receipt of competitive bids, it was determined that the original budget estimate was inadequate to fully fund the Project. Accordingly, the State of Florida Department of Transportation, has authorized an increase to the grant funding by an additional \$930,533 for a total award of \$2,956,635 to fully fund the Project.

Analysis:

The attached "State-Funded Grant Supplemental Agreement" for Contract No. G2298, Financial Project No. 440620-1-54-01 increases the grant award by \$930,533 for a total award of \$2,956,635 to fully fund the Project. All other provisions of the original grant agreement remain unchanged.

Options:

1. Approve the Resolution Approving a Supplemental SCOP Grant Agreement relating to the Resurfacing of CR 142
2. Do Not Approve the Resolution Approving a Supplemental SCOP Grant Agreement relating to the Resurfacing of CR 142
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Resolution Approving a Supplemental SCOP Grant Agreement relating to the Resurfacing of CR 142

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

002

CONTRACT NO.

G2298

FPN

440620-1-54-01

Recipient: Jefferson County Board of County Commissioners

This Supplemental Agreement ("Supplemental"), dated _____ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on January 10, 2022 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

The parties agree that the Agreement is to be amended and supplemented as follows:

Exhibit B - Updated Schedule of Financial Assistance

Exhibit D - Updates State Financial Assistance (Florida Single Audit Act)

Exhibit E - New Resolution Approving Agreement Changes

Reason for this Supplemental and supporting engineering and/or cost analysis:

The agreement is being increased by \$930,533 to support the cost of construction and CEI. The low bidder was greater than the amount programmed in the Work Program. The new agreement amount \$2,956,635.

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

RECIPIENT:

Jefferson County Board of County Commissioners

STATE OF FLORIDA

DEPARTMENT OF TRANSPORTATION

By: _____

Name:

Title:

By: _____

Name: Tim Smith, P.E.

Title: Director of Transportation Development

Legal Review:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
STATE-FUNDED GRANT AGREEMENT

EXHIBIT B
SCHEDULE OF FINANCIAL ASSISTANCE

PHASE OF WORK by Fiscal Year:		MAXIMUM PARTICIPATION			
		(1) TOTAL PROJECT FUNDS	(2) LOCAL FUNDS	(3) STATE FUNDS	Indicate source of Local funds
RECIPIENT NAME & BILLING ADDRESS: Jefferson County Board of County Commissioners 1 Courthouse Circle Monticello, Florida 32344		FINANCIAL PROJECT NUMBER: 440620-1-54-01			
Design- Phase 34	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Design Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
Right-of-Way- Phase 44	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Right-of-Way Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
Construction- Phase 54	Maximum Department Participation (Small County Outreach Program)	\$2,956,635.00	\$	\$2,956,635.00	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY: 2022/2023	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Construction Cost		\$2,956,635.00 100.00%	\$ 0.00 %	\$2,956,635.00 100.00%	
Construction Engineering and Inspection - Phase 64	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Construction Engineering and Inspection Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
(Phase :)	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
TOTAL COST OF THE PROJECT		\$2,956,635.00	\$ 0.00	\$2,956,635.00	

COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.

Maria Showalter
 District Grant Manager Name

 Signature Date

EXHIBIT D

STATE FINANCIAL ASSISTANCE (FLORIDA SINGLE AUDIT ACT)

THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Awarding Agency: Florida Department of Transportation

- State Project Title and CSFA Number:**
- County Incentive Grant Program (CIGP), (CSFA 55.008)
 - Small County Outreach Program (SCOP), (CSFA 55.009)
 - Small County Road Assistance Program (SCRAP), (CSFA 55.016)
 - Transportation Regional Incentive Program (TRIP), (CSFA 55.026)
 - Insert Program Name, Insert CSFA Number

***Award Amount:** \$2,956,635.00

*The state award amount may change with supplemental agreements

Specific project information for CSFA Number is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number are provided at: <https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

EXHIBIT "E"

RECIPIENT RESOLUTION

The Recipient Resolution, or other official authorization, authorizing entry into this Agreement is attached and incorporated into this Agreement.

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, APPROVING SUPPLEMENTAL GRANT AGREEMENT WITH FDOT RELATING TO SCOP FUNDING FOR CR142; AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE SUPPLEMENTAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jefferson County, Florida, has requested the State of Florida, Department of Transportation, provide financial assistance for costs directly related to the resurfacing of CR 142 Lake Road from SR 57 to Cocroft Road (the “Project”); and

WHEREAS, the State of Florida, Department of Transportation, has provided the County with financial assistance under Financial Project No. 440620-1-54-01 1 and Contract No. G2298 for costs directly related to the Project; and

WHEREAS, upon receipt of competitive bids, it was determined that the original budget estimate was inadequate to fully fund the Project; and

WHEREAS, the State of Florida Department of Transportation, has requested that Jefferson County enter into the “State-Funded Grant Supplemental Agreement” for Contract No. G2298, attached hereto, to increase the grant funding by an additional \$930,533 for a total award of \$2,956,635 to fully fund the Project; and

WHEREAS, the State of Florida, Department of Transportation requires that a Resolution be passed by the Board of County Commissioners of Jefferson County, Florida, to execute and enter into the Supplemental Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Florida as follows:

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. APPROVAL OF AGREEMENT. The attached “State-Funded Grant Supplemental Agreement” for Contract No. G2298, Financial Project No. 440620-1-54-01 is hereby approved and the Chairman of the Board of County Commissioners of Jefferson County, Florida, is authorized to execute the same.

SECTION 3. EFFECTIVE DATE. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED at the meeting of the Board of County Commissioners of Jefferson County, Florida on the ____ day of _____, 2022.

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

Gene Hall, Chair

ATTEST:

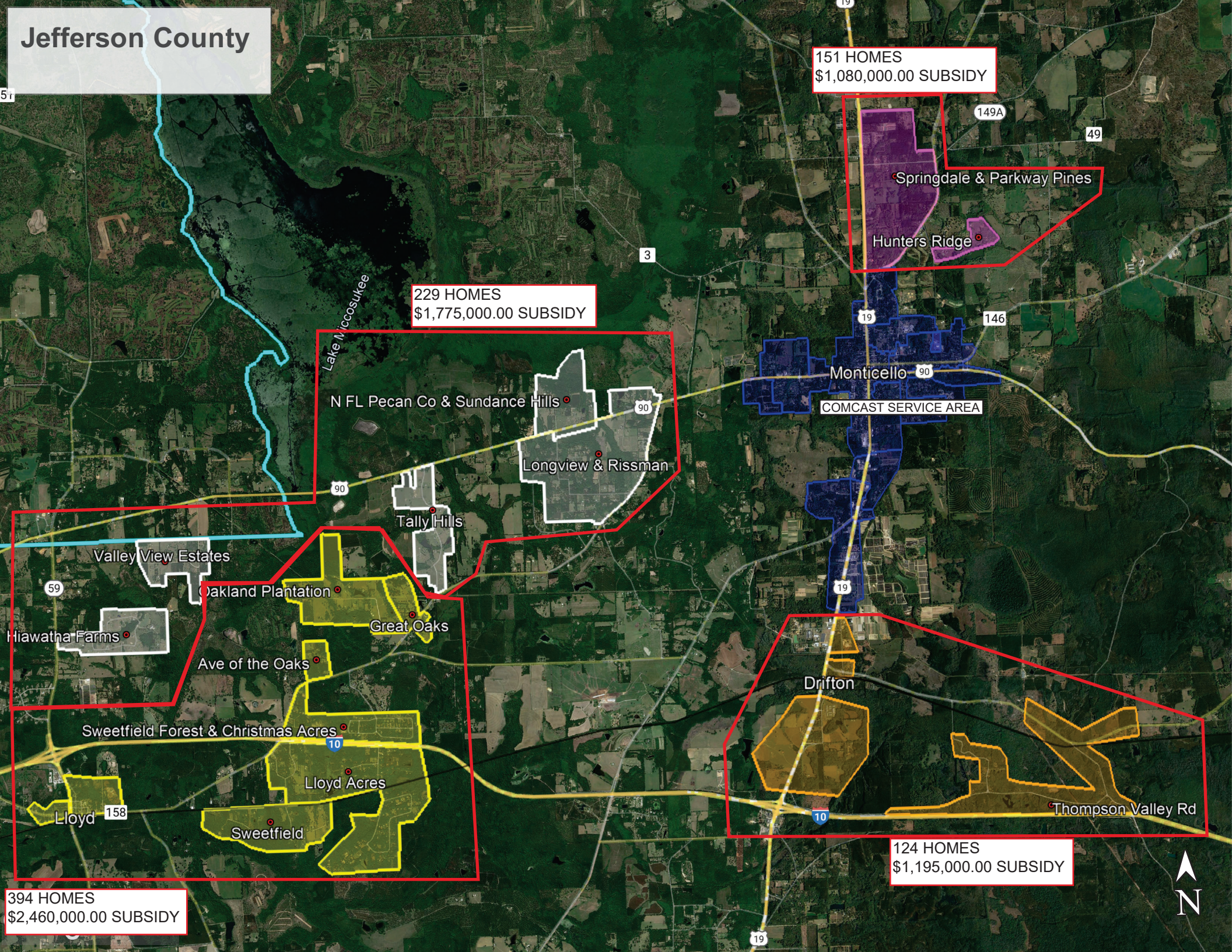
Clerk of the Circuit Court

APPROVED AS TO FORM:

Heather J. Encinosa, Esq.

ATTACHMENT A
SUPPLEMENTAL AGREEMENT

Jefferson County



151 HOMES
\$1,080,000.00 SUBSIDY

Springdale & Parkway Pines

Hunters Ridge

Monticello

COMCAST SERVICE AREA

Drifton

Thompson Valley Rd

229 HOMES
\$1,775,000.00 SUBSIDY

N FL Pecan Co & Sundance Hills

Longview & Rissman

Tally Hills

Valley View Estates

Oakland Plantation

Great Oaks

Ave of the Oaks

Sweetfield Forest & Christmas Acres

Lloyd Acres

Sweetfield

Lloyd

394 HOMES
\$2,460,000.00 SUBSIDY



Board of County Commissioners

Agenda Request

Date of Meeting: August 18, 2022

Date Submitted: August 3, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval to Schedule a Public Hearing and Adopt an Ordinance Repealing Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District

Statement of Issue:

This agenda item requests Board approval to Schedule a Public Hearing and Adopt an Ordinance Repealing Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District.

Background:

Chapter 30 of the Jefferson County Code of Ordinances was originally adopted in the 1980s and created to a Special Fire District and Special Solid Waste Disposal District, which appear to be legally and functionally municipal service benefit units, not special districts.

On May 7, 2020, Jefferson County enacted its Master Capital Project and Service Assessment Ordinance (Ordinance No. 2020-050720-02), which provides uniform procedures for the imposition of special capital and service assessments, which is accomplished by adoption of resolutions.

The County’s fire protection and solid waste disposal non-ad valorem assessments are imposed under the procedures in the Master Capital Project and Service Assessment Ordinance, rendering the provisions in Chapter 30 obsolete and unnecessary.

Analysis:

After public hearing and approval, the attached ordinance will repeal Chapter 30 in its entirety. Any unpaid fire protection or solid waste disposal assessments imposed under the provisions of Chapter 30 shall remain due and owing until paid. Any fire protection or solid waste disposal assessment revenues that have not been expended or encumbered by the County on the effective date of this Ordinance shall be expended by the County in accordance with the provisions of Chapter 30 under which they were imposed and collected until such funds are depleted.

Options:

Request Board Approval to Schedule a Public Hearing and Adopt an Ordinance Repealing Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District

August 18, 2022

Page 2

1. Approve to Schedule a Public Hearing and Adopt an Ordinance Repealing Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District
2. Do Not Approve to Schedule a Public Hearing and Adopt an Ordinance Repealing Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Ordinance Repealing Chapter 30

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, REPEALING CHAPTER 30 OF THE JEFFERSON COUNTY CODE OF ORDINANCES, ENTITLED SPECIAL DISTRICTS AND PERTAINING TO THE SPECIAL FIRE DISTRICT AND SPECIAL SOLID WASTE DISPOSAL DISTRICT; AND PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, the Jefferson County Board of County Commissioners enacted Chapter 30 of the Jefferson County Code of Ordinances entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District;

WHEREAS, subsequently on May 7, 2020, Jefferson County enacted its Master Capital Project and Service Assessment Ordinance (Ordinance No. 2020-050720-02), which provides uniform procedures for the imposition of special capital and service assessments, which is accomplished by adoption of resolutions; and

WHEREAS, the County’s fire protection and solid waste disposal non-ad valorem assessments are imposed under the procedures in the Master Capital Project and Service Assessment Ordinance, rendering the provisions in Chapter 30 obsolete and unnecessary.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Jefferson County, Florida, as follows:

SECTION 1. INCORPORATION OF RECITALS. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2. REPEALER. The Board hereby repeals Chapter 30 of the Jefferson County Code of Ordinances, entitled “Special Districts” and creating a Special Fire District and Special Solid Waste Disposal District, in its entirety. In accordance with Section 125.01(1)(q), Florida Statutes, the municipal service benefit units known as “special fire district” and “special solid waste disposal district” are hereby abolished.

SECTION 3. FUNDS. Any unpaid fire protection or solid waste disposal assessments imposed under the provisions of Chapter 30 shall remain due and owing until paid. Any fire protection or solid waste disposal assessment revenues that have not been expended or encumbered by the County on the effective date of this Ordinance shall be expended by the County in accordance with the provisions of Chapter 30 under which they were imposed and collected until such funds are depleted.

SECTION 4. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within 10 days after its enactment by the Board and shall take effect as provided by law.

PASSED AND DULY ENACTED by the Board of County Commissioners of Jefferson County, Florida in regular session, this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA

Gene Hall, Chair

ATTEST:

Kirk Reams, Clerk of the Circuit Court

APPROVED AS TO FORM:

Heather Encinosa, County Attorney

Board of County Commissioners

Agenda Request

Date of Meeting: August 18, 2022

To: Honorable Chairman and Members of the Board

From: Shannon Metty, Interim County Manager
Chris Holley, Manager Consultant

Subject: County Administrator Form of Government

Statement of Issue:

This agenda item the introduction of the County Administrator Form of Government.

Background and Analysis:

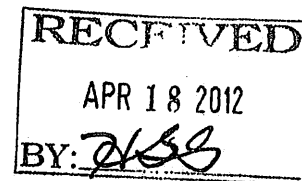
At the July 19th meeting, the Board was given material by Mr. Chris Holley outlining the County Administrator form of Government. This form of Government has been formally adopted by most Florida counties and is very similar what we have requested of our past County Coordinators as far as duties and responsibilities.

The attached includes:

- Information from the previously distributed Florida County Government Guide
- County Coordinator Job description from 2012

JEFFERSON COUNTY FLORIDA

JOB DESCRIPTIONS



JOB CLASSIFICATION: County Coordinator

JOB CATEGORY: Administrative

DEPARTMENT: Administration

PAY GRADE: N/A

PAY RANGE: (\$60,000.00 - \$ 82,000.00 annually)

GENERAL DESCRIPTION: This is a highly professional position within Jefferson County government. The County Coordinator of this non-charter county is hired by and serves at the pleasure of the five (5) member Jefferson County Board of County Commissioners (BOCC).

POLICY AND OPERATIONAL RESPONSIBILITIES: The coordinator is charged with policy development and implementation at the direction of the BOCC. The Coordinator is tasked with ensuring that all county obligations are properly and timely performed.

Day to day activities of the county's departments are to be overseen by the Coordinator through the appropriate department heads. Special projects of the county will be recommended by the BOCC, the Coordinator, the department heads, other personnel or the public and developed for the consideration by the BOCC through the Coordinator in conjunction with the appropriate department head(s).

BUDGET AND FINANCIAL RESPONSIBILITIES: Budget responsibilities of the coordinator, in cooperation with the Clerk of the Courts, include assembling the various individual department budgets into the county's overall budget for presentation to and eventual adoption by the BOCC. Following adoption of the annual budget, the financial status of the county, adherence to the adopted budget and reporting of the county's financial wellbeing is a responsibility of the Coordinator in cooperation with the clerk. The Clerk is the county's responsible fiscal official.

LIST OF JOB RESPONSIBILITIES

- Assists the Board in policy development. Researches and recommends policies and programs to the Board.
- Maintains and oversees the execution of all Board resolutions, policies, and directives. Advises department heads concerning Board policies, directives, and expectations and ensures compliance.
- Serves as a liaison between the Board and county department heads, county employees, county constitutional officers, and local, regional, state, and federal agencies.
- Coordinates the budget development process for all county departments and submits county department budgets to Clerk for inclusion in county budget.
- Monitors budget vs. actual performance of county departments.
- Submits to the Board recommendations concerning the affairs of the County and its future financial and organizational needs.
- Acts as the Board's representative for construction and other projects.
- Supervises the maintenance function of all Board owned assets.
- Based on Board direction is the lead official for development of procurement documents and ensures compliance with all local, state, or federal procurement policies and procedures.
- Responds to Board correspondence.
- Coordinates the scheduling of Board special meetings and workshops. Maintains Board Calendar.
- Listens and responds to citizen requests and comments regarding county services and advises the board as needed.
- Develops agenda for Board meetings and workshops; coordinates with board chair; submits to Clerk for distribution.
- Attends and reports at Board meetings and workshops.

- Provides staff support for individual Commissioners as approved by Board guidelines.
- Employs and supervises County Coordinator's administrative staff.
- Recommends employment or discharge of all department heads under the Board.
- Develops personnel and purchasing policies for approval by the Board. Assists departments in implementation of personnel and purchasing policies.
- Coordinates a countywide grants program. Assists departments and other county agencies in grant applications and grant administration and compliance.
- Performs staff development functions and implements training programs as needed.
- Coordinates county employee safety and safety training programs.
- Serves as Public Information Officer for the Board.
- Coordinates economic development activities with other agencies and organizations. Implements economic development programs as needed and as directed by the Board.
- Provides an annual report of county activities and finances to the Board.
- Performs all other duties as assigned by the Board.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of public administration principles and practices.
- Knowledge of planning and zoning principles and practices
- Knowledge of personnel principles and practices
- Knowledge of budgeting and fiscal management principles and practices.
- Knowledge of and ability to utilize management information systems and resources.
- Good working knowledge and experience with all aspects of county government.
- Ability to work effectively with a wide variety of citizens, officials, agencies, and organizations. Strong knowledge and understanding of the rural conditions, character, and culture.
- Strong organizational and management skills.
- Strong verbal and written communication skills.
- Ability to lead and mentor county department heads and employees to build an effective and efficient county workforce.
- Ability to identify problems, build consensus for solutions, and implement solutions.
- Ability to work with local economic development organizations.
- Ability to coordinate local economic development activities while reaching out to regional, state, and federal agencies and organizations.

EDUCATION AND EXPERIENCE:

- **Education** - Minimum: Bachelor's degree from an accredited institution. Preferred: Master's degree from an accredited institution.
- **Experience** – Minimum: At least 5 years of upper management level experience. Preference: At least 5 years of county government experience as a senior level manager in a small county.

Note: Residency in Jefferson County is required within 12 months of hire date.

END

Approval

Department Head

[Signature] Date 4/17/12

Int. County Coordinator

Date

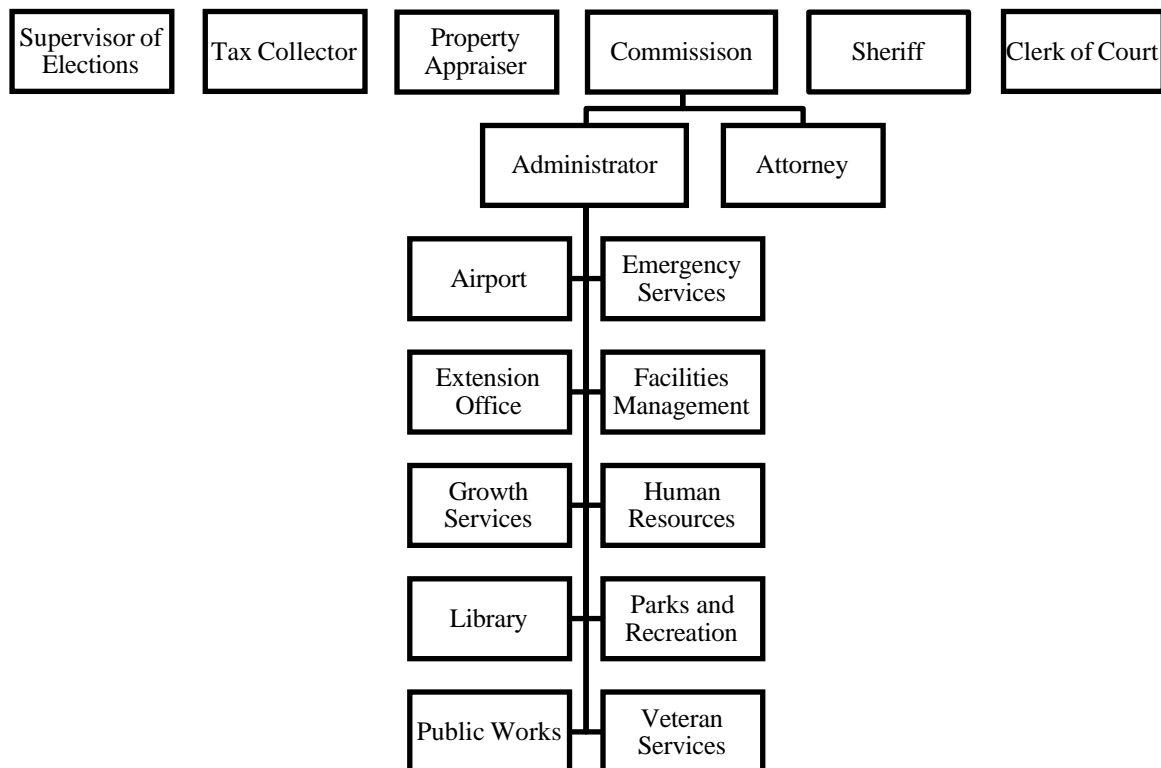
[Signature] 4/17/12

COMMISSION-ADMINISTRATOR OR MANAGER FORM

By far the most popular form of government in Florida today is the commission-administrator or manager form of government. Fifty-five counties have chosen this form of government. All but one of the counties with this form of government adopted it since the reforms of the late 1960s and early 1970s. St. Lucie County, a non-charter county, got a special act of the legislature passed in 1959 granting permission to create a commission-administrator form of government. As counties grow, they realize that the traditional commission form of government is no longer practical and that the expertise and professionalism of a full-time administrator or manager is needed. In 2012 Suwannee County became the most recent to change from the traditional commission system to the county administrator system. Figure 2.3 shows the organizational chart for Suwannee County government.

The key difference between this form and the traditional commission form is the separation of powers between making policy and executing policy. The board of commissioners passes ordinances but hires an administrator or manager to execute the policy and oversee the various departments under the board's control. Technically under Florida's County Administration Law the proper term for the person hired to implement policy and oversee day to day operations in a non-charter county is "administrator." And technically the proper term for that person in charter counties is "manager" according to the Optional County Charter Law. However, as Table 2.3 (below) shows, the terms are used interchangeably by charter and non-charter counties. So as a practical matter in Florida a commission-administrator form of government is equivalent to a commission-manager form of government.¹⁸

Figure 2.3. Commission-Administrator Form of Government, Suwannee County, Florida.



Source: Suwannee County website; Organizational chart adapted by the author.

Again, the meaningful difference is between charter and non-charter counties. Regardless of what the person is called, in charter counties the duties are largely governed by the county charter. Specifically, Chapter 125.84, Florida Statutes, succinctly says: “The county manager shall be appointed by, and serve at the pleasure of, the board and shall exercise the executive responsibilities assigned by the charter.”

Conversely in non-charter counties the duties are largely governed by state law (Chapter 125.74, Florida Statutes) and administrators are legally kept on a fairly short leash: “It is the intent of the Legislature to grant to the county administrator only those powers and duties which are administrative or ministerial in nature and not to delegate any governmental power imbued in the board of county commissioners...” The duties assigned by the legislature include:

- Administer and carry out the directives and policies of the board of county commissioners and enforce all orders, resolutions, ordinances, and regulations of the board to assure that they are faithfully executed.
- Report to the board on action taken pursuant to any directive or policy and provide an annual report to the board.
- Provide the board with data or information concerning county government and advice and recommendations on county government operations.
- Prepare and submit to the board an annual operating budget, a capital budget, and a capital program.
- Establish the schedules and procedures to be followed by all county departments.
- Prepare and submit to the board after the end of each fiscal year a complete report on finances.
- Supervise the care and custody of all county property.
- Recommend to the board a current position classification and pay plan for all county positions.
- Develop, install, and maintain centralized budgeting, personnel, legal, and purchasing procedures.
- Organize the work of county departments and review the departments, administration, and operation of the county and make recommendations pertaining to reorganization by the board.
- Select, employ, and supervise all personnel and fill all vacancies under the jurisdiction of the board. However, the employment of all department heads shall require confirmation by the board.
- Suspend, discharge, or remove any employee under the jurisdiction of the board pursuant to procedures adopted by the board.
- Negotiate leases, contracts, and other agreements for the county, subject to approval of the board.
- See that all terms and conditions in all leases, contracts, and agreements are performed and notify the board of any noted violation thereof.
- Attend all meetings of the board with authority to participate in the discussion of any matter.
- Perform such other duties as may be required by the board of county commissioners.

Statutes make clear that managers and administrators are not to engage in policy making. Instead they must only faithfully execute the decisions made by the commission. Of course, what is on paper is not always the way things work in real life. And so managers and administrators often have great say over what ordinances the county commissioners adopt, what decisions they make, and what budgets they pass. The managers and administrators are full-time employees and have a large information advantage over their commissioners, particularly in small- and medium-sized counties where the commissioners may have other full- or part-time jobs. Managers bring problems to the attention of the board, which allows them to help set the agenda. They also propose budgets and do research on policy problems and so can help steer the board to their desired course of action. Of course, county administrators or managers have a tough and tricky job and they have to be careful not to obviously exceed their authority or anger the commissioners. Because if they do, the same commissions that hire managers or administrators can also fire them!

Memorandum

TO: Jefferson County Board of County Commissioners
FROM: Shannon Metty, Planning Official/Interim Coordinator
SUBJECT: Interim Coordinator Salary
DATE: August 12, 2022

CC: Heather Encinosa

Salary Break Down

1. Previous Coordinator
 - A. Salary \$120,000 includes
 - a. Healthcare: \$17,064
2. Interim Coordinator Request
 - a. Increase 25% for the duration of being the interim
 - i. Annually approximately: \$82,500
 - ii. Healthcare Cost: \$0
 - b. Breakdown
 - i. Approximately \$62,000 as Dept Head
 - ii. Approximately \$20,500 as Coordinator
 - iii. \$0 in healthcare cost

Board of County Commissioners

Agenda Request

Date of Meeting: August 18, 2022

To: Honorable Chairman and Members of the Board

From: Shannon Metty, Interim County Manager

Subject: Interim Coordinator Salary Consideration

Statement of Issue:

This agenda item is to determine reasonable Interim Coordinator Salary adjustment.

Background and Analysis:

In 2021 the Board approved a 10% increase from approximately \$62,000 to approximately \$66,000 to assist the Coordinator and be his backup. Now that all duties are designated to the Ms. Metty, she is requesting an increase.

Attached is a cost breakdown.

Options:

1. Accept the requested increase and retro pay to July 20, 2022.
2. Do not accept increase.
3. Suggest other options

Recommendation:

Option 1