



Jefferson County Board of County Commissioners

Thursday, September 1, 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**
3. **CONSENT AGENDA**
 - a. **General Business Vouchers**
4. **GENERAL BUSINESS**
 - a. **Ecofina Timberlands: G. Stewart/S. Metty**
 - b. **Moratorium on Major Developments not in line with the Jefferson Count Mission Statement: Comm. Tuten**

Mission Statement:
Protect and preserve the rural community, atmosphere, natural environment, and cultural diversity, and develop our economic resources, expand sustainable business environment and create job opportunities.
 - c. **County Manager Ordinance**

Attachments:

 - **Cover Letter Co. Manager** (Agenda_Item_-_County_Manager_Ord.doc)
 - **Co. Manager Ordinance** (Commission-Manager_Govt.docx)
 - d. **Audit Review**
 - e. **Forensic Audit Update: Comm Barfield**
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) 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.

Contact: Shannon Metty, County Coordinator (smetty@jeffersoncountyfl.gov 850-342-0223)

Board of County Commissioners

Agenda Request

Date of Meeting: September 1, 2022

Date Submitted: August 24, 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 Authorizing the Commission-Manager Form of Government in Accordance with Part III, Chapter 125, Florida Statutes

Statement of Issue:

This agenda item requests Board approval to Schedule a Public Hearing and Adopt an Ordinance Authorizing the Commission-Manager Form of Government in Accordance with Part III, Chapter 125, Florida Statutes.

Background:

On August 18, 2022, the Board directed that the County Attorney bring back an ordinance to adopt Part III, Chapter 125, Florida Statutes, and authorize the Commission-Manager form of government in Jefferson County.

Part III of Chapter 125, Florida Statutes, (the “County Administration Law”) authorizes the County Commission-Manager form of government in the interest of promoting an adequate and efficient provision of services to citizens and the coordinated administration of county departments to better protect the health, welfare, safety, and quality of life of residents. The voluntary adoption of the County Administration Law enables the Board to perform freely, without unnecessary interruption, its fundamental intended purpose of making policies within the framework of law applicable to county government in this state and authorizes a county manager to be responsible for handling of all things necessary to accomplish and bring to fruition the policies established by the Board.

Section 125.72, Florida Statutes, provides that the provisions of the County Administration Law shall be applicable to any county upon adoption of a county ordinance expressly adopting the County Administration Law. Upon adoption of the County Administration Law, Section 125.73, Florida Statutes, provides for the appointment of a county manager or manager, who shall be the administrative head of the county and shall be responsible for the administration of all departments of the county government which the Board has authority to control. Further, upon adoption of the County Administration Law, Section 125.74, Florida Statutes, provides for the powers granted to and the duties of an appointed county manager.

Request Board Approval to Schedule a Public Hearing and Adopt an Ordinance Authorizing the Commission-Manager Form of Government in Accordance with Part III, Chapter 125, Florida Statutes

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Analysis:

After public hearing and adoption, the attached ordinance will create a commission-manager form of government in Jefferson County by creating the office of the county manager and providing for qualifications, compensation, and appointment of that position. The ordinance outlines vacancies in that office and the method of filling said vacancies, and it provides a list of the county managers powers and duties.

Options:

1. Approve to Schedule a Public Hearing and Adopt an Ordinance Authorizing the Commission-Manager Form of Government in Accordance with Part III, Chapter 125, Florida Statutes
2. Do Not Approve to Schedule a Public Hearing and Adopt an Ordinance Authorizing the Commission-Manager Form of Government in Accordance with Part III, Chapter 125, Florida Statutes
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Commission-Manager Ordinance

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AUTHORIZING THE COMMISSION-MANAGER FORM OF GOVERNMENT IN ACCORDANCE WITH PART III, CHAPTER 125, FLORIDA STATUTES; PROVIDING AUTHORITY AND FINDINGS; PROVIDING QUALIFICATIONS AND COMPENSATION; PROVIDING FOR THE COUNTY MANAGER'S FUNCTIONS AND DUTIES; PROVIDING FOR A POLICY OF NON-INTERFERENCE; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Pursuant to Article VIII, Section I of the Florida Constitution, and Chapter 125, Florida Statutes, the Board of County Commissioners of Jefferson County, Florida, (the "Board") has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law, and such power may be exercised by the enactment of county ordinances and resolutions; and

WHEREAS, Part III of Chapter 125, Florida Statutes, (the "County Administration Law") authorizes the County Commission-Manager form of government in the interest of promoting an adequate and efficient provision of services to citizens and the coordinated administration of county departments to better protect the health, welfare, safety, and quality of life of residents; and

WHEREAS, the voluntary adoption of the County Administration Law enables the Board to perform freely, without unnecessary interruption, its fundamental intended purpose of making policies within the framework of law applicable to county government in this state and authorizes a county manager to be responsible for handling of all things necessary to accomplish and bring to fruition the policies established by the Board; and

WHEREAS, Section 125.72, Florida Statutes, provides that the provisions of the County Administration Law shall be applicable to any county upon adoption of a county ordinance expressly adopting the County Administration Law;

WHEREAS, upon adoption of the County Administration Law, Section 125.73, Florida Statutes, provides for the appointment of a county manager or manager, who shall be the administrative head of the county and shall be responsible for the administration of all departments of the county government which the Board has authority to control; and

WHEREAS, upon adoption of the County Administration Law, Section 125.74, Florida Statutes, provides for the powers granted to and the duties of an appointed county manager; and

WHEREAS, it is in the best interest of the public health, safety and welfare of the County to adopt the County Administration Law within Jefferson County, as provided in this Ordinance.

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. AUTHORITY. This Ordinance is enacted pursuant to Article VIII, Section 1 of the Florida Constitution and Chapter 125, Florida Statutes, for the purpose of adopting the provisions of Part III, Chapter 125, Florida Statutes, and creating the office of county manager for Jefferson County, Florida.

SECTION 3. CREATION OF OFFICE OF COUNTY MANAGER. The office of county manager is hereby created. The county manager shall be the administrative head of the county and, with the exception of the office of the county attorney who reports directly to the Board, the county manager shall be responsible for the administration of all departments of the county government which the Board has authority to control.

SECTION 4. QUALIFICATION. The county manager shall be qualified by administrative and executive experience and ability to serve as a chief manager of the county and shall meet such requirements as established by the Board.

SECTION 5. APPOINTMENT. The county manager shall be appointed by an affirmative vote of not less than three members of the Board and may be removed at any time by an affirmative vote of not less than three members of the Board after a hearing, if such be requested by the county manager. The manager need not be a resident of the county at the time of appointment but shall have six (6) months from the date of appointment to change resident status to Jefferson County.

SECTION 6. COMPENSATION. The compensation of the county manager shall be fixed by the Board unless otherwise provided by law.

SECTION 7. VACANCY. The office of the county manager shall be deemed vacant if the incumbent moves residence from the county or is, by death, illness or other casualty unable to continue in office. A vacancy in the office shall be filled in the same manner as the original appointment. The Board may appoint an acting county manager in the case of vacancy or temporary absence or disability until a successor has been appointed and qualified or the manager returns.

SECTION 8. POWERS AND DUTIES.

(A) With the exception of the county attorney and such personnel under the control of the county attorney who reports directly to the Board, the county manager shall be responsible for the administration of all departments responsible to the Board and for the proper administration of all affairs as directed by the Board. The Board shall have the ability to delegate such powers and duties to the county manager as it deems appropriate and all such powers and duties so delegated shall be deemed to be administrative functions necessary for the operation of the county. To that end, the manager may, by way of enumeration and not by way of limitation, have the following specific powers and duties to:

- (1) Administer and carry out the directives and policies of the Board and to implement all orders, resolution, ordinances and regulations of the Board to assure that they are faithfully executed.
- (2) Report to the Board on action taken pursuant to any directive or policy within the time set by the Board and provide an annual report to the Board on the state of the county, the work of the previous year and any recommendations as to actions or programs he/she deems necessary for the improvement of the county and the welfare of its residents.
- (3) Provide the Board, or individual members thereof, upon request, with data or information concerning county government and to provide advice and recommendations on county government operations to the Board.
- (4) Prepare and submit to the Board for its consideration and adoption an annual operating budget, a capital budget, and a capital program by July 15 of each year.
- (5) Establish the schedules and procedures to be followed by all county departments, offices, and agencies in connection with the budget and supervise and administer all phases of the budgetary process.
- (6) Prepare and submit to the Board after the end of each fiscal year a complete report on the finances and administrative activities of the county for the preceding year and submit recommendations.
- (7) Supervise the care and custody of all county property.
- (8) Recommend to the Board a current position classification and pay plan for all positions in county service.
- (9) Develop, install and maintain centralized budgeting, personnel, legal, and purchasing procedures.
- (10) Organize the work of county departments subject to an administrative plan developed by the manager and adopted by the Board and review the departments, administration and operation of the county and make recommendations pertaining thereto for reorganization by the Board.
- (11) Select, employ and supervise all personnel, and fill all vacancies, positions or employment under the jurisdiction of the Board, pursuant to the policies and procedures adopted by the Board; provided, however, the employment of all department heads shall require confirmation by the Board.

- (12) Suspend, discharge or remove any employee under the jurisdiction of the county manager, pursuant to the policies and procedures adopted by the Board.
- (13) Negotiate leases, contracts, and other agreements, including consultant services, for the county, subject to approval either by the Board or pursuant to the policies and procedures adopted by the Board, and make recommendations concerning the nature and location of county improvements.
- (14) Ensure that all terms and conditions in all leases, contracts, and agreements are performed and notify the Board of any noted violation thereof.
- (15) Order, upon advising the Board, any agency under his/her jurisdiction to undertake any task for any other agency on a temporary basis if deemed necessary for the proper and efficient administration of the county government to do so.
- (16) Attend all meetings of the Board, being authorized to participate in the discussion of any matter.
- (17) Perform such other duties as may be required by the Board.

(B) The above powers and responsibilities shall be deemed to constitute administrative functions of the county and they may be delegated by the county manager to those employees under his/her supervision.

SECTION 9. INCLUSION IN THE CODE OF ORDINANCES. The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Jefferson County, Florida, as a new Article II of Chapter 2 of the Code entitled "County Manager." The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 10. 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