



Jefferson County Board of County Commissioners

Thursday, September 15, 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. **Habitat for Humanity**
 - b. **TEKNIAM Broadband Connection**
3. **Citizens Request & Input on Non-Agenda Items**
(3 Minute Limit Please)
4. **CONSENT AGENDA**
 - a. **General Fund Vouchers**
 - b. **Transportation Fund Vouchers**
 - c. **Regular Session Meeting Minutes**

Attachments:

- **08-04-2022** (8-4-2022_draft_BCC_Minutes.docx)
- **08-18-2022** (8-18-2022_draft_BCC_Minutes.docx)

d. **Budget Workshop Meeting Minutes**

Attachments:

- **07-14-2022** (7-14-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **07-21-2022** (7-21-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **07-28-2022** (7-28-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **08-04-2022** (8-4-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **08-11-2022** (8-11-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **08-18-2022** (8-18-2022_draft_BCC_Budget_Workshop_Minutes.docx)
- **08-25-2022** (8-25-2022_draft_BCC_Budget_Workshop_minutes.docx)
- **09-01-2022** (9-1-2022_draft_BCC_Budget_Workshop_Minutes.docx)

e. **Surplus Sale Approval of Yunok Road**

Attachments:

- **Purchase & Sale Agreement** (Consent_Agenda-PURCHASE_AND_SALE_AGREEMENT_Yonuk_Road.doc)
- **Deed of Conveyance** (Consent_Agenda-Deed_of_Conveyance_by_County_Yunok_Road_.docx)
- **Resolution** (Consent_Agenda-Resolution_Yunok_Final.docx)

f. Surplus Sale Approval of Sage Street

Attachments:

- **Purchase & Sale Agreement** (Consent_Agenda-PURCHASE_AND_SALE AGREEMENT_Sage_Street.doc)
- **Deed of Conveyance** (Consent_Agenda-Deed_of_Conveyance_by_County_Sage_Street.docx)
- **Resolution** (Consent_Agenda-Resolution_Sage_Final.docx)

g. Board of Approval for NOI for Non-Ad Valorem Assessments

Attachments:

- **Cover Letter** (Consent_Agenda_Item-NOI.doc)

5. GENERAL BUSINESS

a. Continuation of Econfina Timberlands

b. Road List Discussion-Order of Paving

Attachments:

- **Road List** (Road_List_from_Tom_K..pdf)

c. Executed Bid Documents for Lake Road

d. Solid Waste Year to Date Program Review

e. Audit Review-TO BE DETERMINED

f. Forensic Audit

g. Audit Selection Committee

Attachments:

- **Cover Letter** (Agenda_Item_-_Audit_Selection_Committee.doc)
- **Audit Committee** (Audit_Committee.docx)

h. County Manager Update-Citizen Phil Calandra

i. Public Hearing-Repeal Chapter 30

Attachments:

- **Cover Letter** (Agenda_Item_2_-_Repeal_Chapter_30.doc.docx)
- **Chapter 30** (Ch_30_repeal_v2.docx)

j. Public Hearing-Fire Protection Assessment

Attachments:

- **Cover Letter** (Agenda_Item_Request_-_Fire_ARR.doc)
- **Fire ARR** (Fire_ARR_Final_09_08_22.doc)

k. Public Hearing-Solid Waste Service Assessment

Attachments:

- **Cover Letter** (Agenda_Item_Request_-_SW_ARR.doc)
- **SW ARR** (SW_ARR_Final_09_08_22.doc)

l. Request Board Approval of a Resolution Adopting Revised Rules of

Procedure for Meetings

Attachments:

- **Cover Letter** (Agenda_Item-Meeting_Rules.doc)
- **BOCC Meeting Rules of Procedure 9-9-22.doc** (BOCC_Meeting_Rules_of_Procedure_9-9-22.doc)

6. CLERK OF COURTS

7. COUNTY COORDINATOR

Information Reports

8. COUNTY ATTORNEY

a. Santander Lease Update-NEED TO UPDATE WITH NEW DOC

Attachments:

- **Santander** (Agenda_Item_-_Santander_Bank-1.doc)

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.

DRAFT

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.

DRAFT

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.

DRAFT

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.

DRAFT

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)

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
August 4, 2022
6:00 P.M.

The Board met this date in regular session. Present were Chairman Gene Hall, Commissioners Stephen Walker, Chris Tuten, 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 Commissioner Tuten led the invocation and pledge of allegiance.
2. Jamie Hall with Second Harvest gave a proclamation concerning the scope of their services to the community.
3. Chairman Hall read and the Board delivered two proclamations. One for each of the County Attorneys (Buck Bird and Scott Shirley) that retired on June 30, 2022
4. **On motion by Commissioner Walker, seconded by Commissioner Barfield, and unanimously carried, the Consent Agenda consisting of the Commissioners Report, List of Accounts Report, and the General and Transportation Fund Vouchers were approved.**
5. County Attorney, Heather Encinosa introduced item 4a, CDBG Agreement. After discussing the contract, **on a motion by Commissioner Walker, seconded by Commissioner Barfield, and unanimously carried, the contract was approved.**
6. County Attorney, Heather Encinosa introduced item 4b, Preliminary Fire and Solid Waste Rate Resolutions. **On a motion by Commissioner Walker, seconded by Commissioner Barfield, and unanimously carried, the Board approved the Fire Assessment rate the same as in CFY 21-22. On a motion by Commissioner Walker, seconded by Commissioner Tuten, and unanimously carried the Board approved the Solid Waste Assessment at the same rate as CFY 21-22 as well.**
7. Chairman Hall introduced item 4c, Continued hearing on Special Exception for Pursley Event Venue. After hearing from all parties concerned, including; Alexis Pursley, concerned neighbors, the County Planning Official's Office and County Attorney **a motion was made by Commissioner Tuten to approve the exception with the County Planning Office's conditions 1, 2 & 6 being met as well as having an official traffic study being performed and all of its recommendations and requirements being met, seconded by Commissioner Walker and approved 3 to 1, with Commissioner Barfield being the dissenting vote for the exception to be approved.**
8. County Attorney, Heather Encinosa introduced item 4d, Public Hearing Valley View Assessment. County Attorney Encinosa explained that since each assessment needed to be increased by approximately \$9.00 annually, the official assessment resolution needed to be re-done. **On a motion by Commissioner Barfield, seconded by Commissioner Tuten, and unanimously carried, the Board approved the Valley View Assessment.**

9. County Attorney Heather Encinosa introduced item 4e, the Adoption of an Emergency Ordinance Imposing a Temporary Moratorium on Special Exceptions. After discussion it was the direction of the Board to move forward and have the County Attorney's look at specific language for this type of moratorium. **On a motion by Commissioner Barfield, seconded by Commissioner Walker, and unanimously carried, the Board approved moving forward with County Attorney's putting together the proper and necessary language, advertising this proposed moratorium, and then bringing this issue back to a later Board meeting for final approval.**
10. County Attorney Encinosa introduced item 4f, County Coordinator Recruitment Services. **On a motion by Commissioner Barfield, seconded by Commissioner Tuten, and unanimously carried, the Board approved moving forward with the attached service agreement for consulting services associated with recruiting a new County Coordinator.**
11. County Attorney Encinosa introduced item 4g, H2 Solutions Consulting Services – Chris Holley. **On a motion by Commissioner Barfield, seconded by Commissioner Tuten, and unanimously carried, the Board approved moving forward with the attached consulting services agreement to have Chris Holley serve as a consultant for the County during the absence of a full-time permanent County Coordinator.**
12. Interim County Coordinator, Shannon Metty introduce item 4h, Mosquito Control Director. County Coordinator Metty proposed that Christy Lashley to be the new Mosquito Control Director. **On motion made by Commissioner Walker, seconded by Commissioner Tuten, and unanimously carried, the Board approved Ms. Lashley as Mosquito Control Director as well as giving Ms. Metty the ability to negotiate salaries and job duties and responsibilities associated with this program.**
13. Interim County Coordinator, Shannon Metty introduce item 4i, Road Department Manager. County Coordinator Metty proposed that Tom Kisamore be the new Road Department Manager. **On motion made by Commissioner Walker, seconded by Commissioner Barfield, and unanimously carried, the Board approved Mr. Kisamore as the County Road Department Manager.**
14. Interim County Coordinator, Shannon Metty discussed several items. County Coordinator Metty asked the Board to be thinking where they would like the new County Coordinator to have their office once the position is filled. She also discussed several vehicles that needed to be surplused, all in which the Board agreed.
15. County Attorney Heather Encinosa informed the Board that she will be putting together a comprehensive list of all County Ordinances. County Attorney Encinosa also requested that the Board have an Executive Session on a potential law suite on September 1st at 4:00 pm. **On a motion by Commissioner Barfield, seconded by Commissioner Tuten, and unanimously carried, the Board agree to have the requested Executive Session that will be advertised with a court reporter present.**
16. Commissioner Barfield indicated that she wanted the County's purchasing policy revised. County Attorney, Heather Encinosa and Interim County Coordinator, Shannon Metty will be working on these revisions and they will bring back a draft revised policy at a later Board meeting.

17. On motion by Commissioner Barfield, seconded by Commissioner Tuten, 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
August 18, 2022
6:00 P.M.

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

1. Chairman Hall called the meeting to order and led the invocation and pledge of allegiance.
2. Chairman Hall read and gave the attached proclamation to the We Care Network.
3. Representatives from Williams Communication and L3 Harris were available to discuss two potential new cell phone towers. The potential sites discussed were in the Aucilla Shores area and the other the property where the Sheriff's Office is located. After discussion, this issue was scheduled for a future Board meeting.
4. **On motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board agreed to move item number 6, which is the Citizens Request & Input on Non-Agenda Items above the Consent Agenda moving forward which would allow the public to speak on issues prior to all of the County's General Business being discussed.**
5. **On motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Consent Agenda consisting of the Commissioners Report, Voucher List Report, List of Accounts Report, General Fund Vouchers and the draft July 19th regular Board meeting minutes were approved. Commissioner Barfield requested that the draft July 7th regular Board meeting minutes be pulled from the Consent Agenda because she had changes that she wanted to make.**
6. County Attorney, Heather Encinosa introduced item 4a, Ratify Moratorium on Special Exceptions. After discussion, **on a motion by Commissioner Barfield, seconded by Commissioner Surles, and unanimously carried, the Board agreed to move forward on the attached Moratorium Ordinance.**
7. County Attorney, Heather Encinosa introduced item 4b, Ordinance Establishing Rules and Regulations for County Park and Recreation Facilities. After discussion concerning several modifications to the attached Rules and Ordinance, **on a motion by Commissioner Walker, seconded by Commissioner Surles, and unanimously carried, the Board approved moving forward with the attached Park Rules Ordinance with changes to the proposed park hours and changes to Section 40-2(b) of the attachment.**
8. Clerk of Court, Kirk Reams introduced item 4c, County Employees Health Insurance. Clerk Reams went through the multiple scenario's the Board had requested information on. **On a motion made by Commissioner Walker, seconded by Commissioner Surles, and unanimously approved, the Board agreed to move forward with paying**

for a portion of its employees health care coverage over and above the single coverage. Clerk Reams indicated that he would have hard numbers on the total costs once all participation is known.

9. County Attorney, Heather Encinosa introduced item 4d, SCOP Supplemental Agreement. **On a motion by Commissioner Surles, seconded by Commissioner Barfield, and unanimously carried, the Board approved the attached SCOP Grant agreement.**
10. Commissioner Barfield introduced item 4e, Broadband Expansion Comcast Partnership. After discussing the attached Map of the Project and hearing from Comcast, the Board agreed to bring this issue back to a later Board meeting.
11. County Attorney Encinosa introduced item 4f, Repeal Chapter 30. **On a motion by Commissioner Surles, seconded by Commissioner Barfield, and unanimously carried, the Board approved moving forward with this issue.**
12. Interim County Coordinator, Shannon Metty introduced item 4g, County Administrator Form of Government. After discussion, **on a motion by Commissioner Surles, seconded by Commissioner Barfield, and unanimously carried, the Board approved moving forward with making the current vacant County Coordinator position being named a Manager/Administrator and establishing the annual salary of this position between \$80,000 and \$120,000.**
13. County Commissioner JT Surles introduce item 4h, Interim Coordinator Salary. **On a motion made by Commissioner Surles, seconded by Commissioner Walker, the motion was made to establish an annual salary of \$82,500 for interim Coordinator, Shannon Metty. An amended motion by Commissioner Surles, seconded by Commissioner Walker, and unanimously carried, the Board also agreed to retroactive Ms. Metty's pay augmentation of \$82,500 annually back to the date when prior Coordinator Barwick retired.**
14. County Engineer, Jack Husband gave an update on County road grants and projects.
15. County Attorney Heather Encinosa informed the Board that she is putting together a comprehensive list of all County Ordinances.
16. **On motion by Commissioner Walker, seconded by Commissioner Surles, 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
CFY 2022-2023 Budget Workshop
July 14, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Gene Hall, Commissioners Stephen Walker, Chris Tuten, JT Surlles and Betsy Barfield. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. Chairman Hall called the meeting to order.
2. Clerk of Court Reams opened and stated to the Board that we would continue to hold Budget Workshops each Thursday at 5:00 pm until the Board had heard each Department's and Budget areas request for County Fiscal Year 2022-2023.
3. Clerk Reams let the Board know that each week he would invite the managers from each Budget area to present and be there for the Board members for any additional information that may be needed.
4. For today's budget workshop, Clerk Reams prepared a worksheet of County General Revenue's for the Board to review and discuss. The worksheet contained the Estimated General Revenues for CFY 21-22 as well as the actuals received through May 31, 2022. This gave the Board an indication of how each revenue was being realized to date. Also, the worksheet had a column for each General Revenue estimates for CFY 22-23 and a column to show if the projections were higher or lower than in CFY 21-22. The CFY 22-23 estimates were either derived directly from the Florida Department of Revenue of from annualizing current year revenue.
5. Commissioner Barfield requested that moving forward she would like to possibly see additional years data for each program area. Clerk Reams indicated that for next Thursday's workshop, we will be discussing the Fire/EMS and Solid Waste budgets. He will invite both program Director's to be present at the workshop. Also, in an effort to respond to Commissioner Barfield's request, he indicated that it would not be a problem to provide additional information to help with decision making and forecasting, Clerk Reams indicated that he will add several additional columns to the worksheets. The worksheets for the Departments and program areas will contain the following: CFY 2019 - 2020 budgeted and actual numbers, CFY 2020 - 2021 budgeted and actual numbers, CFY 2021 - 2022 budgeted and actual numbers through May 31, 2022 and finally CFY 2022 - 2023 budget request.
6. The Commissioner's also discussed what the preliminary mileage rate should be but there was not a consensus.
7. Commissioner Hall closed the workshop.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
July 21, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Commissioners Stephen Walker, Chris Tuten, and JT Surlles. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the County Commission discussed the proposed CFY 22-23 budgets for Fire/EMS, Property Appraiser's Office and Solid Waste.
3. Fire and EMS Chief, Derrick Burrus gave an overview of both the Fire and EMS Budgets. After much discussion, Commissioner Walker inquired if we could raise the Fire Assessment in order to decrease the strain the Fire Departments puts on the General Fund. Chief Burrus indicated that we would need to have a study done and we planned to do that next year and address this issue during next year's budget cycle.
4. Property Appraiser, Angela Gray presented her draft CFY 22 - 23 budgetary needs to the Board. She indicated that she was going to request an increase due to staff travel and training. Property Appraiser Gray indicated that she would return any excess at the end of the year. She also asked the Board if, during this budget cycle, they were going to consider picking up a portion of their employees family health care policy.
5. Solid Waste Director Robbie Slack presented their CFY 22-23 draft budget. Director Slack indicated that they were presenting a balanced budget. During the discussion he was directed by the Commission to pilot having a camera system at the Lamont site instead of using personnel.
6. The Commission requested Clerk Reams to initiate a survey to County personnel to determine who would be interested in participating in a health care plan greater than just the individual policy if the Board subsidized a portion of this additional coverage. Clerk Reams indicated that he and staff will send out a survey and bring their findings back to the Commission. He also indicated that at next weeks budget workshop will include Fund 12, Capital Projects, the TDC budget and the CARES Act budget.
7. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
July 28, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Hall and Commissioners Stephen Walker, Chris Tuten, Betsy Barfield and JT Surles. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, Clerk of Court, Kirk Reams discussed the following Funds/Program areas draft budgets for County Fiscal Year 2022-2033.
3. Clerk Reams discussed Fund 12, which is the County's Housing Fund. This Fund serves as the SHIP and CDBG program areas dedicated Fund.
4. Clerk Reams also discussed the Capital Projects Budget which is Fund 18. This Fund serves as the budget for the activity associated with the American Rescue Plan, the Restore Act, the Next Era Projects, the Valley View Non-Ad Valorem and the 2022 Road Bond.
5. Clerk Reams discussed Fund 29 which is the Tourist Development Council (TDC) proposed CFY 22-23 Budget. Essentially the TDC is allowed to expend the revenue that they generate.
6. Lastly, Clerk Reams discussed Fund 25 which is the fund that maintains all of the CARES Act activity.
7. Sheriff McNeil gave an update on his research concerning what other Counties do as far as a stipend for their employee's health care coverage above and beyond just the standard individual plan. He presented his findings and the Board indicated that they liked the Liberty County model and wanted to move forward under that pretense.
8. Clerk Reams indicated that at the next budget workshop on August 4th, we would be discussing Fund 11, which is the Road Department's budget. Also, he indicated that we will be looking at Fund 24, which is the County's Debt Services budget.
9. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
August 4, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Commissioners Stephen Walker, Chris Tuten, and Betsy Barfield. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the Commission was scheduled to discuss the draft budgets for CFY 22-23 for Fund 11, the Road Department budget and Fund 24, the Debt Services Fund 24.
3. Road Department Director, Tim Kisamore presented the Road Department's draft CFY 22-23 budget to the County Commission.
4. Clerk Reams discussed Fund 24 which is the Debt Services Fund. This Fund has both the 2012 and 2018 Road Bond Principal and Interest responsibilities.
5. It was the consensus of the Board, after much discussion, to keep the preliminary CFY 22-23 millage rate at 7.9500. Even though this was last year's millage rate, because of increased property values and taxes, this is an overall tax increase and will need to be advertised that way. This conclusion was reached after the Board factored in the fact that several Departments have requested an increase and the Board is looking to pay for a portion of its employee's health care premium costs above and beyond the standard individual health care plan.
6. Clerk Reams indicated that at the next budget workshop on August 11^h, we would be discussing Fund 14, which is the Fine & Forfeiture Fund and Fund 23, the 911 Fund.
7. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
August 11, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Hall and Commissioners Stephen Walker, Chris Tuten, Betsy Barfield and JT Surles. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the Commission was scheduled to discuss the draft budgets for CFY 22-23 for Fund 14, the Fine & Forfeiture budget and Fund 23, the 911 Fund.
3. Jefferson County Sheriff, Mac McNeill presented both the Fine & Forfeiture and 911 draft CFY 22-23 budget to the County Commission.
4. After the presentation by the Sheriff, the Board discussed various scenarios to help its employees. They discussed the potential overall costs associated with a cost of living raise as well as funding a greater portion of its employee's health care premiums.
5. Clerk Reams indicated that at the next budget workshop on August 18th we would be discussing the overall General Fund as well as the results of the health care survey the Board asked Clerk Reams to perform.
6. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
August 18, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Hall and Commissioners Stephen Walker, Chris Tuten, Betsy Barfield and JT Surles. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the Commission is scheduled to discuss the General Fund draft budgets for CFY 22-23 for the Extension Office, Library and Building and Planning.
3. Clerk of Court, Kirk Reams began the workshop by handing out some of the results of the health care survey that the Board requested and discussed some of the overall implementation costs associated with them.
4. Extension Director, John Lilly presented the Extension Office's CFY 22-23 budget request. After discussion, the Board approved their office to purchase a new 15 passenger van during the next budget cycle.
5. Library Director, Natalie Binder presented the Library's CFY 22-23 budget request. She explained that the County Library is funded by three primary sources: State Grant funds, private donations and the Board appropriation.
6. James Kaufman, Building manager presented the CFY 22-23 budget request for Building and Planning. His request included removing a \$10,000 line item for a new vehicle because it is no longer needed.
7. Clerk Reams indicated that at the next budget workshop on August 25th we would be discussing the following General Fund areas: Parks and Recreation, Animal Control/Code Enforcement and the County Coordinators Office. Also, presenting will be the Clerk of Court and Supervisor of Elections.
8. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
August 25, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Hall and Commissioners Stephen Walker, Chris Tuten, Betsy Barfield and JT Surles. Also present were Clerk of Court, Kirk Reams and Interim County Coordinator and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the Commission is scheduled to discuss the draft budgets for CFY 22-23 for the following Parks and Recreation, Animal Control/Code Enforcement and the County's Coordinator's Office. Also, the Clerk of Court and Supervisor of Elections Office will present as well.
3. Mike Holm, Parks and Recreation Director, presented his draft CFY 22-23 budget request. It included a 3% raise for employees and he also gave an update on some of the projects his Department is currently working on.
4. Robbie Slack, Animal Control/Code Enforcement manager, presented their budget. He discussed how difficult it has been historically to find employees for both functions. Therefore, his request includes additional salary and benefit dollars to try and alleviate this issue.
5. Interim County Manager, Shannon Metty presented the County Managers budget. Due to the restructuring of this Department, she will bring back exact salary and benefit numbers when available.
6. Clerk Reams presented both the Clerk of Courts and Supervisor of Elections Office budgets. He let the Board know that through restructuring the job duties and responsibilities of several employees that are no longer at the Clerk's Office and through other operating efficiencies, the Clerk of Court's Office would be requesting approximately \$75,000 less County budget than the prior year.
7. Clerk Reams indicated that at the next budget workshop on September 1st we would be discussing the Senior Center, Chamber of Commerce and both Main Street organizations.
8. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2022-2023 Budget Workshop
September 1, 2022
5:00 P.M.

The Board met on this date for a County Budget Workshop. Present were Chairman Hall and Commissioners Stephen Walker, Chris Tuten, Betsy Barfield and JT Surles. Also present were Clerk of Court, Kirk Reams and Interim County Manager and Planning Official Shannon Metty.

1. The Commission called the meeting to order.
2. For today's budget workshop, the Commission is scheduled to discuss the draft budgets for CFY 22-23 for the Senior Center, Chamber of Commerce and both Main Street organizations (Historical and Monticello).
3. Over the past several budget cycles, the Board has given the Jefferson County Senior Center \$25,000. This year they requested and were granted an increase of \$5,000 due to additional needs. Therefore, the CFY 22-23 BCC budget appropriation for the Senior Center will be \$30,000.
4. Brenda Sorensen from Main Street of Monticello requested their annual funding of \$4,000, which the Board agreed.
5. Representatives from Main Street of Monticello and the Chamber of Commerce could not attend this meeting and the Board requested that they come to the Budget Workshop on September 15th.
6. The Commission closed the meeting.

Board of County Commissioners
Jefferson County, Florida

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court

COUNTY: JEFFERSON
PARCEL NO.: 22-1S-5E-0170-000N-1690

PURCHASE AND SALE AGREEMENT FOR SURPLUS PROPERTY

THIS PURCHASE AND SALE AGREEMENT (“Agreement”) is made and entered into as of the date on which the final signature of the parties is affixed hereto (“Effective Date”) by and between **Jefferson County, Florida**, a political subdivision of the State through its Board of County Commissioners, whose mailing address is 1 Courthouse Circle, Monticello, FL 32344 (“Seller”) and **Ta’Nesha Scott**, a single women, whose mailing address is P.O. Box 47 Lamont, Florida 32336 (“Buyer”).

For and in consideration of the purchase price and the mutual covenants and conditions contained herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Buyer, the successful bidder in a surplus sale issued by the County, and Seller hereby agree that Seller shall sell and Buyer shall buy, pursuant to the following terms and conditions, all of Seller’s rights, title, and interest in and to the following described surplus real property (“Property”):

I. Description of Property:

Lot 169 of Block N of Villa Nova Addition to the Town of Lamont, Jefferson County, Florida as per the subdivision plat recorded in Plat Book B, Page 7 in the Public Records of Jefferson County, Florida and by referenced made a part hereof. Containing 0.128 acres more or less. Street Address: 33 Yunok Road, Lamont, FL 32336

Property Id No. 22-1S-5E-0170-000N-1690

II. Purchase Price: The purchase price for the Property is \$4,000.00 (“Purchase Price”) which has been paid by the Buyer to the Seller as of July 1, 2022.

III. Conditions and Limitations

- (a)** Buyer is responsible for any transfer taxes, including documentary stamps, that may be due and the for the cost of recording the deed.
- (b)** Seller is responsible for delivering and recording a County Deed pursuant to s. 125.411, Florida Statutes to Buyer. Seller does not warrant title to the Property and Seller takes the Property “as is.” Seller shall not be liable for any encumbrances whether or not disclosed.

(c) Seller and Buyer agree that this Agreement represents the full and final agreement for the herein described sale and purchase and no other agreements or representations, unless incorporated into this agreement, shall be binding on the parties.

IV. DISCLOSURE REQUIRED BY SECTION 404.056(5), FLORIDA STATUTES, RADON GAS:

Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department.

V. Closing Date

The closing will occur no later than ten (10) days after the Effective Date hereof ("Closing Date"), unless extended by agreement of the parties in writing. The Effective date shall be the date upon which the final party has signed this Agreement.

VI. Seller and Buyer hereby acknowledge and agree that their signatures as Seller and Buyer below constitute their acceptance of this Agreement as a binding real estate contract.

[Signatures on following pages]

Ta'Nesha Scott

Witness as to Seller

Print Name: _____

Printed Name

Date signed by Seller

Witness as to Seller

Printed Name

STATE OF _____)

)

COUNTY OF _____)

SWORN TO and subscribed before me ___ in person ___ via remote notarization, this ___ day of _____, 2022, by Ta'Nesha Scott. Such persons (Notary Public must check applicable box):

- is personally known to me.
- produced a current driver license.
- produced _____ as identification.

(NOTARY PUBLIC SEAL)

Notary Public

(Printed, Typed or Stamped Name of Notary Public)

Commission No.: _____

My Commission Expires: _____

JEFFERSON COUNTY, FLORIDA, a political subdivision
of the State of Florida

BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Gene Hall, Chairman Date

ATTEST:

By: _____
Kirk Reams, Clerk of Courts

APPROVED AS TO FORM:

Heather Encinosa, County Attorney

THIS INSTRUMENT PREPARED BY:

Kerry A. Parsons, Esq.
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
(850) 224-4070
Parcel ID: 22-1S-5E-0170-000N-1690
County: Jefferson, Florida

DEED OF CONVEYANCE BY COUNTY

THIS DEED, pursuant to Florida Statutes, Section 125.411, made this ___ day of September, 2022 by **JEFFERSON COUNTY**, a political subdivision of the State of Florida, through its Board of County Commissioners with a mailing address of 1 Courthouse Cir., Monticello, FL 32344, party of the first part, and **TA'NESHA SCOTT**, a single woman with a mailing address of P.O. Box 47 Lamont, Florida, 32336, party of the second part.

WITNESSETH that the said party of the first part, for and in consideration of the sum of \$4,000.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land ("the property") lying and being in Jefferson County, Florida:

Lot 169 of Block N of Villa Nova Addition to the Town of Lamont, Jefferson County, Florida as per the subdivision plat recorded in Plat Book B, Page 7 in the Public Records of Jefferson County, Florida and by referenced made a part hereof. Containing 0.128 acres more or less.

Street Address: 33 Yunok Road, Lamont, FL 32336

Property Id No. 22-1S-5E-0170-000N-1690

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

(OFFICIAL SEAL)

JEFFERSON COUNTY, FLORIDA

ATTEST:

Gene Hall, Chairman

Kirk Reams, Clerk of Court

RESOLUTION 22-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AUTHORIZING THE SALE OF CERTAIN SURPLUS PROPERTY LOCATED AT 33 YUNOK ROAD LAMONT, FL. TO TA'NESHA SCOTT.

WHEREAS, the Jefferson County Board of County Commissioners acquired title to certain property identified as Parcel number 22-1S-5E-0170-000N-1690 (Prop ID-10065) located at 33 Yunok Road Lamont, Fl. Land use code as MU-Sub-Res; and

WHEREAS, the Jefferson County Board of County Commissioners has declared the property to be surplus qualifying for private sale based on the County surplus lands policy, the property being of limited use and value; and

WHEREAS, purchaser Ta'Nesha Scott has agreed to a purchase price equal to the value placed on the parcel by the Jefferson County Property Appraiser, plus certain costs to be incurred by the County.

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

The sale of the property designated as Parcel 22-1S-5E-0170-000N-1690 (Prop ID-10065) and located at 33 Yunok Road Lamont, Fl. to Ta'Nesha Scott is hereby approved.

1. The Board of County Commissioners accepts the Contract for Sale and Purchase as per the terms and conditions. A copy of the Contract for Sale and Purchase is attached.

2. By adopting this resolution and attached contract, the Board of County Commissioners of Jefferson County, Florida, hereby authorizes the Chairman of the Board and the Clerk of Court to sign or execute on behalf of the Jefferson County Board of County Commissioners any contracts or documents for the sale of the Property.

3 This resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session, this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA

By:

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court
(SEAL)

APPROVED AS TO FORM

Heather Encinosa, Jefferson County Attorney

COUNTY: JEFFERSON
PARCEL NO.: 30-2N-5E-0000-1670-0000

PURCHASE AND SALE AGREEMENT FOR SURPLUS PROPERTY

THIS PURCHASE AND SALE AGREEMENT (“Agreement”) is made and entered into as of the date on which the final signature of the parties is affixed hereto (“Effective Date”) by and between **Jefferson County, Florida**, a political subdivision of the State through its Board of County Commissioners, whose mailing address is 1 Courthouse Circle, Monticello, FL 32344 (“Seller”) and **Althera Johnson**, a single women and **Isabella Odom-Ford**, a single woman with a mailing address of 1290 Sage Street, Monticello, FL 32344 (“Buyer”).

For and in consideration of the purchase price and the mutual covenants and conditions contained herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Buyer, the successful bidder in a surplus sale issued by the County, and Seller hereby agree that Seller shall sell and Buyer shall buy, pursuant to the following terms and conditions, all of Seller’s rights, title, and interest in and to the following described surplus real property (“Property”):

I. Description of Property:

A Certain lot of land described as commencing at the SW corner of a lot as described in Deed Book “Y”, page 181 (See page A) and running thence West 100 ft., thence running North 100 ft., thence running East 100 ft., thence running South 100 ft., to the starting point, Said land being in the SW 1/4 of the NE 1/4 of SE 1/4 of Section 30, Township 2 North, Range 5 East, and being in the Town of Monticello, Florida. Containing 0.137 acres more or less.

Street Address: 1170 Sage Street, Monticello, Fla. 32344

Property Id No. 30-2N-5E-0000-1670-0000

II. Purchase Price: The purchase price for the Property is \$3,501.00 (“Purchase Price”) which has been paid by the Buyer to the Seller as of July 1, 2022.

III. Conditions and Limitations

- (a)** Buyer is responsible for any transfer taxes, including documentary stamps, that may be due and the for the cost of recording the deed.
- (b)** Seller is responsible for delivering and recording a County Deed pursuant to s. 125.411, Florida Statutes to Buyer. Seller does not warrant title to the Property and Seller takes

the Property "as is." Seller shall not be liable for any encumbrances whether or not disclosed.

- (c) Seller and Buyer agree that this Agreement represents the full and final agreement for the herein described sale and purchase and no other agreements or representations, unless incorporated into this agreement, shall be binding on the parties.

IV. DISCLOSURE REQUIRED BY SECTION 404.056(5), FLORIDA STATUTES, RADON GAS:

Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department.

V. Closing Date

The closing will occur no later than ten (10) days after the Effective Date hereof ("Closing Date"), unless extended by agreement of the parties in writing. The Effective date shall be the date upon which the final party has signed this Agreement.

- VI. Seller and Buyer hereby acknowledge and agree** that their signatures as Seller and Buyer below constitute their acceptance of this Agreement as a binding real estate contract.

[Signatures on following pages]

ALThERA JOHNSON

Witness as to Seller

Print Name: _____

Printed Name

Date signed by Seller

Witness as to Seller

Printed Name

STATE OF _____)

)

COUNTY OF _____)

SWORN TO and subscribed before me ___ in person ___ via remote notarization, this ___ day of _____, 2022, by ALThERA JOHNSON. Such persons (Notary Public must check applicable box):

- is personally known to me.
- produced a current driver license.
- produced _____ as identification.

(NOTARY PUBLIC SEAL)

Notary Public

(Printed, Typed or Stamped Name of Notary Public)

Commission No.: _____

My Commission Expires: _____

ISABELLA ODOM-FORD

Witness as to Seller

Print Name: _____

Printed Name

Date signed by Seller

Witness as to Seller

Printed Name

STATE OF _____)

)

COUNTY OF _____)

SWORN TO and subscribed before me ___ in person ___ via remote notarization, this ___ day of _____, 2022, by ISABELLA ODOM-FORD. Such persons (Notary Public must check applicable box):

- is personally known to me.
- produced a current driver license.
- produced _____ as identification.

(NOTARY PUBLIC SEAL)

Notary Public

(Printed, Typed or Stamped Name of Notary Public)

Commission No.: _____

My Commission Expires: _____

JEFFERSON COUNTY, FLORIDA, a political subdivision
of the State of Florida

BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Gene Hall, Chairman Date

ATTEST:

By: _____
Kirk Reams, Clerk of Courts

APPROVED AS TO FORM:

Heather Encinosa, County Attorney

THIS INSTRUMENT PREPARED BY:

Kerry A. Parsons, Esq.
Nabors, Giblin & Nickerson, P.A.
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308
(850) 224-4070
Parcel ID: 30-2N-5E-0000-1670-0000
County: Jefferson, Florida

DEED OF CONVEYANCE BY COUNTY

THIS DEED, pursuant to Florida Statutes, Section 125.411, made this ___ day of September, 2022 by **JEFFERSON COUNTY**, a political subdivision of the State of Florida, through its Board of County Commissioners with a mailing address of 1 Courthouse Cir., Monticello, FL 32344, party of the first part, and **ALTHERA JOHNSON**, a single women and **ISABELLA ODOM-FORD**, a single woman with a mailing address of 1290 Sage Street, Monticello, FL 32344, party of the second part.

WITNESSETH that the said party of the first part, for and in consideration of the sum of \$3,501.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land (“the property”) lying and being in Jefferson County, Florida:

A Certain lot of land described as commencing at the SW corner of a lot as described in Deed Book “Y”, page 181 (See page A) and running thence West 100 ft., thence running North 100 ft., thence running East 100 ft., thence running South 100 ft., to the starting point, Said land being in the SW 1/4 of the NE 1/4 of SE 1/4 of Section 30, Township 2 North, Range 5 East, and being in the Town of Monticello, Florida. Containing 0.137 acres more or less.

Street Address: 1170 Sage Street, Monticello, Fla. 32344

Property Id No. 30-2N-5E-0000-1670-0000

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

(OFFICIAL SEAL)

JEFFERSON COUNTY, FLORIDA

ATTEST:

Gene Hall, Chairman

Kirk Reams, Clerk of Court

RESOLUTION 22-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AUTHORIZING THE SALE OF CERTAIN SURPLUS PROPERTY LOCATED AT 1170 SAGE STREET MONTICELLO, FL. TO ALTHERA JOHNSON AND ISABELLA ODOM-FORD.

WHEREAS, the Jefferson County Board of County Commissioners acquired title to certain property identified as Parcel number 30-2N-5E-0000-1670-0000 (Prop ID-11558) located at 1170 Sage Street Monticello, Fl. Land use code as City-R-1-A (residential land); and

WHEREAS, the Jefferson County Board of County Commissioners has declared the property to be surplus qualifying for private sale based on the County surplus lands policy, the property being of limited use and value; and

WHEREAS, purchaser Althera Johnson and Isabella Odom-Ford has agreed to a purchase price equal to the value placed on the parcel by the Jefferson County Property Appraiser, plus certain costs to be incurred by the County.

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

The sale of the property designated as 30-2N-5E-0000-1670-0000 (Prop ID-11558) located at 1170 Sage Street Monticello, Fl. to Althera Johnson and Isabella Odom-Ford is hereby approved.

1. The Board of County Commissioners accepts the Contract for Sale and Purchase as per the terms and conditions. A copy of the Contract for Sale and Purchase is attached.
2. By adopting this resolution and attached contract, the Board of County Commissioners of Jefferson County, Florida, hereby authorizes the Chairman of the Board and the Clerk of Court to sign or execute on behalf of the Jefferson County Board of County Commissioners any contracts or documents for the sale of the Property.
- 3 This resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session, this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA

By:

Gene Hall, Chairman

ATTEST:

Kirk Reams, Clerk of Court (SEAL)

APPROVED AS TO FORM

Heather Encinosa, Jefferson County Attorney

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: August 11, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval to Schedule and Notice a Public Hearing to Adopt a Non-binding Resolution of Intent Pursuant to Section 197.3632, Florida Statutes, to Preserve the County's Ability to Use the Tax Bill Collection Method for Non-Ad Valorem Assessments

Statement of Issue:

This agenda item requests Board approval to Schedule and Notice a Public Hearing to Adopt a Non-binding Resolution of Intent Pursuant to Section 197.3632, Florida Statutes, to Preserve the County's Ability to Use the Tax Bill Collection Method for Non-Ad Valorem Assessments.

Background:

The County currently levies assessments to fund fire protection, solid waste disposal, and roadway improvements and maintenance services. To preserve the ability of the County to fund these and other potential county services, facilities and programs, including but not limited to, fire protection, roadways and sidewalks, solid waste collection and disposal, street lighting, utilities, and stormwater within the unincorporated and incorporated areas of the County next year, we have prepared the following attached documents related to the use of the tax bill collection method.

Analysis:

Section 197.3632, Florida Statutes, requires that the County hold a public hearing and adopt a resolution of intent (Attachment #1) to use the uniform method of collection for any assessment program in the calendar year prior to any such collection. The resolution, which does not obligate the County to use the method or impose a special assessment, must be adopted prior to January 1 and sent to the Jefferson County Tax Collector, the Jefferson County Property Appraiser and the Florida Department of Revenue by January 10. If the County Property Appraiser and the County Tax Collector agree, adoption of the resolution can occur prior to March 1st. However, we strongly recommend that the County adopt the resolution prior to January 1st, as the consent of the County Property Appraiser and the County Tax Collector is not required when the adoption occurs prior to January 1.

Section 197.3632 also requires that **notice of the public hearing to adopt the resolution of intent be published in a newspaper of general circulation once a week for the four consecutive weeks immediately before the date of the hearing.** We propose a public hearing date for the resolution of

Request Board Approval to Schedule and Notice a Public Hearing to Adopt a Non-binding Resolution of Intent Pursuant to Section 197.3632, Florida Statutes, to Preserve the County's Ability to Use the Tax Bill Collection Method for Non-Ad Valorem Assessments
September 15, 2022
Page 2

intent adoption at 6:00 p.m. on October 20, 2022 and calculated the exact notification dates to meet this public hearing schedule, which are as follow:

First Notice:	September 23
Second Notice:	September 30
Third Notice:	October 7
Fourth Notice:	October 14

The notice is attached as Attachment #2.

This package only assists the County in meeting statutory notice requirements necessary to preserve this collection approach. To reiterate, this resolution is non-binding and the County may reduce the areas covered by any future assessments or decide not to go forward with the assessment programs at a later date. By adopting the attached resolution, the County is simply reserving the right to use the tax bill collection method beginning in November of 2023.

Options:

1. Approve to Schedule and Notice a Public Hearing to Adopt a Non-binding Resolution of Intent Pursuant to Section 197.3632, Florida Statutes, to Preserve the County's Ability to Use the Tax Bill Collection Method for Non-Ad Valorem Assessments
Do Not Schedule and Notice a Public Hearing to Adopt a Non-binding Resolution of Intent Pursuant to Section 197.3632, Florida Statutes, to Preserve the County's Ability to Use the Tax Bill Collection Method for Non-Ad Valorem Assessments
2. Board Direction.

Recommendation:

Option #1

Attachments:

1. Resolution of Intent
2. Form of Published Notice

ATTACHMENT #1
RESOLUTION OF INTENT

RESOLUTION NO. _____

A RESOLUTION OF JEFFERSON COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AND INCORPORATED AREAS OF JEFFERSON COUNTY, FLORIDA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jefferson County, Florida (the "County") is contemplating the imposition of special assessments for the provision of county services, facilities and programs, including but not limited to, fire protection, roadways and sidewalks, solid waste collection and disposal, street lighting, utilities, and stormwater; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing these services, facilities and programs within the unincorporated and incorporated areas of the County as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2023, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2023, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing county services, facilities and programs, including but not limited to, fire protection, roadways and sidewalks, solid waste collection and disposal, street lighting, utilities, and stormwater. Such non-ad valorem assessments shall be levied within the unincorporated area of the County and the incorporated areas of the City of Monticello. A legal description of such area subject to the assessments is attached hereto as Exhibit B and incorporated by reference.

2. The County hereby determines that the levy of the special assessments is needed to fund the cost of providing county services, facilities and programs, including but not limited to, fire protection, roadways and sidewalks, solid waste collection and disposal, street lighting, utilities, and stormwater, throughout the unincorporated area of the County and the incorporated areas of the City of Monticello.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Jefferson County Tax Collector,

and the Jefferson County Property Appraiser by January 10, 2023.

4. This Resolution shall be effective upon adoption.

DULY ADOPTED this _____ day of October, 2022.

JEFFERSON COUNTY, FLORIDA

Gene Hall, Chairman

(SEAL)

Attest:

Clerk

EXHIBIT A

PROOF OF PUBLICATION

[INSERT PROOF OF PUBLICATION]

EXHIBIT B

LEGAL DESCRIPTION

All properties lying within Jefferson County as more particularly described in Section 7.33, Florida Statutes, as follows: Beginning at the point on the Gulf of Mexico where the line between ranges two and three east strikes said gulf; thence north on said line to the base parallel line; thence in a direction northeast to the point where the sections twenty-one, and twenty-eight and twenty-nine of township one north, range three east, corner; thence north on the section line dividing sections twenty and twenty-one and other sections of township one north, range three east, to township line dividing townships one and two north, range three east; thence east on said township line to the waters of the Miccosukee; thence up Lake Miccosukee to the south boundary of township three north, range three east; thence on said township line to the east line of section thirty-four in said township three north, range three east; thence north on the east line of section thirty-four and other sections in said township and said range to the boundary line between the States of Georgia and Florida; thence east along said boundary line to the northwest corner of lot number one hundred eighty, township three north, range seven east, or the west boundary of Madison County; thence south to the southwest corner of said lot number one hundred eighty; thence east on the south boundary of said lot number one hundred eighty to the northeast corner of section twenty-seven, township three north, range seven east; thence due south to the southeast corner of section ten, township two north, range seven east; thence due west to the southwest corner of the said section ten; thence due south to the southeast corner of section sixteen, township two north, range seven east; thence due west to the southwest corner of said section sixteen; thence due south to the southeast corner of section twenty, township two north, range seven east; thence due west to the southwest corner of section nineteen, township two north, range seven east; thence due south to the southeast corner of section twenty-five, township two north, range six east; thence due west to the southwest corner of section twenty-six, township two north, range six east; thence due south to the southwest corner of section thirty-five, township two north, range six east; thence due west to the thread of the Big Aucilla River; thence southerly along the thread of said river, concurrent with the west boundary of Madison and Taylor Counties, to the mouth of said Big Aucilla River; thence westerly through the waters of the Gulf of Mexico, including the waters of said gulf within the jurisdiction of the State of Florida, to the point of beginning.

ATTACHMENT #2

FORM OF PUBLISHED NOTICE

**NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING
NON-AD VALOREM ASSESSMENTS**

Jefferson County, Florida (the "County") hereby provides notice, pursuant to section 197.3632, Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments throughout the unincorporated area of the County and the incorporated areas of the City of Monticello for the cost of providing county services, facilities and programs, including but not limited to, fire protection, roadways and sidewalks, solid waste collection and disposal, street lighting, utilities, and stormwater, commencing for the Fiscal Year beginning on October 1, 2023 and continuing until discontinued by the County. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m. on October 20, 2022, in the Courthouse Annex, 435 W. Walnut Street, Monticello, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Office of the County Coordinator located at 445 West Palmer Mill Road, Monticello, Florida between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Coordinator at (850) 342-0223 at least two (2) business days prior to the date of the hearing.

DATED this ____ day of _____, 2022.

Publish in a newspaper of general circulation on the following dates:

September 23, 2022

September 30, 2022

October 7, 2022

October 14, 2022

				PAVING LIST FOR 2022	
	Dist.	Mi.			
South Gilley Rd.	1	2			
			Total	2	
Oetinger Rd.	2	1.1			
Sledge Rd.	2	0.6			
Johnson Rd.	2	0.7			
N. Norrias Rd.	2	0.2			
Simpson Rd.	2	0.3			
			Total	2.9	
Curtis Mill Rd.	3	0.9			
Old Drifton (N. End)	3	0.8			
Cook Side Rd.	3	0.5			
			Total	2.2	
Hayfield Spur Rd.	4	1.5			
Luken Rd.	4	0.4			
Merrit Rd.	4	0.25			
			Total	2.15	
Robert Thompson Rd.	5	0.6			
(East end) Turkey Scratch Rd.	5	0.5			
Dixon Rd.	5	0.7			
Avalon Rd.	5	0.3			
Fallow Rd.	5	0.5			
			Total	2.6	
END OF PHASE ONE, START OF PHASE TWO.					
	Dist.	Mi.			
North Gilley Rd.	1	1.8			
Steen Rd.	1	1.2			
Joiner Rd.	1	1.7			
			Total	4.7	
Doke	3	0.5			
Campbell Rd.	3	0.3			
* Lake Side Rd.	3	0.2			
			Total	1	
Steel Rd.	4	0.8			
*Oma Rd.	4	0.2			
*Miller Rd.	4	0.1			
Lafitte Rd.	4	0.4			
			Total	1.5	
(North end of)Lanier Rd.	5	0.3			
			Total	0.3	
HartsField Rd.	1	0.9			
Fornes Rd.	1	0.6			
Tindell Rd.	1	0.4			
*Lonnie Rd.	1	0.6			
Turney Anderson Rd.	1	0.6			
Gramling Rd.	1	1.3			
Luther Fountain Rd.	1	0.5			
Rudd Rd.	1	0.8			
Bonnet Pond Rd.	1	0.6			
Frank Lacey Rd.	1	1.2			
Reichdorff Rd.	1	0.1			
			Total	7.6	

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: September 9, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval of a Resolution Relating to the Jefferson County Auditor Selection Committee

Statement of Issue:

This agenda item requests Board approval of a Resolution Relating to the Jefferson County Auditor Selection Committee in accordance with Section 218.391, Florida Statutes.

Background:

The County's existing contract for an auditor has expired and the County needs to procure a new auditor for future annual audits.

Section 218.391, Florida Statutes, mandates that counties establish an auditor selection committee to assist the County in selecting an auditor to conduct the annual financial audit required by Section 218.39, Florida Statutes, and to perform other audit oversight purposes as determined by the Board. The auditor selection committee must, at a minimum, consist of each of the County's constitutional officers elected pursuant to Article VIII, section 1(d), Florida Constitution, or a designee, and one member of the Board of County Commissioners or a designee.

Analysis:

The Jefferson County Auditor Selection Committee is convened and shall consist of the following members or their designees: Chairman of the Board, Sheriff, Tax Collector, Property Appraiser, Supervisor of Election, and Clerk of Court.

The committee will be charged with establishing the factors for evaluating interested auditors, issuing a request for proposals for a county auditor, and evaluating interested firms. Additionally, it is proposed that the committee perform the additional financial oversight duties set forth below. These duties are optional and the Board may wish to eliminate or modify these optional duties:

- (1) Provide independent review and oversight of the County's financial reporting, the County's internal financial controls, and the County's independent audit;
- (2) Review the County's financial statements, the independent audit reports and provide follow up on corrective actions needed and assessment of the performance of the independent auditor;

- (3) Meet at least quarterly with the County Manager or their designee to monitor the County's and each Constitutional Officer's spending in relation to its budget, revenue projections, and recommend any corrective actions that may be needed;
- (4) Provide a Quarterly Report to the Board of County Commissioners on its actions; and
- (5) Perform such other functions as required in accordance with generally accepted accounting principles and auditing standards.

Options:

1. Approve the Resolution Relating to the Jefferson County Auditor Selection Committee
2. Do Not Approve the Approve the Resolution Relating to the Jefferson County Auditor Selection Committee
3. Board Direction.

Recommendation:

Option #1

Attachments:

Resolution Relating to the Jefferson County Auditor Selection Committee

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, RELATING TO THE JEFFERSON COUNTY AUDITOR SELECTION COMMITTEE; APPOINTING MEMBERS TO THE AUDITOR SELECTION COMMITTEE; DESCRIBING THE FUNCTIONS AND DUTIES OF THE AUDITOR SELECTION COMMITTEE; PROVIDING FOR PUBLIC MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 218.391, Florida Statutes, mandates that counties establish an auditor selection committee to assist the County in selecting an auditor to conduct the annual financial audit required by Section 218.39, Florida Statutes, and to perform other audit oversight purposes as determined by the Board; and

WHEREAS, the auditor selection committee must, at a minimum, consist of each of the County's constitutional officers elected pursuant to Article VIII, section 1(d), Florida Constitution, or a designee, and one member of the Board of County Commissioners or a designee; and

WHEREAS, the Board now desires to convene and engage the auditor selection committee to assist the Board of County Commissioners in selecting an auditor to conduct the annual financial audit required by Section 218.39, Florida Statutes.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Jefferson County, Florida, that:

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

SECTION 2. JEFFERSON COUNTY AUDITOR SELECTION COMMITTEE. The Board of County Commissioners of Jefferson County, Florida, hereby convenes the auditor selection committee and appoints the following members to serve thereon:

- Chairman of the Board of County Commissioners or designee**
- Jefferson County Sheriff or designee**
- Jefferson County Tax Collector or designee**
- Jefferson County Property Appraiser or designee**
- Jefferson County Supervisor of Elections or designee**
- Jefferson County Clerk of Court or designee**

SECTION 3. AUDITOR SELECTION DUTIES. In accordance with Section 218.391, Florida Statutes, the auditor selection committee is directed to perform the following functions and duties:

- (1) Assist the County in selecting an auditor to conduct the annual financial audit required by Section 218.39, Florida Statutes;
- (2) Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors, including compensation, as may be determined by the committee to be applicable to its particular requirements.
- (3) In accordance with the County's purchasing procedures, publicly announce requests for proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration.
- (4) Provide interested firms with a request for proposal. The request for proposal shall include information on how proposals are to be evaluated and such other information the committee determines is necessary for the firm to prepare a proposal.
- (5) Evaluate proposals provided by qualified firms. If compensation is one of the factors established pursuant to paragraph (a), it shall not be the sole or predominant factor used to evaluate proposals.
- (6) Rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subparagraph (2) above. If fewer than three firms respond to the request for proposal, the committee shall recommend such firms as it deems to be the most highly qualified.

SECTION 4. ADDITIONAL DUTIES. In addition to the duties set forth in Section 3 above, the Audit Selection Committee is hereby directed to perform the following additional audit oversight duties:

- (1) Provide independent review and oversight of the County's financial reporting, the County's internal financial controls, and the County's independent audit;
- (2) Review the County's financial statements, the independent audit reports and provide follow up on corrective actions needed and assessment of the performance of the independent auditor;
- (3) Meet at least quarterly with the County Manager or their designee to monitor the County's and each Constitutional Officer's spending in relation to its budget, revenue projections, and recommend any corrective actions that may be needed;
- (4) Provide a Quarterly Report to the Board of County Commissioners on its actions; and
- (5) Perform such other functions as required in accordance with generally accepted accounting principles and auditing standards.

SECTION 5. PUBLIC MEETINGS. Unless exempted pursuant to Florida law, the provisions of Section 286.011, Florida Statutes, shall apply to all meetings of the Auditor Selection Committee.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective upon its 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.

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: August 24, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval to Hold 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 Hold 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 Hold 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
September 1, 2022

Page 2

1. Approve to Hold 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 Hold 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: September 15, 2022

Date Submitted: September 9, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval of an Annual Rate Resolution Imposing Fire Protection Assessments for FY22-23

Statement of Issue:

This agenda item requests Board approval of an annual rate resolution imposing non-ad valorem assessments to fund Fire Protection services on all residential and non-residential property within the County for FY22-23.

Background and Analysis:

The County’s master assessment ordinance (Ordinance No. 2020-050720-02) provides that the re-imposition of a service assessment requires the adoption of two resolutions: a preliminary rate resolution and an annual rate resolution. The Board adopted the preliminary rate resolution on August 4, 2022 (Resolution No. 2022-08042022-01). The attached resolution constitutes the annual rate resolution for the County’s Fire Protection Assessment.

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

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

This annual rate resolution confirms the preliminary rate resolution, reimposes Fire Protection Assessments for FY 22-23 at the above rates, adopts the Fire Protection Assessment Roll, and provides for the collection of the Fire Protection Assessments pursuant to the Uniform Assessment Collection Act.

Options:

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

Recommendation:

Option #1

Attachments:

1. Annual Rate Resolution for Fire Protection Services.

JEFFERSON COUNTY, FLORIDA

**ANNUAL RATE RESOLUTION FOR
FIRE PROTECTION SERVICES**

ADOPTED SEPTEMBER 15, 2022

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RESOLUTION NO. _____

A RESOLUTION OF JEFFERSON COUNTY, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE UNINCORPORATED AND ALL INCORPORATED AREAS OF JEFFERSON COUNTY; ESTABLISHING THE RATE OF ASSESSMENT; REIMPOSING FIRE PROTECTION ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN JEFFERSON COUNTY, FLORIDA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Jefferson County, Florida, (the "Board") enacted Ordinance No. 2020-050720-02, the Master Capital Project and Service Assessment Ordinance (the "Ordinance"), which authorizes the imposition of Fire Protection Assessments for fire protection services, facilities, and programs against Assessed Property located within the unincorporated and all incorporated areas of Jefferson County; and

WHEREAS, the imposition of a Fire Protection Assessment for fire protection services, facilities, and programs each Fiscal Year is an equitable and efficient method of allocating and apportioning Fire Protection Assessed Cost among parcels of Assessed Property; and

WHEREAS, the Board desires to reimpose the Fire Protection Assessments for the provision of fire protection services, facilities, and programs within the County using the tax bill collection method for the Fiscal Year beginning on October 1, 2022; and

WHEREAS, the Board adopted Resolution No. 2022-08042022-01 on August 4, 2022 (the "Preliminary Rate Resolution"), containing a brief and general description of the fire protection, services, facilities, and programs to be provided to Assessed Property,

describing the method of apportioning the Fire Protection Assessed Cost to compute the Fire Protection Assessment for fire protection services, facilities, and programs against Assessed Property, estimating a rate of assessment, and directing preparation of the Fire Protection Assessment Roll and provision of the notice required by the Ordinance; and

WHEREAS, pursuant to the provisions of the Ordinance, the County is required to confirm or repeal the Preliminary Rate Resolution, with such amendments as the Board deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the Fire Protection Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and, if required by the terms of the Ordinance, mailed to each property owner proposed to be assessed notifying such property owner of the Owner's opportunity to be heard; an affidavit regarding the form of notice mailed to each property is attached hereto as Appendix A and the proof of publication is attached hereto as Appendix B; and

WHEREAS, a public hearing was held on September 15, 2022, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance (Ordinance No. 2020-050720-02); the Preliminary Rate Resolution (Resolution No. 2022-08042022-01); Article VIII, Section 1(f), Florida Constitution; Sections 125.01 and 125.66, Florida Statutes; and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATION.

(A) This resolution constitutes the Annual Rate Resolution as defined in the Ordinance.

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance and the Preliminary Rate Resolution.

SECTION 3. REIMPOSITION OF FIRE PROTECTION ASSESSMENTS.

(A) The parcels of Assessed Property included in the updated Fire Protection Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of the fire protection services, facilities, and programs described in the Preliminary Rate Resolution in the amount of the Fire Protection Assessment set forth in the updated Fire Protection Assessment Roll, a copy of which was present or available for inspection at the above- referenced public hearing and is incorporated herein by reference. Additionally, the Fire Protection Assessment Roll, as approved, includes those Tax Parcels of Assessed Property that cannot be set forth in that Fire Protection Assessment Roll due to the provisions of Section 119.071(4), Florida Statutes, concerning exempt “home addresses.”

(B) It is hereby ascertained, determined and declared that each parcel of Assessed Property will be specially benefited by the County's provision of fire protection services, facilities, and programs in an amount not less than the Fire Protection Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution.

(C) Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with

the legislative declarations, determinations and findings as set forth in the Ordinance and the Preliminary Rate Resolution from the fire protection services, facilities, and programs to be provided and a legislative determination that the Fire Protection Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(D) The method for computing Fire Protection Assessments described or referenced in the Preliminary Rate Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2022, the estimated Fire Protection Assessed Cost to be assessed is \$913,398.73. The Fire Protection Assessments to be assessed and apportioned among benefitted parcels to generate the estimated Fire Protection Assessed Cost for the Fiscal Year commencing October 1, 2022, are hereby established as follows:

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

(F) The above rates of assessment are hereby approved. The Fire Protection Assessments for fire protection services, facilities, and programs in the amounts set forth in the updated Fire Protection Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property included in the Fire Protection Assessment Roll for the Fiscal Year beginning October 1, 2022.

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

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

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

(3) No Fire Protection Assessment shall be imposed against any Buildings of Non-Residential Property located on a Tax Parcel that is classified as agricultural land pursuant to Section 193.461, Florida Statutes, unless that Building exceeds a just value of \$10,000 as determined by the Property Appraiser and is not a Pole Barn; and

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

(H) Any shortfall in the expected Fire Protection proceeds due to any reduction or exemption from payment of the Fire Protection Assessments required by law or authorized by the Board shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Protection Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the Board is improper or otherwise adversely affects the validity of the Fire

Protection Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Protection Assessment upon each affected Tax Parcel in the amount of the Fire Protection Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the Board.

(I) As authorized in Section 3.09 of the Ordinance, interim Fire Protection Assessments are also levied and imposed against all property for which a Building Permit is issued after adoption of this Annual Rate Resolution based upon the rates of assessment approved herein.

(J) The Fire Protection Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(K) The Fire Protection Assessment Roll as herein approved together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Fire Protection Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 4. CONFIRMATION OF PRELIMINARY RATE RESOLUTION. The Preliminary Rate Resolution is hereby confirmed.

SECTION 5. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the

Assessed Property, the method of apportionment and assessment, the rate of assessment, the Fire Protection Assessment Roll and the levy and lien of the Fire Protection Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Rate Resolution.

SECTION 6. SEVERABILITY. If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

SECTION 7. EFFECTIVE DATE. This Annual Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED THIS 15th day of September, 2022.

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

(SEAL)

By: _____
Gene Hall, Chair

ATTEST:

Kirk Reams, County Clerk

APPROVED FOR FORM
AND CORRECTNESS

Heather J. Encinosa, County Attorney

APPENDIX A

AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS

AFFIDAVIT OF MAILING

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

1. Shannon Metty, as Interim County Coordinator of Jefferson County, Florida (the "County"), pursuant to the authority and direction received from the Board of County Commissioners, timely directed the preparation of the updated Fire Protection Assessment Roll and the preparation, mailing, and publication of notices in accordance with Ordinance No. 2020-050720-20, the Master Capital Project and Service Assessment Ordinance (the "Assessment Ordinance") and in conformance with the Preliminary Rate Resolution No. 2022-08042022-01 (the "Preliminary Rate Resolution").

2. In accordance with the Assessment Ordinance, Ms. Metty timely provided all necessary information for notification of the Fire Protection Assessments to the Property Appraiser of Jefferson County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification include the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the County expects to collect by the assessment; and the date, time, and place of the hearing.

FURTHER AFFIANT SAYETH NOT.

Shannon Metty, affiant

STATE OF FLORIDA
COUNTY OF JEFFERSON

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

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

APPENDIX B
PROOF OF PUBLICATION

APPENDIX C

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

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

I HEREBY CERTIFY that, I am the Chairman of the Board of County Commissioners, or authorized agent of Jefferson County, Florida (the "County"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for fire protection services (the "Non-Ad Valorem Assessment Roll") for the County is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

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

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Jefferson County Tax Collector and made part of the above-described Non-Ad Valorem Assessment Roll this ____ day of _____, 2022.

JEFFERSON COUNTY, FLORIDA

By: _____
Gene Hall, Chair

[to be delivered to Tax Collector by September 15]

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: September 9, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval of an Annual Rate Resolution Imposing Solid Waste Service Assessments for FY22-23

Statement of Issue:

This agenda item requests Board approval of an annual rate resolution imposing non-ad valorem assessments to fund Solid Waste management and disposal services on all residential and non-residential property within the County for FY22-23.

Background and Analysis:

The County’s master assessment ordinance (Ordinance No. 2020-050720-02) provides that the re-imposition of a service assessment requires the adoption of two resolutions: a preliminary rate resolution and an annual rate resolution. The Board adopted the preliminary rate resolution on August 4, 2022 (Resolution No. 2022-08042022-02). The attached resolution constitutes the annual rate resolution for the County’s Solid Waste Service Assessment.

The Solid Waste Service Assessment rates for FY22-23 are as follows, which are consistent with the rates imposed by the County for FY 21-22:

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

This annual rate resolution confirms the preliminary rate resolution, reimposes Solid Waste Service Assessments for FY 22-23 at the above rates, adopts the Solid Waste Assessment Roll, and provides for the collection of the Solid Waste Service Assessments pursuant to the Uniform Assessment Collection Act.

Options:

Request Board Approval of an Annual Rate Resolution Imposing Solid Waste Service Assessments
for FY22-23

September 15, 2022

Page 2

1. Adopt the Annual Rate Resolution for Solid Waste Management and Disposal Services.
2. Do not Adopt the Annual Rate Resolution for Solid Waste Management and Disposal Services.
3. Board Direction.

Recommendation:

Option #1

Attachments:

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

JEFFERSON COUNTY, FLORIDA

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

ADOPTED SEPTEMBER 15, 2022

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RESOLUTION NO. 2022-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, RELATING TO THE MANAGEMENT AND DISPOSAL OF SOLID WASTE IN ALL INCORPORATED AND UNINCORPORATED AREAS OF JEFFERSON COUNTY, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST IMPROVED PROPERTY LOCATED IN THE COUNTY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; APPROVING THE UPDATED ASSESSMENT ROLL; CONFIRMING THE PRELIMINARY RATE RESOLUTION; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (the "Board") of Jefferson County, Florida (the "County"), has enacted Ordinance No. 2020-05072020-02, the Capital Project and Service Assessment Ordinance (the "Ordinance"), which authorizes the imposition of annual Solid Waste Service Assessments for Solid Waste management and disposal services, facilities and programs against all Improved Property within the County; and

WHEREAS, the imposition of an annual Solid Waste Service Assessment for Solid Waste management and disposal services, facilities and programs for each Fiscal Year is an equitable and efficient method of allocating and apportioning Solid Waste Cost among parcels of Improved Property within all incorporated and unincorporated areas of the County; and

WHEREAS, the Board desires to reimpose Solid Waste Service Assessments for Solid Waste management and disposal services, facilities and programs within the County using the tax bill collection method for the Fiscal Year beginning on October 1, 2022; and

WHEREAS, the Board, on August 4, 2022, adopted Resolution No. 2022-08042022-02 (the "Preliminary Rate Resolution"), containing a brief and general description of the Solid Waste management and disposal services, facilities, and programs to be provided to Improved Property, describing the method of apportioning the Solid Waste Cost to compute the Solid Waste Service Assessment for Solid Waste management and disposal services, facilities, and programs against Improved Property, designating a rate of assessment, and directing preparation of the updated Solid Waste Assessment Roll for the Fiscal Year beginning October 1, 2022, and provision of the notice required by the Ordinance; and

WHEREAS, pursuant to the provisions of the Ordinance, the County is required to confirm or repeal the Preliminary Rate Resolution, with such amendments as the Board deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Solid Waste Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and, if required by the terms of the Ordinance, mailed to each Owner of Improved Property proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each Owner of Improved Property is attached hereto as Appendix A and the proof of publication is attached hereto as Appendix B; and

WHEREAS, a public hearing was held on September 15, 2022, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

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

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the Ordinance (Ordinance No. 2020-05072020-02); the Preliminary Rate Resolution (Resolution No. 2022-08042022-02); Article VIII, Section 1(f), Florida Constitution; Sections 125.01 and 125.66, Florida Statutes; and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATION.

(A) This resolution constitutes the Annual Rate Resolution as defined in the Ordinance.

(B) All capitalized terms in this resolution shall have the meanings defined in the Ordinance and the Preliminary Rate Resolution.

SECTION 3. REIMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.

(A) The parcels of Improved Property included in the updated Solid Waste Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of Solid Waste management and disposal services, facilities and programs described in the Preliminary Rate Resolution, in the amount of the Solid Waste Service Assessment set forth in the updated Solid Waste Assessment Roll, a copy of which was present at the above referenced public hearing and is incorporated herein by reference. Additionally, the Solid Waste Assessment Roll, as approved, includes those Tax Parcels of Improved Property that cannot be set forth in that Solid Waste Assessment Roll due to the provisions of Section 119.071(4), Florida Statutes, concerning exempt “home addresses.”

(B) Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit, as set forth in the Ordinance and the Preliminary Rate Resolution, from the Solid Waste management and disposal services, facilities and programs to be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among

the Improved Properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(C) The method for computing Solid Waste Service Assessments described in the Preliminary Rate Resolution is hereby approved.

(D) For the Fiscal Year beginning October 1, 2022, the estimated Solid Waste Cost to be assessed and apportioned among Tax Parcels of Improved Property is \$1,450,013.00. The estimated Solid Waste Service Assessments to be assessed and apportioned among benefited parcels of Improved Property to generate the Solid Waste Cost for the Fiscal Year commencing October 1, 2022, are hereby established as follows:

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

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

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

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

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

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

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

(G) As authorized in the Ordinance, interim Solid Waste Service Assessments are also levied and imposed against all Improved Property for which a Building Permit is issued after adoption of this Annual Rate Resolution based upon the rates of assessment approved herein.

(H) Such Solid Waste Service Assessments shall constitute a lien upon the Improved Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(I) The Solid Waste Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed

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

SECTION 4. CONFIRMATION OF PRELIMINARY RATE RESOLUTION. The Preliminary Rate Resolution is hereby confirmed.

SECTION 5. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the updated Solid Waste Assessment Roll and the levy and lien of the Solid Waste Service Assessments for Solid Waste management and disposal services, facilities or programs) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Rate Resolution.

SECTION 6. SEVERABILITY. If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

SECTION 7. EFFECTIVE DATE. This Annual Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED THIS 15th day of September, 2022.

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

(SEAL)

Gene Hall, Chair

ATTEST:

Kirk Reams, County Clerk

APPROVED FOR FORM
AND CORRECTNESS

Heather J. Encinosa, County Attorney

APPENDIX A

AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS

AFFIDAVIT OF MAILING

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

1. Shannon Metty, as Interim County Coordinator of Jefferson County, Florida (the "County"), pursuant to the authority and direction received from the Board of County Commissioners, timely directed the preparation of the updated Solid Waste Assessment Roll and the preparation, mailing, and publication of notices in accordance with Ordinance No. 2020-050720-02, the Master Capital Project and Service Assessment Ordinance (the "Assessment Ordinance") and in conformance with the Preliminary Rate Resolution No. 2022-08042022-02 (the "Preliminary Rate Resolution").

2. In accordance with the Assessment Ordinance, Ms. Metty timely provided all necessary information for notification of the Solid Waste Service Assessments to the Property Appraiser of Jefferson County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification include the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the County expects to collect by the assessment; and the date, time, and place of the hearing.

FURTHER AFFIANT SAYETH NOT.

Shannon Metty, affiant

STATE OF FLORIDA
COUNTY OF JEFFERSON

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

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

APPENDIX B
PROOF OF PUBLICATION

APPENDIX C

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

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

I HEREBY CERTIFY that, I am the Chairman of the Board of County Commissioners, or authorized agent of Jefferson County, Florida (the "County"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for solid waste management and disposal services (the "Non-Ad Valorem Assessment Roll") for the County is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

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

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Jefferson County Tax Collector and made part of the above-described Non-Ad Valorem Assessment Roll this ____ day of _____, 2022.

JEFFERSON COUNTY, FLORIDA

By: _____
Gene Hall

[to be delivered to Tax Collector by September 15]

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: September 9, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Request Board Approval of a Resolution Adopting Revised Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners

Statement of Issue:

This agenda item requests Board Approval of a Resolution Adopting Revised Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners

Background:

In August, the Board held a workshop on sunshine, public records, and ethics training. Following that workshop, the Board directed to move citizen comment to the top of the agenda so that interested citizens would have an opportunity to speak before the approval of the consent agenda. This required that the Board revise its existing rules of procedure for its meetings.

Analysis:

In addition to formatting, terminology changes for internal consistency, and editing, the following substantive revisions were made to the County's existing rules of procedure:

- (1) Addition of a section on the Opportunity to be Heard in compliance with Section 286.0114, Florida Statutes;
- (2) Revision to the Quorum requirement in Section III.A. to clarify that a quorum must be physically present;
- (3) Reordered and revised the format of the regular agenda and explanatory materials provided;
- (4) Clarified that the agenda is prepared by the County Manager, not the Clerk, in accordance with current practice;
- (5) Added provisions regarding the regular, emergency, and special board meetings schedules, times, and procedures for calling such meetings;
- (6) Enumerated secondary motions that can be made while a primary motion is pending;
- (7) Noted procedures for declaring a voting conflict; and
- (8) Added provisions for person with disabilities to request reasonable accommodations.

Options:

1. Adopt a Resolution Approving Revised Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners
2. Do Not Adopt a Resolution Approving Revised Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Resolution Approving Revised Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, ADOPTING REVISED RULES OF PROCEDURE FOR MEETINGS OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS; REPEALING ALL PREVIOUS RULES OF PROCEDURE IN CONFLICT THEREWITH; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 286.0114, Florida Statutes, provides that members of the public shall be afforded a reasonable opportunity to be heard on a proposition before the Jefferson County Board of County Commissioners ("Board") before the Board takes official action; and

WHEREAS, that statute does not prohibit the Board from maintaining orderly conduct or proper decorum in a public meeting; and

WHEREAS, a citizen's opportunity to be heard is subject to rules and policies adopted by the Board;

WHEREAS, the Board has previously adopted Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners and now desires to amend and adopted revised rules of procedure.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Jefferson County, Florida, that:

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

SECTION 2. ADOPTION OF REVISED RULES OF RULES OF PROCEDURE FOR MEETINGS OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS. The Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners, attached hereto as Appendix A, are hereby adopted and shall be applicable to all meetings of the Board.

SECTION 3. REPEAL AND CONFLICTS. All prior versions of the Rules of Procedure for Meetings of the Jefferson County Board of County Commissioners are hereby repealed. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. EFFECTIVE DATE. This Resolution shall become effective upon its 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

**RULES OF PROCEDURE FOR MEETINGS OF
THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS**

CITIZEN'S GUIDE TO PARTICIPATION IN A COUNTY COMMISSION MEETING

"Be sincere...be brief...be seated."
-Theodore Roosevelt

"No one is to disturb another in his speech by hissing, coughing, spitting, speaking or whispering to another..."
-Thomas Jefferson

The Board of County Commissioners ("Board") encourages citizen input into its public decision-making processes. Accordingly, the Board has established *Rules of Procedure for Meetings* to allow and guide citizen participation in its meetings. Here are a few guidelines to assist those who want to attend or speak at meetings of the Board.

It is the intent of the Board to maintain an orderly meeting that promotes efficient and effective decision making. The decorum expected at Board meetings is similar to that of a courtroom. Just as a judge is in charge of a court proceeding, the Chair controls the agenda and interactions in a meeting of the Board.

Many years ago, Thomas Jefferson recognized the need to be courteous and respectful while listening to speakers at public meetings. Section IX of the Board's *Rules of Procedure* addresses the need for courtesy and orderliness when it specifies no "...cheering, clapping, booing, heckling, verbal outbursts, and private conversations during proceedings."

Likewise, Theodore Roosevelt recognized the need for speakers to be prepared, to the point, and brief. Speakers should plan ahead so they finish their remarks in the allotted time limits. If a subject cannot be addressed within the allowed time, speakers should submit or bring supplemental printed material for Commissioners and staff to review. Here are some guidelines for speakers.

1. Unless you are listed on the agenda, please complete a Citizens Input Card and give it to the Clerk or Chair, preferably before the meeting. This tells the Chair when you want to speak, and helps organize the meeting more efficiently, putting you at the appropriate place on the agenda.
2. Prepare your remarks so that they are pertinent to the subject being discussed and stay within the usual 3-minute allotment for speakers. (Exceptions: The designated primary presenter for agenda items is normally allowed up to 10 minutes. These time limits may change for quasi-judicial proceedings.)
3. When the Chair recognizes you to speak, approach the podium, state your name and address for the record, then begin speaking in a clear, easily heard voice.
4. Address your remarks to the entire board, not any one individual.
5. If you run out of time, please conclude your remarks within 15 seconds and relinquish the podium.
6. Here are some DO NOTS. A speaker should not make "...irrelevant, impertinent, threatening, or slanderous remarks." No speaker may engage in "...personal attacks."

Remember, the Chair controls the dialogue. The Board's *Rules of Procedure for Meetings* give the Chair, especially with consent of the Board, significant flexibility in controlling the meeting. If you have a special need or concern regarding your presentation, discuss it with the Chair prior to the meeting or during any recess. If you need a reasonable accommodation due to a disability to access and participate in the meeting, please let the County Manager know in advance so efforts can be made to ensure full and equal access for all to Board meetings.

The Board's *Rules of Procedure for Meetings* address numerous other items required to run an orderly and efficient meeting. The following is a complete set of these rules.

RULES OF PROCEDURE FOR MEETINGS OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

INTRODUCTION: AUTHORITY AND ROLES

Counties are “arms of the state” authorized under Article VIII, Section 1 of the Florida Constitution. County governments are established to administer functions of the state at the local level. The functions, duties, and roles of county government are more particularly described in Chapter 125 of the Florida Statutes. This statute is liberally construed and gives the Board broad powers, including legislative, executive, and quasi-judicial powers.

Legislative functions of county government include the power to levy and collect taxes and to adopt ordinances and regulations so long as such ordinances and regulations are not in conflict with state or federal law. Executive functions include the operation of county government, the enforcement of ordinances, regulations and codes, and the provision of public services such as local roads and transportation systems, fire protection, emergency medical and health services, refuse collection, parks, libraries, and other such public services.

A Board may also assume a judicial function. For example, it serves in a quasi-judicial capacity when it acts as a code enforcement board or hears and decides issues related to planning and zoning. In keeping with this judicial role, the requirements for maintaining impartiality and the decision-making standards change when Commissioners serve in a quasi-judicial capacity. Prior contact with parties to the proceeding is limited and should be disclosed. Decisions should not be based on political or personal beliefs and feelings, but should be based on “competent, substantial evidence” presented at a public hearing. (Competent, substantial evidence has been defined by the Florida Supreme Court as that evidence which is "sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusions reached.")

Therefore, to insure the orderly and efficient execution of its duties, the Jefferson County Board of County Commissioners (“Board”) adopts the following Rules of Procedure. It is the policy of the Jefferson County Board of County Commissioners that these Rules of Procedure shall govern all noticed meetings of the Board of County Commissioners and boards under its jurisdiction. A noticed meeting shall mean any meeting that requires notice under Florida law. The Commissioners, County Manager, County Attorney, staff, and the public shall adhere to these rules, to wit:

I. Governing Rules.

Except as may be provided by these rules or by law, questions of order, the methods of organization and the conduct of business of the Board shall be governed by *Robert's Rules of Order, Newly Revised, 10th Edition* (or the current edition) in all cases in which they are applicable.

II. Open to the Public.

- A. *Meetings Open to Public.* All meetings of the Board shall be open to the public and noticed in accordance with the Florida Government in the Sunshine Law, Section 286.011 of the Florida Statutes.
- B. *Exempt Meetings.* The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions, Section 447.605(1), Florida Statutes, meetings regarding risk management claims, Section 768.28(15), F.S., litigation meetings pursuant to Section 286.011(8), Florida Statutes, and certain meetings related to competitive solicitations pursuant to Section 286.0113(2), Florida Statutes. The Board shall follow all statutory requirements for exempt meetings.
- C. *Seating Capacity.* Due to the need to comply with seating capacity requirements of the Fire Code, there may be occasions when entrance by the public to the Commission Chambers or other meeting rooms shall be limited.
- D. *Accessibility.* All meetings of the Board will be conducted in a publicly accessible and handicap accessible building.
- E. *Signs, Placards, Banners.* For public safety purposes and so as not to interfere with the visual rights of others, no signs or placards shall be allowed in Board meeting rooms. Nothing in this provision shall preclude the distribution of written materials formatted for individual reading or the display of signs outside the entrance to the meeting room.
- F. *Opportunity to be Heard.* Except as provided for below, members of the public shall be given a reasonable opportunity to be heard before official action is taken on any proposition before the Board. This right does not apply to:
 - 1. An official act that must be taken to deal with an emergency situation affecting the public health, safety, welfare, or safety, compliance with the requirements in this section G. would cause an unreasonable delay in the ability of the Board to act; or
 - 2. An official act involving no more than a ministerial act, including, but not limited to approval of minutes, approval of the agenda, and ceremonial proclamations; or
 - 3. Meetings that are exempt from section 286.011, Florida Statutes; or
 - 4. Meetings where the Board is acting in a quasi-judicial capacity; provided, that this exclusion does not affect the right of a person to be heard as otherwise provided by law.

III. Quorum.

- A. *Quorum.* A majority of the entire Board shall constitute a quorum. No ordinance, resolution, policy, or motion shall be adopted by the Board without the affirmative vote of the majority of the Commissioners present, if required by the Florida Statutes, an extraordinary vote of the Commissioners present. In extraordinary circumstances, a

Commissioner may attend a meeting via teleconference or other electronic means in order to cast a vote. Such circumstances shall be determined by the Board by the affirmative vote of the majority of the Commissioners present.

- B. *Remaining in Chambers.* During a Board meeting, Commissioners should remain in the Chambers at all times unless an emergency or illness should occur. Commissioners present in the meeting should not absent themselves for a particular issue.
- C. *Conflict of Interest.* Any Commissioner who announces a conflict of interest on a particular matter pursuant to Section 112.3143 or Section 286.012, Florida Statutes, and decides to refrain from voting or otherwise participating in the proceedings related to that matter, shall be deemed present for the purpose of constituting a quorum.
- D. *Loss of Quorum.* In the event a Commissioner is required to depart a Board meeting prior to adjournment, and the departure causes a loss of quorum, no further official action, other than adjournment, may be taken until or unless a quorum is restored.
- E. *No Quorum.* Should no quorum attend within 30 minutes after the hour appointed for the meeting of the Board, or upon a meeting having commenced with a quorum, which quorum shall have been lost, the Chair or the Vice Chair, or in their absence, another Commissioner, in order of seniority, shall adjourn the meeting. The names of the Commissioners present and their action at such meeting shall be recorded in the minutes by the clerk.

IV. Presiding Officer.

- A. *Chair.* The Presiding Officer is the Chair of the Jefferson County Board of County Commissioners. The Chair presides at all meetings of the Board. The Chair's responsibilities shall include, but not be solely limited to:
 - 1. Open the meeting at the appointed time and call the meeting to order, having ascertained that a quorum is present.
 - 2. Announce the business to come before the Board in accordance with the prescribed order of business.
 - 3. Recognize all Commissioners, the County Manager, and the County Attorney, who seek the floor under correct procedure. All questions and comments are to be directed through the Chair and restated by them, and they declare all votes. The Chair shall repeat every motion and state every question coming before the Board and announce the decision of the Board on all matters coming before it.
 - 4. Preserve decorum and order, and in case of disturbance or disorderly conduct in the Commission Chambers, may cause the same to be cleared or cause any disruptive individual to be removed.

5. Call to order any Commissioner who violates any of these procedures and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal.
6. Expedite business in every way compatible with the rights of the Commissioners.
7. For the Chair to make a motion, the gavel must be relinquished. Based upon these Rules of Procedure, the gavel shall be relinquished in the following order:
 - (a) Vice Chair;
 - (b) another Commissioner based upon seniority.

A presiding officer who relinquishes the chair should not return to it until the pending main question has been disposed of.

8. Declare the meeting adjourned when the Board so votes, or at any time in the event of an emergency affecting the safety of those present.
- B. *Vice Chair.* In the absence of the Chair or in the event of the Chair's inability to serve by reason of illness or accident, the Vice Chair shall perform the duties and functions of the Chair until the Chair's return to the County or recovery and resumption of duty.

V. Order of Business.

- A. *Official Agenda.* There shall be an official agenda for every meeting of the Board, which shall determine the order of business conducted at the meeting. All proceedings and the order of business at all such meetings of the Board shall be conducted in accordance with the official agenda unless the Board approves changes. For emergency meetings, workshops, retreats, and other special meetings, this requirement may be waived by consent of the members.
- B. *Agenda Form; Availability; Support Information.* The agenda shall be prepared by the County Manager in appropriate form approved by the Board. The County Manager shall make available to the Commissioners and the public a copy of the agenda, along with support information, no later than 4:00PM four business days before the meeting. Any support information for agenda items requiring a disposition vote shall be available to the County Manager no later than 4:00 PM on the 5th business day before the meeting. If support information is required but not available, the agenda item shall be downgraded to a discussion topic for further action or removed from the agenda and considered at a later meeting, unless the Board waives this provision by consent of the members. Notwithstanding the above provisions, for time and cost sensitive issues, items may be added onto the official agenda either pursuant to Section V.J. or added on the day of the meeting upon approval of the Board during the Approval of Agenda.
- C. *Regular Agenda Format.* The agenda format for a regularly scheduled official meeting of the Board shall be in substantially the form as set forth below:

1. *Call to Order, Invocation and Pledge of Allegiance.* On the portion of the agenda designated as "Call to Order, Invocation and Pledge of Allegiance," the Chair will call the meeting to order and request a Commissioner to provide the invocation and lead the meeting in the Pledge of Allegiance.
2. *Approval of Agenda.* On the portion of the agenda designated as "Approval of Agenda," the Chair and other Commissioners will approve and/or modify the official agenda, including adding on any agenda items.
3. *Public Announcements, Presentations, & Awards.* On the portion of the agenda designated as "Public Announcement, Presentations, & Awards" Commissioners will have the opportunity to acknowledge members of the community or staff for commendable efforts. Presentations will be made from individuals concerning issue of importance. To the maximum extent possible, any award and/or presentation item shall be submitted by the agenda deadline date.
4. *Citizen Requests and Input on Non-Agenda Items.* On the portion of the agenda designated as the "Citizen Requests and Input on Non-Agenda Items" up to 30 minutes shall be allocated for members of the public to address the Board on any matter of public business not on the current meeting agenda. This portion of the agenda is also a time for citizens to be heard on any propositions before the Board that will be considered under the Consent Agenda. Each person addressing the Board shall adhere to the rules set forth in Section IX. below and shall limit all remarks to three (3) minutes. The Chair has the discretion to either extend or reduce time limits based on the number of speakers. Speakers who have completed a Citizen Input Card shall speak first. If time permits, the Chair may allow comments by speakers who have not completed a Citizen Input Card. There may be discussion or debate by the Board. The Board may determine appropriate future action for an item including, but not limited to, placing the item on a future agenda, requesting more information, or the Board may act on an item by unanimous vote.
5. *Consent Agenda.* On the portion of the agenda designated as "Consent," all items contained therein may be voted on with one motion. Consent items are considered to be routine in nature, are typically non-controversial and do not deviate from past Board direction or policy. However, any Commissioner, the County Manager, or the County Attorney may withdraw an item from the consent agenda, either in writing before the meeting or at the beginning of the meeting during the Approval of the Agenda, and it shall then be voted on individually.
6. *Consent Items Pulled for Discussion.* Commissioners requesting further information on items placed under "Consent Agenda," may, during the Approval of the Agenda portion of the meeting, withdraw those items and place them under "Consent Items Pulled for Discussion," for further discussion and action.
7. *General Business.* General business items are items of a general nature that require Board action, Board direction, or pertain to Board policy.

8. *Public Hearings (at or soon after announced time)*. Prior to placing a matter on the agenda that requires a public hearing, the consent of the Board is required pursuant to Section V.G. of these Rules of Procedure. Public hearings shall be held as required to receive public comments on matters of special importance or as prescribed by law. For regular official Board meetings, public hearings shall be heard at the time announced in the agenda or as soon thereafter as is possible. This time designation is intended to indicate that an item will not be addressed prior to the listed time.
 9. *Commissioner Agenda Items*. Commissioner items are agenda items with supporting documentation that an individual commissioner wished to present to the Board for input or action.
 10. *County Attorney*. County Attorney items are items of a legal nature that require Board direction or represent general information to Board, staff, or the public.
 11. *County Manager*. County Manager items are items that require Board direction or represent general information to Board, staff, or the public.
 12. *Discussion Items by Commissioners*. On the portion of the agenda designated as "Discussion Items by Commissioners," no assignments shall be given to the County Manager or County Attorney without the express approval of the majority of the Board. The Board shall take no policy action without an agenda item unless such is added and passed by a unanimous vote of the Board, and then only if such item is deemed an emergency and is added to the agenda during the Approval of the Agenda. The remarks of each Commissioner during his or her "discussions items" time shall be limited to no more than three (3) minutes, unless the Chair extends the time.
 13. *Adjourn*.
- D. *Special Agenda for Quasi-Judicial Proceedings*. If a meeting, as determined by the Chair in consultation with the County Attorney, requires a quasi-judicial proceeding, the format of this part of the meeting shall be in substantially the form as set forth below:
1. Opening Remarks, Announcements, *Ex-Parte* Disclosures, and Swearing of Witnesses
 2. Introduction of Issue by Staff
 3. Applicant Presentation and Witnesses
 4. Sworn Testimony of Opponent and Proponent Witnesses
 5. Questions for/Cross-Examination of Staff, Applicant and Witnesses
 6. Citizens Comments (unsworn)

7. Rebuttal/Summary by Applicant

8. Board Discussion, Questions, and Action

Competent, substantial evidence relevant to the issue shall be the primary basis for the Board's decision. All competent, substantial evidence shall be introduced by sworn testimony. Cross examination of sworn witnesses is allowed. Only sworn testimony and comments by the Board and its staff shall become part of the official record for the proceedings of the meeting. The Chair, in consultation with the County Attorney, shall determine the time to be allocated for each part of the agenda and, at the beginning of the hearing, shall announce these time allocations along with any special rules for the proceeding. Otherwise, the rules herein shall apply to quasi-judicial proceedings.

- E. *Departure from Order of Business.* Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the Commissioners present.
- F. *Placing Items on Agenda.* With the consent of the Board, matters may be placed on the agenda by any Commissioner, the Manager, or the County Attorney. When a Commissioner wishes to place a matter on the agenda, the Commissioner should raise the matter at a regular Board meeting and seek the Board's consent for inclusion of the matter on the next available regular agenda. A Commissioner may not unilaterally add a matter to an agenda without the Board's prior approval either at a prior meeting or at the beginning of the meeting in which the item is to be included, and then only if the item has been properly noticed as provided in Section V.A. or O. of these Rules of Procedure.
- G. *Requests for Public Hearings.* Prior to placing a matter on the agenda that requires a public hearing, the consent of the Board is required. A request to schedule the public hearing shall be placed on the Consent Agenda for consideration by the Board. Upon the Board's approval of the request to schedule a public hearing, the public hearing shall then be scheduled for inclusion on the next available regular agenda or at a special meeting set by the Board. In addition, the Board may direct the scheduling of a matter that requires a public hearing by a majority vote. This rule of procedure does not apply to zoning and site and development plan approvals, which are placed on the agenda by staff pursuant to County Code and general law or to public hearings for consideration of a real property acquisition pursuant to Section 125.355, Florida Statutes.
- H. *Additions, Deletions, or Corrections to Agenda.* Deletions or corrections to the agenda may be considered by the Board and adopted by the passage of a single motion. Non-agenda matters shall be confined to items that are informational only.

- I. "Add On" agenda items (items that missed the deadline for agenda preparation for the meeting) should be considered by the Board only for issues that are time critical or cost sensitive to the County. For such matters, the Chair, County Manager and County Attorney should be consulted in advance of the meeting to approve the "Add On" agenda item.
- J. *Announcing Agenda Items.* The Chair shall announce each item on the agenda. The County Manager, County Attorney, sponsoring Commissioner, if any, or other appropriate person shall then present the item to the Board.
- K. *Parliamentarian.* The County Attorney shall act as parliamentarian and shall advise and assist the Chair in matters of parliamentary law. In the absence of a Rule of Procedure as provided for by these Rules, the parliamentarian shall refer to *Roberts Rules of Order (Newly Revised, 10th Edition)* on all rulings.

VI. Board Meetings.

- A. *Regular Meetings.* The Board shall establish a regular meeting schedule for official Board meetings, which shall generally be held on the first and third Thursday of each month at 6 p.m., but which may be modified by majority vote of the Board.
- B. *Emergency Meeting.* For matters of emergency, a meeting of the Board may be called by the Chair upon adequate notice being provided under Section 286.011, Florida Statutes. If the Chair finds that an immediate danger to the public health, safety, or welfare requires immediate action, the Board may hold an emergency public meeting and give notice of such meeting by any procedure that is fair under the circumstances and necessary to protect the public interest, if:
 - 1. The procedure provides at least the procedural protection given by other resolutions, ordinances, statutes, the State Constitution, or the United States Constitution.
 - 2. The Board takes only that action necessary to protect the public interest under the emergency procedure.
 - 3. The Board publishes in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that the procedure used is fair under the circumstances. The Board findings of immediate danger, necessity, and procedural fairness shall be judicially reviewable.
 - 4. The public notification procedure has been maximized to the fullest extent possible and practical and that all efforts are made to hold the emergency meeting at a time that will facilitate the maximum public participation.
 - 5. Members of the public are granted an opportunity to participate in the proceedings of the meeting following established procedure for regular business meetings.

- C. *Special Meeting.* The purpose of special meetings is to deal with important matters that may arise between regular meetings and that require action by the board before the next regular scheduled meeting. Special meetings of the Board may be called from time to time at the call of the Board Chair, Vice Chair, County Manager, or by a majority of the Commissioners. A special meeting is a separate session of the Board held at a time different from that of any regular meeting, and convened only to consider one or more items of business specified in the call of the meeting. Notice of the time, place, and exact purpose of the meeting must be posted to all Commissioners a reasonable number of days in advance.

VII. Rules of Debate.

A. Decorum.

1. Every Commissioner desiring to speak should address the Chair, and upon said recognition by the Chair, should confine discussion to the question under debate, avoiding all personalities and indecorous language.
2. Commissioners shall refrain from: attacking a Commissioner's motives; speaking adversely on a prior motion not pending; speaking while the Chair or other Commissioners are speaking; speaking against their own motions; and disturbing the Board.
3. A Commissioner once recognized should not be interrupted when speaking unless said member is being called to order. The Commissioner should then cease speaking until the question of order is determined, without debate, by the Chair. If in order, said member shall be at liberty to proceed.
4. A Commissioner shall be deemed to have yielded the floor when he or she has finished speaking. A Commissioner may claim the floor only when recognized by the Chair.

B. Motions.

1. A motion and a second to the motion are to precede any action on an agenda matter, including public comment and discussion by the Board, unless the Chair elects to allow Board discussion or public comments prior to an official motion and second.
2. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, to substitute, or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned.
3. Any Commissioner may move to close debate (move the previous question) on the motion being considered. Such move is not debatable. A successful majority vote on the motion to close debate will end discussion of the item, except that the Commissioner moving the adoption of an ordinance, resolution or motion shall have the privilege of closing the debate.

4. If the Chair wishes to put forth or second a motion, he or she shall relinquish the Chair to the Vice Chair until the main motion, on which he or she spoke, has been disposed.
 5. The following motions require a majority vote and are not debatable: to adjourn; to lay on the table; to take from the table; or to close debate (move the previous question). A motion to suspend the rules requires a 2/3 majority vote and is not debatable.
- C. *Motions to Amend.* An amendment to a motion must be germane, that is, it must relate to the substance of the main motion. An amendment may not introduce an independent question, and an amendment may not serve as the equivalent of rejecting the original motion. A Commissioner may amend the main motion in either of the following two ways:
1. *By Consent of the Commissioners.* The Chair, or another Commissioner through the Chair, may ask for certain changes to be made to the main motion. If there are no objections from the maker of the motion or other Commissioners, the motion shall stand as amended.
 2. *Formal Amendment.* An amendment may be presented formally by moving to amend the motion in some way. If it is in the form of a formal motion to amend, a second shall be required and discussion shall follow on the amendment. If an amendment passes, the main motion shall be the motion as amended. If it fails, the motion shall be the motion as it was before the amendment was presented.

VIII. Voting.

- A. *Voice Vote.* Unless otherwise directed by the Chair, all votes shall be taken by voice.
- B. *Tabulating the Vote.* The Chair shall tabulate the votes and announce the results. Upon any roll call, there shall be no discussion by any Commissioner prior to voting, and each Commissioner shall vote "aye" or "nay."
- C. *Voting.* Every Commissioner who was in the Commission Chambers when the question was put must give his or her vote, unless the Commissioner has publicly stated that he or she is abstaining from voting due to a conflict of interest as provided in Section VIII.E. below. If any Commissioner declines to vote "aye" or "nay" by voice, his or her silence shall be counted as an "aye" vote.
- D. *Absent for Vote; Changing Vote.* Any Commissioner momentarily absent for a vote on a particular item may record his or her vote, and any Commissioner may change his or her vote before the next item is called for consideration, or before a recess or adjournment is called, whichever occurs first, but not thereafter, except with the consent of all the Commissioners who voted thereon.
- E. *Voting Conflict.* No Commissioner shall vote on a matter when that Commissioner has a voting conflict of interest as specified in Section 112.3143 or Section

286.011, Florida Statutes. A Commissioner abstaining from voting due to a conflict shall announce the conflict prior to discussion on the matter. Within fifteen (15) days following that Board meeting, the Commissioner shall file with the Clerk a "Memorandum of Voting Conflict" form which describes the nature of the interest in the matter. The "Memorandum of Voting Conflict" form shall be received by the Clerk and incorporated into the meeting minutes as an exhibit.

- F. *Majority Vote; Extraordinary Majority Vote; Tie Vote.* The passage of any motion, policy, ordinance, or resolution shall require the affirmative vote of at least the majority of the Commissioners who are present and eligible to vote. If an extraordinary majority vote is required by the Florida Statutes, this shall require the affirmative vote of an extraordinary majority of the Commissioners who are present and eligible to vote. In the case of a tie in votes on any proposal, the proposal fails.

IX. Citizen Input: Addressing the Board of County Commissioners.

- A. *Citizen Input.* The Board recognizes the importance of protecting the right of all citizens to express their opinions on the operation of County government and encouraging citizen participation in the local government process. The Board also recognizes the necessity for conducting orderly and efficient meetings to complete County business in a timely manner.
- B. *Citizen Requests and Input on Non-Agenda Items.* At the regular official County Board meetings, the Board provides a comment period for citizens to speak on items not on the agenda and items included within the Consent Agenda. These public comment periods are denoted on the agenda as "Citizens Requests and Input on Non-Agenda Items."
- C. *Input on a Matter Pending Before the Board.* At the regular official County Board meetings, the Board also allows public comment on each agenda item included in the official agenda.
- D. *Citizen's Input Card.* Unless waived by the Chair or consent of the Board, or otherwise provided herein, each person who addresses the Board shall complete a Citizen's Input Card and submit the card to the Clerk or to the County Manager.
- E. *Public Input at Workshops, Retreats and Forums.* Board workshops, retreats and forums are established for in-depth discussion between Commissioners. Speakers and other participants are at the invitation of the Board only. Time allotted for public comments and citizen input germane to the topic of the workshops, retreats and forums shall be at the Board's discretion or as provided in the agenda. No votes shall be taken at Workshops, Retreats, and Forums.
- F. *Discussion and Meeting Time Limits.* In order to ensure the efficient conduct of Board meetings and out of consideration for all attendees of such meetings, the Board establishes the following guidelines to limit the time a speaker is allowed to hold the floor and for the time allotted to a single discussion issue. Exceptions to these guidelines are provided for quasi-judicial proceedings or may be provided for any meeting by a majority vote of the Board.

1. Unless an exception is granted by the Chair or by consent of the Board, the primary presenter of an item on the agenda shall hold the floor for no more than ten (10) minutes, and no speaker shall hold the floor for more than three (3) minutes. No speaker shall speak more than once on an item. No speaker, other than a Commissioner, may yield the floor to another speaker.
2. Except for workshops and public hearings, no single agenda item shall consume more than 30 minutes of a meeting unless an exception or extension is granted by a majority of the Board. After 30 minutes, the Chair shall close discussion and, if a vote is required, bring the agenda item to a vote. The Chair may limit discussion time to less than three (3) minutes per speaker to accommodate large numbers of persons who want to speak.
3. For public hearings, unless excepted as above, the time limit shall be one (1) hour, provided at least 30 minutes are included for public comments.
4. For Board workshops, retreats, and forums the time limits for the meeting and for each agenda time shall be determined as announced in the meeting agenda or adjusted at the beginning of the session by consent of the board.
5. Excluding workshops, retreats, and forums, and unless excepted as above, no meeting of the Board shall extend more than three (3) hours past its start time.
6. All discussion and remarks shall be relevant and germane to the item or items which are the subject of the proceeding or general county business if speaking under Citizens Requests and Input on Non-Agenda Items.
7. The time limits specified herein may be increased upon approval of a majority of the Board. Any motion to increase these time limits is non-debatable.

G. Addressing the Board.

1. When (and only when) recognized by the Chair, speakers should rise, proceed to the podium, and speak clearly in an easily heard voice. Speakers shall introduce themselves, giving the following information for the record:
 - (a) Name;
 - (b) Place of residence or business address;
 - (c) If requested by the Chair, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization, and whether the person is being compensated by the organization.
2. All remarks shall be addressed to the Board as a body and not to any individual Commissioner.

3. The Chair shall control the dialogue. No person, other than a Commissioner, and the person having the floor, may be permitted to enter into any discussion, either directly or through a Commissioner, without permission of the Chair. No question may be asked except through the Chair.
4. Speakers should make their comments concise and to the point and present any data or evidence they wish the Board to consider. Copies of any data or evidence must be provided to the Clerk for maintenance in the County's records. Remarks should be germane and relevant to the question before the Board.

H. Decorum and Civility.

1. Participants in and attendees at Board meetings are expected to be respectful, courteous, civil, and orderly. No person or group shall, by speech or other non-decorous action, delay or interrupt the proceedings or the peace of the Board, or disturb any person having the floor. Non-decorous actions shall include cheering, clapping, booing, heckling, verbal outbursts, and private conversations during proceedings. No person shall refuse to obey the orders of the Chair. No person shall use a Board meeting as a forum for personal attacks. Any person making irrelevant, impertinent, threatening, or slanderous remarks or who becomes boisterous while addressing the Board shall not be considered orderly or decorous. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chair and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned shall be barred by the Chair from making any additional comments during the meeting unless permission to continue or again address the Board is granted by the majority of the Commissioners present.
2. If the Chair declares an individual out of order, he or she will be requested to relinquish the podium. If the person does not do so, the Chair may recess the meeting, and the individual may be subject to removal from the Commission Chambers or other meeting room and may be removed or arrested by the Sheriff subject to Section 810.08(1), Florida Statutes, for failure to comply.
3. If any person or group becomes disruptive or interferes with the orderly business of the Board, the Chair may recess the meeting and may have the person or group removed from the Commission Chambers or other meeting room for the remainder of the meeting.

X. ADA Policy and Procedures.

- A. *Policy Statement.* It is the policy of the Board to assure that individuals with disabilities have equal and full access to meetings of the Board. Nothing in this policy shall be construed to impose limitations or to invalidate the remedies, rights, and procedures accorded to any individual with disabilities under state or federal law. To that end, county staff will make every effort to assist individuals with disabilities who request reasonable accommodations by utilizing the guidelines and procedures established herein.

1. *Definitions.*

- a. "Accommodation" means measures to make each Board meeting readily accessible to an requestor who is a qualified person with a disability, and may include but is not limited to:
 - i. Making reasonable modifications in policies, practices and procedures; and
 - ii. Furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, material in alternative formats, qualified interpreters, or readers.
- b. "Person with disability" means a person covered by the Americans with Disabilities Act of 1990 (§42 U.S.C. 12101 *et seq.*), or other similar local, state or federal laws. This term includes, but is not limited to, an individual who has a physical or mental impairment that limits one or more major life activities, has a documented history of such impairment, or is regarded as having such an impairment.

2. *Request for Reasonable Accommodations.*

- a. Individuals with disabilities may request a reasonable accommodation necessary to fully and equally participate in a Board meeting. To request a reasonable accommodation, a Request for Reasonable Accommodation Form must be submitted to the County Manager's Office. A request for accommodation should be made as far in advance as practical, but at least two (2) business days prior to the event for which the accommodation is requested.
- b. Accommodation requests are granted to any individual with a disability for whom such accommodation is reasonable and necessary under the Americans with Disabilities Act of 1990 ("ADA") or other similar local, state and federal laws. A request will be granted unless:
 - i. The requested accommodation would create an undue financial or administrative burden;
 - ii. The requested accommodation would fundamentally alter the nature of the Board meeting; or
 - iii. Permitting the requestor to participate in the meeting with the requested accommodation would create a direct threat to the safety or well-being of the requestor or others.
- c. Requestors may be required to provide additional information for the County to properly evaluate the request. If needed, the County may ask that medical and other health information be submitted. All medical-related information shall be kept confidential.

- d. If a request is denied, the County will discuss with the requestor whether an alternative accommodation could effectively address the disability-related needs without a fundamental alteration to the Board meeting and without imposing an undue financial and administrative burden.

3. *Review Procedure.*

- a. Before providing an accommodation, the County must determine that the requestor meets the definition of an individual with a disability, and that the accommodation will enhance the requestor's access to Board meetings.
- b. If the requestor's disability is obvious, or otherwise known to the County, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required.
- c. If the accommodation is required for a disability that is not obvious or otherwise known to the County, the County must verify that the requestor meets the definition of an individual with a disability, and that the limitations imposed by the disability require the requested accommodation. To do so, the County may request third-party verification from a professional who is competent to make the determination. Appropriate professionals who may make such determination include doctors, psychologists, nurses, physical and occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals.

4. *Appeal Process.*

- a. If a request for reasonable accommodations is denied, the requestor may seek review of the decision within five (5) days of the date of the notice of the decision by submitting a request for review to the County Manager. The request for review may be made in writing, verbally or presented by a third party on behalf of the requestor.
- b. The County Manager will respond to the requestor within five (5) days of receipt of the request for review to discuss the decision regarding the accommodation denial, and if founded, will work with the requestor for reconsideration of the decision to grant the request or seek resolution of an alternate accommodation that provides equal access to the Board meeting.

5. *Notice.*

- a. The following paragraph or substantially similar information shall be included in each document providing notice of a Board meeting:

"In accordance with the Americans with Disabilities Act, persons with disabilities who require reasonable accommodations should contact County Manger's Office as far in advance as possible, preferably at least two (2) business days before the meeting."

XI. Application of these Rules of Procedure

Unless other rules apply, these rules shall govern all noticed meetings of the Board of County Commissioners and all county boards, commissions, committees and other bodies operating under the authority and jurisdiction of the Board of County Commissioners and to which the Florida open meeting laws (Section 286, F.S.) apply, including, but not limited to the Planning Commission and the Value Adjustment Board. For purposes of this rule, the term "Commission" or "Board" shall apply to all bodies referred to in this section.

Board of County Commissioners

Agenda Request

Date of Meeting: September 15, 2022

Date Submitted: September 9, 2022

To: Honorable Chairman and Members of the Board

From: Heather Encinosa, County Attorney

Subject: Update on Lease-Purchase Agreements with Leasing 2, Inc., as assigned to Santander Bank NA

Statement of Issue:

This agenda item provides an update to the Board on the Lease-Purchase Agreements with Leasing 2, Inc., as assigned to Santander Bank NA

Background:

In June, 2020 the Board of County Commissioners authorized the County Coordinator to enter into a Lease-Purchase Agreement with Leasing 2, Inc., as assigned to Santander Bank NA for two 2021 Mack GR64B Dump Trucks (truck no.s 106 and 107) and one Mack GR64B Roll Off Truck. The County traded in two of its existing 2019 dump trucks on the dump truck purchases. Based on information from the County, the County is in possession and use of dump trucks 106 and 107 and the roll off truck.

Dump Trucks - The above Lease-Purchase Agreement for the dump trucks was in the principal amount of \$333,000 (total principal and interest payments if Lease-Purchase runs for full five years is \$358,809.28, which includes 3% interest). The Original Term of the Lease-Purchase commenced on June 15, 2020, through September 30, 2021. With the payment of the annual lease payments, the Lease-Purchase is renewable annually for up to four additional one-year renewal terms through September 30, 2025.

Roll Off Truck – An executed version of the Lease-Purchase Agreement for the roll off truck could not be located, but an unsigned version was provided by County staff and it is assumed that agreement was the final form and was properly executed. The assumed Lease-Purchase Agreement for the roll off truck was in the principal amount of \$178,500 (total principal and interest payments if Lease-Purchase runs for full five years is \$192,150.60, which includes 3% interest). The Original Term of the Lease-Purchase commenced on June 15, 2020, through September 30, 2021. With the payment of the annual lease payments, the Lease-Purchase is renewable annually for up to four additional one-year renewal terms through September 30, 2025.

Pursuant to their terms, the Lease-Purchase Agreements can be terminated by the County for non-appropriation of sufficient funds to make the annual lease payments, but notice of such termination

must be provided at least 90 days prior to the end of the current term.

Analysis:

Pursuant to the Lease-Purchase Agreement for the dump trucks, the County has a lease payment in the amount of \$82,202.32 due on September 15, 2022. Pursuant to the Lease-Purchase Agreement for the roll off truck, the County has a lease payment in the amount of \$43,412.65 due on September 15, 2022. If the lease payments are not made within fifteen days after the payment is due, a 5% late charge will apply. If the lease payments are withheld entirely, the County would be in default, which would leave the County vulnerable to additional penalties.

If the County wanted to terminate these Lease-Purchase Agreements prior to this next renewal term, notice would have been due no later than July 2, 2022.

If the Board elects, it may procure alternative vehicles and terminate the Lease-Purchase Agreements before the next renewal term in 2023.

Options:

1. Accept the Update on Lease-Purchase Agreements with Leasing 2, Inc., as assigned to Santander Bank NA and Approve the Lease Payments Pursuant to the Lease-Purchase Agreements
2. Accept the Update on Lease-Purchase Agreements with Leasing 2, Inc., as assigned to Santander Bank NA, but do NOT Approve the Lease Payments Pursuant to the Lease-Purchase Agreement
3. Board Direction.

Recommendation:

Option #1

Attachments:

None