



Jefferson County Board of County Commissioners

Thursday, August 3, 2023 at 6:00 pm

REGULAR SESSION AGENDA

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

1. 6 PM CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE

2. PUBLIC ANNOUNCEMENTS, PRESENTATIONS & AWARDS

3. CITIZENS REQUEST & INPUT ON NON-AGENDA ITEMS

(3 Minute Limit Please)

4. CONSENT AGENDA

a. Vouchers

b. Meeting Minutes

Attachments:

- **6-22-2023 Budget** (Revised-6-22-2023_Budget_Workshop_draft_minutes.docx)
- **7-6-2023 Budget** (Revised-7-6-2023_Budget_Workshop_draft_minutes.docx)

5. GENERAL BUSINESS

a. Special Exception Moratorium

Attachments:

- **Extension** (Special_Exception_Moratorium_Extension_7-12-23.docx)

b. Tax Collector Agreement

Attachments:

- **Cover Letter** (Agenda_Item_-_Tax_Collector_Agreement.doc)
- **Agreement** (Tax_Collector_Agreement_-_Signed_by_TC.pdf)

c. COLA Discussion

6. CLERK OF COURTS

7. COUNTY ENGINEER

8. COUNTY ATTORNEY

9. COUNTY MANAGER

a. 22-23 Contingency Recap

b. Brush Truck

10. COUNTY COMMISSIONERS

11. ADJOURN

From the manual "Government in the Sunshine", page 40: Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or

hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

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

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

SPEAKING BEFORE THE COMMISSION: WHEN CAN I TALK?

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

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

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

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

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

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

The Chair may call down speakers (or members of the audience) who violate the Commission's rules of decorum. Here are some "no-no's": personal attacks or threats, booing, heckling, cheering, inappropriate clapping, verbal outbursts, and distracting private conversations during proceedings. Also, signs are okay outside of the meeting room but are not allowed in it.

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

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

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

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2023-2024 Budget Workshop
June 22, 2023
5:00 P.M.

The Board met on this date for a County Budget Workshop.

Present were Chairman Tuten and Commissioners Stephen Walker, Austin Hosford and JT Surles. Also present were Clerk of Court, Kirk Reams, County Manager Shannon Metty and County Attorney Kirsten Mood.

1. Chairman Tuten called the meeting to order and led the invocation and pledge.
2. For today's budget workshop, the Commission is scheduled to discuss the following draft budgets for CFY 23-24 for:
3. The Clerk of Court, presented by Charles Culp, who stated there were increases in salaries, FRS, insurance, and COLA. He added that there was no additional funding requested. Extensive conversation pertaining to health insurance coverage for employees. The Board asked for a revision to include the breakout of withholdings and salary amounts and bring them back at a later date.
4. Judicial Services, (to include the Circuit and County Court and the State Attorney and Public Defender) presented by Budget Officer Gus Rojas, who stated they would like to remain the same. He added there are potential court room updates and IT upgrades that may increase the contractual services, but they could offset in other areas.
5. The County Road Department, presented by County Manager Shannon Metty, who explained the increases in materials and equipment. She also noted that historically fuel was under-budgeted and so this year appears to have a higher increase.
6. The County's Capital Projects, presented by Budget Office Gus Rojas, who reviewed multiple projects. County Manager Shannon Metty noted the status of the Thompson Fuel Tank removal, Mosquito Control Building and the basement in homeschool area.
7. Chairman Tuten closed the workshop.

Board of County Commissioners
Jefferson County, Florida

Chris Tuten, Chairman

ATTEST:

Kirk Reams, Clerk of Court

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
CFY 2023-2024 Budget Workshop
July 6, 2023
5:00 P.M.

The Board met on this date for a County Budget Workshop.

Present were Chairman Tuten and Commissioners Austin Hosford, Gene Hall, and Stephen Walker.

Also present were Clerk of Court, Kirk Reams, County Manager Shannon Metty and County Attorneys Heather Encinosa and Evan Rosenthal.

1. Chairman Tuten called the budget workshop to order.
2. For today's budget workshop, the Commission is scheduled to discuss the following draft budgets and topics for CFY 23-24:
3. County's Administrative expenses, presented by Budget Officer Gus Rojas, who explained there was an increase statewide for insurance. Board discussed reviewing procurement options.
4. County's Administrative Building expenses, presented by Budget Office Gus Rojas, who stated there were numerous building improvements needed as they have been left alone for so long as well as a large increase in utilities. County Manager Shannon Metty stated they would be bidding out janitorial opportunities.
5. County Tourism, presented by Budget Officer Gus Rojas, who read a letter from Chamber Director Katrina Richardson requesting funding for a golf cart. He also noted a \$5,000.00 payment to the Humane Society to assist with their ongoing services. County Manager Shannon Metty explained the Dirty Pecan expense and the removal of Small Business Grant and Fireworks Funding for this year, they may be brought back at a later date. Mrs. Betsy Barfield further explained that all proceeds are donated to the 4-H Program. The Board discussed and agreed to wait on Chamber request, approved Humane Society and Dirty Pecan.
6. County Fine and Forfeiture Fund, presented by Budget Officer Gus Rojas, who explained these funds were produced from ticket surcharges to be used for Courthouse improvements. Sheriff McNeill noted that the school board is interested in bringing back the Driver's Education Program and potentially partnering with Sheriff's Office to help facilitate. Commissioner Surles asked if the Doris Slosberg Funds were still available for this, Clerk Reams stated yes.
7. Boating Improvement Fund, presented by Budget Officer Gus Rojas. County Manager Shannon Metty explained that these funds must be used on County owned parcels.
8. FEMA, presented by County Manager Shannon Metty, who explained these funds were paid and then reimbursed by the State.
9. Tourist Development Trust Fund, presented by Budget Officer Gus Rojas, who explained the projection is to be similar to the current year.
10. Milage Rate Discussion. County Manager Shannon Metty noted the employment study was completed and would be presented at the next meeting, there was a need for increases. She also noted that Trulieve and Nextera will be on the tax role this upcoming year. It was the consensus of the Board to leave the millage at the current rate and potentially decrease after full review.

11. County Manager Shannon Metty asked for Board direction for the following items: COLA, Extension Office purchase of a tractor, Rec Park purchase of a mower, Building Department purchase of textbooks, Old Jail basement improvements, EMT additions, Sherriff Department additional Traffic Detail and Supervisor of Elections additional employee. It was the consensus of the Board to review a 3% and 5% COLA, as well as to approve all requests and hire one more employee for the Rec Park.
12. County Manager Metty reminded the Commissioners that the next Budget workshop would be on July 13th at 5:00 pm and the Board would be discussing the entire draft County budget.
13. Chairman Tuten closed the workshop.

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

Tuten, Chairman Chris

ATTEST:

Kirk Reams, Clerk of Court

ORDINANCE NO. 23- _____

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

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

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

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

WHEREAS, the Jefferson County Board of County Commissioners ("Board") is in the process of evaluating the requirements and standards in the LDC related to Special

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

WHEREAS, on August 4, 2022, the Board adopted Ordinance No. 2022-08042022-01 pursuant to the emergency enactment procedures described in Section 125.66(3), Florida Statutes, which imposed a moratorium on the County's acceptance of applications for, the processing of, and the issuance of Special Exception approvals, and the Board ratified and confirmed that moratorium in Ordinance No. 2022-08182022-01 (the "Moratorium"); and

WHEREAS, the County has made significant progress is finalizing its policy proposal for handling Special Exceptions, but requires additional time to review, study, hold public hearings, prepare, and consider proposed revisions to the LDC related to Special Exceptions in order to ensure that Special Exceptions are properly regulated within the County in a manner which furthers the compatibility of land uses and sound land use planning principles; and

WHEREAS, it is accordingly necessary to extend the existing Moratorium for an additional three (3) months through October 7, 2023; and

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

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

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

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

SECTION 2. Moratorium Imposed.

A. The County hereby imposes and extends the Moratorium adopted in Ordinance No. 2022-08042022-01, as ratified and confirmed in Ordinance No. 2022-08182022-01, on the acceptance of applications for, the processing of, and the issuance and/or approval of Special Exceptions pursuant to Sections 9.15.0 – 9.15.7 of the LDC.

B. The moratorium on Special Exceptions imposed pursuant to this Ordinance shall be in effect until October 7, 2023, or until such time as repealed by the County, whichever occurs first. The moratorium may be extended by subsequent ordinance adopted by the Board to the extent permitted by law.

SECTION 3. Existing Special Exception Approvals. The moratorium imposed pursuant to this Ordinance shall not affect the validity of any existing Special Exception approvals obtained prior to the effective date of this Ordinance.

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

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or provision shall be deemed severable and shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

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

PASSED AND ADOPTED by the Board of County Commissioners this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA

Chris Tuten, Chair

ATTEST:

Kirk Reams, Clerk

APPROVED AS TO FORM:

Heather Encinosa, Esq.
County Attorney

Board of County Commissioners

Agenda Request

Date of Meeting: August 3, 2023

Date Submitted: July 27, 2023

To: Honorable Chairman and Members of the Board

From: Evan Rosenthal, Assistant County Attorney

Subject: Approval of Agreement with Tax Collector to Reimburse Tax Collector for Necessary Costs Associated Collection of Non-Ad Valorem Assessments

Statement of Issue: This agenda item requests Board approval of an Agreement with Tax Collector to Reimburse the Tax Collector for Necessary Costs Associated Collection of Non-Ad Valorem Assessments.

Background and Analysis: Section 197.3632, F.S., that the County and the Tax Collector enter into a written agreement providing for reimbursement of necessary administrative and actual costs incurred as a result of the use of the Uniform Method.

The attached agreement has been executed by the Tax Collector and provides for the County and Tax Collector to perform certain responsibilities and obligations with respect to special assessments imposed by the County to ensure they are collected on the tax bill. By law, the County is required to reimburse the Tax Collector for all necessary administrative and actual collection costs incurred, in the collection of the assessments, and the agreement implements this requirement by requiring the Tax Collector to provide the County with a written itemized statement of any necessary administrative and actual collection costs incurred by the Tax Collector for which reimbursement is sought.

Options:

1. Approve Agreement with Tax Collector to Reimburse the Tax Collector for Necessary Costs Associated Collection of Non-Ad Valorem Assessments.
2. Do Not Approve Agreement with Tax Collector to Reimburse the Tax Collector for Necessary Costs Associated Collection of Non-Ad Valorem Assessments.
3. Board Direction.

Recommendation:

Option #1

Attachments:

Agreement with Tax Collector to Reimburse the Tax Collector for Necessary Costs Associated

Approval of Agreement with Tax Collector to Reimburse Tax Collector for Necessary Costs
Associated Collection of Non-Ad Valorem Assessments
August 3, 2023
Page 2

Collection of Non-Ad Valorem Assessments.

AGREEMENT FOR JEFFERSON COUNTY TO REIMBURSE THE TAX COLLECTOR

This Agreement for Jefferson County to reimburse the Jefferson County Tax Collector (the "Agreement") is made and entered into as of July 26, 2023, by and between Jefferson County, a political subdivision of the State of Florida (the "County") and Lois H. Hunter, in her capacity as the Jefferson County Tax Collector (the "Tax Collector").

NOW, THEREFORE, in consideration of the mutual promises, covenants, representations, and agreements contained herein, and other good and valuable consideration exchanged between the parties, the parties to this Agreement do undertake, promise and agree for themselves, and their successors as follows:

ARTICLE I

SECTION 1.01. FINDINGS, RECITALS AND ACKNOWLEDGEMENTS. It is hereby ascertained, determined and declared by the parties that:

(A) the County is authorized to impose non-ad valorem assessments and by appropriate resolution has expressed its intent to use the uniform method of levy, collection and enforcement of non-ad valorem assessments as provided in section 197.3632, Florida Statutes, under which assessments are included on an assessment roll and certified, in a compatible electronic medium tied to the property identification number, by the County to the Tax Collector for merging with the ad valorem tax roll, for collection by utilizing the tax notice provisions described in section 197.3635, Florida Statutes, and for sale of tax certificates and tax deeds under the non-payment provisions of the ad valorem tax laws (the "Uniform Method");

(B) the Uniform Method, with its enforcement provisions including the use of tax sale certificates and tax deeds to collect delinquent annual payments, is less expensive and more equitable to the delinquent landowner than the traditional lien foreclosure methodology;

(C) the Uniform Method will provide for more efficient collection by virtue of the assessment being on the tax notice issued by the Tax Collector and will produce positive economic benefits to the affected landowners and the County;

(D) the Uniform Method will promote local government accountability;

(E) this Agreement is intended to conform with the requirement of section 197.3632, Florida Statutes, that the County and the Tax Collector enter into a written agreement providing for reimbursement of necessary administrative and actual costs incurred as a result of the use of the Uniform Method; such administrative and actual

costs include, but are not limited to those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming;

(F) the duties of the Tax Collector under section 197.3632, Florida Statutes, are ministerial;

(G) this Agreement is entered into in order to allow for the use of the Uniform Method relative to non-ad valorem assessments imposed and levied by the County under Ordinance No. 2020-050720-02 ("the Master Capital Project and Service Assessment Ordinance"), as amended from time-to-time;

(H) the non-ad valorem assessments to which this Agreement applies are being imposed and levied by the County for the provision of fire protection services, facilities and programs, solid waste management and disposal services, facilities and programs, road maintenance and road paving services, facilities, and programs, and such future non-ad valorem assessment programs as may be created by the County.

SECTION 1.02. INCORPORATION. The findings, recitals and acknowledgements contained herein are true, correct and incorporated in this Agreement.

ARTICLE II

SECTION 2.01. PURPOSE. The purpose of this Agreement is for the County and the Tax Collector to establish and agree upon the undertaking of the responsibilities pursuant to section 197.3632, Florida Statutes, in order for the County Commission to implement the Uniform Method for the notice, levy, collection, and enforcement of non-ad valorem assessments; and to provide for reimbursement by Jefferson County to the Tax Collector for all necessary administrative and actual costs incurred by them in such activity.

ARTICLE III

SECTION 3.01. COMPLIANCE WITH LAWS AND REGULATIONS. The parties shall abide by all statutes, rules and regulations pertaining to the levy and collection of non-ad valorem assessments, and any ordinance promulgated by the County, not inconsistent with, nor contrary to, the provisions of sections 197.3632, 197.3635, Florida Statutes, as amended, and any applicable rules duly promulgated by the Department of Revenue.

ARTICLE IV

SECTION 4.01. DUTIES AND RESPONSIBILITIES OF THE COUNTY. The County shall:

(A) be solely responsible for imposing and levying valid non-ad valorem assessments;

(B) reimburse the Tax Collector for all necessary administrative and actual collection costs incurred, in the collection of the assessments, under the Uniform Method;

(C) pursuant to section 197.3632(7), Florida Statutes, pay for or alternatively reimburse the Tax Collector for any separate tax notices if the Tax Collector cannot merge the non-ad valorem assessment roll certified by the County;

(D) make all reimbursement or payment to the Property Appraiser and Tax collector hereunder in accordance with the Florida Prompt Payment Act, Chapter 278, Part VII, Florida Statutes, or its successor in function;

(E) post the non-ad valorem assessment for each parcel on the non-ad valorem assessment roll in a manner that such non-ad valorem assessment roll is free of errors and omissions;

(F) on or about August 15 of each calendar year, be prepared to provide a non-ad valorem assessment roll on compatible electronic medium for trial run purposes to assure the Tax Collector same will merge with the ad valorem tax roll;

(G) cause the Chairperson of the County Commission, or his or her designee, to certify, by September 15 of each calendar year, to the Tax Collector the non-ad valorem assessment roll on compatible medium, tied to the property parcel identification number, in a manner that conforms to the format of the ad valorem tax roll submitted by the Property Appraiser to the Department of Revenue;

(H) designate and authorize a person, other than the Tax Collector, to receive and process any request for changes, modifications or corrections to the subject non-ad valorem roll and, if necessary, file with the Tax Collector an appropriate certificate of correction; and

(J) cooperate with the Tax Collector to implement the Uniform Method of notice, levy, collection and enforcement of each of the subject non-ad valorem assessment roll, pursuant to, and consistent with, all the provisions of Chapter 197, specifically sections 197.3632 and 197.3635, Florida Statutes, as amended.

SECTION 4.02. DUTIES AND RESPONSIBILITIES OF THE TAX COLLECTOR. The Tax Collector shall:

(A) merge all rolls, prepare a collection roll and prepare a combined notice for both the ad valorem and non-ad valorem assessments in accordance with Chapter 197, any applicable rules promulgated by the Department of Revenue and in accordance with any specific ordinances and resolutions adopted by the County, so long as said

ordinances and resolutions shall themselves not be inconsistent with or contrary to, the provisions of Chapter 197, specifically sections 197.3632 and 197.3635, Florida Statutes;

(B) collect the non-ad valorem assessments of the County as certified, no later than September 15 of each calendar year to the Tax Collector; provided such non-ad valorem roll is on compatible electronic medium tied to the property identification number for each parcel and in the format used by the Property Appraiser for the ad valorem roll submitted to the Department of Revenue and such non-ad valorem roll is free of errors and omissions;

(C) cooperate with the County and the Property Appraiser to implement the Uniform Method of notice, levy, collection and enforcement of each of the subject non-ad valorem assessment rolls, pursuant to, and consistent with, all the provisions of Chapter 197, specifically sections 197.3632 and 197.3635, Florida Statutes, as amended;

(D) provide the County with a written itemized statement of any necessary administrative and actual collection costs incurred by the Tax Collector for which reimbursement is sought;

(E) if she discovers any errors or omissions on any roll, request the County to file a corrected roll or the correction of the amount of any assessment by filing with the Tax Collector a certificate of correction, with a copy to the Property Appraiser and the Department of Revenue, pursuant to applicable rules provided by the Department of Revenue; and

(F) upon determining that a separate mailing is required pursuant to section 197.3632(7), Florida Statutes, mail, or require the County to mail, a separate notice of the particular non-ad valorem assessment

ARTICLE V

SECTION 5.01. TERM. The term of this Agreement shall commence upon the date first above written and shall run through the end of the calendar year and shall automatically be renewed thereafter, for successive periods, not to exceed one year each. However, the County shall inform the Property Appraiser and the Tax Collector and the Department of Revenue by January 10 in any calendar year the County intends to discontinue using the Uniform Method of collecting the non-ad valorem assessments referred to in this Agreement.

IN WITNESS WHEREOF, the County and the Tax Collector have executed and delivered this Agreement as the date first above written.

ATTEST:

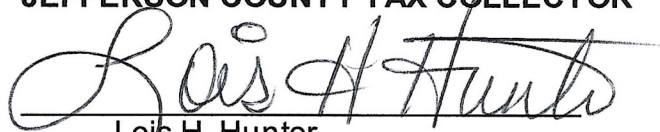
**BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA**

Clerk, Board of County
Commissioners

By: _____
Chairman

WITNESSES:

JEFFERSON COUNTY TAX COLLECTOR


Lois H. Hunter