

# JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

## Regular Session

Thursday, April 3rd, 2025

9 AM

The Board met on this date in Regular Session, Executive Session, and Budget Workshop. Chairman Austin Hosford, Commissioners JT Surlles, Jessica Gramling, Ben White, and Gene Hall were present. Clerk Trey Hightower, County Manager Shannon Metty, HR Director Renee Long, County Attorney Heather Encinosa, Assistant County Attorney Evan Rosenthal, and County Budget Officer Gus Rojas were also present.

At the recent board meeting, a proclamation honored Mrs. Shawn Greenwood for her community contributions. During citizen input, David Hall contested a denied permit, sparking discussion about zoning, licensing, and appeals. The Consent Agenda was approved unanimously. General business included debate over the costly A-Building project, with opinions split between demolition and partial preservation. The board also discussed pursuing civil restitution liens and potential theft lawsuits related to the Kirk Reams, Charles Culp, and Tyler McNeill cases, approving a motion to investigate further and pursue civil restitution liens. Change orders for private road stabilization projects were approved, and the board delayed a decision on extending the County Attorney's contract. The DOGE resolution passed unanimously. Clerk Hightower addressed the governor's letter, clarifying a fund misallocation. The County Engineer discussed public safety and infrastructure projects. The County Manager raised funding needs for new pickleball courts and issues with Humane Society's internet. Commissioner updates covered restitution funds, comp plan timing, and infrastructure inquiries. The meeting ended with a recess before entering an executive session on pending litigation.

### 1. 9AM Call to Order

### 2. Approval of the Agenda

- Agreement with Probation Company. Officer retiring, this is his last week. Judge Allman has approved the document as well as Judge Plaines.
- **Commissioner Surlles motions to add an Item I, Probation Agreement, seconded by Commissioner Gramling and unanimously passed by the board.**
- Counsel states that Item F needs to be pulled. It is left on the agenda.

### 3. Public Announcements, Presentations, Awards

- Recognizing Mrs. Shawn Greenwood, who works at the First Bank as a Branch Manager. Proclamation read by Renee Long.
- Commissioner Hall states that it is important to recognize her, and we thank her.

### 4. Citizens Request & Input on Non-Agenda Items

- David Hall brings up a denial of a permit that he requested. The information was not turned in on time. Claims you cannot have a liquor license until zoning signs off in the county. He expresses to the board that it is not fair to punish him unless he proves that there is a problem with the services that he provides.
- Shannon Metty inquires who signed the liquor license.
- Commissioner Surlles inquires why he is coming to Lloyd instead of his home county in Leon.

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- Chairman Hosford states that local businesses have to shut down early due to some of these events. The board agrees with Mr. Wheeler's denial.
- Kim Anderson states that David Hall has had three or four festivals on her property. There has not been one issue. None of her neighbors have complained.
- Commissioner Hall inquires if there is an appeal process.
- There is an appeal process set out in the code—it is not in front of you currently today. He has the option to set an appointment to appeal from the planning department's decision.

### 5. Consent Agenda

- **Commissioner Surles motions to approve the Consent Agenda, seconded by Commissioner Gramling and unanimously passed by the board.**

### 6. General Business

#### a. A-Building Options Discussion

- Are we going to continue this project? Costs another \$3.5 million to finish it.
- Chairman Hosford says it is a black hole of a money pit, and we should get out of this project while we still can. We have bigger projects to prioritize such as the courthouse renovations.
- Commissioner Surles says this project is a soft spot for him because we are so far into it. We need to kick the can a little further and see if we can come up with a solution.
- Shannon Metty confirms that she will continue to apply for grants and look at what it costs to cut ties.
- It will also be expensive to demolish the building.
- Commissioner Gramling says this building is important to a lot of folks her age and older who went to school with her. We might have to look into demolition for safety reasons.
- Teresa Sterling—Grants Administrator. It does not have to be all or nothing, it could be partially demolished, and other parts kept such as walkways. This will honor the site.
- Commissioner Surles urges her to look into vocational training specific to construction trades.
- Counsel states that it requires a county contribution of \$250,000, or we will risk losing the grant funding that has already been allocated to us. The current deadline is the end of June.
- Shannon Metty states that the water could be rerouted to a fountain.
- Commissioner Surles instructs Shannon Metty to put JJ Scott at the next regular session meeting.

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- Clayton Tolbert inquires how much we have spent on this so far. He wants to know where this money has been going. He will retrieve this information through a public records request.

#### **b. Civil Theft and Civil Restitution Lien Order**

- Commissioner Gramling recuses herself and then withdraws her recusal after receiving advice from counsel.
- Counsel states that this item requests board action on pursuing restitution from defendants in the matter of the State of Florida versus Kirk Bradley Reams, State of Florida versus Warren Charles Culp, and State of Florida versus Justin Tyler McNeil. Restitution means compensation to a victim for losses that are paid by the responsible party.
- Three individuals were each charged with one count of grand theft over \$100,000 and one count of engaging in an organized scheme to defraud over \$50,000. Mr. Culp entered a no-contest plea and was adjudicated guilty on both counts. Mr. McNeill entered a no contest plea, and he was adjudicated guilty of one count of grand theft between \$20,000 and \$100,000. Following a jury trial, Mr. Reams was convicted of one count of grand theft between \$20,000 and \$100,000. He was acquitted on the organized fraud charge. He has appealed his judgment and sentence, and that case is currently pending.
- The trial court conducted a restitution hearing on January 13 and entered its restitution order on February 5<sup>th</sup>. There is a total of \$1,240,151 stolen county funds to be paid to the county as restitution. \$794,000 to be paid to the county immediately from frozen bank accounts. \$650,000 has already been recovered. This leaves roughly \$446,000 outstanding.
- What steps does the county want to take toward recovering these funds? There are several options. The state is not going to actively pursue restitution, this is the county's responsibility. The first option is to do nothing. Defendants have until the end of their probation term to satisfy restitution. Counsel is unsure what would happen if they do not satisfy restitution by the end of their probation—it is possible that they could be found in violation of probation and sentenced to prison. They could also be placed back on probation, or the funds may never be recovered.
- The county could be more proactive by petitioning the court to for entering a civil restitution lien order against each of the defendants. The liens also accrue interest at the statutory rate. Obtaining the lien should not be a heavy lift; it could likely be done for \$5,000 or less. How aggressive does the county want to be in enforcing those liens? The county could also pursue foreclosure against non-homestead property that is subject to the liens, as well as the defendant's personal property. The county first needs to go through a process to determine the non-homestead

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assets of defendants that could be subject to foreclosure. There will be costs associated with this route.

- Counsel also wanted to bring attention to the ability to bring civil theft lawsuits against the defendants. This could be done in addition to the civil restitution order. Must be done within two years of the termination of the criminal cases of the defendants.
  - Counsel is seeking direction from the board as to which of these options it would like to pursue. Recommends bringing in a company to identify the assets and welcomes questions.
  - Commissioner Hall asks a clarifying question regarding civil theft action.
  - Commissioner Hall motions to explore hiring an investigator to research the defendants' assets.
  - Heather Encinosa reiterates the importance of the civil restitution liens.
  - **Commissioner Hall amends his motion (to hire a private investigator) to include filing a petition to obtain the civil restitution liens, seconded by Commissioner Surles and unanimously passed by the board.**
  - Commissioner Surles asks what the cost would be to obtain the liens. Counsel replies \$5,000 at most.
  - Clerk Hightower updates the board on the collection from the restitution order. We have received the money from Tallahassee National Bank plus interest. They are working with Truist Bank to get \$50,000. They did not want to wire it, so they are going to mail the check. Working with the Sheriff and FDLE to collect \$19,000. The money is placed into a restitution account.
  - Counsel reiterates the outstanding amount uncollected.
  - Commissioner Gramling inquires whether we have any money that could be coming in from the other accounts or will the \$446,000 be remaining after all those monies are collected. The latter is correct.
- c. **Private Road Stabilization Project Change Order #1**
- The Change Order #1 had initially planned to put three inches of lime rock on Deerwood, but the contractor came in at a lower cost than originally expected.
  - **Commissioner Surles motions to approve, seconded by Commissioner White and unanimously passed by the board.**
  - Chairman inquires if that money is getting pulled from any other roads, to which Metty responds no.
  - Citizen to be Heard: BJ Nelson
- d. **Private Road Stabilization Project Change Order #2**
- Shannon Metty is having trouble getting all the signatures for Vista Road. In speaking with the new President of the Ridge Road Homeowners Association, they

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are all in. They will be signing letters hopefully next week; the cost is approximately the same.

- **Commissioner Gramling motions to approve, seconded by Commissioner Surles and unanimously passed by the board.**
- Counsel confirms that this is also a June 30<sup>th</sup> deadline. The money needs to be dispersed by June 30<sup>th</sup>.
- Chairman asks Metty if she feels confident in the timeline, to which she responds yes.
- Counsel inquires which roads we still need property consent on. Teresa Sterling approaches the podium to respond.

### e. County Attorney Contract Extension

- Requests board direction regarding the agreement for County Attorney services between the county and NGN. It is set to expire on June 30<sup>th</sup>. If the board wants to renew the agreement, a draft extension is included in the agenda packet. The current agreement allows for one-year extensions or any extension that is agreed upon by the parties. NGN is willing to accept a one-year extension for up to three years. They are not proposing any changes to their compensation structure. Kirsten Mood would be redesignated as the Deputy County Attorney, and Evan Rosenthal would replace Heather Encinosa as County Attorney.
- Commissioner Gramling would like to hold off on any discussion at this time. She would like additional time to consider the renewal. Commissioner Surles concurs.
- No action from the board. Counsel suggests not delaying the decision for too long given the approaching deadline.

### f. Floodplain Ordinance Amendment

- Counsel states that there is an exemption for ordinances that are acquired to implement federal statutes and regulations, but it is not covered here due to the nature of the changes to the ordinance.
- **Commissioner White motions to continue Item F to April 17<sup>th</sup> at 6PM, seconded by Commissioner Gramling and unanimously passed by the board.**

### g. Meeting Time Public Hearing Discussion

- **Commissioner Hall motions to change meeting time on the first of the month from 9AM to 6PM. No second. Motion fails.**
- Commissioner Surles compliments staff moving hot button items to evening meetings.

### h. DOGE Resolution

- Resolution in support of the DOGE initiative.
- **Commissioner Surles motions to approve, seconded by Commissioner Gramling and unanimously passed by the board.**

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### i. Probation Agreement

- Commissioner Surles motions to approve the Probation Agreement, seconded by Commissioner Gramling. It is not brought to a vote.
- Counsel explains that the board will need to waive the requirements of the competitive procurement policy, which it has the option to do.
- **Commissioner Surles amends his motion to include the counsel's suggestion, seconded by Commissioner White and unanimously passed by the board.**

### 7. Clerk of Court

- Attached his response to the governor's March 18 letter. 1-4 is no, 5 is yes. It is not due to a lack of funds, but an accounting issue. It appeared that we had a deficit in certain funds, but we technically did not.
- **Commissioner Surles motions to approve the Clerk's response, seconded by Commissioner Hall and unanimously passed by the board.**

### 8. County Engineer

- Discusses public safety issues, as well as Boston Highway Phases I and II.

### 9. County Attorney

- Suggests not adjourning the meeting before the executive session. The executive session is closed to the public regarding pending litigation.

### 10. County Manager

- All in cost for four Pickleball courts of \$180,000. We have \$63,000 to put towards it. She wants to know where we will come up with the extra \$117,000. She suggests utilizing funds from a previous property sale. Commissioner Surles expresses support for this proposed solution.
- Humane Society internet has become obsolete.
- Chairman Hosford expresses that this is not the board's responsibility.

### 11. County Commissioners

- Commissioner Hall inquires about the restitution funds—what accounts do they go into? The Clerk says these funds are in an interest-bearing restitution account.
- Commissioner Gramling inquires if we have a comp plan update. It will be brought to the April 17 meeting. It will not be approved at that hearing.
- Asks for updates on Basset Dairy Road. Shannon has received six quotes. Asks for kennel update. She called the city this week and they are supposed to do our sewer tap by tomorrow.
- Commissioner Surles states that the vendor list does not need to be printed every meeting. The electronic version will suffice.
- Chairman Hosford asks about Lloyd guardrails update. Shannon does not have an update; they were damaged during the hurricane.

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- Chairman Hosford asks if there was there a set amount per private road that we were allocated. He would like a consensus from the board on the rock mines—can we contract a company to provide us information on it?
- Shannon replies that she has had a couple of people approach her wanting to work on this issue. She wants to meet with Commissioner Surles since he was the main contact. She is working on a bid document including royalties and costs of lime rock. It will hopefully benefit the county as much as possible. If they are going to help us open it, they will help us close it.
- Commissioner Gramling requests that they include the cost of closing it.
- County Engineer is willing to conduct research.
- Counsel clarifies the nature of the executive session, including the members in attendance.

### 12. Recess Regular Session

### 13. Executive Session

- Counsel recommends a motion not to appeal the court's order in the case of Jefferson County v. Mark Winchester, but in the event that the defendants should file an appeal, to at that point file a cross appeal.
- **Commissioner Hall motions to accept the counsel's recommendation, seconded by Commissioner Gramling and unanimously passed by the board.**