

Board of County Commissioners

Jefferson County, Florida

Stephen G. Fulford District 1	Eugene C. Hall District 2	Hines F. Boyd District 3	Felix "Skeet" Joyner District 4	Danny Monroe, III District 5, Chair
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Regular Session Agenda (REVISED)

**August 5, 2010 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344**

- 1. 9:00 A.M. – Call to Order, Invocation, Pledge of Allegiance**
- 2. Public Announcements, Presentations, & Awards**
- 3. Consent Agenda**
 - a) Minutes – June 17, 2010 Regular Session**
 - b) Minutes – July 15, 2010 Regular Session**
- 4. Citizens Request & Input on Non-Agenda Items**
(3 Minute Limit, No Commissioner Discussion.)
- 5. General Business**
 - a) DOT 5 year Work Plan – Keith McCarron/ARPC**
 - b) Industrial Park Update – Julie Conley**
 - c) Signage at Meetings – Commissioner Fulford/Kate Calvin**
 - d) Census Update**
 - e) Budget Discussion**
- 6. County Coordinator's Report**
 - a) Resolution 10-080510-01 – Florida Boating Improvement Program**
 - b) Proposal for BP to Continue Monitoring Jefferson County Shoreline**
- 7. Citizen's Forum**
(3 Minute Limit, Discussion Allowed. Questions, comments and concerns regarding county issues, officials and staff may be made here.)
- 8. Commissioner Discussion Items**
- 9. 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.

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
June 17, 2010

The Board met this date in Regular Session. Present were Chairman Danny Monroe, Commissioners Hines Boyd, Stephen Fulford, Eugene Hall and Felix "Skeet" Joyner, County Coordinator Roy Schleicher, Clerk of Court Kirk Reams, and County Attorney Buck Bird.

1. On motion by Commissioner Hall, seconded by Commissioner Fulford and unanimously carried, minutes from the June 3, 2010 regular session were approved.
2. Sutton Webb with Riley Palmer Construction presented his proposed project cost for the courthouse repairs and renovations. Commissioner Boyd stated his problem with the numbers that he considered a "padding of the bill." He also voiced concern that this was a simple maintenance issue and his displeasure with the lack of local contractors involved with the project.
3. Mr. Webb said he made a concerted effort to get local bidders on the job and was not opposed to paring some of the construction management costs down. Commissioner Joyner asked if project manager and supervisor costs could be reduced to which Mr. Webb agreed to a 50% reduction. Commissioner Fulford opined that the county was not set up to manage these type of projects on its own and stated there were costs associated due to this inability. On motion by Commissioner Joyner, seconded by Commissioner Fulford and carried 4 to 1 (Boyd opposed), the Board approved the proposal with reductions presented by Mr. Webb of Riley Palmer Construction.
4. Clerk of Court Kirk Reams presented the latest lease proposal from the Jefferson County School Board in regards to the "A" Building. Superintendent of Schools Bill Brumfield stated this was a "win-win" for all parties involved. Commissioner Fulford made a motion to which Commissioner Boyd seconded to accept the most recent school board offer which involved a \$48,000 upfront payment with \$2000/month lease-to-own payments beginning in June 2012 and ending June 2030. Citizen Dick Bailar celebrated the idea but stated his belief that the county should pay an upfront amount and own the building. Commissioner Joyner stated he would like to see the gym as the next project on which to work in conjunction with the School Board. The aforementioned motion was unanimously carried.
5. Citizen C.P. Miller with Concerned United People voiced his displeasure in comments made by Commissioner Joyner in reference to activities at the ballfield in Lloyd. He asked for an apology from Commissioner Joyner. Commissioner Joyner stated that he had met with the property owner and the meeting went well with a full understanding of the issues involved and a willingness of behalf of the property owner to work with the Board. Commissioner Joyner stated he had no apology to make. Commissioner Boyd stated he was happy to see the ballfield tradition in Lloyd, to which Commissioner Joyner stated that the Board's needed to ensure families could enjoy the activities by keeping it clean.
6. Citizen Pat Pearson presented the Board a letter from Preston Robertson from FWF asking the Board for a resolution to support the legislature meeting to place a referendum on the ballot to ban offshore drilling as a part of the state constitution. Commissioner Joyner made a motion to approve the resolution, to which Commissioner Hall seconded. Commissioner Fulford stated this was better handled at the legislative level. Citizen Bud Wheeler worried about knee-jerk reactions to the oil spill. Citizen Mark Glisson stated it was only a resolution of how the Board felt about this issue and to let Jefferson County get left out. Commissioner Joyner withdrew his motion, Commissioner Hall withdrew his second and the item was tabled for a later meeting.

7. PUBLIC HEARING: EAR RESOLUTION

8. Planning Official Bill Tellefsen stated that the public hearing needed to be postponed and re-advertised for July 15th. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, a workshop addressing Comp Plan amendments and a future land map was scheduled for July 1st, immediately following the regular session.

9. PUBLIC HEARING: SMALL CITIES CDBG GRANT

10. County Coordinator Roy Schleicher introduced the public hearing process for the CDBG Grant application. On motion by Commissioner Hall, seconded by Commissioner Boyd, and unanimously carried, the grant application was approved.

11. PUBLIC HEARING: PETITION TO VACATE MALLOY LANDING ROAD

12. Jamie Boland, representing New River Holdings LLC, stated his family's desire to vacate Malloy Landing Road due to the boat landing at the head of the Wacissa River being more adequate, saving the expense of Malloy Landing Road, historical abuse of the property (i.e., dumping) and also dangerous hunting activities. Commissioner Joyner felt like this was a benefit to the public and that the county would not have to maintain the road any longer with all land owners getting an easement from the Boland's to their property and that the maintenance of the road would be the Boland's responsibility.
13. Property owner Bradley Cooley stated that the landing was private and that, in essence, the county had been maintaining a private road all these years.
14. Resident Walt Collier stated he was being adversely affected by water off the Boland's property at the present time and was mostly concerned about water flow issues.
15. Resident Mark Glisson stated the county had committed itself to public access to the river with a \$500,000 investment and the Boland's had agreed to give land at the head of the river if the county would agree to hold the hearing.
16. Resident Sherri Green asked if this was considered a zoning change. County Attorney Buck Bird responded that it was not.
17. Attorney Bird stated that a land exchange public hearing was held on April 15th where two small parcels of land owned by the Boland's at the head of the Wacissa River were exchanged for a 4-acre landlocked tract to the north, with the drainage ditch to be maintained by the county. The county also agreed to allow the Bolands an easement through the 10-acre parcel the county purchased from the Wilson Family Trust. Mr. Bird stated that the only thing the county agreed to do was hold a public hearing for a road closure of Malloy Landing Road. He said the county had done everything it agreed to do and that the road closure was a separate issue.
18. Property owner Frances Floyd announced she was in favor of closing the road and that there had been many problems that made the landing an unfavorable place of enjoyment for families.
19. Resident Walt Collier again stated his concern with water flow issues, to which Chairman Monroe stated had nothing to do with the closing Malloy Landing Road but could re-visited at a later date/meeting.
20. Resident Jeff Granger presented 108 signatures on a petition against the closing of Malloy Landing Road and stated that taxpayers have paid to maintain this road for many years.

21. Resident Buddy Johnson expressed his desire that the road stay open and that it had been maintained for many years and, in his opinion, the Board was attempting to deny the public the use of a public road.
22. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the meeting was extended to 9:30 pm.
23. Citizen Rick Chancey stated that the head of the river was a valuable asset and that if all three landowners affected agreed to have Malloy Landing Road closed, it would not be too much to ask.
24. Property owner Bradley Cooley reiterated that the landing was not public and that it was privately owned by the Floyd family. Buddy Johnson responded that it was concerned navigable waters.
25. Chairman Monroe stated his concerns about denying public access to the river and forcing people to only use the headwaters that the county had purchased. He also stated his worry about setting precedent of road closures throughout the county.
26. Property owner James Boland, Jr. stated that the landing was seldom used and all adjacent landowners desired for the road to be closed.
27. Commissioner Boyd stated that the county had purchased land without having total access to the river. He reiterated Attorney Bird's statement that the land exchange involved a 4-acre tract that was a former landfill, a grant of easement through 10 acres that the county purchased from the Wilson Family Trust and a letter of intent to hear public closure of the road. He stated that there was a moral obligation to follow through with the commitment to the Bolands and that the three landowners did not object to the road closure.
28. Commissioner Boyd made a motion to which Commissioner Hall seconded to vacate Malloy Landing Road.
29. Chairman Monroe reiterated that the road closure had nothing to do with the other parcels of land in the land exchange with the Bolands and that nothing was contingent on the closing of Malloy Landing Road. He stated that this was in his district and that he heard from many people not wanting the road closed. He also stated that Betty Boland was his first cousin but he was going vote on what he felt was right.
30. Attorney Bird stated that there would need to be language to justify making what the county has at the head of the river equal or better because the county is forcing the public to use one access to the Wacissa River.
31. Property owner Betty Boland stated she thought their family was doing something good for the community and that she thought the road closing was contingent on the entire agreement. Chairman Monroe responded that these were two separate issues.
32. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the meeting was extended to 10 pm.
33. Commissioner Joyner stated that closing public roads does set bad precedent. He also expressed that the letter of intent was binding in court whether the road was closed or not. He stated that down the road, he felt many people would benefit from being able to use a park at the head of the river. He further stated that once this park was completed, the 108 people on the opposed petition would benefit far more than they would from the landing on Malloy Landing Road. Chairman Monroe again stated that the two issues were not tied together.

34. On aforementioned motion by Commissioner Boyd and seconded by Commissioner Hall, the Board voted 4 to 1 (Monroe opposed) to vacate Malloy Landing Road.
- 35. PUBLIC HEARING: ORDINANCE NO. 10-06-17-10-01: PROHIBITING COMMERCIAL NON-SALE OF TOBACCO PRODUCTS**
36. Mary Ann Arbulu of the Jefferson County Health Department made a presentation of the ordinance to the Board.
37. Commissioner Joyner made a motion to approve the ordinance to which Commissioner Hall seconded for discussion.
38. Commissioner Joyner stated that the ordinance did not affect any retailer in the county. Chairman Monroe stated his concern about enforcement issues. Resident Gordon Dean stated that Tobacco Free Florida did a lot to help out organizations in the county and urged the Board to vote in favor of the ordinance.
39. Chairman Monroe agreed with the concept but stated he would recuse himself due to his son's employment in the tobacco industry.
40. The aforementioned motion passed unanimously (Monroe recused), adopting the ordinance.
41. The warrant register was reviewed and bills ordered paid.
42. On motion by Commissioner Joyner, seconded by Commissioner Fulford, and unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
July 15, 2010

The Board met this date in Regular Session. Present were Chairman Danny Monroe, Commissioners Hines Boyd, Stephen Fulford and Felix "Skeet" Joyner, County Coordinator Roy Schleicher, Clerk of Court Kirk Reams, and County Attorney Buck Bird.

1. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, Resolution 10-071510-02, naming Sam Perry Road, was approved.
2. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, July 18th-24th was proclaimed American Probation and Parole Officer Week.
3. Citizen Kate Calvin requested a workshop on the issue of signage displayed during county commission meetings. Chairman Monroe expressed concern about opening a "can of worms" and stated the meeting room was like a courtroom where signs are not allowed. Commissioner Joyner supported having signs but stated the guidelines were needed. Commissioner Boyd stated that the Rules of Procedure should be reviewed periodically but they were currently working. Commissioner Fulford volunteered to meet with Ms. Calvin regarding this issue.
4. The legislative update provided by Representative Leonard Bembry was tabled.
5. Superintendent of Schools Bill Brumfield explained that the County Commission had to approve placing a quarter mill referendum on the ballot for the voters to decide whether or not the school board should be allowed to vote on a quarter mill increase to be used towards capital improvements. Mr. Brumfield further explained that the capital improvement this potential increase would be towards was the auditorium.
6. On motion by Commissioner Fulford, seconded by Commissioner Boyd and carried 3 to 1 (Joyner opposed), the Board approved Mr. Brumfield's request.
7. Citizen Pat Pearson presented a resolution supporting a statewide vote on the banning of oil drilling in Florida waters. Commissioner Fulford expressed concern that this issue that does not belong in the state constitution and his trouble with the finality of issues that do go into the state constitution. He stated his belief that it needed to remain in the hands of the legislature. Commissioner Monroe agreed with not placing it in the state constitution. Citizen Bud Wheeler also stated his opinion to let the legislature deal with it. Ms. Pearson stated that voting "No" implies that giving people the right to vote on this issue is not important. Ms. Pearson's request died for lack of a motion.
8. Attorney Scott Shirley explained to the Board that the bond related to road improvements at Heritage Hills subdivision needed to be released in order to pay the contractor. On motion by Commissioner Joyner, seconded by Commissioner Boyd and unanimously carried, the release of \$132,137 in bond proceeds made out to North Florida Asphalt was approved. Commissioner Monroe expressed concern about on-going maintenance issues in the subdivision. Commissioner Joyner stated that the purchase of the property could not go through until a maintenance agreement was satisfied. Commissioner Fulford expressed concern over the responsibility of maintaining the roads that could be stressed with further build-out of the subdivision.

9. Attorney Shirley further explained that most deficiencies in the subdivision were minor due to erosion and would need to be repaired as lots were built upon. He also stated that there was incentive for Turner Homes to satisfy the maintenance agreement, as they needed to be able to sell the property. This issue was tabled to August 5th, 2010.

10. PUBLIC HEARING: SMALL CITIES CDBG GRANT

11. On motion by Commissioner Joyner, seconded by Commissioner Boyd and unanimously carried, the Jefferson County Housing Authority Administrative Plan was amended to include proper language against the use of violence towards women.
12. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the Small Cities CDBG grant application was approved.

13. PUBLIC HEARING: PETITION TO VACATE EASTERN PORTION OF DESOTO ROAD

14. Petitioner Greg Lee stated his desire to close off a portion of DeSoto Road, affecting only his property due to vandalism and trespassing issues. Commissioner Monroe stated that this was a dead-end road and that Mr. Lee owned all of the land around it. On motion by Commissioner Joyner, seconded by Commissioner Boyd and unanimously carried, the petition was granted.
15. County Coordinator Roy Schleicher presented Department Head reports to the Board and tabled the issue of proposed mission statements for a later meeting.
16. Mr. Schleicher informed the Board that there was a proposed 7-acre site that a citizen would like to donate to the county that he would like to re-evaluate. Commissioner Monroe suggested that potential for future wetlands mitigation could be a possibility.
17. On motion by Commissioner Joyner, seconded by Commissioner Fulford and unanimously carried, the Board approved a letter to USDA Rural Development.
18. On motion by Commissioner Joyner, seconded by Commissioner Fulford and unanimously carried, the Board approved a letter of support for a Industrial Park grant.
19. County Coordinator Schleicher informed the Board that Jefferson Correctional Institute was terminating its agreement for a work squad to be utilized by the Road Department due to budgetary constraints.
20. Mr. Schleicher stated that no FRDAP grants would be available from the state for FY 2010-11.
21. Mr. Schleicher gave the Board a proposed letter to Florida Safe Rider informing it of its arrearages in lease payments of \$7910.
22. Clerk of Court Kirk Reams gave a budget update and a budget workshop was scheduled for 9 am on August 2nd, 2010.
23. The Board came to a consensus that Commissioners Fulford and Joyner and Citizen Dick Bailer would be the Board's representatives for the Value Adjustment Board. Mr. Reams also stated that Suzanne Van Wyk would no longer serve as the Board's value adjustment attorney due to conflict rules and that he would be advertising for attorney services for the VAB.
24. Commissioner Monroe gave an NRCS update that Dixie Paving was the low bidder for the Lloyd Creek project.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

25. The warrant register was reviewed and bills ordered paid.

26. On motion by Commissioner Joyner, seconded by Commissioner Fulford, and
unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk

For those occasions when citizens believe use of signs is warranted, the following guidelines are intended to clarify the successful use of hand held signs in county commission meetings:

Construction

- Signs are to be held by hand only, not posted or written on any walls.
- For public safety purposes, no signs or placards are to be mounted on sticks, posts, poles or similar structures.
- Signs may be any size, up to and not to exceed that of basic legal paper.

Content

- Sign messages shall concern only issues before the board.
- Messages must not:
 - ◇ Use profane, threatening, derogatory insulting or otherwise offensive language or images
 - ◇ Encourage any violent or aggressive behavior

Usage

- Signs may only be displayed in a manner that does not obstruct the view of another member of the audience.
- Use of signs shall be respectful and promote efficient expression of support for one's own position, not disagreement with another position.
- Signs shall be held up, not waved in a distracting or disruptive manner.

Enforcement of sign etiquette shall fall first to the individual, then to group leaders/spokesmen, and final enforcement shall be at the discretion of the Chairman.

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA, IN SUPPORT OF AN APPLICATION
FOR FLORIDA BOATING IMPROVEMENT PROGRAM FUNDS TO EXPAND /
RENOVATE THE WACISSA RIVER HEAD LANDING PARK
IN JEFFERSON COUNTY**

WHEREAS, the Board of County Commissioners of Jefferson County, Florida, recognizes the value and the benefits of developing the economy in the Monticello/Jefferson County area; and

WHEREAS, the Jefferson County Board of County Commissioners is the fee simple owner of a Wacissa River Landing park in Jefferson County, which lacks adequate facilities, parking and the amenities necessary for Jefferson County residents; and

WHEREAS, the Jefferson County Board of County Commissioners is requesting funding from Florida Fish and Wildlife Commission / Florida Boating Improvement Program funds for purposes of expanding / renovating the existing park for the people of Jefferson County, including preliminary engineering, surveying, permitting and other activities to achieve an improved park and boating access;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Jefferson County, Florida, hereby supports the grant application and urges the Florida Fish and Wildlife Commission to fund the request for the purposes set forth in the formal Florida Boating Improvement Program application.

PASSED AND APPROVED this 5th day of August, 2010.

**JEFFERSON COUNTY BOARD OF
COUNTY COMMISSIONERS**

BY: _____
Danny Monroe, III
Chairman

ATTEST:

KIRK BRADLEY REAMS
Clerk of Circuit Court