

Board of County Commissioners

Jefferson County, Florida

Stephen G. Fulford District 1, Chair	John Nelson, Sr. District 2	Hines F. Boyd District 3	Betsy Barfield District 4	Danny Monroe, III District 5
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Regular Session Agenda

April 7, 2011 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) **Approval of Agenda**
 - b) **Minutes of March 17, 2011 Regular Session**
 - c) **Minutes of March 17, 2011 Workshop**
 - d) **Approval of Mediation Settlement Agreement – RE: Angela Scott**
4. **Citizens Request & Input on Non-Agenda Items**
(3 Minute Limit, No Commissioner Discussion.)
5. **General Business**
 - a) **CRTPA Appointment** – Commissioner Barfield
 - b) **SCRAP Submittal Recommendation** – Engineer Alan Wise
 - c) **Commissioner Hands-Off Policy** – Commissioner Barfield
 - d) **Aucilla River Speed Zone Proposal** – Frederic Vose, Ph.D
6. **County Coordinator’s Report**
 - a) **Library Staff Visit to Tallahassee**
 - b) **Aucilla Christian Academy Storm Drain Failure**
7. **Citizen’s Forum**
(3 Minute Limit, Discussion Allowed.)
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
March 17, 2011

The Board met this date in regular session. Present were Chairman Stephen Fulford, Commissioners Betsy Barfield, Hines Boyd, Danny Monroe and John Nelson. Also present were County Coordinator Roy Schleicher, County Attorney Paula Sparkman and Clerk of Court Kirk Reams.

1. Commissioner Nelson requested that the proclamation for VFW Post 251 and Ladies Auxiliary 10th Annual Awards Dinner & Banquet be moved to item g, under General Business.
2. Ann Holt announced a Main Street meeting on Monday, March 21st at 6:30 pm at the Clark-Avera House.
3. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the agenda was approved.
4. On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the minutes of the March 3, 2011 Regular Session were approved.
5. Clerk of Court Kirk Reams introduced the Local Preference language for the Purchasing Policy. Chamber President Gordon Dean made note that Leon County recently raised its local preference to 20%, while this proposal called for 5%. Commissioner Barfield stated she wanted to make sure that local vendors were competitive with their pricing when dealing with non-local businesses that were awarded county contracts. Gordon Dean responded that a non-local business that was awarded a county contract would have to demonstrate that local business could not cost effectively provide goods and services in order to avoid the 25% local business work target. Chairman Fulford asked about an RFQ situation. Mr. Dean responded that local companies would be awarded 5% of the total points scored. Attorney Sparkman stated she would prepare a resolution to amend the policy and bring back to the Board.
6. Commissioner Monroe introduced the April Water Conservation Month Proclamation. Commissioner Monroe stated he had talked to David Still with Suwannee River Water Management District, who had asked the Board to make this proclamation. Citizen David Hall stated that he had been told by the Commission in the past that this was not the responsibility of the Board. Commissioner Monroe responded that the water lying beneath the county was the Board's business. Citizen David Hall responded that the county was split into two water management districts that did not communicate, which he stated was a problem. Commissioner Barfield stated that the proclamation meant that the Board recognized the importance of conserving water. Chairman Fulford read the proclamation. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the Board approved the proclamation.
7. Attorney Paula Sparkman presented the Dangerous Animal Ordinance as updated. Commissioner Barfield asked Solid Waste/Animal Control Director Beth Thorne if the ordinance was now sufficient, to which Ms. Thorne responded in the affirmative. Commissioner Barfield inquired as to whether the citation matched the ordinance, to which Attorney Sparkman responded in the affirmative. Commissioner Barfield asked how unpaid fees were handled. Attorney Sparkman responded that if fees were not paid within 30 days, the animal would be considered abandoned. Ms. Thorne stated that once considered abandoned, the animal would be adopted out or euthanized. Any fees incurred would be pursued through the court system. Chairman Fulford asked that the ordinance be advertised and set for a public hearing on April 21st.
8. County Coordinator Roy Schleicher reported that CW Roberts had finished work at the College Park Horse Arena. He also informed the Board that Engineer Alan Wise, with Preble-Rish, was completing paperwork for the Northwest Florida Water Management District permit. Commissioner Barfield asked about the future use of that facility, to which County Coordinator Schleicher responded that the County

- Extension Office would oversee the facility and plan for its use. Citizen Gordon Dean informed the Board that the arena floor was currently covered in rock and gravel and that large amounts of soil would need to be brought in before the facility could be used for horses. County Coordinator Schleicher responded that the facility was not a finished product and there could be years of work remaining before it was complete.
9. Solid Waste Director Beth Thorne and citizen Phil Calandra presented a slideshow outlining the recommendations proposed by the committee addressing solid waste collection sites. Mr. Calandra stated the goal was to avoid site closures while making improvements. The proposal outlined three service levels: sites manned daily; sites manned on a limited basis; and sites unmanned with controlled access and cameras. Mr. Calandra showed a map of the sites, displaying proposed service levels and schedules of operation. Mr. Calandra also displayed a table showing the cost estimates of these improvements. Commissioner Barfield inquired about controlled, gated access. Ms. Thorne responded that sites could be monitored by video surveillance and citations could be sent for violations. Commissioner Boyd stated that he had received a fair amount of complaints over access to the sites. Ms. Thorne responded that her proposal included walkthrough gates. County Coordinator Roy Schleicher stated that the public should get better accustomed to site schedules. Commissioner Boyd voiced concern over using any fiscally constrained dollars in the improvement proposal. It was the consensus of the Board to allow Ms. Thorne to bring the proposal back during budget season.
 10. Clerk of Court Kirk Reams introduced the request to approve the Crime/Employee Dishonesty Policy. He recommended the coverage limit of \$250,000 per occurrence, which had an annual premium of \$1000. Mr. Reams further explained that this policy would provide more comprehensive coverage than individually bonding elected officials. Mr. Reams stated that the policy covered Commissioners, all employees of the Board, Constitutional Officers and all employees of Constitutional Officers. Commissioner Barfield stated she was comfortable with this coverage in addition to the Public Officials Liability Insurance currently in force. On motion by Commissioner Barfield, seconded by Commissioner Monroe and unanimously carried, the Board approved the Crime/Employee Dishonesty policy at the \$250,000/occurrence coverage limit.
 11. Commissioner Nelson introduced and read a proclamation recognizing the VFW Post 251 and Ladies Auxiliary 10th Annual Awards Dinner. On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, the Board approved the proclamation.
 12. County Coordinator Roy Schleicher presented department head reports to the Board.
 13. The Vision Plan and Private Dirt Road Program workshop was scheduled for April 5th at 5:00 pm at the Jefferson County Courthouse Annex.
 14. County Coordinator Roy Schleicher informed the Board of a washed-out pipe at Aucilla Christian Academy that the Road Department will be addressing with the assistance of County Engineer Alan Wise.
 15. County Coordinator Roy Schleicher informed the Board that he was scheduling a future meeting with Randy Hatch to review the County's mine operations. Commissioner Barfield stated she would like to see what the scope of work is and voiced concern with ignoring the engineer's previous recommendation. Commissioner Boyd responded that Mr. Hatch has agreed to meet with county staff free of charge. Commissioner Barfield responded that she desired Mr. Hatch to work with the county engineer and county staff without involving the Board.
 16. Citizen David Hall voiced concern over the county ordinance not being enforced in relation to ticketed events at the softball field near his residence. He stated there must be traffic control by off-duty police officers and that no more than six ticketed events could take place annually. County Coordinator Roy Schleicher said he would ask Attorney Shirley to interpret what the county had in its code. Chairman Fulford asked Attorney Sparkman to review the entertainment ordinance and provide suggestions for improvement. Sheriff Hobbs stated the biggest issues were safety on the roadway and manpower.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

17. Citizen Paul Henry spoke about potential evidentiary problems with enforcing citations via cameras at landfill sites.
18. Commissioner Barfield stated she would be introducing a “Hands-Off” Policy at the next meeting in regards to Commissioners staying out of the day-to-day operations of departments. Commissioner Boyd stated he would like to present language as well.
19. The warrant register was reviewed and bills ordered paid.
20. On motion by Commissioner Monroe, seconded by Commissioner Nelson unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
FIRE INSPECTION WORKSHOP
March 17, 2011

The Board met this date for a fire inspection workshop. Present were Chairman Stephen Fulford, Commissioners Betsy Barfield, Hines Boyd, Danny Monroe and John Nelson. Also present were County Coordinator Roy Schleicher, County Attorney Buck Bird and Clerk of Court Kirk Reams.

1. Fire Rescue Chief Mark Matthews introduced the issue of Fire Inspections. He stated that the way the county currently performs inspections pays for itself. Currently, the county performs inspections on a per-request basis.
2. Commissioner Barfield asked if this would be performed in a similar manner to Animal Control. Attorney Bird responded in the affirmative, with the establishment of a Code Enforcement Board.
3. Chief Matthews stated that there was no agreement with the City of Monticello and therefore no funding was provided by the city. He stated that unless this was addressed, inspections would be performed in the unincorporated areas of the county.
4. Chairman Fulford asked if these would be annual inspections. Chief Matthews responded in the affirmative and stated the inspections would be done for every commercial facility. He further stated that if inspections were done full-time, it would be a self-sufficient endeavor.
5. Commissioner Nelson inquired about requests for inspections. Chief Matthews responded that requests were kept on file and results were sent to the requesting agency. He further stated that many issues were left unresolved because of no enforcement.
6. Commissioner Boyd commented on getting more volunteers and staff trained to do inspections. He explained that when staff members were not out on call, they could perform inspections. Chief Matthews responded that this would be problematic with staffing issues.
7. Commissioner Boyd voiced concerns with “opening a can of worms” by requiring annual inspections of commercial buildings. He stated this would anger and incur costs for business owners. He also stated concern about budgetary challenges.
8. Chief Matthews stated his primary concern was public safety and that inspections were in everyone’s best interest. Commissioner Barfield inquired about incremental steps for compliance. Chief Matthews responded that discretion would be used with highlighting worst violations first and phasing in the addressing of minor violations.
9. Commissioner Nelson stated that an interlocal agreement with the city would need to be addressed. Attorney Bird agreed and stated an interlocal agreement would be necessary before inspections could be performed the city.
10. Chairman Fulford asked if there was a better definition for commercial facility. Attorney Bird stated that the definition would more than likely be whether or not the public was being invited to enter the facility, which included employees. Chief Matthews stated that Florida Statutes were very broad and included “all buildings” language.
11. Commissioner Barfield voiced concerns with the cost of inspections to the county. Chief Matthews responded that he had examined costs versus revenues for last year and stated that the county broke even.
12. Commissioner Nelson stated he would like to see facilities identified in order to establish the workload.
13. Chief Matthews reiterated that he was seeking authorization from the Board to perform inspections on an annual basis instead of just by request. He stated that the consensus of past Boards was to stay with inspections by request. He further

informed the Board that the county would have to establish rules on the enforcement side if inspections were done.

14. Chairman Fulford stated his desire to see a list of building categories.
15. Commissioner Nelson commented that the key to inspections was the preventative aspect and selling this idea to businesses in order to have them work together with the county to solve any issues was the best method for compliance.
16. Commissioner Barfield commented that there could be a possibility of employee call-sharing with other counties and stated a need to look at a backup plan if the county lost its Fire Inspection employee.
17. Chief Matthews once again asked if the Board was interested in following state statutes in regards to performing inspections. Commissioner Boyd commented that his criteria would be a) that risk-based assessments should be done to perform inspections on buildings that were more critical; and b) that it cost no additional taxpayer dollars. Chairman Fulford stated a desire to look at building categories and define high risk structures. He recommended defining a standard and proceeding. Commissioner Nelson stated that all facilities that are the responsibility of the fire department must be identified and volunteered to assist Chief Matthews in developing the list. He further stated that there was a need to have citizenry educated that as a policy making and legislative body, it was the Board's duty to provide citizens a safe environment. Commissioner Boyd responded that he had confidence in Chief Matthews to perform this task and that the Board should stay out of it.
18. Attorney Bird stated that Chief Matthews currently had the power to enforce, just not the process. Chief Matthews responded that if the public had issues with the inspection process, their concerns could be addressed by the Code Enforcement Board when it is established.
19. On motion by Commissioner Barfield, seconded by Commissioner Monroe unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk



RICK SCOTT
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
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March 17, 2011

Mr. Douglas Croley
Chairperson
Capital Region Transportation Planning Agency
300 S. Adams Street, A-19
Tallahassee, FL 32301

Dear Chairman Croley:

I have had an opportunity to review the Capital Region Transportation Planning Agency's resolution of January 12, 2009, Resolution Number 09-42, expanding the metropolitan planning area boundary to include the entire counties of Leon, Gadsden, Wakulla, and Jefferson. Section 339.175(2)(c), Florida Statutes, and 23 Code of Federal Regulations § 450.312 (a), require that the jurisdictional boundaries of a metropolitan planning organization (MPO) be determined by agreement between the MPO and the Governor. Being fully advised, and based on the recommendation of the Florida Department of Transportation, I affirm the decision of the Capital Region Transportation Planning Agency to expand the metropolitan planning area boundary.

I applaud the effort to include all of the counties in the Capitol Region to form a more regional approach to transportation planning. I wish you continued success in your efforts to think and plan regionally.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/fdot

cc: Ms. Carrie O'Rourke, Deputy Chief of Staff, Executive Office of the Governor

Memo

To: Commissioners Steven Fulford, Hines Boyd, Danny Monroe, John Nelson
From: Betsy Barfield
Date: Friday, April 1, 2011
Re: Non-Interference Policy

Commissioners - Here is language to consider for a 'non-interference' policy for our Board. I suggest we make this an ordinance.

Thank you,

B

Non-Interference Policy

Except for the purpose of inquiry and information, members of the Board of County Commissioners are expressly prohibited from interfering with the performance of the duties of any employee of the county government who is under the direct or indirect supervision of the County Coordinator/Administrator or County Attorney by giving said employees instructions or directives. Such action shall constitute malfeasance within the meaning of Article IV, Section 7(a) of the Florida Constitution. However, nothing contained herein shall prevent a County Commissioner from discussing any county policy or program with a citizen or referring a citizen complaint or request for information to the County Administrator/coordinator or County Attorney.

c: Roy Schleiker, County Coordinator
Buck Bird, County Attorney
Kirk Reams, Clerk of Court
John McHugh – Assistant County Coordinator

ORDINANCE NO: 2011-_____

AN ORDINANCE OF TAYLOR COUNTY, FLORIDA AMENDING CHAPTER 78 - WATERWAYS, ESTABLISHING SECTION 78-5 – ESTABLISHING AN IDLE SPEED NO-WAKE AREA IN THE AUCILLA RIVER STATING A PURPOSE, ESTABLISHING A BOATING RESTRICTED ZONE, ESTABLISHING THE AUCILLA LANDING IDLE SPEED NO-WAKE AREA, ESTABLISHING A PENALTY AND PROCEDURE FOR VIOLATION, PROVIDING FOR INCLUSION IN THE CODE, PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, in accordance with Florida Statutes, Chapter 125.01, the Florida Legislature grants the Board of County Commissioners the power to carry on county government and Chapter 125.01(1)(t) authorizes the Board to adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, it is in the intent of the Board of County Commissioner to promote, protect, and improve the health, safety, and welfare of the citizens of Taylor County; and

WHEREAS, it is in best interest of the residents of and visitors to Taylor County that the County implement an idle speed no-wake zone in the Aucilla River within 300 feet upriver or downriver of the Aucilla Landing boat ramp.

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

SECTION 1. Chapter 78, Waterways. Article I, General, of the Code of Ordinances of Taylor County is hereby amended as follows:

Sec. 78-5. Aucilla Landing Idle Speed No-Wake Zone. (Secs 78-6-78-30 remain reserved.)

(a) *Definitions.* Unless the context clearly requires a different meaning, or one is specifically set out herein, then the words and terms used herein are to be defined and applied as set forth in F.S. ch. 327.

Vessel includes all vessels of any type, other than a seaplane on the water, used or capable of being used as a means of transportation on water, to include personal watercraft such as jet skis and non-displacement craft.

Idle speed no-wake area means a restricted or controlled zone which has been established to protect the safety of the public. Idle speed no-wake means that a vessel cannot proceed at a speed greater than the speed which is necessary to maintain steerageway.

Boating -restricted zone indicates a restricted or controlled area where speeds of all vessels of any type are regulated.

Waters of the Aucilla River means the continuous navigable waters of the Aucilla River.

(b) *Purpose.* It is the purpose of this section, among other things, to provide for the protection of life and to prevent damage or injury to life by setting of certain boating restrictions in specific navigable waters of the Aucilla River.

(c) *Boating Restricted Zone / Designated Idle Speed No-Wake Area.* It shall be unlawful to operate any vessel or motorboat at a speed greater than the speed which is necessary to maintain steerage in the marked boating restricted zone defined by:

(1) A point 300 feet upriver of the Aucilla Landing ramp (30° 8.904'N, 83° 558.101'W) to a point 300 feet downriver of the ramp (30° 8.832'N, 83° 58.189'W).

(2) The area designated as idle speed no-wake with state uniform waterway markers, according to the rules of the state department of environmental protection, and in compliance with F.S. ch. 327. A copy of the Aucilla Landing Idle Speed No-Wake marker types and locations is on file in the county offices.

(d) *Violations procedure.*

(1) Any person violating any provision of this section shall be guilty of a noncriminal infraction as provided in F.S. ch. 327 and subject to a civil infraction of \$75.00. A code enforcement officer or law enforcement officer is authorized to issue a citation to a person in violation of this section.

SECTION 2. Inclusion in the Code of Ordinances

It is the intention of the Board of County Commissioners, that the provisions of this ordinance shall become and be made a part of the Taylor County Code; and that the section of this Ordinance may be renumbered or re-lettered and word "ordinance" may be changed to "section," "article" or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 3. Severability.

The intent of the Board of County Commissioners is that if any subsection, clause, sentence, provision or phrase of this Ordinance is held to be invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect upon being enacted and duly filed in the office of the Secretary of State of the State of Florida.

PASSED AND ADOPTED in regular session by the Board of County Commissioners of Taylor County, Florida, on this ____ day of _____ 2011.

BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA

BY: _____
LONNIE A. HOUCK JR, CHAIR

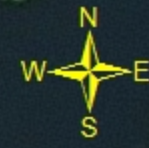
ATTEST:

ANNIE MAE MURPHY, Clerk

Jrb.

Note: This Ordinance amends Ordinance No. _____

0 45 90 180 270 360 Feet



Aucilla Landing Ramp
(within 300' of ramp)

Aucilla River Idle-Speed No Wake