

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 in project manager costs. 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, it was approved that the county intends to apply for the CDBG Small Cities Grant in the Housing Rehabilitation category.

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. Marianne 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