

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
December 16, 2010

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, Clerk of Court Kirk Reams, and County Attorney Buck Bird.

1. Commissioner Nelson presented a plaque to the JCMHS football program, congratulating them on their season.
2. On motion by Commissioner Boyd, seconded by Commissioner Monroe and unanimously carried, general business items a) and b) were switched to allow David Still with Suwannee River Water Management District (SRWMD) to give his presentation first.
3. On motion by Commissioner Barfield, seconded by Commissioner Nelson and unanimously carried, the agenda was approved.
4. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the consent agenda, consisting of the minutes from the December 2, 2010 regular session was approved.
5. David Still with SRWMD gave a presentation on the district's water issues. He explained that this area was the last place in the state to "get it right." He gave several examples of places in Florida where resources were not protected. He explained that in 20 years there would not be enough water for this district due to the effects of the water shed in northeastern Florida. He stated that educating public officials would be one way to help south Florida officials realize that there are water issues in this part of the state.
6. Chairman Fulford asked Mr. Still to go through the permitting process. Mr. Still stated that the SRWMD Board had exclusive authority for issuing consumptive use permits. He further explained that there was a three-prong test consisting of: 1) does this impact existing legal users; 2) is the use reasonable and beneficial; 3) is it in the public interest.
7. Citizen Bud Wheeler asked Mr. Still to explain the south Florida threat and also the permitting process for duck ponds. Mr. Still responded that the threat of piping water to south Florida was small and not cost effective. He further explained that duck pond permits would have to go through the same three-prong test mentioned above.
8. Citizen David Hall inquired as to whether Mr. Still spoke with other water districts about permitting issues. Mr. Still responded in the negative, stating that each district had its own set of rules/policies.
9. Citizen Jodi Conrad asked how people could go about stopping an issue that could potentially be approved by the Board. Mr. Still stated that citizens needed to attend the SRWMD Board meetings to voice their concerns.
10. Citizen Teresa Tinker asked about a situation where maybe something could be considered good for the whole district but not Jefferson County. She also asked what exactly Nestle would be applying for and if the water management district approved, what actions rested with the BOCC. Mr. Still stated that Nestle currently has 4 test wells drilled, but until a permit application was filed he had no basis to answer what they could potentially be applying for. Attorney Scott Shirley responded that any permit could be challenged in administrative court. Mr. Shirley also stated that he had reviewed the Comprehensive Plan and the Land Development Code and does not see this operation as an allowable use in

that area, meaning Nestle would potentially have to get a Comprehensive Plan amendment and site plan approval.

11. Citizen Kate Calvin asked if the results of the test wells were available to the public, regarding the quality and quantity of water. Mr. Still responded that the data was not required to be sent to his office. He also stated that he was more concerned about the quantity to be taken.
12. Citizen Lisa Hayes inquired as to how she would be able to attend SRWMD meetings. Mr. Still responded that meetings were the 2nd Tuesday of every month at 9:00 am in Live Oak. He stated that the meetings were open to the public and that in May and September, other areas of the district hosted the meetings.
13. Citizen Roland Brumbley asked if there would need to be a land use change. Attorney Shirley said a land use change to industrial would be needed. Mr. Brumbley then asked if allowing water to cross county lines was a normal process, to which Mr. Still responded that historically his Board had maintained a policy of not allowing water to cross county lines.
14. Citizen Lisa Hayes asked if there were time limits on permits, to which Mr. Still responded in the affirmative and stated there were also renewal periods. Citizen Andy Opal asked if permits would be allowed for withdrawals during drought periods, to which Mr. Still responded that the district had a water shortage plan.
15. Chairman Fulford inquired about enforcing permit requirements, to which Mr. Still stated that his office would try to enforce instead of passing it on as an unfunded mandate.
16. Representative Leonard Bembry gave a legislative update and encouraged the public and local leadership to be involved in the legislative session during these tough economic times. He stated he understood the importance of conserving water resources and that he needed to continue to hear from the public in order to represent them.
17. County Coordinator Roy Schleicher presented the Rural Infrastructure Grant Contract with Enterprise Florida, representing a \$275,000 grant to finish planning at the Industrial Park. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the grant contract was approved.
18. Commissioner Boyd presented Resolution 10-121610-01, amending Rules of Procedure for Jefferson County BOCC meetings. He explained that lead time for agendas and procedures to place items on agendas were modified. Commissioner Barfield asked about emergency items and Commissioners getting items on the agenda. Commissioner Boyd responded that the best way for a Commissioner to get an item on the agenda is to bring it up at the previous meeting, but if not, Commissioners could contact the Clerk of Court or the County Coordinator to get the item on the agenda. Commissioner Boyd also stated that if an item was an emergency, it could be placed on the agenda after the time limit if deemed an emergency by the Board.
19. Citizen David Hall asked if the public could still get items on the agenda via the Clerk or the County Coordinator, to which Chairman Fulford responded in the affirmative.
20. Dr. Ann Holt, program manager for Main Street, asked for the Board to approve resolution 10-121610-02, supporting Main Street's plans to refurbish and establish the Old Jail as a museum and destination point for tourists. She asked for the resolution because she is applying for many grants. Commissioner Nelson stated his concern over making sure we are creating jobs with any renovation projects. Commissioner Barfield stated she would like to see a fundraising outline

for this project. On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, the resolution was approved.

21. County Coordinator Roy Schleicher introduced the scope of work to be done to complete the Stormwater Management Permit at the Horse Arena. Engineer Alan Wise with Preble-Rish stated he had negotiated with C.W. Roberts and recommended finishing this project via a change order instead of going out to bid which would cost the county both time and money. On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, the change order in the amount of \$72,825 was approved from Fiscally Constrained funds. Citizen Chuck Sarkisian asked if there were any more undisclosed items, because this project seemed like a bottomless pit. County Coordinator Roy Schleicher responded that this would be sufficient to close out the permit, but not enough to finish the site for use.

22. Commissioner Barfield introduced the agenda item for consideration of moving regular session meetings from Thursday to Tuesday. She stated that the majority of county's met on Tuesday and that there were Commission certification conflicts. She also said that there was an opportunity to get information and notices to the media quicker and that the Planning Commission could work with the Board on the new schedule. Commissioner Monroe asked how many times a year meetings with the Florida Association of Counties would conflict, to which Commissioner Boyd responded three to four times per year. He also stated that if the Board was active outside of the county, it could create scheduling conflicts. Commissioner Nelson said that once meetings have been established and consistent, it can throw people out of focus. He also asked if meetings could just be moved on a case-by-case basis as needed. Chairman Fulford stated he had no conflicts either way, but also see the merit of just moving meetings on a case-by-case basis. Citizen Chuck Sarkisian stated that it is not about the Board, it is about the public and his opinion that the Board should not change the schedule just to accommodate themselves. Citizen David Hall brought up that the Planning Commissioner would have to move their meetings as well, to which Commissioner Boyd stated the Planning Commission could meet on Tuesday as well. Citizen Bud Wheeler stated that he did not think the Planning Commission would want to change its meetings and the Board needed a better reason to have the meetings moved from Thursday to Tuesday. Planning Chairman George Cole stated he did not have a problem with the move, but that he could not speak for his colleagues. Citizen Gordon Dean suggested moving both meetings to the night or going only to one meeting a month instead of two. Citizen C.P. Miller said the Board should consider the effects of any change it makes. On motion by Commissioner Barfield, seconded by Commissioner Boyd and failed 2 to 3 (Fulford, Nelson and Monroe opposed), the request to move meetings from Thursday to Tuesday was not approved. On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the regular session scheduled for Thursday, January 6th was moved to Tuesday, January 4th.

23. Clerk of Court Kirk Reams presented the state's travel policies to the Board. Commissioner Boyd stated his intention to cover his own expenses out of his salary and said he would like to see travel expenses limited to registration fees. Clerk of Court Kirk Reams explained that previously the Board had loosely followed the state's policies and used them as a guideline. Chairman Fulford stated that he saw no need to limit the travel fund to certain items, but instead to stay within the amount budgeted. On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, the meeting was extended to 9:30.

24. County Coordinator Roy Schleicher presented his report to the Board, including Department Head reports, holiday gift card discussion and a radio purchase request from Fire Chief Mark Matthews.

25. On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the Board approved \$25 gift cards redeemable at various local merchants for every county employee (including constitutional offices).
26. County Coordinator Roy Schleicher presented a radio purchase request from Chief Matthews, not to exceed \$11,000 to be paid from \$12.50 communications fund. On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the Board approved this purchase request.
27. Citizen Chuck Sarkisian asked for Road Department and Solid Waste monthly reports.
28. Citizens Georgia Ackerman and April Reagan, with Friends of the Wacissa and Protect Our Wacissa River and Springs respectively, asked for scheduling individual time with Commissioners to discuss protection of the Wacissa River.
29. Citizen David Hall asked the Board to consider looking at business license enforcement because he feels the Board is missing out on revenue.
30. Commissioner Barfield brought up the issue of whether the county was complying with the Florida Statute relating to bonds for elected county officials. Clerk of Court Kirk Reams stated he interpreted the statutes as calling for the Commission having an ordinance addressing this issue. He stated he would research the issue and bring back findings to the Board at a future meeting.
31. The warrant register was reviewed and bills ordered paid.
32. On motion by Commissioner Monroe, seconded by Commissioner Nelson, and unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk