

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
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Regular Session Agenda

December 1, 2009 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 Announcement. Presentations, Awards**
- 3. Citizens Request & Input on Non-Agenda Items**
(3 Minute Limit, No Commissioner Discussion. Questions, comments and concerns regarding county issues, officials, and staff may be made here. Requests or input may become a Citizen's forum or future agenda item as warranted.)
- 4. General Business**
 - a) **Legislative Committee/Water Issues** – Dick Bailar
 - b) **Resolution/Joinder Agreement – Florida Local Government Investment Trust** – Clerk of Court Kirk Reams and Representatives of FLGIT
- 5. County Coordinator's Report**
 - a) Request to Purchase Roadside Mower & Tractor for the Road Department
- 6. Citizen's Forum**
(3 Minute Limit, Discussion Allowed. Questions, comments and concerns regarding county issues, officials and staff may be made here.)
- 7. Commissioner Discussion Items**
- 8. 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.

Kirk Reams
Clerk of Courts

Roy M. Schleicher
County Coordinator

T. Buckingham Bird
County Attorney

JEFFERSON COUNTY LEGISLATIVE COMMITTEE

SUBJECT Request for BOCC action regarding Senate revision of F.S.373

SITUATION

The **Florida Senate Committee on Environmental Preservation and Conservation** has issued an Interim Report requesting the review and sweeping amendments to Chapter 373, Florida Statute, Water Resources. **F.S. 373**, adopted in 1957 and frequently amended, essentially deals with the use, provision and conservation of Florida's water. It establishes five regional Water Management Districts, and adopted the Riparian Rights policy which provides that, whereas Florida's water belongs to its people, districts (counties and local judiciatories) have an intrinsic degree of sovereignty over water sources in their districts. In doing so, it also established the rule of "Local Service First." This significant doctrine means that each district (and local judicatory) must utilize every means of providing adequate water to their districts before seeking and/or securing water outside of their district.

RECOMMENDATIONS In essence, the Senate Committee proposes to:

- Restore funding for seeking alternative water sources.

This is a good proposal and worthy of support

The following three proposals are extremely threatening to North Florida and to Jefferson County in particular and should be defeated or modified.

- Establish a central water regulatory board, eliminating regional WMDs,
- Revise "local sources first" policy,.
- Revise the Florida "Riparian Rights" policy which gives water sovereignty to local jurisdictions

NEGATIVE IMPLICATIONS

This Senate Memo is a continuation of previous attempts essentially by Central and South Coastal regions of the State to gut 373 F.S. by severely curtailing local control over water, eliminate regional WMDs, and establish a water Czar board dominated by over-populated and unchecked growth populace areas., seeking to solve their water problems on the backs of largely rural springs and rivers.

ACTION REQUESTED

That the BOCC authorize the Legislative Committee to initiate actions and cooperate with and assist other agencies and organizations that are seeking to protect the water rights of North Florida counties in general, and Jefferson County specifically.

TAMPA
Suite 1060
2502 Rocky Point Drive
Tampa, Florida 33607
(813) 281-2222 Tel
(813) 281-0129 Fax

Nabors
Giblin &
Nickerson P.A.
ATTORNEYS AT LAW

November 10, 2009

VIA ELECTRONIC MAIL

FORT LAUDERDALE
208 S.E. Sixth Street
Fort Lauderdale, Florida 33301
(954) 525-8000 Tel
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TALLAHASSEE
Suite 200
1500 Mahan Drive
Tallahassee, Florida 32308
(850) 224-4070 Tel
(850) 224-4073 Fax

Honorable Kirk Reams
Jefferson County Clerk of the Circuit Court
1 Courthouse Circle
Monticello, Florida 32344

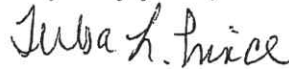
Re: Florida Local Government Investment Trust

Dear Mr. Reams:

Michelle Kimbler asked that I provide you with documents that would enable Jefferson County to become a member of the Florida Local Government Investment Trust ("FLGIT"). Attached are (1) an authorizing resolution that authorizes Jefferson County to join FLGIT (the "Resolution"); (2) the Joinder Agreement; and (3) the Form of Agreement and Declaration of Trust. The Joinder Agreement is Exhibit A to the Resolution and the Form of Agreement and Declaration of Trust is Appendix A to the Joinder Agreement. Upon approval of the Resolution, please execute and return two originals of the Joinder Agreement to our office at the Tampa address listed above for execution by the appropriate officers of FLGIT. A fully executed original will be returned for your files. Also, please send us an executed copy of the Resolution for our records.

If you have any questions, please feel free to contact me.

Very truly yours,



Teresa L. Prince, Esq.

TLP:al
Enclosures

cc: Michelle Kimbler, Trust Manager (via email)
Steven E. Miller, Esq. (via email)
Mike Moreno, Marketing Program Manager (via email)

RESOLUTION NO. __-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA; AUTHORIZING AND DIRECTING EXECUTION AND DELIVERY OF A JOINDER TO AGREEMENT AND DECLARATION OF TRUST CREATING AND ESTABLISHING THE FLORIDA LOCAL GOVERNMENT INVESTMENT TRUST; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA:

SECTION 1. DEFINITIONS. Unless the context of use clearly indicates another meaning or intent, the following words and terms as used in this Resolution shall have the following meanings.

"Board" means the Board of County Commissioners of the County.

"Chairman" means the Chairman of the Board.

"Clerk" shall mean the Clerk of the Circuit Court for the County, ex-officio Clerk of the Board, or such other person as may be duly authorized to act on her behalf.

"County" means Jefferson County, a political subdivision of the State of Florida.

"FLGIT" means the Florida Local Government Investment Trust.

"FLGIT Agreement" means the Agreement and Declaration of Trust, dated as of December 1, 1991, creating and establishing the FLGIT, as amended, a composite of which is attached to the Joinder Agreement as Appendix A thereto.

"Investment Fund" or "Investment Funds" means one or more trust funds established pursuant to the FLGIT Agreement to enable public entities to pool their surplus funds for joint investment.

"Joinder Agreement" means the Joinder to Agreement and Declaration of Trust between the County and FLGIT, in substantially the form appended hereto as Exhibit A.

"Resolution" means this Resolution, as the same may from time to time be amended, modified or supplemented.

SECTION 2. FINDINGS. It is hereby determined that:

(A) It furthers the public interest for the County to invest any monies not immediately required to be disbursed and to maximize the net earnings on such funds.

(B) The Florida Local Government Investment Trust has been established pursuant to the FLGIT Agreement for the purpose of establishing one or more Investment Funds for pooling surplus funds of public entities for joint investment.

(C) The County desires to have the Investment Funds available if they become an advantageous investment for the County's surplus funds; the investment policy adopted pursuant to Section 218.415, Florida Statutes, permits investment in the Investment Funds established by the Florida Local Government Investment Trust.

(D) The County is required to become a party to the FLGIT Agreement as a condition precedent to participation in any Investment Fund.

SECTION 3. AUTHORIZATION OF FLGIT AGREEMENT. The County hereby authorizes and directs the Chairman to execute, and the Clerk to attest

under the seal of the County, the Joinder Agreement for the purpose of becoming a party to the FLGIT Agreement and evidencing the County's agreement to become bound by the terms thereof. The Chairman is further directed to deliver the Joinder Agreement to FLGIT for execution by its appropriate officers. Upon execution and delivery of the Joinder Agreement by the County and FLGIT, all of the terms and provisions of the Joinder Agreement and the FLGIT Agreement shall be deemed to be a part of this Resolution as fully and to the same extent as if incorporated verbatim herein. The Joinder Agreement shall be in substantially the form attached hereto as Exhibit A, with such changes, amendments, modifications, omissions and additions as may be approved by the Chairman. Execution of the Joinder Agreement by the Chairman shall be deemed to be conclusive evidence of approval of such changes.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this ____ day of _____, 2009.

JEFFERSON COUNTY, FLORIDA

By: _____
Chairman
Board of County Commissioners

ATTEST:

Clerk of the Circuit Court
(SEAL)

APPENDIX A

**FORM OF
AGREEMENT AND DECLARATION OF TRUST**

**JOINDER TO
AGREEMENT AND DECLARATION OF TRUST**

THIS JOINDER TO AGREEMENT AND DECLARATION OF TRUST is made and entered into as of _____, 2009, by and between Jefferson County (the "County") and the Florida Local Government Investment Trust ("FLGIT").

WHEREAS, it furthers the public interest for the County to invest any monies not immediately required to be disbursed and to maximize the net earnings on such funds; and

WHEREAS, the FLGIT has been established for the purpose of establishing one or more investment funds (each referred to herein as an "Investment Fund") for pooling the surplus funds of participating public entities for joint investment in order to seek a higher rate of return without compromising the safety of such funds; and

WHEREAS, the County desires to have the Investment Funds available should they be determined, at any time, to be an advantageous investment for the County's surplus funds; and

WHEREAS, the Investment Funds are only available to public entities that have become parties to the Agreement and Declaration of Trust creating the Florida Local Government Investment Trust (the "Trust"), dated as of December 1, 1991 (the "Trust Agreement"), as amended;

NOW THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the County and the FLGIT hereby agree as follows:

SECTION 1. JOINDER IN TRUST AGREEMENT. Upon execution and delivery of this Joinder Agreement, the County shall become a full party to the Trust Agreement, the form of which is attached hereto as Appendix A and incorporated herein by reference, pursuant to Section 2.03 thereof. Through the attestation below, the Clerk of the Circuit Court for the County, ex-officio Clerk of the Board of County Commissioners has approved participation in the Trust.

SECTION 2. COUNTERPARTS. This Joinder Agreement may be simultaneously executed in two or more counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. The signatures of parties appearing on one or more counterparts shall bind them as fully as though all such parties had signed the same counterpart.

IN WITNESS WHEREOF, the Florida Local Government Investment Trust and the Board of County Commissioners of Jefferson County, Florida, have caused this Joinder Agreement to be executed and attested by its duly authorized officers, all as of the date first above written.

**FLORIDA LOCAL GOVERNMENT
INVESTMENT TRUST**

By: _____
Chairman of the Board of Trustees

ATTEST:

Secretary

(SEAL)

JEFFERSON COUNTY, FLORIDA

By: _____
Chairman
Board of County Commissioners

ATTEST:

Clerk of the Circuit Court

(SEAL)

From the FORM OF AGREEMENT AND DECLARATION OF TRUST Creating and Establishing the FLORIDA LOCAL GOVERNMENT INVESTMENT TRUST Reflecting Amendments as of August 14, 2009

SECTION 4.02. INVESTMENT FUNDS.

(A) Government Fund

- (1) The initial Investment Fund established pursuant to this Agreement shall be known as the "Government Fund." Participants shall be entitled to redeem funds from the Government Fund upon provision of notice to the Trust not later than the second Business Day prior to the date of redemption.
- (2) The following instruments shall comprise the Permitted Investments for the Government Fund; provided however, that Government Fund assets shall not be invested in any instrument or instruments rated lower than A- by Standard and Poor's and one other nationally recognized rating agency, provided that the overall rating of the Government Fund must always be maintained at a AAA rating by Standard and Poor's. In the event that the two rating agencies assigned separate ratings to a particular security, the lower of the two ratings prevail:
 - (a) direct obligations of the United States Treasury, Federal agencies and instrumentalities of the United States;
 - (b) repurchase agreements with a term of 30 days or less that are fully collateralized by obligations described in Section 4.02(A)(2)(a), provided that the institution or broker transacting the repurchase agreement shall (a) execute and perform as stated in a master repurchase agreement and (b) take delivery of such collateral either directly or through an authorized custodian;
 - (c) commercial paper rated "prime-1" by Moody's Investors Service and "A-1" or "A-1+" by Standard and Poor's Corporation, provided that the Government Fund shall not purchase more than 10 percent of the outstanding principal amount of any specific issue of commercial paper;
 - (d) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency; provided however, that the investment of Government Fund assets in a money market mutual fund shall not exceed one percent of the Government Fund assets unless such investment is made (a) on an overnight basis pending investment on the next Business Day, (b) in amounts required to pay the purchase price of an investment previously purchased, the purchase price of which has not been paid, or (c) at the express direction of the Investment Advisor;
 - (e) Asset-backed securities in fully-registered form;
 - (f) domestic corporate debt obligations and bonds denominated in US Dollars and issued in the United States by foreign banks and corporations (yankee bonds),

provided that not more 2 percent of the Government Fund shall be invested in the debt obligations of any specific issuer.

No Permitted Investment shall mature later than five years following its purchase; provided however, that if a Permitted Investment has a put or reset date or trades on its average maturity, the applicable put date, reset date, or date of average maturity or duration shall be used in lieu of the actual maturity date; and

- (g) Taxable and non-taxable municipal securities, provided that, on a per issue basis, the minimum issue size is \$50 million and the portfolio cannot own more than 10% of the issue.
- (3) To be classified as Permitted Investments for the Government Fund, collateralized mortgage obligations shall be part of a tranche structured to have a projected stable average life over a wide range of interest rate movement and rate of prepayment, as evidenced by compliance with the average life test, average life sensitivity test and price sensitivity test promulgated by the Federal Financial Institutional Examination Council.

Collateralized mortgage obligations shall not be classified as Permitted Investments if they are secured by principal or interest only, or if they bear interest at an inverse floating rate.

- (4) Not less than 30 percent of the Government Fund assets shall be invested in direct obligations of the United States Treasury, federal agencies and instrumentalities.

From the “FORM OF AGREEMENT AND DECLARATION OF TRUST Creating and Establishing the FLORIDA LOCAL GOVERNMENT INVESTMENT TRUST Reflecting Amendments as of August 14, 2009”

SECTION 4.02. INVESTMENT FUNDS.

(B) Short Term Liquidity Fund

- (1) There is hereby established the Short Term Liquidity Fund. Participants shall be entitled to redeem funds from the Short Term Liquidity Fund upon provision of notice to the Trust as provided in Section 7.04 hereof.
- (2) The objectives of the Short Term Liquidity Fund are a stable share price and as high a level of current income as is consistent with preservation of principal and liquidity.
- (3) Except as otherwise provided in this Section 4.02(B), all Permitted Investments for the Short Term Liquidity Fund must satisfy the following criteria:
 - (a) Such Permitted Investments must be securities eligible to be held in an investment fund regulated and controlled by Securities and Exchange Commission Rule 2a-7;
 - (b) Such Permitted Investments must have a maturity of not more than 397 days, except for government issued and FDIC-backed floating rate notes which must have a maturity of not more than 762 days;
 - (c) A minimum of 50% of such Permitted Investments must have an A-1+ rating from Standard & Poor's Corporation and a maximum of 50% of such Permitted Investments must have an A-1 rating from Standard & Poor's Corporation;
 - (d) Except for government or agency securities, no more than 5% of the Short Term Liquidity Fund's market value will be invested in securities of any single issuer; and
 - (e) The instruments must be Fixed-Income securities.
- (4) Subject to Section 4.02(B)(3) above, the following Fixed-Income instruments shall comprise the Permitted Investments for the Short Term Liquidity Fund:
 - (a) Obligations of U.S. or foreign Governments or their agencies payable in U.S. Dollars;
 - (b) U.S. Dollar-denominated Corporate securities;
 - (c) Money-market instruments including repurchase agreements with minimum 102% collateral of US Treasury and Agency securities only; and

(d) Obligations of U.S. state and local entities.

(e) Notwithstanding anything to the contrary in this Section 4.02(B), investments in asset-backed and mortgage-backed securities shall be limited to a combined maximum of 5% of the Short Term Liquidity Fund's market value, and each asset-backed and mortgage-backed security must have a maximum "final" maturity of 397 days and minimum credit rating of A-1 or equivalent."

Board of County Commissioners Jefferson County, Florida

Room 10, County Courthouse, Monticello, Florida 32344

The Keystone County - Established 1827

Stephen Fulford District 1	Gene C. Hall District 2, Chair	Hines Boyd District 3	Felix "Skeet" Joyner District 4	Danny Monroe, III District 5
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November 25, 2009

To: Jefferson County BOCC,

The Jefferson Road Department request to replace the Challenger roadside mower and tractor with a new mower and tractor off the Sheriff's Bid List. This will allow them to replace the troublesome 2003 Challenger tractor, that has a bad transmission with a more dependable one.

The Road Department is currently running a 2002 John Deere 7130 cab 2 Wheel Drive with 15' Rhino Batwing and a rental John Deere 6103 with a 15' Rhino batwing, the rental tractor is too small for long term mowing. The Challenger has proved to be a Lemon and has been out of service for two years.

The Road Department got several quotes from the Sheriff's Bid List and from local stores:

Tractor	Price
Case	Not Available
Challenger 4x4	\$67,819.00
John Deere 7130 Cab 2x4	\$52,627.00
Kubota 2x4	\$55,624.00
Massey Ferguson	\$61,375.00
Mower	Price
Alamo Batwing	\$14,610.00
Triple D Equipment Batwing	\$15,042.00
Rhino Batwing	\$12,994.00
	Total Low Bid
	\$65,620.00

Our recommendation is to purchase the John Deere 7130 cab 2 wheel drive with 15' Rhino Batwing from Flint Equipment, for a total of \$65,620.00

This money will be taken from the Road Department Capital Expenditures Line Item. If approved this will leave them with a remaining balance of \$131,380.00

Thank you,
John McHugh

Kirk Reams
Clerk of Courts

Roy M. Schleicher
County Coordinator

Bird and Sparkman
County Attorney