

# Board of County Commissioners

## Jefferson County, Florida

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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 November 19, 2009 at the Courthouse Annex 435 W. Walnut St. Monticello, FL 32344

1. 6:00 P.M. – Call to Order, Invocation, Pledge of Allegiance
2. Proclamation for Mr. Steve Andris – Chairman Hall
3. Election of Chairman
4. Election of Vice-Chairman
5. Consent Agenda
  - a) Minutes – November 5, 2009 Regular Session
6. Citizens Request & Input on Non-Agenda Items  
(3 Minute Limit, No Commissioner Discussion)
7. General Business
  - a) Economic Development Incentive Ordinance – Julie Conley
  - b) Special Assessments Discussion
  - c) Cemetery Maintenance Discussion – Commissioner Fulford
  - d) Meeting Rules of Procedure Discussion – Kate Calvin
  - e) Request for Update on Entertainment Ordinance – David Hall
8. County Coordinator's Report
  - a) Department Head Reports
  - b) Air Methods – Approval of Certificate of Need
9. Citizens Forum  
(3 Minute Limit, Discussion Allowed)
10. Commissioner Discussion Items
11. 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  
November 5, 2009

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

1. On motion by Commissioner Monroe, seconded by Commissioner Fulford and unanimously carried, the consent agenda consisting of the minutes from the October 15, 2009 regular session was approved.
2. Citizen Chuck Sarkisian encouraged the Board and county at large to support the Jefferson County Middle High School football team. Citizen Carl Hanks expressed his displeasure in his dealings with the county librarian. Citizen Mary Francis Grambling, with the Jefferson County Chamber of Commerce, informed the Board that the t-shirt purchases for the Watermelon Festival was a Watermelon Festival Board decision, not a Chamber decision.
3. Economic Development Director Julie Conley presented an amended memorandum of agreement with North Florida Economic Development Partnership.
4. Dick Bailar, representing the Legislative Committee, presented the list of legislative priorities. On motion by Commissioner Joyner, seconded by Commissioner Monroe and unanimously carried, the list was approved.
5. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, John Lilly was selected as County Extension Director.
6. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, Resolution No. 2009-110509-01, making the exemption renewal process automatic, was approved.
7. On motion by Commissioner Monroe, seconded by Commissioner Fulford and unanimously carried, Resolution No. 2009-110509-02, making the renewal process for agricultural classifications automatic, was approved.
8. Citizen C.P. Miller took issue with the three minute time limit at the previous workshop and was afraid the Board was not being consistent in its application of the Rules of Procedure.
9. Cheryl Turner, with the Wilderness Coast Libraries, expressed concern regarding the Jefferson County Library Director. Attorney Buck Bird suggested a special meeting be set up to address any issues instead of the present time.
10. On motion by Commissioner Monroe, seconded by Commissioner Fulford and unanimously carried, the request to purchase a utility vehicle for the Road Department was approved.
11. Library Director Serafin Roldan presented an evaluation of a proposed donation of a Book Mobile from Clay County. Commissioner Boyd stated that the Library already had access to a Book Mobile through Wilderness Coast, to which funding was cut. He expressed his distress about the relationship between the county library and Wilderness Coast. County Coordinator Roy Schleicher stated that the need for more expansive Book Mobile service would need to be evaluated. Linda Carson-Norton of Wilderness Coast Book Mobile said she appreciated the opportunity to work and was open to more support from Jefferson County in the future.

BOARD OF COUNTY COMMISSIONERS  
MINUTE BOOK 23, PAGE \_\_\_\_\_

12. County Coordinator Roy Schleicher gave an update on Heritage Hills and Sanctuary Subdivisions and announced a meeting with Planning Attorney Scott Shirley and Department of Environmental Protection for Monday, November 9, at 2:00 p.m.
13. County Coordinator Roy Schleicher announced upcoming activities for the 2010 U.S. Census and also that the RFP's for Air Methods, NRCS and the Tyson Landfill were due on November 18<sup>th</sup>, November 18<sup>th</sup> and November 25<sup>th</sup> respectively. He also announced the meetings with the Leon County Board of County Commissioners for December 8<sup>th</sup>, 2009 at 4:00 p.m.
14. Clerk of Court Kirk Reams asked for permission to address the Jefferson County School Board about potentially leasing the "A" Building. Commissioner Joyner stated his opinion that a Board member needed to be present. Commissioner Boyd disagreed and asked for support for the Clerk to address the School Board concerning the issue. On motion by Commissioner Fulford, seconded by Commissioner Monroe and unanimously carried, the Board approved allowing the Clerk to approach the School Board to see if there was interest in entering into an arrangement to lease the "A" Building.
15. Commissioner Fulford brought up the issue regarding interest in establishing a policy of maintaining cemeteries. Henry Gohlke, with the Road Department, stated that there was a public versus private issue and that prisoners were not allowed on private property. Attorney Bird agreed that a policy needed to be established and the matter was set to be addressed at the next meeting in January 2010.
16. The warrant register was reviewed and bills ordered paid.
17. On motion by Commissioner Fulford, seconded by Commissioner Monroe, and unanimously carried, the meeting was adjourned.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Recorder

***Jefferson County Veteran Affairs Office  
445 West Palmer Mill Street  
Monticello, Florida 32344  
850-342-0196 / 850-464-1191 - cell phone  
e-mail - mad.covets@hotmail.com  
Oliver Bradley, CVSO***

***Monthly Veteran Census Report - October 2009***

***During the month of October, the veterans and their dependents were provided the following services.***

- ***Seventeen (17) general questions concerning VA Benefits***
- ***Two (2) trips made to the VA OPC in Tallahassee***
- ***One (1) claim filed for Service-Connected Disability***
- ***Twelve (12) Inquiries tracking previous filed claims***
- ***One (1) claim filed for VA New Improved Pension***
- ***Four (4) applications filed for DD 214's and Personnel Records***
- ***One (1) claim filed for death burial benefits***
- ***Filed incoming correspondence from th Regional Office and VAMC***

***Oliver Bradley, CVSO***

# JEFFERSON COUNTY/CITY OF MONTICELLO

## BUILDING INSPECTION AND CONTRACTOR LICENSING

445 WEST PALMER MILL ROAD (\*) MONTICELLO, FLORIDA 32344

Phone: (850) 342-0223

Fax: (850) 342-0225

MONTHLY REPORT			
October 2009		October 2008	
Building	16	Building	13
Electrical	13	Electrical	8
Plumbing	4	Plumbing	2
Mechanical	14	Mechanical	2
Mobile Homes	5	Mobile Homes	3
Relocate	0	Relocate	0
Demolish	1	Demolish	1
Miscellaneous	1	Miscellaneous	3
City Permit	6	City Permits	7
City Fees	\$742.42	City Fees	\$861.49
County Permits	48	County Permits	26
County Fees	\$6,609.62	County Fees	\$4,272.33
<b>Total</b>		<b>Total</b>	
City/County Permits	54	City/County Permits	33
City/County Fees	\$7,352.04	City/County Fees	\$5,133.88

<b>October 2009</b>		<b>October 2008</b>	
Radon Fee	\$637.07	Radon Fee	\$57.97
Building Permit Fee	\$5,299.97	Building Permit Fee	\$4,460.91
Mobile Home Permit Fee	\$1,415.00	Mobile Home Permit Fee	\$615.00
Home Inspections Fee	\$0.00	Home Inspections Fee	\$65.00
Contractor Licenses Fee	\$0.00	Contractor Licenses Fee	\$340.00
Business & Home Occup Fee	\$2,450.00	Business & Home Occup Fee	\$950.00
<b>Total</b>	<b>\$9,802.04</b>	<b>Total</b>	<b>\$6,488.88</b>

October 2009		October 2008	
New Construction Permits (Residential)	2	New Construction Permits (Residential)	1
Commercial Permits (Non-Residential)	0	Commercial Permits (Non-Residential)	2
Mobile Home Permits	5	Mobile Home Permits	3
Repair & Addition Permits	46	Repair & Addition Permits	25
Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	1	Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	2
<b>Total</b>	<b>54</b>	<b>Total</b>	<b>33</b>
<b>Valuation</b>		<b>Valuation</b>	
Valuation Home Permits	\$173,977	Valuation Home Permits	\$175,065
Valuation Commercial Permits	\$0	Valuation Commercial Permits	\$238,000
Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$120,670	Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$191,575

# JEFFERSON COUNTY PLANNING AND ZONING DEPARTMENT

445 WEST PALMER MILL ROAD (\*) MONTICELLO, FLORIDA 32344

Phone: (850) 342-0223  
Fax: (850) 342-0225

<b>October 2009</b>		<b>October 2008</b>	
Zoning Verification Fee	\$0.00	Zoning Verification Fee	\$0.00
Simple Lot Split Fee	\$100.00	Simple Lot Split Fee	\$100.00
Family Subdivision Fee	\$0.00	Family Subdivision Fee	\$0.00
Minor Development Fee	\$0.00	Minor Development Fee	\$1,000.00
Major Development Fee	\$0.00	Major Development Fee	\$1,250.00
Variance Fee	\$0.00	Variance Fee	\$0.00
Minor Re-plat Fee	\$0.00	Minor Re-plat Fee	\$0.00
Comp Plan Amendment Fee	\$0.00	Comp Plan Amendment Fee	\$0.00
Development Permits Fee (Mobile Homes)	\$1,290.00	Development Permits Fee (Mobile Homes)	\$720.00
Development Permits Fee (Residential)	\$1,256.48	Development Permits Fee (Residential)	\$1,007.27
Development Permits Fee (Commercial)	\$0.00	Development Permits Fee (Commercial)	\$562.50
Development Permits Fee (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use )	\$700.00	Development Permits Fee (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	\$845.00
<b>Total</b>	<b>\$3,346.48</b>	<b>Total</b>	<b>\$5,484.77</b>



<b>October 2009</b>		<b>October 2008</b>	
Simple Lot Splits (No. Lots Created _____)	1	Simple Lot Splits (No. Lots Created _____)	1
Family Subdivisions (No. Lots Created _____)	0	Family Subdivisions (No. Lots Created _____)	0
Minor Development (No. Lots Created _____)	0	Minor Development (No. Lots Created _____)	1
Major Development (No. Lots Created _____)	0	Major Development (No. Lots Created _____)	1
Variance	0	Variance	0
Minor Replats	0	Minor Replats	0
Comp. Plan Amendments	0	Comp. Plan Amendments	0
Development Permits (Mobile Homes)	5	Development Permits (Mobile Homes)	3
Development Permits (Residential)	2	Development Permits (Residential)	1
Development Permits (Commercial)	0	Development Permits (Commercial)	2
Development Permits (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	7	Development Permits (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	3
<b>Total</b>	<b>15</b>	<b>Total</b>	<b>12</b>

<b>October 2009</b>		<b>October 2008</b>	
Emergency Medical Impact Fee	\$371.16	Emergency Medical Impact Fee	\$371.16
Fire/Rescue Impact Fee	\$288.96	Fire/Rescue Impact Fee	\$288.96
Transportation Impact Fee	\$0.00	Transportation Impact Fee	\$7,395.00
Law Enforcement Impact Fee	\$0.00	Law Enforcement Impact Fee	\$1,443.75
911 Address Fee	\$500.00	911 Address Fee	\$400.00
Driveway Permit Fee	\$212.00	Driveway Permit Fee	\$265.00
<b>Total</b>	<b>\$1,372.12</b>	<b>Total</b>	<b>\$10,163.87</b>

Jefferson County Fire Rescue  
INTER-OFFICE MEMORANDUM

TO: Mr. Roy Schleicher  
County Coordinator

DATE: 16 November 2009

FILE:

SUBJECT: Department Directors Report

FROM: Mark Matthews  
Chief  
Jefferson County Fire Rescue

REFERENCE: October 2009

ATTACHMENTS:

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**JCFR CALLS FOR SERVICE THIS MONTH**

2009	October	Y.T.D.
FIRE	27	<b>417</b>
EMS	190	<b>1959</b>

**F/Y 2008 – 2009 COLLECTIONS TOTAL \$627,147.00**

**OCTOBER 2009 COLLECTIONS \$48,792.93**

We have had meetings with the volunteer fire departments and we are back on trac with them.

To date I have had nothing but positive feedback from my employees, other county departments, and the general public concerning the restructuring of this department.

We are still having problems with ambulances breaking down and we are looking into the possibility of lease purchasing a new one. We will be bringing this before the board in the near future.

We are also looking for other ways to fund a new station since it is unlikely there will be any State or Federal funding in the foreseeable future. With the help of the County Coordinators Office, we hope to also bring this before the Board in the near future.

**Jefferson County Cooperative Extension Office**  
**Monthly Report – Board of County Commissioners**  
**October, 2009 (submitted to County Coordinator, November 9)**

**4-H Youth Activities**

- JGL - 4-H Newsletter prepared and sent
- JGL – Ag. Adventure Day – Oct. 1-2
- JGL – JOY Board Meeting – Oct. 8
- JGL - Soil and Water Conservation Board Meeting- Oct 8
- JGL – County Council Meeting – Oct. 12
- JGL - 4-H District III Youth Meeting – Oct 13
- JGL ~ Tropicana Public Speaking Orientation – May 6
- JGL - Health Disparities Committee Meeting – Oct 15
- JGL - Epsilon Sigma Phi Membership Meeting – Oct 19
- JGL – Boy and Girls Club Beautification Project – Oct 19-20
- JGL – Water Street Park Meeting – Oct 20
- JGL – 5<sup>th</sup> Grade 4-H Club Meeting – Oct 21
- JGL – JOY Meeting – Oct 22
- JGL - Interview with Jefferson Board of County Commission – Oct. 22
- JGL - Animal Ethics Workshop – Oct 27
- JGL - Youth Goat Day Planning Meeting – Oct 30

**Family & Consumer Sciences**

- Position Pending

**Agriculture and Natural Resources Activities**

- JED - Quincy Ag Adventures Program for Elementary Students; Presentation-  
“Learn more about corn” – Oct 1
- JED - Live Oak Research and Education Center Field day “Raising Beef Cattle On a Family Farm”; Presentation -“Wintering the cow herd” – Oct 3
- JED - Jefferson County Soil and Water Conservation Board Meeting - Oct 8
- JED - Florida Georgia Wildlife Management Update-Turkey; Rosemary Plantation Thomas County GA – Oct 9
- JED - Northwest District Equine Polycom Series – Oct 12
- JED - Green Industries Long Range Planning Committee; Monticello – Oct 16
- JED - Sunbelt Agricultural Expo; Multi-state forage team information booth; Moultrie, GA – Oct 20-21
- JED - Northwest District Equine Polycom Series – Oct 26
- JED - Multi-County Extension Advisory Committee for Climate Change & Sustainable Living Education; Tallahassee Oct 28

**Administrative and Other Activities, Faculty and Staff**

- JGL- Office Staff Meeting – Oct 12
- JGL- Interview Candidates for FCS Position, G’ville - Oct 26
- JGL- Jefferson Board of County Commissioners Meeting – Oct 15
- JGL -Dept Heads Meeting, Oct. 16
- JGL- IFAS Administrative District I Faculty Meeting – Oct 23

**Jefferson County Cooperative Extension Office  
Monthly Report – Board of County Commissioners  
October, 2009 (submitted to County Coordinator, November 9)**

**4-H Youth Activities**

- JGL - 4-H Newsletter prepared and sent
- JGL – Ag. Adventure Day – Oct. 1-2
- JGL – JOY Board Meeting – Oct. 8
- JGL - Soil and Water Conservation Board Meeting- Oct 8
- JGL – County Council Meeting – Oct. 12
- JGL - 4-H District III Youth Meeting – Oct 13
- JGL – Tropicana Public Speaking Orientation – May 6
- JGL - Health Disparities Committee Meeting – Oct 15
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**Jefferson County Board of County Commissioners  
Monthly Status Report**



*Jefferson County Courthouse*

**Program Administration for SHIP and Housing Choice Voucher (Section 8) programs**

**Grants Department**

**October 2009**

**Prepared by:  
Meridian Community Services Group, Inc.**

The monthly status report applies to SHIP and Section 8 programs for Jefferson County and is intended as a summary of activities. To date the following activities have been completed:

31 Jan

**SHIP DOWN PAYMENT & NEW CONSTRUCTION**  
**(\$300,000)**

**Scope:** Down Payment, Rehabilitation and New Construction assistance.

**Status:** Two pending closing

**Issues:** *Jefferson County has been allocated SHIP funds for the Florida Homebuyer Opportunity Program a newly created program designed to assist first-time homebuyers whose maximum adjusted gross income does not exceed \$75,000 for single taxpayer households or \$150,000 for joint-filing taxpayer households. The Florida Homebuyer Opportunity Program was created during the 2009 legislative session to supplement provisions of The American Recovery and Reinvestment Act of 2009 by providing subordinate down payment assistance loans to first time homebuyers who are eligible to receive the federal first-time homebuyer tax credit under the American Recovery and Reinvestment Act of 2009.*

**Activities:**

Hosted a AHAC Committee meeting	10/19/09
Review of the SHIP budget	Ongoing
Contract signing for one Rehabilitation project	10/28/09
Preparing Work Write-ups	October

**Section 8 Program HAP (\$599, 988):**

**Scope:** Section 8 is a Tenant Based Voucher program design to increase affordable rental housing choices for very low income families.

**Status:** Currently the County has 101 voucher holders.

**Issues:** *Project on schedule.*

**Activities:**

Processed 23 recertifications	October 2009
Updating Admin Plan	Ongoing
HUD rating for Jefferson County Housing Authority 100%	
Currently have 14 potential participants on the waiting list	
Updating Utility Allowance	

# **JEFFERSON COUNTY ROAD DEPARTMENT**

## **Memo**

**To:** Jefferson County Board of County Commissioners

**From:** David R. Harvey, Road Superintendent

**Date:** November 9, 2009

**Re:** Informational Item – Road Department Summary of Monthly Activities for October 2009

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### **General Roadway and Drainage Maintenance**

- A) Routine road surface grading, stabilization and ditch maintenance activities were conducted on 128 County Roads. Work on many roads was conducted up to 2 times during the month.
- B) Right-of-way brushing and trimming on 24 Roads. Mowing on 50 roads.
- C) Patching also occurred on 9 roadways.

### **Driveway Connections**

A total of 1 driveway was inspected.

### **Roadway and Drainage Reconstruction**

Started 4-10hour work week off Fridays

Indian Hills Rd is on hold due to Hurricane Ida

Gas transmission Co stock piling 100 miles of 36' gas pipe on Limestone Rd

NRCS projects on going.

Resurface/widening CR257 75% completed.

Two (2) inmate crew from the Jefferson Correctional Institute did bridge work, put out silk fence, mowed election office, extension office, courthouse, cemeteries and Lloyd Park, cleaned ditches, patched roads, cleaned office, cleaned out pipes, replaced a mailbox, cut trees, cut around curves, guard rails, pipes and signs, picked up trash.



## RESOLUTION NO. 09-061809-01

### RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ADOPTING RULES OF PROCEDURE FOR MEETINGS OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

WHEREAS the Board of County Commissioners wishes to adopt meeting procedures to insure the orderly and efficient execution of its duties,

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

That the following Rules of Procedure shall govern all noticed meetings of the Board of County Commissioners and boards under its jurisdiction, and that these rules become effective immediately upon adoption:

#### INTRODUCTION: AUTHORITY AND ROLES

Counties are "arms of the state" authorized established under Article VIII, Section 1 of the Florida Constitution. County governments are established to administer functions of the state at the local level. The functions, duties, and roles of county government are more particularly described in Chapter 425 of the Florida Statutes. This statute is liberally construed and gives the County Commission broad powers, including legislative, executive, and quasi-judicial powers. As provided in the Florida Constitution and Chapter 125 of the Florida Statutes, county governments have broad powers of local self-government as consistent with general law and with any special law approved by vote of the people. The legislative and governing body of a county has the power to carry on county government. Except when otherwise provided by county charter, the governing body of each county is an elected board of county commissioners.

Legislative functions of county government include the power to levy and collect taxes and to adopt ordinances and regulations so long as such ordinances and regulations are not in conflict with state or federal law. Executive functions include the operation of county government, the enforcement of ordinances, regulations and codes, and the provision of public services such as local roads and transportation systems, fire protection, emergency medical and health services, refuse collection, parks, libraries, and other such public services.

In addition to county commissioners, constitutionally elected officers including the Tax Collector, Clerk of the Circuit Court, Property Appraiser, Sheriff, and Supervisor of Elections comprise the county government. Other positions/personnel as deemed appropriate may also be included. County governments assume various functions in the provision and operation of all county services (including but not limited to: local road and transportation systems, law enforcement, fire protection, emergency medical and health services, refuse collection, parks, and libraries). Among the legislative functions of county government are the power to levy and collect taxes and to adopt ordinances and regulations that are consistent with existing local, state and federal law. Executive functions include the management of county departments, and the enforcement of ordinances, regulations and codes. As the county's elected governing body, County Commissions play critical roles in ensuring that these processes run smoothly.

Under certain circumstances, a County Commission may also assume a quasi-judicial function. For example, it serves in a quasi-judicial capacity when it acts as a code enforcement board or hears and decides issues related to planning and zoning. In keeping with this judicial role, the requirements for maintaining impartiality and the decision making standards change when County Commissioners serve in a quasi-judicial capacity. Prior contact with parties to the proceeding is limited and should be disclosed. Decisions should not be based on political or personal beliefs and feelings, but should be based on "competent, substantial evidence" presented at a public hearing. (Competent, substantial evidence has been defined by the Florida Supreme Court as that evidence which is "sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusions reached.") Relative to their other functions, when serving in a quasi-judicial capacity, County Commissions have more stringent decision making standards and requirements for maintaining impartiality. Non-public contact with parties to a proceeding (ex parte communication) should be both avoided and publicly disclosed. Commissioners are expected to set aside personal issues when making decisions in quasi-judicial hearings and instead require a basis in competent, substantial evidence presented at a public hearing. Competent, substantial evidence has been defined by the Florida Supreme Court as that evidence which is "sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusions reached".

Therefore, to insure the orderly and efficient execution of its duties, the Jefferson County Board of County Commissioners adopts the following Rules of Procedure. It is the policy of the Jefferson County Board of County Commissioners that these Rules of Procedure shall govern all noticed meetings of the Board of County Commissioners and boards under its jurisdiction. A noticed meeting shall mean any meeting that requires notice under Florida law. The members, County Coordinator, County Attorney, constitutional elected officials, staff, and the public shall adhere to these rules, to wit:

<sup>1</sup> Case precedent *DeGroot v. Sheffield*, 95 So. 2d 912, 916 (Fla. 1957) as footnoted in *Verizon Florida, Inc. vs. Lila A. Jaber, et al.*, September 2, 2004. <http://www.floridasupremecourt.org/decisions/2004/ops/sc02-2647.pdf>, downloaded 7/8/09.

## **I. Governing Rules.**

Except as may be provided by these rules or by law, questions of order, the methods of organization and the conduct of business of the Board shall be governed by *Robert's Rules of Order, Newly Revised, 10<sup>th</sup> Edition* (or the current edition) in all cases in which they are applicable.

## **II. Open to the Public.**

- A. *Meetings Open to Public.* All meetings of the Jefferson County Board of County Commissioners shall be open to the public and noticed in accordance with the Florida Government in the Sunshine Law, Section 286.011 of the Florida Statutes.
- B. *Exempt Meetings.* The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions, Section 447.605(1), F.S., meetings regarding risk management claims, Section 768.28(15), F.S. and litigation meetings pursuant to Section 286.011(8) F.S. The Board shall follow all statutory requirements for exempt meetings.
- C. *Seating Capacity.* Due to the need to comply with seating capacity requirements of the Fire Code, there may be occasions when entrance by the public to the Commission Chambers or other meeting rooms shall be limited. Efforts will be made to ensure that people unable to enter the Commission Chambers will be able to hear the proceedings from the foyer.
- D. *Accessibility.* All meetings of the Commission will be conducted in a publicly accessible and handicap accessible building public building with access to all citizens in accordance with the Americans with Disabilities Act and Amendments of 2008.
- E. *Signs, Placards, Banners.* For public safety purposes and so as not to interfere with the visual rights of others, no signs or placards shall be allowed in Board meeting rooms. To maintain public safety and avoid unduly obstructing participants' views of the proceedings, no banners, signs or placards larger than 5" x 7" shall be allowed in board meeting rooms. If use of a sign or placard is disruptive to the proceedings or to other participants, participants responsible will be required to do one or more of the following: Stop the disruptive behavior, relinquish the sign or placard, or leave the meeting room.

\*\*\*\*\* Note: In this and any other circumstance arising during a meeting, a participant's continued failure to control personal conduct may result in being escorted or forcibly removed from the meeting room along with the risk of arrest, as warranted by the circumstances. \*\*\*\*\*

## **III. Quorum.**

- A. *Quorum.* A majority of the entire Board shall constitute a quorum. No ordinance, resolution, policy, or motion shall be adopted by the Board without the affirmative vote of the majority of the members present or, if required by the Florida Statutes, an extraordinary vote of the members present. In extraordinary circumstances, a board member may attend a meeting via teleconference or other electronic means in order to create a quorum and / or cast a vote. Such circumstances shall be determined by the Chairman.
- B. *Remaining in Chambers.* During a Board meeting, members should remain in the Chambers at all times unless an emergency or illness should occur. Board members present in the meeting should not absent themselves for a particular item without expressed permission of the Chairman.
- C. *Conflict of Interest.* Any member of the Commission who announces a conflict of interest on a particular matter pursuant to Section 112.3143 or Section 286.012, Florida Statutes, and decides to refrain from voting or otherwise participating in the proceedings related to that matter, shall be deemed present for the purpose of constituting a quorum.
- D. *Loss of Quorum.* In the event that a member is required to depart a Board meeting prior to adjournment, and the departure causes a loss of quorum, no further official action, other than adjournment, may be taken until or unless a quorum is restored.
- E. *No Quorum.* Should no quorum attend within 30 minutes after the hour appointed for the meeting of the Commission, or upon a meeting having commenced with a quorum, which quorum shall have been lost, the Chair or the Vice Chair, or in their absence, another Board member, in order of seniority, shall adjourn the meeting. The names of the members present and their action at such meeting shall be recorded in the minutes by the clerk.

## **IV. Presiding Officer.**

- A. *Chairman.* The Presiding Officer is the Chairman of the Jefferson County Board of County Commissioners. The Chairman presides at all meetings of the Board. The Chairman's responsibilities shall include, but not be solely limited to:
  - 1. Open the meeting at the appointed time and call the meeting to order, having ascertained that a quorum is present.
  - 2. Announce the business to come before the Board, in accordance with the prescribed order of business.
  - 3. Recognize all Board members, the County Coordinator, and the County Attorney, who seek the floor under correct procedure. All questions and comments are to be directed through the Chairman and restated by him or her, and he or she declares all votes. The Chairman shall repeat every motion and state every question coming before the Commission, and announce the decision of the Commission on all matters coming before it.
  - 4. Preserve decorum and order, and in cases of serious disturbance or disorderly conduct in the Commission Chambers, may cause order the same Commission Chambers to be cleared or cause any request that the non-compliant disruptive individual be forcibly removed.

5. Call to order any member of the Board who violates any of these procedures and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal.
  6. Expedite business in every way compatible with the rights of the members.
  7. For the Chairman to make a motion, the gavel must be relinquished. Based upon these Rules & Procedures, the gavel shall be relinquished in the following order:
    - (a) Vice Chair;
    - (b) Another Board member based upon seniority.
 A presiding officer who relinquishes the chair should not return to it until the pending main question has been disposed of.
  8. Declare the meeting adjourned when the Board so votes, or at any time in the event of an emergency affecting the safety of those present.
- B. *Vice Chairman.* In the absence of the Chairman or in the event of the Chairman's inability to serve by reason of illness or accident, the Vice Chairman shall perform the duties and functions of the Chairman until the Chairman's return to the County or recovery and resumption of duty.

## V. Order of Business.

- A. *Official Agenda.* There shall be an official agenda for every regularly scheduled official meeting of the Board. The agenda shall determine the order of business conducted at the meeting. All proceedings and the order of business at all such meetings of the Board shall be conducted in accordance with the official agenda. The Agenda Coordinator shall be the County Coordinator. The Clerk shall print and distribute the Official Agenda. For emergency meetings, workshops, retreats, and other special meetings, this requirement may be waived by consent of the members.
- B. *Agenda Form; Availability; Support Information.* The agenda shall be prepared by the County Coordinator and forwarded to the Clerk who shall place it in appropriate form approved by the Commission. The Clerk shall make available to the Board members a copy of the agenda before the meeting. Any support information for agenda items requiring a disposition vote shall be available no later than 4:00 PM on the third business day before the meeting. If support information is required but not available, the agenda item shall be downgraded to a discussion topic for further action or removed from the agenda and considered at a later meeting.
- C. *Agenda Format.* The agenda format for a regularly scheduled official meeting of the Commission shall be in substantially the form as set forth below:
1. Call to Order, Invocation and Pledge of Allegiance
  2. Awards and Presentations
  3. Approval of Agenda and Minutes of Prior Meeting(s)
  4. Consent
  5. Citizens Requests and Input on Non-Agenda Items (3-minute limit; no discussion by Commission)
  6. General Business
  7. Scheduled Public Hearings (at or soon after announced time)
  8. County Attorney
  9. County Coordinator
  10. Citizens Forum (3 minute limit, discussion allowed)
  11. Discussion Items Raised by Board Members
  12. Adjourn
- D. *Special Agenda for Quasi-Judicial Proceedings.* If a meeting, as determined by the Chairman in consultation with the County Attorney, requires a quasi-judicial proceeding, the format of this part of the meeting shall be as follows:
1. Opening Remarks, Announcements, and ~~Ex-Parte Disclosures~~ Disclosure of ~~Ex-Parte~~ Communications
  2. Introduction of Issue by Staff
  3. Applicant Presentation and Witnesses
  4. Sworn Testimony of Opponent and Proponent Witnesses
  5. Questions for/Cross-Examination of Staff, Applicant and Witnesses
  6. Citizens Comments (un-sworn). Time allotted for public comments and citizen input germane to the topic shall be at the Commission's discretion or as provided in the agenda. The Chairman has the discretion to minimize repetitive comments and shall acknowledge and document the numbers of people sharing the same concerns. \*\*\*SEE NOTE\*\*\*
  7. Rebuttal/Summary by Applicant
  8. Board Discussion, Questions, and Action

Competent, substantial evidence relevant to the issue shall be the primary basis for the Board's decision. All competent, substantial evidence shall be introduced by sworn testimony. Cross examination of sworn witnesses is allowed. ~~Only~~ Sworn testimony and comments by the Board and its staff shall become part of the official record for the proceedings of the meeting, along with categorized and counted citizens comments. The Chairman, in consultation with the County Attorney, shall determine the time to be allocated for each part of the agenda and, at the beginning of the hearing, shall announce these time allocations along with any special rules for the proceeding. Otherwise, the rules herein shall apply to quasi-judicial proceedings.

- E. *Consent Agenda.* On the portion of the agenda designated as "Consent," all items contained therein may be voted on with one motion. Consent items are considered to be routine in nature, are typically non-controversial and do not deviate from past Board direction or policy. However, any Board member, the County Coordinator, or the County Attorney may withdraw

an item from the consent agenda, either in writing before the meeting or at the beginning of the meeting, and it shall then be voted on individually. Every effort shall be made to provide such a request in writing to the Chairman (via the County Coordinator) 24 hours before the subject meeting.

- F. *Citizens Requests and Input on Non-Agenda Items (no discussion).* This portion of the agenda is designated for citizens who want to provide information or who have requests for future consideration by the Commission or staff. Presentations shall be limited to 3 minutes unless extended by the Chairman. There shall be no debate and no official action by the Commission.
- G. *General Business.* General business items are items of a general nature that require Board action, Board direction, or pertain to Board policy.
- H. *Scheduled Public Hearings.* Prior to placing a matter on the agenda that requires a public hearing, the consent of the Commission is required pursuant to Section V, Subsection K (Placing Items on Agenda) of this policy. Public hearings shall be held as required to receive public comments on matters of special importance or as prescribed by law. Time allotted for public comments and citizen input germane to the topic shall be at the Commission's discretion or as provided in the agenda. The Chairman has the discretion to minimize repetitive comments and shall acknowledge and document the numbers of people sharing the same concerns. For regular official Board meetings, public hearings shall be heard at the time announced in the agenda or as soon thereafter as is possible. This time designation is intended to indicate that an item will not be addressed prior to the listed time.
- I. *Citizens' Forum (non-agenda items, discussion allowed).* In this portion of the agenda, designated near the end of the meeting as the "Citizens' Forum," up to 30 minutes shall be allocated for citizen input. The Chairman, at his/her discretion and with consent of the Board, may adjust the time allocated for this item and the time allowed each speaker, depending on the circumstances of the meeting. Speakers who have completed a Citizen Input Card shall speak first, including such speakers who may have waived their time to speaker at an earlier point in the agenda. If time permits, the Chairman may allow comments by speakers who have not completed a Citizen Input Card. There may be discussion or debate by the Commission. The Commission may determine appropriate future action for an item including, but not limited to, placing the item on a future agenda, requesting more information, or the Commission may act on an item by unanimous vote.
- J. *Discussion Items by Board Members.* On the portion of the agenda designated as "Discussion Items by Board Members," no assignments shall be given to the County Coordinator or County Attorney without the express approval of the majority of the Board. The Board shall take no policy action without an agenda item unless such is accomplished through a unanimous vote of the Board. The remarks of each Board member during his or her "discussions items" time shall be concise and limited to no more than three (3) minutes, unless the Chairman extends the time.
- K. *Departure from Order of Business.* Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Commission present at the meeting.
- L. *Placing Items on Agenda.* With the consent of the Commission as a whole, matters may be placed on the agenda by any member of the Commission, the Coordinator, or the County Attorney. When a Board member wishes to place a matter on the agenda, the member should raise the matter at a regular Commission meeting and seek the Commission's consent for inclusion of the matter on the next available regular agenda. A Board member may not unilaterally add a matter to an agenda without the Commission's prior approval either at a prior meeting or at the beginning of the meeting in which the item is to be included.
- M. Prior to placing a matter on the agenda that requires a public hearing, the consent of the Commission is required. A request to schedule the public hearing shall be placed on the Consent Agenda for consideration by the Commission. Upon the Commission's approval of the request to schedule a public hearing, the public hearing shall then be scheduled for inclusion on the next available regular agenda or at a special meeting set by the Commission. In addition, the Commission may direct the scheduling of a matter that requires a public hearing by a majority vote. This rule of procedure does not apply to zoning and site and development plan approvals, which are placed on the agenda by staff pursuant to County Code and general law.
- N. *Additions, Deletions, or Corrections to Agenda.* Deletions or corrections to the agenda may be considered by the Commission and adopted by the passage of a single motion. Non-agenda matters shall be confined to items that are informational only.
- O. "Add On" agenda items (items that missed the deadline for agenda preparation for the meeting) should be considered by the Commission only in exigent circumstances for issues that are time critical or cost sensitive to the County. For such matters, the Chairman, County Coordinator and County Attorney should be consulted in advance of the meeting to approve of the "Add On" agenda item. If the "Add On" agenda is approved, the Agenda Coordinator should modify and reprint the agenda table of contents for redistribution to all persons who receive the initial agendas. Furthermore, the County's web site should be updated to reflect the new agenda. For matters of extreme emergency, a special meeting of the Commission may be called by the Chairman upon adequate notice being provided under Section 286.011, Florida Statutes.

- P. *Announcing Agenda Items.* The Chairman shall announce each item on the agenda. The County Coordinator, County Attorney, sponsoring Board member, or other appropriate person shall then present the item to the Board.

## VI. Parliamentarian.

The County Attorney shall act as parliamentarian and shall advise and assist the Chairman in matters of parliamentary law. In the absence of a Rule of Procedure as provided for by these Rules, the parliamentarian shall refer to *Roberts Rules of Order (Newly Revised, 10<sup>th</sup> Edition)* on all rulings.

## VII. Rules of Debate.

### A. Decorum

1. Every Board member desiring to speak should address the Chairman, and upon said recognition by the Chairman, should confine discussion to the question under debate, avoiding all personalities and indecorous language and reference to specific people.
2. Board members shall refrain from: attacking a member's motives; speaking adversely on a prior motion not pending; speaking while the Chairman or other Board members are speaking; speaking against their own motions; and disturbing the Board.
3. A member once recognized should not be interrupted when speaking unless said member is being called to order. The member should then cease speaking until the question of order is determined, without debate, by the Chairman. If in order, said member shall be at liberty to proceed.

### B. Motions

1. A motion and a second to the motion are to precede any action on an agenda matter unless there are speakers to be heard on the agenda matter.
2. All motions shall be made and seconded before debate
3. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except as provided in *Robert's Rules of Order, Newly Revised* as adopted herein.
4. Any Board member may move to close debate (move the previous question) on the motion being considered. Such move is not debatable. A successful majority vote on the motion to close debate will end discussion of the item, except that the Board member moving the adoption of an ordinance, resolution or motion shall have the privilege of closing the debate.
5. If the Chairman wishes to put forth or second a motion, he or she shall relinquish the Chair to the Vice Chairman until the main motion, on which he or she spoke, has been disposed.
6. The following motions require a majority vote and are not debatable: to adjourn; to lay on the table; to take from the table; or to close debate (move the previous question). A motion to suspend the rules requires a 2/3 majority vote and is not debatable.

- C. *Motions to Amend.* An amendment to a motion must be germane, that is, it must relate to the substance of the main motion. An amendment may not introduce an independent question, and an amendment may not serve as the equivalent of rejecting the original motion. A Board member may amend the main motion in either of the following two ways:

1. By Consent of the Members. The Chairman, or another member through the Chairman, may ask for certain changes to be made to the main motion. If there are no objections from the maker of the motion or other members, the motion shall stand as amended.
2. Formal Amendment. An amendment may be presented formally by moving to amend the motion in some way. If it is in the form of a formal motion to amend, a second shall be required and discussion shall follow on the amendment. If an amendment passes, the main motion shall be the motion as amended. If it fails, the motion shall be the motion as it was before the amendment was presented.

## VIII. Voting.

- A. *Voice Vote.* Unless otherwise directed by the Chairman, all votes shall be taken by voice.
- B. *Tabulating the Vote.* The Chairman shall tabulate the votes and announce the results. Upon any roll call, there shall be no discussion by any member prior to voting, and each member shall vote "aye" or "nay."
- C. *Voting.* Every member who was in the Commission Chambers when the question was put must give his or her vote, unless the member has publicly stated that he or she is abstaining from voting due to a conflict of interest pursuant to Sections 112.3143 or 286.012, Florida Statutes. If any member declines to vote "aye" or "nay" by voice, his or her silence shall be counted as an "aye" vote.
- D. *Absent for Vote. Changing Vote.* Any Board member momentarily absent for a vote on a particular item may record his or her vote, and any member may change his or her vote before the next item is called for consideration, or before a recess or adjournment is called, whichever occurs first, but not thereafter, except with the consent of all the members who voted thereon.
- E. *Voting Conflict.* No Board member shall vote on a matter when that member has a voting conflict of interest as specified in Section 112.3143 or Section 286.011, Florida Statutes. A member abstaining from voting due to a conflict shall announce the conflict prior to discussion on the matter. A record of the abstention and the reason for the conflict shall be recorded in the minutes of the meeting or filed by the member in writing with the Clerk for inclusion in the minutes.
- F. *Majority Vote. Extraordinary Majority Vote; Tie Vote.* The passage of any motion, policy, ordinance or resolution shall require the affirmative vote of at least the majority of the members of the Commission who are present and eligible to vote. If an extraordinary majority vote is required by the Florida Statutes, this shall require the affirmative vote of an extraordinary majority of the members of the Commission who are present and eligible to vote. In the case of a tie in votes on any proposal, the proposal fails.

## IX. Citizen Input: Addressing the Board of County Commissioners.

- A. *Citizen Input.* The Board recognizes the importance of protecting the right of all citizens to express their opinions on the operation of County government and encouraging citizen participation in the local government process. The Board also recognizes the necessity for conducting orderly and efficient meetings in order to complete County business in a timely manner.

**B. Non-Agenda Inquiries.**

1. At the regular official County Commission meetings, the Board provides two comment periods for citizens to speak on items not on the agenda. These public comment periods are denoted on the agenda as 'Citizens Requests and Input on Non-Agenda Items' and 'Citizens' Forum.' Any citizen who did not speak during the first citizen comment period may have the opportunity to speak during the second comment period, as provided herein. For complex or lengthy issues, and to stay within the 3 minute per speaker time limit guidelines specified herein, citizens are encouraged to submit written data, evidence, or comments for distribution to member of the Board, staff, and the public.
2. Any citizens who have non-agenda inquiries at regular official County Commission meetings may be asked to prepare a Citizen Inquiry Form to gain all the necessary information. The matter will then be addressed by staff, and the County Coordinator or County Attorney shall report back to the Board of County Commissioners by written memorandum, by electronic mail, or verbally at a subsequent meeting of the Board.
3. If the inquiry is unable to be addressed or resolved by staff, an appropriate agenda item will be prepared by the County Coordinator or County Attorney if a change in policy, procedures, or ordinances is required and recommended by staff in order to address the general subject matter of the inquiry.
4. This procedure shall not be used if "appeal" mechanisms already exist to address the inquiry. Personnel issues should be addressed as provided in the County's Personnel Manual.

**C. Input on a Matter Pending Before the Commission.** Unless waived by the Chairman or consent of the Commission, or otherwise provided herein, each person who addresses the Commission on an agenda item pending before the Commission shall complete a Citizen's Input Card and submit the card to the Clerk or to the Chairman.

**D. Public Input at Workshops, Retreats and Forums.** Commission workshops, retreats and forums are established for in-depth discussion between members of the Commission. Speakers and other participants are at the invitation of the Commission only. Time allotted for public comments and citizen input germane to the topic of the workshops, retreats and forums shall be at the Commission's discretion or as provided in the agenda. No votes shall be taken at Workshops, Retreats, and Forums.

**E. Discussion and Meeting Time Limits.** In order to insure the efficient conduct of Commission meetings and out of consideration for all attendees of such meetings, the Board establishes the following guidelines to limit the time a speaker is allowed to hold the floor and for the time allotted to a single discussion issue. Exceptions to these guidelines are provided for quasi-judicial proceedings and public hearings or may be provided for any meeting by a majority vote of the Commission.

1. Unless an exception is granted by the Chairman or by consent of the Commission, the primary presenter of an item on the agenda shall hold the floor for no more than ten (10) minutes, and no speaker shall hold the floor for more than three (3) minutes. No speaker shall speak more than once on an item. ~~No speaker, other than a Board member, may yield the floor to another speaker. Board members may yield the floor to another speaker. At the discretion of the Chairman, members of the public may be allowed to yield the floor to another speaker, provided it is clear that they are acting in good faith.~~
2. Except for workshops and public hearings, no single agenda item shall consume more than 30 minutes of a meeting unless an exception or extension is granted by a majority of the Commission. After 30 minutes, the Chairman shall close discussion and, if a vote is required, bring the agenda item to a vote. The Chairman may limit discussion time to less than three (3) minutes per speaker to accommodate large numbers of persons who want to speak.
3. For public hearings, unless excepted as above, the time limit shall be one (1) hour, provided at least 30 minutes are included for public comments.
4. For Commission workshops, retreats, and forums the time limits for the meeting and for each agenda time shall be determined as announced in the meeting agenda or adjusted at the beginning of the session by consent of the board.
5. ~~Excluding workshops, retreats, and forums, and unless excepted as above, no meeting of the Commission shall extend more than three (3) hours past its start time the Commission shall make every effort to adhere to a three (3) hour duration for meetings.~~
6. During quasi-judicial proceedings all discussion and remarks shall be relevant and germane to the item or items which are the subject of the proceeding.

**F. Addressing the Commission.**

1. When (and only when) recognized by the Chairman, speakers should rise, proceed to the podium, and speak clearly in an easily heard voice. Speakers shall introduce themselves, giving the following information for the record:
  - (a) Name;
  - (b) Place of residence or business address;
  - (c) If requested by the Chairman, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization, and whether the person is being compensated by the organization.
2. All remarks shall be addressed to the Commission as a body and not to any member thereof.
3. The Chairman shall control the dialogue. No person, other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chairman. No question may be asked except through the Chairman.
4. Speakers should make their comments concise and to the point, and present any data or evidence they wish the Commission to consider. Remarks should be germane and relevant to the question before the Commission.

**G. Decorum and Civility**

1. Participants in and attendees at County Commission meetings are expected to be respectful, courteous, civil, and orderly. No person or group shall, by speech or other non-decorous action, delay or interrupt the proceedings or the peace of the Commission, or disturb any person having the floor. Non-decorous actions shall include cheering, clapping, booing, heckling, verbal outbursts, and private conversations during proceedings. No person shall refuse to obey the reasonable orders of the Chairman or the

Commission. No person shall use a Commission meeting as a forum for personal attacks. Any person making irrelevant, impertinent, threatening, or slanderous remarks or who becomes boisterous while addressing the Commission shall not be considered orderly or decorous shall be considered disorderly and indecorous. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chairman and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to comply as cautioned shall be barred by the Chairman from making any additional comments during the meeting unless permission to continue or again address the Commission is granted by the majority of the Commission members present.

2. If the Chairman or the Commission declares an individual or group out of order, he, she or they will be requested to relinquish the podium. If the person does not do so and escalates or excessively prolongs the disruptive behavior, the Chairman may recess the meeting, and the individual may be subject to forcible removal from the Commission Chambers or other meeting room and may be arrested by the Sheriff subject to Section 810.08(1), Florida Statutes, for failure to comply. Continued failure to control personal conduct may result in arrest.

3. If any person or group becomes disorderly, disruptive or interferes with the orderly business of the Commission, the Chairman may recess the meeting may have the person or group removed from the Commission Chambers or other meeting room for the remainder of the meeting. If the person or group escalates or prolongs the disruptive behavior and fails to control personal conduct, they risk being forcibly removed from the Commission Chambers or other meeting room for the remainder of the meeting and/or arrest.

#### X. Application of these Rules of Procedure

Unless other rules apply, these rules shall govern all noticed meetings of the Board of County Commissioners and all county boards, commissions, committees and other bodies operating under the authority and jurisdiction of the Board of County Commissioners and to which the Florida open meeting laws (Section 286, F.S.) apply, including, but not limited to the Planning Commission and the Value Adjustment Board. For purposes of this rule, the term "Commission" or "Board" shall apply to all bodies referred to in this section.

RESOLVED this 18<sup>TH</sup> day of June 2009

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF  
JEFFERSON COUNTY, FLORIDA

BY: \_\_\_\_\_  
Kirk Reams, Clerk

BY: \_\_\_\_\_  
Gene Hall, Chairman  
(As approved by the Board on June 18, 2009)

#### \*\*\*NOTE\*\*\*

If there are many speakers, speaker cards can be divided between two or more designated people. When a person makes a statement expressing a concern, the Chairman can carefully listen, thank the speaker, and accurately restate the concern. The Chairman can then ask the public who else shares this same concern. People come to the microphone and state their name as written on their speaker card. The chairman would ask these speakers if they wish to use their 3 minutes or simply add something new that has not already been stated. These cards would be found and grouped together. Basic tallies would be taken for the public record listing each concern and the number of cards in that group. This procedure would help public input be more efficient, paint a clear picture of the public opinion trends for an issue and be an opportunity for the board to demonstrate empathy for public concerns. Nothing is more aggravating for us than to give our input and have it totally ignored as though we never said it. From your perspective and ours, public input can be tiring but it is essential and this idea might improve the process for everyone.

The most critical piece for this to work is for the public to agree to it, and in order for us to do that, we need to be confident that the Board members are listening and taking what we say into account as much as possible.

In some cases, public opinion will be given as much consideration into the decision process as other issues. In other cases, the Board may be obligated by law to place more weight on other issues. Even here, however, where part of the proceedings includes public comment, those comments can and should be included as part of the public record whether as verbatim transcripts or as tabulated data. Public opinion must be considered as often and as much as possible. It is the basis of our nation's government and it is provided for in Chapter 125 of the Florida Statutes.

July 20, 2009

Dear Editor,

I addressed the County Commission last week regarding their recently approved rules of order. I have several concerns about them because 1) In their current form, they put the citizens at a disadvantage and 2) It appears as though the Commission is attempting to establish that it has the same power as a judicial officer to order that someone be taken into custody. The Commission does not have the powers of judicial officers, the Florida Statutes make that clear. I told the Commission that it is in extremely poor form to state that a citizen may be arrested for "Trespass of Structure" at a public meeting for failure to relinquish the speaker's podium. Mr. Boyd's reply was that there was a lot of flexibility in the rules and that they say "may" and not "shall" be arrested. Yes, it says "may" but all that does is make the rules flexibly inappropriate. If a person acts up enough, there are several statute violations under which he or she may be arrested, but law enforcement makes that decision and the Commission cannot order it or predetermine the outcome. The reference to any particular statute should be removed.

Here's how the rules put the citizens at a disadvantage. 1) The Commission serves in a quasi-judicial capacity when it hears and decides issues related to planning and zoning. These are two of the most important issues that affect us right where we live and public comment is included in the proceeding yet the current rules exclude public comment from being included in the public record of the proceeding! 2) Members of the Commission can yield their time to another speaker but members of the public cannot. This is no flexibility here and there should be. 3) Members of the public cannot use signs placards or banners of any kind. If there is an issue involving a company or developer from out of town, they can have T-shirts made and bring people in to attend the meeting, which I have seen done. This has the potential to give the false impression of community support, especially if the public has no visual aid of its own. My suggested revisions change the application of the rules in these three areas.

My exchange with the County Commissioners went well. The dialogue was good and the outcome was reasonable, given that the rules were approved just recently. It was decided that the current rules would remain in place for the time being, to see how they work. Quarterly reviews will be conducted and changes considered at that time. This gives more citizens time to read the rules and give their input on what they like or want to see changed. The current rules are posted at <http://www2.myfloridacounty.com/wps/wcm/connect/jeffersonclerk/home/County+Commissioners/>, the link is the bottom of the webpage. Anyone who would like to see my suggested revisions can call me at 445-6940. I will be providing the Clerk of Court with formal revisions – including the strikethroughs – by the end of this week.

Kate Calvin





August 18, 2009

Dear Editor,

I compared Jefferson County's Rules of Order with those of Leon and Wakulla Counties, where they work so well. There are many similarities, including most of the language used to describe the Chairman's role in maintaining order and decorum. Another common feature is reference to the Trespass of a Structure statute, F.S. 810.08(1). It is poor form, regardless of county, to state that a citizen "may" be arrested for trespassing at a public hearing. Only the circumstances at hand can determine which statute is cited in an arrest and a disorderly person could be arrested for any of several law violations. The argument against referring to one particular statute stands on its own merit.

Jefferson County's Rules of Order contain changes and additions that distinguish them from those of our neighboring counties. Coincidentally, these distinguishing features are more restrictive and put the citizens at a disadvantage.

a. Leon and Wakulla Counties allow signs and placards in meeting rooms, as long as they are not mounted on "sticks, posts, poles or similar structures," but for some reason the Jefferson County Commission has prohibited signs altogether. Why, when the rule works so well there? This is an unnecessary limitation of free speech. Citizens who do not want to speak or sign a petition may want to hold a sign and citizen groups or individuals should be allowed to hold signs or placards in a non-disruptive way, like in our neighboring counties. Also, citizen groups or individuals typically do not have the resources of corporations or developers that can have T-shirts made; these are nothing more than signs that are worn.

b. Jefferson County Rules of Order contain a section called *Special Agenda for Quasi-Judicial Proceedings* that is not in the Rules of Order for Leon and Wakulla Counties. "Citizens Comments (unsworn)" are included in the format of these proceedings, however, "Only sworn testimony and comments by the Board and its staff shall become part of the official record for the proceedings of the meeting." This means that citizen comments are EXCLUDED from the official record of the proceeding! Why put "Citizen's Comments" into the format of the proceeding and then make a point to exclude citizen comments from the official record?

c. Jefferson County Rules of Order contain another section called *Discussion and Meeting Time Limits* that is also not in the Rules of Order for Leon and Wakulla Counties. Here, it states that "No speaker, other than a Board member, may yield the floor to another speaker." No such rule is found in the policies of our neighboring counties, where things are working so well, and the rule arbitrarily favors the Board. This is inequitable and places the public at a disadvantage, especially since yielding the floor to another speaker can maintain clarity and speed things along. It appears that this rule is intended to prevent a citizen

filibuster. Has one ever occurred? Run a good meeting and give citizens the opportunity to act in good faith!

d. For some reason, Jefferson County Rules of Order contain three paragraphs of an introduction that are not in the Rules of Order for Leon and Wakulla Counties. These paragraphs contain errors that warrant proper correction and they give the appearance that the Jefferson County Commission is indirectly claiming judicial officer powers, which it does not have.

Jefferson County's Rules of Order have the potential to be a good living document and agreement between the citizens and our County Commission. Mr. Boyd has stated that nearly every citizen suggestion was incorporated into the rules while they were being drafted. Now that they are in place and more citizens have the chance to see them, additional citizen input should be expected. The County Commission can maintain and improve its relationship with the citizens by employing this same openness toward incorporating citizens' suggestions to the rules a few times per year.

Sincerely,  
Kate Calvin



kirk reams <kirkbradleyreams@gmail.com>

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## agenda item for Board of County Commissioners meeting Thursday Nov 19

1 message

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David Hall <cssdrh@gmail.com>

Mon, Nov 16, 2009 at 4:54 PM

To: kirk reams <kirkbradleyreams@gmail.com>

Cc: David Hall <cssdrh@gmail.com>

Kirk,

I would like to be added as an agenda item for this Thursday Nov 19th Board of County Commissioners meeting.

I was told to check back on the November Evening Meeting to get an update from the County Lawyer on the Entertainment Ordinance.

I do not have anything to add to the agenda, but I would like to get an update on the progress.

Thanks

David Hall  
445 Gamble Road

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Rocky Mountain Holdings LLC

dba Life Net

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

WHEREAS, the Board of County Commissioners of Jefferson County, FL has requested authorization to provide Advanced and Basic Life Support services to citizens and visitors of Jefferson County; and,

WHEREAS, it has been demonstrated there is a need to provide these essential services to the citizens of the County; and,

WHEREAS, the above named service affirms that it will maintain compliance with the requirements of the Emergency Medical Services Act, (Chapter 401.251, F.S.) and rules, Chapter 64 J1, (4);

THEREFORE, the Board of County Commissioners of Jefferson County hereby issues a Certificate of Public Convenience and Necessity to said Service, to provide Advanced and Basic Life Support services, with limitations as prescribed on this certificate, and unless sooner revoked.

Limitations: None

Date Issued: November 19, 2009

Date of Expiration: November 18, 2011

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Board of County Commissioners  
Jefferson County, FL  
Commissioner Gene Hall, Chair

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Attest: Clerk of Court, Jefferson County, FL  
Mr. Kirk Reams