

Board of County Commissioners

Jefferson County, Florida

Stephen G. Fulford
District 1, Chair

John Nelson, Sr.
District 2

Hines F. Boyd
District 3

Betsy Barfield
District 4

Danny Monroe, III
District 5

Regular Session Agenda

July 21, 2011 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344

1. 6:00 P.M. – Call to Order, Invocation, Pledge of Allegiance
2. Public Announcements, Presentations, & Awards
3. Consent Agenda
 - a) Approval of Agenda
 - b) Minutes of July 7, 2011 Regular Session
4. Citizens Request & Input on Non-Agenda Items
(3 Minute Limit, No Commissioner Discussion.)
5. General Business
 - a) Engineer Recommendation for Whitehouse Rd. SCRAP – Alan Wise
 - b) CDBG Bid Awards – Roy Schleicher
 - c) County Coordinator Employment Contract Discussion – Commissioner Barfield
 - d) Draft Planning Commission/Vol. Board Appts. Policy/Application – Scott Shirley
 - e) Non-Interference Resolution – Roy Schleicher
 - f) Short list for Mine Consulting Services RFQ – Roy Schleicher
 - g) Discussion of Road Superintendant Performance and Action - Comm.Barfield
 - h) Recommendation to Restructure Rd. Dept & Solid Waste Dept. – Roy Schleicher
6. PUBLIC HEARINGS (7 PM)
 - a) ORDINANCE NO. 2011-072111-01 – JEFFERSON COUNTY CODE ENFORCEMENT PROCEDURES
 - b) ORDINANCE NO. 2011-072111-01 – JEFFERSON COUNTY LDC AQUIFER PROTECTION
7. County Coordinator's Report
 - a) Department Head Reports
 - b) Fire Station Report
8. Citizen's Forum
(3 Minute Limit, Discussion Allowed.)
9. Commissioner Discussion Items

10. 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.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
July 7, 2011

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

1. County Engineer Alan Wise, with Preble-Rish, presented a \$20,000 donation on behalf of the company to Economic Development Director Julie Conley.
2. On motion by Commissioner Barfield, seconded by Commissioner Monroe and unanimously carried, the consent agenda, consisting of the approval of the agenda and the minutes of the June 16th, 2011 Regular Session, was approved.
3. Citizen Paul Henry commented on using prison labor to clean up collection sites.
4. Liz Sparks, with FWC, asked for a resolution supporting National Trails Designation for the Aucilla, Wacissa and Econfina River Areas. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the Board approved this resolution.
5. County Coordinator Roy Schleicher presented the Yearly Housing Plan of the Jefferson County Housing Authority. Commissioner Nelson expressed a desire to serve on the Housing Committee. On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the Housing Plan was approved.
6. Planning Attorney Scott Shirley presented the requested changes to the Land Development Code related to Planning Commissioner Rules and Procedures. He explained that first priority would be given to members from the appointer's district, but the appointee could be from outside the appointer's district with Board approval. Mr. Shirley explained that terms would be three years in length and the Planning Commission could declare a vacancy if a Planning Commissioner was absent from two of three consecutive meetings without prior approval of the Planning Commission Chair or if a member missed thirty-three percent (33%) of all regular meetings, whether excused or unexcused. Citizen Bud Wheeler expressed disappointment that there was no workshop with the Planning Commission on this item and stated that there should be a vetting process to help with attendance issues. Chairman Fulford responded that the first round of new appointments would be made in September and Commissioner Barfield responded that she would be looking at attendance when making her appointments. Attorney Shirley said he will set up the changes as a future public hearing for ordinance adoption. On motion by Commissioner Barfield, seconded by Commissioner Monroe and unanimously carried, the changes were accepted and set up for ordinance adoption at a future public hearing.
7. County Coordinator Roy Schleicher requested that he, Attorney Shirley and Attorney Bird meet to develop a process for surveying and mapping county maintained roads on a case-by-case basis. Chairman Fulford stated that this was a process the county needed to begin. Commissioner Boyd expressed concern with where the money to pay for this would come from. Attorney Shirley responded that time would not improve this situation.

Engineer Alan Wise stated that his desire was to make sure future improvements were done on county-maintained easements. Attorney Sparkman stated that once a prescriptive easement was established there was statutory authority to maintain certain parameters of that roadway. On motion by Commissioner Barfield, seconded by Commissioner Boyd and unanimously carried, the County Coordinator's request to create a process for a road mapping program to survey county maintained roads was approved.

8. County Coordinator Roy Schleicher requested a direction from the Board in regards to the Fire Station issue. Assistant County Coordinator John McHugh presented layouts of Fire Station options to the Board. Commissioner Boyd inquired as to where this structure would be constructed, to which Mr. McHugh responded at the Martin Road property. Commissioner Nelson stated that the station should be in the vicinity of the current location. Commissioner Barfield inquired if anyone had looked at a parcel inside the city and expressed concern over having no inter-local agreement with the City of Monticello. She also expressed concern about flooding issues on the Martin Road property, to which County Engineer Alan Wise responded that most of the parcel is outside of the 100-year flood plain. Commissioner Boyd stated he felt there was an issue between needs and wants and that the major need was to fix the housing problem. He stated he felt that the reserves that have accumulated due to good fiscal management over time were "burning a hole in the pocket" of those eager to build a new station. Commissioner Boyd expressed displeasure with the number of offices and bathrooms as well as the meeting room in the current plan. Commissioner Boyd made a motion to spend no more than half of the monies in the fund balance of the Fire Assessment Trust Fund. The motion died for lack of a second. Commissioner Nelson commented that the Board had to have a vision because this was a legacy to leave to its citizens. Chairman Fulford stated that only half of the Fire Assessment Fund would be allowed to be spent because the building would be for EMS as well. Assistant County Coordinator John McHugh said that there were grant opportunities for the Fire Station the county was currently pursuing. Clerk of Court Kirk Reams expressed concern with the building a permanent facility on the current site because of the potential future value of that property. Commissioner Barfield stated her desire to have a conversation with the City of Monticello about potential property for the facility and about assessment issues. Mr. McHugh stated plans were needed to help seek funding. Commissioner Boyd responded that an RFP should be a design-build RFP using criteria from the workshop in order to have professionals bring back designs. Commissioner Monroe said a decision needed to be made on where the station would be built first. Commissioner Barfield concurred and stated her opinion that Mr. Wise, Mr. Schleicher and Chief Matthews bring back a site recommendation for the facility. Mr. Schleicher stated he would work to bring this recommendation before the Board at the next meeting. Commissioner Boyd stated that he had suggested modular housing to address the housing problem and was told that was not good enough. Chief Matthews responded that he would rather deal with the current conditions and put money towards a future facility off-site. He further commented that the fund balance existed because the department had been frugal and no one has intended to spend all of the monies in the fund balance. Chief Matthews further stated that the county already owns the Martin Road site and that the city only owned mostly residential area parcels. Chief Matthews said that every facility looked at elsewhere was a permanent facility, not temporary. Commissioner Boyd requested to include a proposal with the current site as part of the discussion. On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the Board requested the County Coordinator present a list of properties with pros and cons with a project timeline at a future meeting.

9. County Coordinator Roy Schleicher introduced the Coordinator's Authority agenda item. Commissioner Monroe stated his belief that the responsibility to fire and hire department heads should ultimately rest with the Board and not someone who is not elected. Chairman Fulford agreed that it was ultimately the Board's responsibility at this point in time. Commissioner Barfield expressed her desire to utilize a County Administrator instead of County Coordinator. She further stated that the Board needed to look at the position and not the person and give the Coordinator authority to hire/terminate. She recommended taking the politics out of these decisions by giving the Coordinator authority to terminate Department Heads while letting the Board keep the authority to hire Department Heads based on the Coordinator's recommendation. Commissioner Monroe stated it was the Board's job to settle personnel conflicts and that he would never vote to give up the authority he was elected to exercise. Commissioner Nelson stated that progressive discipline process in the personnel policy provides a means to guide decisions. Citizen Bud Wheeler asked the Board to take some responsibility for what they were elected and paid for. Citizen Dick Bailar responded that the county was moving forward and Department Heads needed to know that the Coordinator was their boss. Citizen Phil Calandra stated that a good checks and balances was achieved by utilizing Human Resources, the County Coordinator and the Department Head in concert and that HR needed to be included in the Personnel Policy. Attorney Bird expressed concern about proposed language involving employees below the Department Head level that stated the Coordinator had hiring and firing authority over them. Commissioner Monroe stated that he did not want the Coordinator running the Departments and that he felt that was the job of the Department Heads. Commissioner Boyd stated that protections were in place and that the intent of the language was that the Coordinator had the same review authority with Department employees as the Board would have with Coordinator's recommendations regarding Department Heads. On motion by Commissioner Boyd, seconded by Commissioner Monroe and carried 4 to 1 (Barfield opposed), the Board approved the following language: "With respect to Department Heads specifically, the County Coordinator shall make a recommendation to the Board whether a Department Head should be hired or terminated, which shall be accepted or rejected by the Board by majority vote. With respect to employees who are below the level of County Coordinator, the County Coordinator shall make the final decision as to whether the employee should be hired or terminated." Attorney Bird stated he would submit this language to Attorney Sniffen for review before inclusion in the Personnel Policy.

10. Commissioner Monroe stated his desire to modify the Non-Interference language to allow Commissioners to speak with Department Heads as well as citizens. Commissioner Barfield stated a Non-Interference Policy would give employees guidance and that Board members should be able to speak to Department Heads but that the first step would be informing the County Coordinator of the issue. Commissioner Boyd presented his sample resolution about Board members not directing county employees to engage in any action that would require the use of county resources. Commissioner Barfield responded that there needed to be a chain of command and that before Board members could work directly with a Department Head on an issue, there needed to be consensus among the Board members beforehand and then the County Coordinator should be involved. Commissioner Boyd stated that the people elected Board members to be responsive and in doing so, Board members should be able to speak freely with Department Heads. He expressed a desire to not fix something that was not broken. Commissioner Barfield responded that there had been instances where individual Commissioner's disruption was detrimental to the Department Head and the Department's operations. Commissioner Boyd stated that the people elected Board members to be problem solvers. Commissioner

Barfield made a motion proposing a resolution combining aspects of both her proposal and Commissioner Boyd's. The motion died for lack of a second. A motion to approve a combined, struck through resolution was made by Commissioner Barfield and seconded by Commissioner Nelson for discussion. Attorney Bird stated that Commissioners had no authority to take actions against other Commissioners through censure. Commissioner Barfield amended her motion to remove censure from the proposed language and added to the motion that this language would be made a resolution and included in the Personnel Policy. Commissioner Nelson seconded the revised motion and the following language was adopted unanimously as the Non-Interference Policy: "Except for the purpose of inquiry and information, members of the Board of County Commissioners are expressly prohibited from interfering with the performance of the duties of any employee of county government. No Commissioner shall direct or demand that a Department Head or any county employee perform a specific action that will require the substantive use of county resources or funds except by majority consent of the Board."

11. Clerk of Court Kirk Reams asked if revisions had been made to the Personnel Policy to include references to Human Resources per Commissioner Nelson's request. Assistant County Coordinator John McHugh responded that he would follow-up with Attorney Sniffen. On motion by Commissioner Barfield, seconded by Commissioner Nelson and unanimously carried, the Board approved the Personnel Policy.
12. County Coordinator Roy Schleicher introduced the Park Advisory Board By-laws with updated language. Commissioner Barfield inquired as to whether the checking account was closed and if all transactions would be flowing through the Clerk's Office, to which Mr. Schleicher responded in the affirmative. On motion by Commissioner Nelson, seconded by Commissioner Barfield and unanimously carried, the By-laws were approved.
13. County Coordinator Roy Schleicher recommended a selection committee for the Mine Consulting RFQ consisting of David Harvey, John McHugh, Alan Wise, Roy Schleicher and Commissioner Boyd. On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the committee was approved.
14. County Coordinator Roy Schleicher informed the Board of needed project comments for State Road 59 DOT resurfacing project from Tram Road to US-27. On motion by Commissioner Monroe, seconded by Commissioner Barfield and unanimously carried, the project was accepted with recommendations for the feasibility of including bike lanes/paved shoulders and intersection safety evaluation at the intersection of Tram Road and SR-59.
15. Citizen Paul Henry asked the Board to keep in mind the functions of government when evaluating grants, especially housing grants. County Coordinator Roy Schleicher responded that private enterprise benefited at each stage of the housing grant process. Citizen C.P. Miller gave his "hats-off" to the Board for the CDBG program and for helping families.
16. Commissioner Monroe gave an update on the timber sale along the 30-foot easement of the Wacissa River property.
17. Commissioner Nelson stated that he would like to see some recreation improvements/opportunities at the Hopkins Landing site in the future.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

18. Commissioner Barfield informed the Board that the Lloyd Depot project ranked second for grant monies.
19. Commissioner Barfield expressed concern over the mine situation and stated that in talking with professionals, the mine would have to produce 250,000 tons of the material annually to break even. She stated her desire to look at leasing or selling the mine as options.
20. Commissioner Barfield stated that in the last 10 days, she had received at least three complaints regarding Road Superintendent David Harvey. She said she felt like the Coordinator's hands were tied in managing and disciplining Mr. Harvey. She stated that Mr. Harvey showed disrespect and was condescending to residents and women in particular. Commissioner Barfield alluded to an embarrassing HR issue involving the Road Superintendent this past week. She also stated that Mr. Harvey was probably the most visible Department Head and represented the whole Board throughout the community. Commissioner Barfield stated that she had lost confidence in Mr. Harvey and did not want him representing her any longer. She asked Chairman Fulford how much longer the Board would tolerate a Department Head acting this way and that it needed to be on the agenda to take a look at his performance. Chairman Fulford informed County Coordinator Roy Schleicher that he would support whatever the Coordinator's recommendation would be. County Coordinator Roy Schleicher responded that this was the first time his role was clear. Chairman Fulford stated this was a matter for Mr. Schleicher to address. Attorney Bird stated that the Personnel Policy needed to be followed or there could be procedural issues. Commissioner Barfield responded that she was of the opinion that there could be a lawsuit either way. County Coordinator Roy Schleicher stated he would follow-up with Attorney Sniffen and bring a recommendation to the Board. Commissioner Barfield requested that the Superintendent's performance be reviewed and action taken at the next meeting.
21. The warrant register was reviewed and bills ordered paid.
22. On motion by Commissioner Monroe, seconded by Commissioner Nelson unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk



PREBLE-RISH INC
CONSULTING ENGINEERS & SURVEYORS

July 15, 2011

Via e-mail @ kreams@jeffersonclerk.net and via Hand Delivery

Gulf County

324 Marina Drive
Port St. Joe, FL 32456

P 850.227.7200
F 850.227.7215

Bay County

203 Aberdeen Parkway
Panama City, FL 32405

P 850.522.0644
F 850.522.1011

Walton County

877 CR 393 North
Santa Rosa Beach, FL 32459

P 850.267.0759
F 866.557.0076

Gadsden County

20 East Washington Street
Quincy, FL 32351

P 850.875.4751

Calhoun County

20684 Central Avenue East
Blountstown, FL 32424

P 850.674.3300

Wakulla County

36 Jasper Thomas Road
Crawfordville, FL 32327

P 850.528.0300

Jefferson County

Garden Square
187 East Walnut Street
Monticello, FL 32344

P 850.997.2175

Dixie County

23414 SE 349 Hwy
P.O. Box 3
Suwannee, FL 32692

P 352.542.2414

Okaloosa County

2110 Lewis Turner Boulevard
Ft. Walton Beach, FL 32547

P 850.200.4783

Mr. Kirk Reams
Clerk of Circuit Court
Jefferson County
1 Courthouse Circle
Monticello, FL 32344

**RE: Whitehouse Road Resurfacing
Preble-Rish, Inc. Project No. 751.033**

Dear Mr. Reams:

As you know we received bids for the referenced project at 2:00 p.m. EST on July 14, 2011, and four (4) contractors submitted bids. Copies of all the bids have been provided under separate cover. The detailed bid results are attached and labeled as **Exhibit A**.

After thorough review of all bids, Peavy & Son Construction Company, Inc. was the lowest responsive qualified bidder. Therefore, we recommend awarding the contract to **Peavy & Son Construction Company, Inc.** in the amount of **\$435,535.40**.

Before the next Board of County Commissioner's meeting, we will provide you with the Notice of Award and the Agreement for the Chairman to execute if the Board approves our recommendation.

If you have any questions, please give me a call at 850.528.0300 or e-mail me at wisea@preble-rish.com.

Sincerely,

PREBLE-RISH, INC.

Alan Wise, P.E.
Project Manager

Attachments

cc: Mr. Chris Forehand, P.E., Vice-President, C.O.O., PRI (via forehandc@preble-rish.com w/o attachments)
Mr. Travis Justice, P.E., Associate, PRI (via justicet@preble-rish.com w/o attachments)
Mr. Donald Stanley, E.I., PRI (via stanleyd@preble-rish.com w/o attachments)

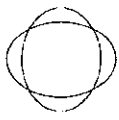
S:\751.033 Whitehouse Rd. Resurfacing\correspondence\Reams 2011.7.15 Bid Results.doc



"EXHIBIT A"
DETAILED BID TAB
PRI PROJECT NO. 751.033
WHITEHOUSE ROAD




ITEM	DESCRIPTION	C.W Roberts Contracting Inc.	Peavey and Son Construction Inc.	Capital Asphalt Inc.	Anderson Columbia Co. Inc.
GENERAL COSTS					
0101-1	MOBILIZATION	\$ 5,000.00	\$ 7,500.00	\$ 5,000.00	\$ 23,965.00
0102-1	MAINTENANCE OF TRAFFIC	\$ 5,000.00	\$ 7,500.00	\$ 5,000.00	\$ 19,530.00
0908104-1	CONTRACTORS EROSION CONTROL	\$ 500.00	\$ 1,000.00	\$ 2,000.00	\$ 3,354.00
ROADWAY					
0334-1-12	SUPERPAVE ASPH CONC, TRAF B, PG 67-22	\$ 313,320.00	\$ 305,860.00	\$ 335,700.00	\$ 320,407.00
0120-2-2	BORROW EXCAVATION, TRUCK MEASURE	\$ 4,000.00	\$ 6,000.00	\$ 5,000.00	\$ 6,780.00
285709	OPTIONAL BASE, BASE GROUP 01	\$ 9,000.00	\$ 6,750.00	\$ 3,825.00	\$ 12,447.00
0570-1-2	PERFORMANCE TURF, SOD	\$ 22,500.00	\$ 20,250.00	\$ 9,000.00	\$ 27,810.00
PAVEMENT MARKINGS					
710-90	PAINTED PAVEMENT MARKINGS, FINAL SURFACE	\$ 12,000.00	\$ 13,500.00	\$ 12,000.00	\$ 13,705.00
711-111111	AUDIBLE AND VIBRATORY THERMOPLASTIC, STD	\$ 34,748.00	\$ 35,740.80	\$ 43,800.00	\$ 45,901.00
711-11211	THERMOPLASTIC, STD, YELLOW, SOLID, 6"	\$ 23,652.00	\$ 23,301.60	\$ 32,120.00	\$ 32,639.00
711-11-125	THERMOPLASTIC, STD, WHITE, SOLID, 24"	\$ 270.00	\$ 198.00	\$ 450.00	\$ 99.00
0546-71	RUMBLE STRIPS	\$ 3,520.00	\$ 2,800.00	\$ 2,400.00	\$ 1,678.00
706-3	RETRO-REFLECTIVE PAVEMENT MARKERS	\$ 4,466.00	\$ 4,235.00	\$ 3,465.00	\$ 3,542.00
0700-20-11	SINGLE POST SIGN, F&I, LESS THAN 12 SF	\$ 900.00	\$ 900.00	\$ 1,050.00	\$ 1,050.00
BIDDER'S TOTAL BASE BID		\$ 438,876.00	\$ 435,535.40	\$ 459,760.00	\$ 512,907.00
ENGINEER'S VERIFICATION OF TOTAL BASE BID		\$ 438,876.00	\$ 435,535.40	\$ 460,810.00	\$ 512,907.00



MERIDIAN

MEMORANDUM

TO: Jefferson County Board of County Commissioners

FROM: Jay Moseley, Senior Vice President 

SUBJECT: Bid Award

DATE: June 27, 2011

BID AWARD

On June 21, 2011 sealed bids were received and opened for ten houses in the Jefferson County Community Development Block Grant Program for Housing Rehabilitation/Replacement and Disaster Recovery. The bids received were acceptable according to the Housing Assistance Plans and recommended below. The applicants, recommended bidders and the amounts for these houses are listed below:

HOUSING REHABILITATION GRANT H30 (REGULAR CATEGORY)

APPLICANT	RECOMMENDED BIDDER	AMOUNT
Elizabeth Messer	C. B. Construction	\$73,677.80
Wade Shiver	J. G. Parker Enterprises, Inc.	\$73,780.00
Harvey Jordan, Jr.	C. B. Construction	\$71,817.80
Mary Jane Geathers	C. B. Construction	\$79,631.70
Eddie Lee Harley	Jerry Walters Construction	\$76,500.00
Bernice Harris	J.G. Parker Enterprises	\$72,259.00
Angie Oliver	Jerry Walters Construction	\$85,000.00
Erma Plummer	Jerry Walters Construction	\$76,500.00

DISASTER RECOVERY GRANT K19

Walter Braren	J. G. Parker Enterprises	\$69,999.00
Washington Gallon	Florida Homes	\$29,949.00

Recommended Action # 1: Award the house as identified above.

Attachments:

Bid Tabulation with Recommendations

Current Budgets – CDBG Housing and CDBG Disaster Recovery

JEFFERSON COUNTY CDBG 11DB-L4-02-43-01-H30 BID TABULATION

Tuesday June 21, 2011

Contractor/Homeowners	Elizabeth Messer	Wade Silver	Mary Jane Gathers	Harvey Jordan Jr.	Eddie Lee Harley	Bernice Harris	Angie Oliver	Erma Plummer
Contractor/Homeowners								
Pagel Construction Co. Inc.	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
James Register Construction, LLP	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Yeager Contracting Co., Inc.	\$ 87,400.00	\$ 91,116.00	\$ 99,557.00	\$ 85,960.00	\$ 94,737.00	\$ 86,960.00	\$ 108,252.00	\$ 94,925.00
Certified Roofing and Construction	Withdraw Bid	Withdraw Bid	Withdraw Bid	Withdraw Bid	Withdraw Bid	Withdraw Bid	Withdraw Bid	Withdraw Bid
Big Bend Builders, LLC	No Bid	No Bid	No Bid	No Bid	\$ 105,500.00	No Bid	No Bid	No Bid
PSH Construction	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Florida Homes, Inc.	\$ 76,427.00	\$ 76,810.00	\$ 87,201.00	\$ 74,813.00	\$ 84,821.00	\$ 76,105.00	\$ 96,921.00	\$ 86,524.00
J.G. Parker Enterprises, Inc.	\$ 73,780.00	\$ 73,780.00	\$ 80,750.00	\$ 73,100.00	\$ 78,200.00	\$ 72,259.00	\$ 88,490.00	\$ 79,900.00
Jerry Walters Construction, Inc.	\$ 74,790.00	\$ 74,869.00	\$ 78,200.00	\$ 72,699.00	\$ 76,500.00	\$ 72,869.00	\$ 85,000.00	\$ 76,500.00
R and R Construction and Design, Inc.	\$ 129,400.00	\$ 109,110.00	\$ 124,528.00	\$ 104,810.00	\$ 115,930.00	\$ 102,030.00	\$ 136,472.50	\$ 119,336.00
C. B. Construction, Inc.	\$ 73,677.80	\$ 73,917.80	\$ 79,631.79	\$ 71,817.88	\$ 79,345.28	\$ 73,865.30	\$ 88,774.98	\$ 79,287.95
Whiddon Construction Co.	\$ 77,924.18	\$ 76,335.43	\$ 89,530.83	\$ 75,374.18	\$ 86,980.83	\$ 75,793.93	\$ 97,910.04	\$ 86,980.83
Keith Taylor Construction	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
CSS Construction	\$ 120,368.00	\$ 105,998.00	\$ 118,332.00	\$ 101,350.00	\$ 117,722.00	\$ 103,358.00	\$ 139,686.50	\$ 119,002.00
Better Built Homes	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Meridian Community Services Estimate	\$72,300	\$74,000	\$78,400	\$70,000	\$79,500	\$71,500	\$90,200	\$81,100
15% above	\$83,145	\$85,100	\$90,160	\$80,500	\$91,425	\$82,225	\$103,730	\$93,265
15% below	\$61,455	\$62,900	\$66,640	\$59,500	\$67,575	\$60,775	\$76,670	\$68,935
Recommended Contractor	C B Const	JG Parker	C B Const	C B Const	Walters	JG Parker	Walters	Walters

Bid Opening: Tuesday June 21, 2011 @ 2:00 PM

Openend By: _____ Signature _____

Witnessed by: _____ Signature _____

Print

Print

JEFFERSON COUNTY CDBG 10DC-K4-02-43-01-K19 BID TABULATION

Tuesday June 21, 2011

↓Contractor/Homeowners→	Walter Braren	Washington Gallon
Pagel Construction Co. Inc.	No Bid	No Bid
James Register Construction, LLP	No Bid	No Bid
Yeager Contracting Co., Inc.	\$ 87,810.00	\$ 32,100.00
Certified Roofing and Construction	Withdrew Bid	Withdrew Bid
Big Bend Builders, LLC	No bid	No bid
PSH Construction	No bid	No bid
Fla. Homes, Inc. R/C	\$ 74,915.00	\$ 29,949.00
J.G. Parker Enterprises, Inc.	\$ 69,999.00	\$ 44,899.00
Jerry Walters Construction, Inc.	\$ 68,850.00	\$ 39,750.00
R and R Construction and Design, Inc.	\$ 118,030.00	\$ 32,770.31
C. B. Construction, Inc.	\$ 75,765.80	\$ 35,431.27
Whiddon Construction Co.	\$ 76,293.93	\$ 29,974.20
Keith Taylor Construction	No Bid	No Bid
CSS Construction	\$ 112,588.00	\$ 34,614.00
Better Built Homes/ Gibbes Miller	No Bid	\$ 39,215.00
Meridian Community Services Estimate	\$68,900	\$29,150
15% above	\$79,235	\$33,523
15% below	\$58,565	\$24,777
Recommended Contractor	Parker	Fla Homes

Bid Opening:

Tuesday June 21, 2011 @ 2:00 PM

Openend By: Signature _____

Print _____

Witnessed by: Signatrue _____

Print _____

LAW OFFICES
of
ARD, SHIRLEY & RUDOLPH, P. A.
Post Office Box 1874
207 West Park Avenue
Suite B
Tallahassee, Florida 32302-1874
Phone: 850-577-6500
Facsimile: 850-577-6512

MEMORANDUM

To: Jefferson County Board of County Commissioners
Through: Roy Schleicher, County Coordinator
From: Scott Shirley, Jefferson County Planning Commission Attorney
Re: Jefferson County Planning Commission Rules,
Policy for Volunteer Boards, and Application Format
Date: **June 24, 2011**

Attached hereto are several documents relating to consideration by the Board of County Commissioners of revisions to certain LDC provisions applicable to the Jefferson County Planning Commission specifically, and which also concern volunteer boards in Jefferson County generally. These are for consideration by the Board of County Commissioners at the regular meeting of July 7, 2011. These are as follows:

1. The first document sets forth draft revisions to Jefferson County Land Development Code Section 8.02.00 relating to the Jefferson County Planning Commission. The revisions are intended to be consistent with the consensus of the Board as expressed at the regular meeting of July 16, 2011. There are also a few additional housekeeping revisions which I will point out at the July 7 meeting. If acceptable, these revisions will be incorporated into a formal ordinance for consideration for adoption by the Board of County Commissioners at a future date.
2. The second document is a draft policy on appointments and service on all volunteer boards and agencies in Jefferson County. This policy is based largely on the volunteer

board policy currently in effect in Hernando County, with revisions specific to Jefferson County. This document is not intended to be in final form, but rather is intended to encourage discussion by the Board followed by policy direction to staff. The policy includes several provisions that are inconsistent with current Board practices, but which the Board may wish to consider using in the future.

3. Finally, I have attached a form for application for appointment to volunteer boards and agencies. Upon checking into the issue, it appears that most local governments utilize some sort of application format for volunteer board appointments. There are a number of very good reasons for using an application form; these can be discussed at the July 7 meeting. Again, rather than being in final form, this is intended to function as an example of a format the County could use.

Jefferson County Land Development Code

Article 8 – Boards and Agencies

8.02.00 PLANNING COMMISSION

8.02.01 Purpose

In order to safeguard the life, health, property and public welfare of its citizens, a County Planning Commission will be established and maintained. The further purpose of the Jefferson County Planning Commission is to plan for future development and to prepare, adopt and amend comprehensive plans to guide future development and to recommend to the Board of County Commissioners the needs and plans for subdivision regulations, land use regulations and such other areas as to promote the general well being of the citizens of the County.

8.02.02 Establishment

The Board of County Commissioners of Jefferson County hereby establishes the Jefferson County Planning Commission to be governed by the provisions of Section 163.3174, Florida Statutes as well as the provisions set forth in this Section.

8.02.03 Membership

The Jefferson County Planning Commission shall consist of ten (10) members who shall be residents of Jefferson County, Florida appointed by the Board of County Commissioners of Jefferson County, Florida. Each member of the Board of County Commissioners of Jefferson County shall give first priority to designation of two members from their respective District to the Jefferson County Planning Commission, but may designate members from another district with approval of the other members of Board of County Commissioners.

8.02.04 Terms of Members

A. Generally. The terms of members of the Jefferson County Planning Commission shall be three (3) years. Each Planning Commissioner may be reappointed at the end of each term.

B. Vacancy. Any vacancy in membership shall be filled for the unexpired term of the vacancy by the Board of County Commissioners of Jefferson County pursuant to the same procedure followed in the appointment of the previous member. The Planning Commission shall declare a member's position vacant in any of the following circumstances:

(1) When a member is absent from two of three consecutive meetings of the board without approval of the chair. Absences from emergency or special called meetings will not be recorded against a member in counting the absences. Special exceptions on the removal of members for absences may be made by the chair when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the board to maintain a quorum, or

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(2) When a member is absent from 33 percent of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused.

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C. Removal of Member. The Board of County Commissioners of Jefferson County shall have the authority to remove any member of the Jefferson County Planning Commission for cause, on written charges, after a public hearing.

D. Compensation. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

8.02.05 Organization, Rules, Staff and Finances

A. Election of Chairman. The Jefferson County Planning Commission shall elect a chairman and vice-chairman from the members recommended for appointment by the Board of County Commissioners of Jefferson County. The terms of the chairman and vice-chairman shall each be one year. The chairman and vice-chairman shall not serve consecutive terms, exceeding two (2) years.

B. Designation of Secretary. The Jefferson County Planning Official shall designate a secretary who may be an officer or employee of the County.

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C. Rules of Procedure. If the Jefferson County Board of County Commissioners has not previously adopted rules of procedure that apply to the Planning Commission, the Jefferson County Planning Commission shall make its own rules of procedure and determine its time of Meeting; provided that its rules of procedure and schedule of meetings shall be provided to the Board of County Commissioners of Jefferson County.

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D. Meetings. All meetings of the Jefferson County Planning Commission shall be open to the public and all records of the Planning Commission shall be public records.

8.02.06 Functions, Powers and Duties

The Jefferson County Planning Commission shall have the following functions, powers, duties, and responsibilities as set forth in Chapter 163, of Florida Statutes:

Deleted: E. Staffing. The Jefferson County Planning Commission shall recommend to the Board of County Commissioners the appointment of any and all employees and staff deemed necessary by the Planning Commission for its work as well as any contracts or agreements with the State, other governmental or private planners or consultants for such services as may be deemed necessary by the Planning Commission.

A. Acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions. Such information and material must include maps and photographs of man-made and natural physical features of the area concerned. Statistics on past trends and present conditions with respect to population, property values, economic base, land use, and such other information as is important or likely to be important in determining the amount, direction and kind of development to be expected in the area and its various parts.

Deleted: F. Budget. The Jefferson County Planning Commission shall annually submit a proposed budget for expenditures of the Planning Commission in accordance with the rules and procedures of the Board of County Commissioners of Jefferson County. This budget will be prepared by the Planning Official.

B. Prepare or cause to be prepared a comprehensive plan for Jefferson County. Adopt and, from time to time, amend and revise said plan for meeting present requirements and such future requirements as may be foreseen.

C. Prepare and recommend the adoption of a land development code and subsequent amendments thereto and administer the code as needed.

D. Review and make recommendations on development orders and development permit applications to the Board of County Commissioners of Jefferson County.

E. Approve location selection and site planning for appropriate projects as assigned by the Board of County Commissioners of Jefferson County.

Deleted: public housing renewal projects, community facilities and utilities and other

F. Prepare and recommend adoption of latest official transportation map of the County.

G. Establish principles and policies for guiding action in the development of the area.

H. Conduct such public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan and such additional public hearings as are required by Florida Statutes.

I. Make or cause to be made any necessary special studies on the location, condition and adequacy of facilities or functions administered by the Board of County Commissioners of Jefferson County.

J. Perform any other duties which lawfully may be assigned by the Board of County Commissioners of Jefferson County on its activities and progress.

Deleted: including functioning as the Code Enforcement Board until said Code Enforcement Board is designated otherwise by the Board of County Commissioners

K. Take appeals from or recommendations by the Planning Official arising from a development proposal within the geographical area of Jefferson County to which that Planning Commission has been assigned by the Board of County Commissioners.

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS
APPOINTMENTS TO COUNTY
VOLUNTEER BOARDS AND AGENCIES**

POLICY NO. _____

PURPOSE:

It is the intent of the Board of County Commissioners by adoption of this policy to solicit public interest and to establish a fair and equitable procedure for appointments, reappointments or replacement of members to County volunteer boards and agencies.

POLICY:

1. A news release will be placed in local newspapers of general circulation advising of any opening on County boards and agencies and the qualifications for said positions. The news release will indicate that letters of interest and applications are being accepted by the Board of County Commissioners for these positions. A deadline will be established for receiving these applications and will be noted in the news release.
2. Individuals who already are serving on a County board or agency whose terms are expiring will be notified of the expiration of their term approximately six weeks prior to the date of term expiration. They will be required to submit a letter of interest and a revised application as to whether or not they wish to continue serving on said board. If a letter is not received from the individual whose term is expiring, it will be assumed that the individual no longer wishes to serve on this board.
3. Vacancies created by individuals who resign prior to the expiration of their term will be viewed as new appointments and the procedure outlined in Item No. 1 above will be followed. All resignations must be submitted in writing to the Board of County Commissioners. Remaining terms, caused by vacancies, will not apply toward the individual's total allowable service term but instead, their terms will begin on January 1st.
4. Appointment of County boards and agencies members shall, after nomination by a member of the Board of County Commissioners, be by a majority of a quorum of the Board of County Commissioners present at the meeting on which such action is taken. Appointments shall give first priority to the designation of members who reside in the district of the member of the Board of County Commissioners who is making the nomination. The Board of County Commissioners shall consider all persons for whom qualified applications are received prior to the established deadline. **Persons may serve on not more than one County board or agency at a time.** This procedure of

appointment will be followed for all County boards and agencies except where laws or Florida Statutes deem otherwise.

5. After the appointment is made, all individuals who submitted applications will receive notification advising whether or not they were selected for the particular position for which they indicated an interest.

6. As deemed necessary by the Board of County Commissioners, alternate County board or agency members, where alternate membership slots are provided, shall be appointed in the same manner as set forth in item 4.

7. All individuals who were serving that were not reappointed or chose to resign, will receive a Certificate of Appreciation for their service to the County.

8. Appointed individuals both full members and alternates may serve not more than _____ consecutive terms. The terms will begin with the last appointment date for each individual. Alternate members transferred to full members will have their terms begin as new terms on _____.

9. All members appointed by the Board to serve on various boards and agencies are expected to attend each and every meeting of the board or agency. If a member fails to comply with the attendance policy of and board or agency that member may be removed as provided in such attendance policy. If the particular board or agency does not otherwise have an attendance policy, then the following g applies. If that member is absent from three or more consecutive meetings, and these absences are unexcused, the remaining members of the board or agency may request that the Board of County Commissioners consider removal of such members. The County Coordinator's Office shall send a letter to the individual facing removal and request to know their intentions with regard to the board/committee. The information will then be relayed to the Board of County Commissioners for consideration and action.

10. In making appointments to the Planning Commission, the Board of County Commissioners shall consider:

- A. Area of residence of the applicant. Alternate appointments may be made without regard to area of residence.
- B. Diversity in type of education and training among members.
- C. Diversity and degree of related experience, i.e.: membership on any land use or related public boards.
- D. Diversity in expertise among members.
- E. Diversity in professions of members.

Qualifications will be outlined pursuant to the items above in a report prepared by the Planning Official for review by the Board of County Commissioners prior to appointment.

11. Attendance records are required to be kept by the Department responsible for the board or agency, or in the event no department is responsible for the board or agency, by the Chairman of the board or agency for both full and alternate members. These attendance reports are to be submitted to the County Coordinator's Office in July as a yearly summary of attendance.

**JEFFERSON COUNTY FLORIDA
BOARD OF COUNTY COMMISSIONERS
COUNTY VOLUNTEER BOARD/AGENCY APPLICATION**

The Jefferson County Board of County Commissioners recognizes that citizen participation is a vital component of a vibrant democratic local government. The County also recognizes the unique contributions made by volunteers and encourages involvement in local government through service on a County volunteer board or agency.

(PLEASE TYPE OR PRINT CLEARLY)

Name of volunteer Board/Agency for which you are applying:

1. _____
2. _____
3. _____

Name:

Address: _____ City/State _____

Zip _____

Alternate Address: _____ City/State

_____ Zip _____

Telephone: (Home) _____ (Cell) _____ (Fax) _____

(Work) _____ Preferred Contact # Home () Cell () Work ()

E-Mail Address: _____

Are you: Jefferson County Registered Voter? Yes _____ No _____

Please circle the months you would be available for meetings:

Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec.

Occupation:

(If retired, please indicate former occupation or profession.)

Are you currently serving on any County Boards or Committees? Yes _____ No _____

If yes, please provide the name of the Board or Committee:

1. _____

2. _____

Applicable County codes require appointments to the following Boards to be persons who are residents of the Jefferson County: Code Enforcement Board, Planning Commission, _____. No person may serve on more than one of these boards concurrently.

Complete the following: Please describe those facets of your background/experience that you feel may be useful for membership on this Board/Agency.
What do you feel you can contribute to the Board/Agency to which you are applying?

Academic – Degrees, Diplomas

Professional – Certifications

Knowledge – Training, interests, or experience

Community Involvement – List organizations/positions

Organizations – Membership

Please attach any other information or resume you feel will assist the Commissioner in your district and the Board of County Commissioners in making their decision on this appointment.

IMPORTANT INFORMATION ON APPOINTMENTS TO BOARDS OR AGENCIES
Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision and all members of bodies exercising planning, zoning, or natural resources responsibilities are required to file a financial disclosure form within 30 days after appointment and annually thereafter for the duration of the appointment as required by Chapter 112, F.S. If appointed, please contact the County Supervisor of Elections to obtain the applicable disclosure forms.

Terms on various boards and agencies vary and may be for a period up to three years. Appointments expire on the _____ of each year on a staggered basis. In addition, vacancies occur throughout the year for various reasons and vacancies are filled for the remainder of the unexpired term. If any vacancy is for a period of less than six months, the Board of County Commissioners, at their discretion, may appoint an individual for the remainder of the current term, plus one full term at the time of appointment. County boards and agencies play a vital part in our community. You are encouraged to submit an application for appointment to a County board or agency prior to board appointment deadlines. The deadline to accept any application for annual appointments is 5:00 p.m. Wednesday of the week preceding the Regular Commission Meeting on the first Thursday of the month of _____. There is no deadline for accepting applications to fill vacancies. For information concerning any board or agency or the appointment process, please call the Office of the County Coordinator at the Courthouse Annex, (850)342-0287, or visit our website at www.jeffersoncountyflorida.gov.

COMPLETE, SIGN, AND RETURN THIS FORM TO:

Office of the County Coordinator
Jefferson County
445 W. Palmer Mill Road
Monticello, FL 32344

Applicant Signature

Date

Staff Use Only: Appointed: Yes _____ No _____ Term Expiration Date: _____

Draft June 23, 2011

Date Notified: _____

RESOLUTION NO: 2011-072111-01

**RESOLUTION ESTABLISHING JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS
NON-INTERFERENCE POLICY**

WHEREAS, the Jefferson County Board of County Commissioners voted to approve a non-interference policy that was submitted to resolution format July 7, 2011.

NOW, THEREFORE, BE IT RESOLVED, the Board adopts the following language as its "Non-Interference" Policy:

Except for the purpose of inquiry and information, members of the Board of County Commissioners are expressly prohibited from interfering with the performance of the duties of any employee of county government. No Commissioner shall direct or demand that a Department Head or any county employee perform a specific action that will require the substantive use of county resources or funds except by majority consent of the Board.

PASSED AND APPROVED this ____ day of _____, 2011.

BOARD OF COUNTY COMMISSIONERS
JEFFERSON COUNTY, FLORIDA

BY: _____
Chairman

ATTEST:

BY: _____
Clerk of Circuit Court

**JEFFERSON COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE NO. 2011-072111-01

AN ORDINANCE OF JEFFERSON COUNTY FLORIDA, RELATING TO CODE ENFORCEMENT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; AMENDING PREVIOUSLY RESERVED CHAPTER 21 IN THE JEFFERSON COUNTY CODE OF ORDINANCES TO BE ENTITLED "CODE ENFORCEMENT"; CREATING SECTION 21-1, GENERALLY; CREATING SECTION 21-2, DEFINITION OF CODE ENFORCEMENT OFFICER; CREATING SECTION 21-3, CREATION OF CODE ENFORCEMENT BOARD, COMPOSITION, TERMS AND REMOVAL OF MEMBERS, ORGANIZATION; CREATING SECTION 21-4, LEGAL COUNSEL; CREATING SECTION 21-5, JURISDICTION; CREATING SECTION 21-6, ENFORCEMENT PROCEDURES; CREATING SECTION 21-7, APPEAL; CREATING SECTION 21-8, NOTICES; AMENDING LAND DEVELOPMENT CODE CHAPTER 9.14.00, CODE ENFORCEMENT; DELETING LDC SECTION 9.14.01, DEFINITION OF CODE ENFORCEMENT OFFICER; DELETING LDC SECTION 9.14.02, ENFORCEMENT PROCEDURES; DELETING LDC SECTION 9.14.03, LIEN; AMENDING AND RENUMBERING SECTION 9.14.04, OTHER PENALTIES AND REMEDIES; AMENDING LDC SECTION 8.02.06.J: PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Florida, as follows:

SECTION 1: FINDINGS OF FACT

WHEREAS, Article VII of the Constitution of Florida authorizes Counties to exercise broad home rule powers; and

WHEREAS, Section 125.01(1), Florida Statutes, provides that the legislative and governing body of a County shall have the power to carry on County government and that said power includes, but is not restricted to, the enumerated powers set forth in Section 125.01, Florida Statutes, so long as any powers exercised are not inconsistent with general law; and

WHEREAS, Section 125.01(1)(t), Florida Statutes, provides that a County may adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, Sections 125.01(3)(a) and (b), Florida Statutes, recognize that the enumeration of powers in Section 125.01(1), Florida Statutes, incorporates all implied powers necessary and incident to carry out those powers and that Section 125.01, Florida Statutes, shall be liberally construed in order to effectively carry out the purpose of the section and to secure for counties the broad exercise of home rule powers authorized by the State Constitution; and

WHEREAS, pursuant to Chapter 162, Florida Statutes, “The Local Code Enforcement Boards Act,” the Board of County Commissioners of Jefferson County Florida duly enacted Land Development Code Chapter 9.14.00, “Code Enforcement”; and

WHEREAS, the Board of County Commissioners has determined that it is necessary to clarify, restate and supplement certain provisions relating to the subject of code enforcement and to codify such provisions in previously reserved Chapter 21 of the Code of Ordinances; and

WHEREAS, the Jefferson Board of County Commissioners has determined that this ordinance is necessary to protect the health, safety, and welfare of Jefferson County, Florida and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Jefferson County Board of County Commissioners as follows:

SECTION 2: PURPOSE OF ORDINANCE

The purpose of this Ordinance is to clarify, restate, supplement and recodify certain local County codes relating to code enforcement into Jefferson County Code of Ordinances Chapter 21, and to make conforming amendments to the Land Development Code.

SECTION 3: AMENDMENT TO CHAPTER 21 OF THE CODE OF ORDINANCES OF JEFFERSON COUNTY IS AMENDED AS FOLLOWS.

Chapter 21 of the Code of Ordinances of Jefferson County is hereby amended as follows:

NOTE: Underlined language is language to be added and ~~Struck Through~~ language is language to be deleted.

Chapter 21 ~~RESERVED~~ CODE ENFORCEMENT

Sec. 21 – 1. Generally

The Jefferson County Code Enforcement Officer and Code Enforcement Board, pursuant to Chapter 162, F.S., shall enforce this Code, the Land Development Code, County Building Code requirements, and those codes as to which jurisdiction is stated herein, according to the procedures set forth below.

Sec. 21 – 2. Definition of Code Enforcement Officer.

For the purpose of this article, “Code Enforcement Officer” means any authorized agent or employee of the county whose duty it is to ensure compliance with the codes and ordinances of the County. The designated “Code Enforcement Officer” may be one individual, or may be more than one person with particular areas of jurisdictional responsibility, as determined by the Board of County Commissioners.

Sec. 21- 3. Creation of Code Enforcement Board; Composition, Terms and Removal of Members; Organization.

A. There is created a Code Enforcement Board for the County, which shall consist of seven members appointed by the Board of County Commissioners. The Board of County Commissioners may appoint up to two alternate members to serve on the Board in the absence of Code Enforcement Board members. All members of the Code Enforcement Board shall be residents of the County and shall serve without compensation.

B. The membership of the Code Enforcement Board shall, whenever possible, be made on the basis of experience or interest in the fields of zoning and building control and other areas listed in Sec. 21 - 5 and shall, whenever possible, include:

1. An architect;
2. A business person;
3. An engineer;
4. A general contractor;
5. A subcontractor;
6. A realtor; and
7. A citizen lay appointee.

C. The initial appointments to the Code Enforcement Board shall be as follows:

1. Two members shall be appointed for a term of one year.
2. Three members shall be appointed for a term of two years.
3. Two members shall be appointed for a term of three years.
4. Alternate members, if appointed, shall be appointed for a term of one year.

Thereafter, each member shall be appointed by the Board of County Commissioners for a term of three years. A member may be reappointed. Appointments to fill any vacancy on the Code Enforcement Board shall be for the remainder of the unexpired term of office.

D. If any member of the Code Enforcement Board fails to attend two of three successive meetings without cause and without prior approval of the chairman, the Code Enforcement Board shall declare the member's office vacant; and the vacancy shall be promptly filled by appointment of the Board of County Commissioners.

E. Members of the Code Enforcement Board may be suspended and removed from office by the Board of County Commissioners for cause after ten days' written notice and hearing before the Board of County Commissioners.

F. At the first meeting of the Code Enforcement Board, the members shall elect a chair and a vice-chair, who shall be voting members, from among the members of the Code Enforcement Board. The presence of four or more members, including alternate members, shall constitute a quorum of the Code Enforcement Board necessary to take action. Special meetings of the Code Enforcement Board may be convened by the chair upon giving 48 hours' written notice to each member of the board.

G. Regular meetings of the board shall occur no less frequently than once per quarter, or as necessary.

H. Minutes and mechanical recordings shall be maintained for all meetings and hearings held by the Code Enforcement Board; and all meetings, hearings and proceedings shall be open to the public.

I. The Board of County Commissioners shall provide clerical support, including necessary supplies, to the Code Enforcement Board as may be reasonably required for the proper performance of its duties.

Sec. 21 – 4. Legal counsel.

A. The County Attorney is hereby designated by the Board of County Commissioners to attend meetings of the Code Enforcement Board in order to assist and advise the Code Enforcement Board in the conduct of its hearings, including the application of the procedures for hearings as set forth herein.

B. An attorney (other than the County Attorney) shall be appointed by the Board of County Commissioners to represent the County staff during such proceedings. The appointed attorney or a member of the administrative staff of the County shall present each case before the Code Enforcement Board. The Board may appoint the County Planning Commission Attorney to function in this capacity.

C. In no event may the County Attorney serve in both capacities.

Sec. 21 – 5. Jurisdiction.

A. The Code Enforcement Board shall have the jurisdiction to hear and decide alleged violations occurring within the unincorporated County and, if approved by interlocal agreement, within the municipal limits of the City of Monticello, of the following codes and ordinances the have been, or will in the future be, adopted by the County, or if applicable, by the City:

1. Florida Building Code, Building.
2. Florida Building Code, Residential.
3. Florida Building Code, Existing Building.
4. Florida Building Code, Plumbing.
5. Florida Building Code, Fuel Gas.
6. Florida Building Code, Mechanical.
7. Florida Building Code, Test Protocols.
8. Florida Building Code, Energy.
9. Florida Accessibility Code.
10. Florida Fire Prevention Code.
11. Florida Life Safety Code.
12. Land Development Code and Comprehensive Plan.
13. Subdivision codes.
14. Licensing codes, including business tax receipts and licensing.
15. Mobile home inspection code.
16. Code of Ordinances

B. The jurisdiction of the Code Enforcement Board shall not be exclusive. Any alleged violation of any of the codes and ordinances referred to in subsection A of this section may be pursued by appropriate remedy in court, or in any other manner, or using any procedure, provided by State statute or by any local code in effect, or which in the future may be in effect, at

the option of the appropriate official whose responsibility it is to enforce that respective code or ordinance.

Sec. 21 – 6. Enforcement Procedures

A. When the Code Enforcement Officer has reason to believe that the provisions of this Code or any County Building Code requirements are being violated, it shall initiate enforcement proceedings via the process set forth in this section . No member of the Code Enforcement Board may initiate enforcement proceedings.

1. A notice of violation shall be served upon the owner, agent, custodian, lessee, or occupant to terminate and abate the violation in not less than thirty (30) days of the date such notice is received by certified mail, hand delivery, or advertised in a newspaper of general circulation in the county. Such notice of violation shall include a sufficient description by address and/or legal description to identify the property upon which the violation exists; a description of the violation to be terminated and abated; and a statement that if the described violation is not terminated and abated within a specified period of time, which shall be not less than thirty (30) days after notice as herein provided, the Code Enforcement Board may order the Code Enforcement Officer to cause the violation to be terminated and abated, and to impose a lien upon the property for the actual cost of such termination and abatement. The Code Enforcement Officer may provide additional time in which to cure a violation if, in the discretion of the Code Enforcement Officer, such additional time is reasonably necessary in view of the actions required to achieve compliance.
2. If such violation has not been terminated and abated within the time specified in the notice, a second notice shall be sent notifying the offender that a code enforcement hearing has been requested. Such notice of violation shall further state the date, time and place in which the violation will be called up for hearing before the Code Enforcement Board. The second notice as referenced herein shall be sent to the violator not less than thirty (30) days before the hearing before the Code Enforcement Board.
3. If a violation presents a serious threat to the public health, safety, and welfare, the Code Enforcement Officer shall immediately take the case before the Code Enforcement Board, even if the violator has not been notified.
4. If a repeat violation is found, the code inspector shall notify the violator; but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall notify the Code Enforcement Board and request a hearing. The Code Enforcement Board, through its clerical staff, shall schedule a hearing and shall provide notice pursuant to sub-section A. 2. above. The case may be presented to the Code

Enforcement Board even if the repeat violation has been corrected prior to the board hearing; and the notice shall so state.

5. All hearings before the Code Enforcement Board pertaining to this article shall be public hearings and shall be noticed as provided in Land Development Code Section 9.02.07 A – C, and shall be conducted in accordance with the procedures set forth in this Code.

B. After a case is set for hearing, the Secretary to the Code Enforcement Board may issue subpoenas as requested by the Code Enforcement Officer Planning Department and the alleged violator. Subpoenas may be served by the Sheriff of Jefferson County. The County shall pay all costs of issuing and serving up to and including four (4) subpoenas requested by any party. Should a party request more than four (4) subpoenas, that party shall pay all costs incurred in issuing and serving those in excess of four.

C. Hearings before the Code Enforcement Board shall be conducted as follows:

1. The Code Enforcement Officer shall read the Statement of Violations and Request for Hearing.
2. The alleged violator shall be asked if he wishes to contest the charges.
3. The County shall present its case and alleged violator shall present his case. The County's case shall be presented by an attorney representing the County or by a member of the administrative staff of the County. The alleged violator's case may be presented by an attorney, or other representative chosen by the alleged violator.
4. Both parties may call witnesses and all witnesses shall be sworn. All testimony shall be under oath and shall be recorded.
5. Formal rules of evidence shall not apply, but fundamental due process shall be observed.
6. Both parties may cross-examine witnesses and present rebuttal evidence.
7. The Code Enforcement Board and its attorney may call or question any witness.
8. After all evidence has been submitted, the Chair shall close presentation of evidence.
9. The Code Enforcement Board shall immediately deliberate and make a decision in open session. If a decision cannot be reached in the initial meeting, the Board shall adjourn and reconsider the matter as soon as possible at a time and date certain.

10. A decision of the Code Enforcement Board must be approved by simple majority, except that at least four (4) members of the Board must vote. The decision shall contain findings of fact and conclusions of law and shall state the affirmative relief granted by the Board.

11. The decision shall be announced as an oral order of the Code Enforcement Board and shall be reduced in writing within ten (10) days and mailed to the parties.

12. The Code Enforcement Board may, at any hearing, order the reappearance of a party at a future hearing.

D. The Code Enforcement Board may issue whatever orders are necessary to bring the violation into compliance, including an order which directs the code inspector to cause the violation to be terminated and abated, and which further orders that a lien be placed on the property in an amount equal to the actual cost of terminating and abating the violation. No order of the Code Enforcement Board shall cause a violation to be terminated and abated before the time has run out for appealing such order.

E. The Code Enforcement Board, upon finding a violation, shall issue an Order to Comply, setting a date certain for compliance and a fine to be levied if the deadline for compliance is not met. The fine shall not exceed \$250.00 per day for a first violation and shall not exceed \$500.00 per day for each repeat violation, such fines to accrue daily for each day the violation continues past the specified compliance date. In addition, in each instance in which the Code Enforcement Board determines that a violation has occurred, the Board shall include in its order or decision a requirement that the violator reimburse the County an amount equivalent to the reasonable costs of prosecuting the case before the Board, said amount to be specifically stated in the order or decision. If the violator fails to remit such reimbursement to the County within sixty (60) days following the violator's receipt of the order or decision of the Code Enforcement Board, such funds shall be recoverable as provided in Section 162.09(3), Florida Statutes.

F. In determining the amount of the fine, if any, the Code Enforcement Board shall consider the following factors:

1. The gravity of the violation.
2. The actions taken by the violator to correct the violation.
3. Any previous violations committed by the violator.
4. Whether imposition of the fine will constitute an undue hardship on the violator considering the financial resources of the violator.

G. The Code Enforcement Board may reduce a fine imposed pursuant to this section if mitigating circumstances shall be established and recorded in the minutes of the Code Enforcement Board.

H. After an order has been issued by the Code Enforcement Board and a date for compliance has been set, the Code Enforcement Officer or other designated County official shall make a re-inspection to determine compliance or noncompliance with the order.

I. The Code Enforcement Officer or other designated County official shall file an affidavit of compliance or noncompliance with the Secretary of the Code Enforcement Board, and a copy shall be sent to the violator by certified mail, return receipt requested.

J. If the Code Enforcement Officer files an affidavit of compliance, the Secretary of the Code Enforcement Board shall close the file and so report to the Board.

K. If the Code Enforcement Officer files an affidavit of noncompliance with the Secretary of the Code Enforcement Board, the Board may order the violator to pay the fine as specified in the Board's order.

L. A copy of the order imposing the fine shall be mailed to the violator by certified mail, return receipt requested, or personally served upon the violator.

M. If a fine remains unpaid for a period of fourteen (14) days, a certified copy of the order imposing the fine shall be recorded in the Official Records of Jefferson County, which shall thereafter constitute a lien against the land on which the violations exists, or if the violator does not own the land, upon any other real or personal property owned by the violator, and may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against personal property. If the fine or costs incurred by the County remains unpaid for a period of one (1) year following the date the lien was filed, the Board may authorize the County Attorney to foreclose on the lien, which shall be collected as provided in Section 162.09(3), Florida Statutes.

N. In addition to the penalties prescribed above, the Code Enforcement Board shall:

1. Direct the Planning Administrator not to issue any subsequent development orders for the development until the violation has been corrected.

2. Inform the violator that no further work under an existing approval may proceed until the violation has been corrected.

O. In any instance where the violation constitutes a serious threat to the public health, safety or welfare and has not been corrected within a reasonable period of time, the Code Enforcement Board may notify the Board of County Commissioners, which authorize entry onto the property in order to make such repairs as are necessary, or take such other actions as law may allow to cure the violation and eliminate such threat, and the cost of such repairs or other actions shall constitute a lien as provided in Section 162.09(1), Florida Statutes.

Sec. 21 – 7. Appeal.

A. An aggrieved party, including the Board of County Commissioners, may appeal a final administrative order of the Code Enforcement Board to the Circuit Court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed.

B. The scope of review shall be limited to the record made before the Code Enforcement Board and shall not be a trial de novo.

C. The Code Enforcement Board shall, by rule, establish reasonable charges for the preparation of the record to be paid by the appealing party if such is required by the Florida Rules of Appellate Procedure.

Sec. 21 – 8. Notices.

A. All notices required by this article shall be provided to the alleged violator by certified mail, return receipt requested, by hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the Board of County Commissioners; or by leaving the notice at the violator's usual place of residence with any person residing there who is above 15 years of age and informing such person of the contents of the notice.

B. In addition to providing notice as set forth in subsection (a) of this section, at the option of the Code Enforcement Board, notice may also be served by publication, as follows:

1. Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under Chapter 50, Florida Statutes, for legal and official advertisements.

2. Proof of publication shall be made as provided in Sections 50.041 and 50.051, Florida Statutes.

C. In lieu of publication as described hereinabove, such notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be, in the case of the County, at the front door of the County Courthouse, or, in the case of the City of Monticello, at City Hall. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

D. Notice by publication or posting may run concurrently with, or may follow, an attempt to provide notice by hand delivery or by mail as required under subsection (a).

E. Evidence that an attempt has been made to hand deliver or mail notice as provided in this section, together with proof of publication or posting, shall be sufficient to show that the notice

requirements of this section have been met, without regard to whether or not the alleged violator actually received such notice.

SECTION 4: AMENDMENT TO CHAPTER 9.14.00 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS.

Chapter 9.14.00 of the Jefferson County Land Development Code is hereby amended as follows:

NOTE: Underlined language is language to be added and ~~Struck Through language~~ is language to be deleted.

9.14.00 CODE ENFORCEMENT OF LAND DEVELOPMENT CODE

9.14.01 ~~Generally~~

~~The Jefferson County Code Enforcement Officer and Code Enforcement Board, pursuant to Chapter 162, F.S., shall enforce this Code and any County Building Code requirements according to the procedures set forth below.~~

9.14.02 ~~Enforcement Procedures~~

~~A. When the Planning Department has reason to believe that the provisions of this Code or any County Building Code requirements are being violated, it shall initiate enforcement proceedings via the code enforcement officer. No member of the Code Enforcement Board may initiate enforcement proceedings.~~

- ~~1. A notice of violation shall be served upon the owner, agent, custodian, lessee, or occupant to terminate and abate the violation in thirty (30) days of the date such notice is received by certified mail, hand delivery, or advertised in a newspaper of general circulation in the county. Such notice of violation shall include a sufficient description by address and/or legal description to identify the property upon which the violation exists; a description of the violation to be terminated and abated; and a statement that if the described violation is not terminated and abated within thirty (30) days after notice as herein provided, the Code Enforcement Board may order the code enforcement officer to cause the violation to be terminated and abated, and to impose a lien upon the property for the actual cost of such termination and abatement.~~
- ~~2. If such violation has not been terminated and abated within the thirty (30) period a second notice shall be sent notifying the offender that a code enforcement hearing has been requested. Such notice of violation shall further state the date, time and place in which the violation will be called up for hearing before the Code Enforcement Board.~~

3. ~~———— If a violation presents a serious threat to the public health, safety, and welfare, the code enforcement officer shall immediately take the case before the Code Enforcement Board, even if the violator has not been notified.~~

4. ~~———— All hearings before the Code Enforcement Board pertaining to this article shall be conducted in accordance with the procedures set forth in this Code.~~

~~**B.** After a case is set for hearing, the Secretary to the Code Enforcement Board may issue subpoenas as requested by the Planning Department and the alleged violator. Subpoenas may be served by the Sheriff of Jefferson County. The County shall pay all costs of issuing and serving up to and including four (4) subpoenas requested by any party. Should a party request more than four (4) subpoenas, that party shall pay all costs incurred in issuing and serving those in excess of four.~~

~~**C.** Hearings before the Code Enforcement Board shall be conducted as follows:~~

1. ~~———— The Secretary shall read the Statement of Violations and Request for Hearing.~~

2. ~~———— The alleged violator shall be asked if he wishes to contest the charges.~~

3. ~~———— The County shall present its case and alleged violator shall present his case. The County's case shall be presented by an attorney representing the County or by a member of the administrative staff of the County. The alleged violator's case may be presented by an attorney, or other representative chosen by the alleged violator.~~

4. ~~———— Both parties may call witnesses and all witnesses shall be sworn. All testimony shall be under oath and shall be recorded.~~

5. ~~———— Formal rules of evidence shall not apply, but fundamental due process shall be observed.~~

6. ~~———— Both parties may cross-examine witnesses and present rebuttal evidence.~~

7. ~~———— The Board and its attorney may call or question any witness.~~

8. ~~———— After all evidence has been submitted, the Chair shall close presentation of evidence.~~

9. ~~———— The Board shall immediately deliberate and make a decision in open session. If a decision cannot be reached in the initial meeting, the Board shall adjourn and reconsider the matter as soon as possible at a time and date certain.~~

10. ~~———— A decision of the Board must be approved by at least four (4) members of the Board. The decision shall contain findings of fact and conclusions of law and shall state the affirmative relief granted by the Board.~~

~~11. The decision shall be announced as an oral order of the Board and shall be reduced in writing within ten (10) days and mailed to the parties.~~

~~12. The Board may, at any hearing, order the reappearance of a party at a future hearing.~~

~~D. The Code Enforcement Board may issue whatever orders are necessary to bring the violation into compliance, including an order which directs the code inspector to cause the violation to be terminated and abated, and which further orders that a lien be placed on the property in an amount equal to the actual cost of terminating and abating the violation. No order of the Code Enforcement Board shall cause a violation to be terminated and abated before the time has run out for appealing such order. The Code Enforcement Board, upon finding a violation, shall issue an Order to Comply, setting a date certain for compliance and a fine to be levied if the deadline for compliance is not met. The fine shall not exceed \$250.00 for each day the violation continues past the specified compliance date.~~

~~E. After an order has been issued by the Code Enforcement Board and a date for compliance has been set, the Code Enforcement Officer or other designated County official shall make a re-inspection to determine compliance or noncompliance with the order.~~

~~F. The inspector shall file an affidavit of compliance or noncompliance with the Secretary of the Code Enforcement Board, and a copy shall be sent to the violator by certified mail, return receipt requested.~~

~~G. If the Planning Official files an affidavit of compliance, the Secretary of the Code Enforcement Board shall close the file and so report to the Board.~~

~~H. If the Planning Official files an affidavit of noncompliance with the Secretary of the Code Enforcement Board, the Board may order the violator to pay the fine as specified in the Board's order.~~

~~I. A copy of the order imposing the fine shall be mailed to the violator by certified mail, return receipt requested, or personally served upon the violator.~~

~~J. If a fine remains unpaid for a period of fourteen (14) days, a certified copy of the order imposing the fine shall be recorded in the Official Records of Jefferson County, which shall thereafter constitute a lien against the land on which the violations exists, or if the violator does not own the land, upon any other real or personal property owned by the violator, and may be enforced in the same manner as a court judgment by the sheriffs of this State, including levy against personal property. If the fine remains unpaid for a period of one (1) year following the date the lien was filed, the Board may authorize the County Attorney to foreclose on the lien.~~

~~K. In addition to the penalties prescribed above, the Code Enforcement Board shall:~~

~~1. Direct the Planning Administrator not to issue any subsequent development orders for the development until the violation has been corrected.~~

2. — Inform the violator that no further work under an existing approval may proceed until the violation has been corrected.

9.14.03 — LIEN

1. — If the Code Enforcement Board orders that a violation of this article to be terminated and that a lien be placed on the property for the actual cost thereof, the Planning Administrator shall, within fifteen (15) days from the date any such work is completed, cause to be prepared a claim of lien describing the real property upon which a lien is claimed, the date of completion of the work, the actual cost of terminating and abating the violation and have attached as an exhibit to the claim of lien a certified copy of the Code Enforcement Board order imposing the lien. The claim of lien shall be filed in the official record books of the public records of the county. The Planning Administrator shall further cause to be published a notice that such lien has been recorded as aforesaid, which notice shall be published one (1) time in a newspaper of general circulation in the county, setting forth the lien held by the county against each piece of real property by lot and block number or other proper description.

2. — Any person owning or having any interest, legal or equitable, in the real property shall have the right, within thirty (30) days after the publication of the notice of lien, to present to the Code Enforcement Board a sworn petition stating his interest in the property and alleging that, in the opinion of the petitioner, the cost of such work as shown in the claim of lien filed in the official records book of the public records of the county exceeds the actual cost thereof or is otherwise erroneously entered, and shall be heard upon such petition. The petition may be accompanied by the documentary evidence showing that the cost of the work as shown in the claim of the lien exceeds the actual cost or is erroneously entered. If it shall appear to the satisfaction of the Code Enforcement Board that the cost is erroneously stated, then the Planning Commission shall so declare, and shall fix the amount to be charged against such real property as is correct, and the Planning Administrator shall have the corrected claim of lien for such amount filed in the official record books of the public records of the county.

3. — Where no sworn petition is filed pursuant to subsection (b), the cost of such work as shown in the recorded claim of lien shall become a fixed lien on the real property upon which the work has been done.

9.14.041 Other Penalties and Remedies

A. Generally. In any instance where there is alleged to be a violation of this code, the Code Enforcement Officer is authorized to follow the procedures for code enforcement in Chapter 21, of the Code of Ordinances. If the Planning Administrator and/or the Code Enforcement Officer determines that the code enforcement process in Chapter 21 of the Code of Ordinances delineated above would be an inadequate response to a given violation, it may pursue the following penalties and remedies, as provided by law.

B. Lot Sales Limited to Approved Subdivision. It shall be unlawful for anyone who is the owner or agent of the owner of any land to transfer, sell, agree to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat or subdivision of such land without having submitted a plan and plat of such subdivision for approval as required by these regulations and recorded the approved subdivision plat as required. If such unlawful use be made of a plat before it is properly approved and recorded, the owner or agent of the owner of such land shall be deemed guilty of a misdemeanor and shall be punishable as provided in this Section.

C. False Representation as to Maintenance Responsibility. Any owner or agent of the owner who falsely represents to a prospective purchaser of real estate that any facilities and services such as roads and streets, sewers, water systems or drainage facilities will be built, constructed or maintained by Jefferson County shall be deemed guilty of a misdemeanor and shall be punishable as provided by law.

D. Civil Remedies. If any building or structure is erected, constructed, reconstructed, altered, repaired, or maintained or any building, structure, land, or water is used in violation of this Code, the Planning Official, through the County Attorney, may institute any appropriate civil action or proceedings in any court to prevent, correct, or abate the violation.

E. Criminal Penalties. Any person who violates any provision of this Code shall be deemed guilty of a misdemeanor and shall be subject to fine and imprisonment as provided by law.

SECTION 5: AMENDMENT TO SECTION 8.02.06 J OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS.

Section 8.02.06 J of the Jefferson County Land Development Code is hereby amended as follows:

NOTE: Underlined language is language to be added and ~~Struck Through~~ language is language to be deleted.

Section 8.02.06 Functions Powers and Duties

The Jefferson County Planning Commission shall have the following functions, powers, duties, and responsibilities as set forth in Chapter 163, of Florida Statutes:

A. – I. [No change.]

J. Perform any other duties which lawfully may be assigned by the Board of County Commissioners of Jefferson County on its activities and progress, ~~including functioning as the Code Enforcement Board until such time as said Code Enforcement Board is designated otherwise by the Board of County Commissioners.~~

K. [No change.]

SECTION 4: SEVERABILITY

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and affect.

SECTION 6: CONFLICT

All ordinances or parts of ordinances in conflict herewith are, to the extent of such of conflict, hereby repealed.

SECTION 7: COPY ON FILE

A certified copy of this enacting ordinance shall be filed with the Clerk of the Circuit Court.

SECTION 8: EFFECTIVE DATE

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Department of State that the same has been filed.

SECTION 9: AUTHORITY

This ordinance is adopted pursuant to the authority granted by Chapter 125.01 and Chapter 162, Florida Statutes.

PASSED AND DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Jefferson County this ____ day of ____, 2011.

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA

Stephen Fulford, Chairman

ATTESTED BY:

Kirk Reams, Clerk of the Circuit Court

APPROVED as to FORM & SUBSTANCE:

Scott Shirley, County Land Use Attorney

This ordinance was submitted to the Secretary of State, State of Florida on the _____
day of _____, 2011.

**JEFFERSON COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE NO. 2011-072111-02

AN ORDINANCE OF JEFFERSON COUNTY FLORIDA, RELATING TO AQUIFER PROTECTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; AMENDING LAND DEVELOPMENT CODE SECTION 1.05.02 TO ADD AQUIFER PROTECTION MEASURES TO REGULATED ACTIVITIES ENUMERATED; AMENDING LAND DEVELOPMENT CODE SECTION 2.02.02G3, TO CLARIFY THE DEFINITION OF LOCAL PUBLIC SERVICE FACILITY; AMENDING LAND DEVELOPMENT CODE SECTION 4.02.02, TO ADD AQUIFER PROTECTION MEASURES; AMENDING LAND DEVELOPMENT CODE SECTION 9.02.02, DEFINITION OF MAJOR DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Florida, as follows:

SECTION 1: FINDINGS OF FACT

WHEREAS, pursuant to the requirements of the Community Planning Act (formerly the Local Government Comprehensive Planning and Land Development Regulation Act) of Chapter 163, Part II, Florida Statutes, and former Chapter 9J-5, Florida Administrative Code, Jefferson County had adopted a Comprehensive Land Use Plan; and

WHEREAS, pursuant to the requirements of Section 163, Part II, Florida Statutes, and former Chapter 9J-5, Florida Administrative Code, Jefferson County has adopted a Land Development Code which implements the Comprehensive Plan and regulates the use of land in Jefferson County; and

WHEREAS, abundant and pure potable groundwater water resources are essential to the current and future residents of Jefferson County; and

WHEREAS, it is important for Jefferson County to regulate development activity which may pose a threat to the quality of groundwater from aquifers that constitute sources of potable water; and

WHEREAS, installation of development infrastructure of the type usually associated with large scale groundwater withdrawals, and/or of the type associated the production of bottled water, involve activities which might be incompatible with surrounding uses requiring that such development proposals be further restricted and subject to additional review and scrutiny; and

WHEREAS, there exist in Jefferson County several spring/stream systems, the most notable of which are the Aucilla River sinks and rise, and the Wacissa Springs Group, which feed the Aucilla and Wacissa Rivers and wetlands, as well as regionally significant natural areas associated with these river systems (hereinafter Aucilla/Wacissa River Ecosystem); and

WHEREAS residents and visitors of Jefferson County have historically visited and utilized the Aucilla/Wacissa River Ecosystem for such traditional and economically important recreational activities as boating, fishing, swimming, canoeing and kayaking, bird watching, and hunting; and

WHEREAS, the health of the Aucilla/Wacissa River Ecosystem is dependent, in part, upon protection of water resources flowing from the Aucilla River rise and the Wacissa Springs Group.

WHEREAS, there exist in Jefferson County a number of stream-to-sink systems where riverine or lake surface water flow into sinkholes with no surface water outlet and thereby introducing surface water directly into the groundwater aquifer; stream-to-sink systems present an increased risk of contamination of potable groundwater and spring water resources from land based activities.

WHEREAS, the Board of County Commissioners has determined that additional protection of groundwater resources in Jefferson County is necessary in order to preserve and protect essential potable groundwater resources and to preserve and protect the Aucilla/Wacissa River Ecosystem;

WHEREAS, the Jefferson Board of County Commissioners has determined that this ordinance is consistent with the adopted Comprehensive Plan and is necessary to protect the health, safety, and welfare of Jefferson County, Florida and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Jefferson County Board of County Commissioners as follows:

SECTION 2: PURPOSE OF ORDINANCE

The purpose of this Ordinance is to adopt an amendment to the Jefferson County Land Development Code providing additional protection for groundwater resources, generally, and more specifically, protecting potable groundwater resources; protecting the health and biodiversity of the Aucilla/Wacissa River Ecosystem; protecting water resources in springs and stream to sink systems; and for the protection of other existing and future uses that are be located

in areas where infrastructure and activities associated with water bottling or large groundwater withdrawals could be proposed.

SECTION 3: AMENDMENT TO SECTION 1.05.02 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE

Section 1.05.02 of the Jefferson County Land Development Code, Regulated Activities Enumerated, is hereby amended as follows:

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

Subsections A - P, no change.

Q. Development and/or land use involving large scale withdrawal of groundwater.

R. Development and/or land use which may reduce the quality of groundwater in aquifers constituting potable water resources or providing essential flows to springs and riverine systems which rely on spring flow.

SECTION 4: AMENDMENT TO SECTION 2.02.02 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE

Section 2.02.02 of the Jefferson County Land Development Code, Types of Uses, Local Public Service Activities, is hereby amended as follows:

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

2.02.00 USES ALLOWED IN LAND USE DISTRICTS

2.02.02 Types of Uses

Subsections A - F, no change.

G. Local Public Service Activities

This group of activities includes those uses which generally provide essential or important public services directly to the consumer or are small scale facilities, and which may have characteristics of potential nuisance to adjacent properties due to noise, light and glare, or appearance. Government offices or government agency offices specifically are not included in this group of uses. Uses include the following, and substantially similar activities, based upon similarity of characteristics:

Subsections 1 and 2, no change.

3. Utility facilities, such as water and wastewater pumping stations, and utility linear distribution/collection facilities' corridors/easements/right-of-way which contain water or wastewater lines as part of a consumer distribution or collection system, but excluding water pumping stations and other facilities associated with, or used for, the production of bottled water.

Subsections 4 – 7, no change.

SECTION 5: AMENDMENT TO SECTION 4.02.02 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE

Section 4.02.02 of the Jefferson County Land Development Code, Location Criteria and Other Restrictions, is hereby amended as follows:

NOTE: Underlined language is proposed language and Struck Through language is language proposed to be deleted.

Subsections A and B, no change.

C. The County shall not approve any development associated with, or related to, the production of bottled water without approval of the County by a supermajority (defined as a minimum of 4 votes in favor) vote of the Board of County Commissioners.

D. Development infrastructure intended to support surface and groundwater withdrawals in all land use districts shall be limited to that infrastructure necessary to serve uses of land which are otherwise allowable designated land uses in the district where such infrastructure is proposed to be located.

E. The use of landscaping best management practices as stated in the Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries (Florida Department of Environmental Protection, 2008) is encouraged.

F. All new golf course siting, design, construction, and management shall implement the prevention, management, and monitoring practices, detailed in the golf course siting, design, and management chapter of the Protecting Florida's Springs Manual – Land Use Planning Strategies and Best Management Practices (Florida Department of Community Affairs and the Florida Department of Environmental Protection, 2002).

G. The County shall encourage the use of water management conservation measures which will assure the retention of groundwater to protect the coastal bays and springsheds, and assure emergency water conservation in the case of groundwater contamination.

SECTION 6: AMENDMENT TO SECTION 9.02.02 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE

Section 9.02.02 of the Jefferson County Land Development Code, Designation of Plans as Minor or Major Developments, is hereby amended as follows:

NOTE: Underlined language is proposed language and ~~Struck Through language~~ is language proposed to be deleted.

Subsections A and B, no change.

C. Major Development. A plan shall be designated as a major development requiring final development approval by the Planning Commission and the Board of County Commissioners if it is:

Subsections C 1 – C 6, no change.

7. Any development associated with, or related to, the production of bottled water, which must also be approved by supermajority (defined as a minimum of 4 votes in favor) vote of the Board of County Commissioners.

8. Any development involving the installation of infrastructure to support, or to be served by, large scale withdrawals of groundwater (greater than 100,000 gallons per day as a thirty (30) day rolling average) for purposes other than agriculture, irrigation, recreation, or construction dewatering.

9. Any development involving the installation of infrastructure for a public or private utility.

SECTION 7: SEVERABILITY

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and affect.

SECTION 8: CONFLICT

All ordinances or parts of ordinances in conflict herewith are, to the extent of such of conflict, hereby repealed.

SECTION 9: COPY ON FILE

A certified copy of this enacting ordinance shall be filed with the Clerk of the Circuit Court.

SECTION 10: EFFECTIVE DATE

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Department of State that the same has been filed.

SECTION 11: AUTHORITY

This ordinance is adopted pursuant to the authority granted by Chapter 125.01 and Chapter 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Jefferson County this ____ day of ____, 2011.

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA

Stephen Fulford, Chairman

ATTESTED BY:

Kirk Reams, Clerk of the Circuit Court

APPROVED as to FORM & SUBSTANCE:

Scott Shirley, County Land Use Attorney

This ordinance was submitted to the Secretary of State, State of Florida on the _____ day of _____, 2011.

Jefferson County Fire Rescue
Monthly Department Report

TO: Mr. Roy Schleicher
County Coordinator

DATE: 15 July 2011

SUBJECT: Department Directors Report

FROM: Mark Matthews, Chief
Jefferson County Fire Rescue

REFERENCE: June 2011 Report
ATTACHMENTS: 0

JCFR CALLS FOR SERVICE

2011	JUNE	Y.T.D.
FIRE	54	298
EMS	202	1163

Total: 256 Total: 1,461

MAY 2011 EMS COLLECTIONS - \$48,543.34

FISCAL YEAR EMS COLLECTIONS TOTAL - \$538,726.73

NEW STATION UPDATE This will be on the July 7th agenda for Board direction.

BAD DEBT COLLECTIONS Will have some information on next report.

BUDGET UPDATE There have been no unexpected expenditures from either the Fire or EMS budgets.

VOLUNTEER TRAINING The training for June was canceled due to the Watermelon Festival.

Memorandum

Date: July 14, 2011

**To: Roy Schleicher/County Coordinator
County Commissioners**

From: Beth Letchworth

Subject: Monthly Report for June

Manned Site Tonnage from:	Aucilla Site	32.58	
	Bassett Site	21.43	Fulford
	Site	16.17	
	Lamont Site	36.06	
	Lloyd Site	105.70	
	Nash Site	45.14	
	New Monticello Site	55.05	
	Main Office Site	25.71	
	Pinckney Hill Site	5.46	
	Recreation Park Site	35.10	
	Wacissa Site	63.50	
	Waste Tires	8.30	
	County Commercial	227.61	
	City of Monticello	292.45	

City of Monticello

Rear Load Garbage Truck	18 Loads to Landfill	129.02 tons
Grapple Truck	46 Loads to Landfill	170.01 tons

County

Front Load Garbage Truck	16 Loads to Landfill	169.02 tons
Grapple Trucks	52 Loads to Landfill	198.32 tons
Roll-off Trucks	15 Compactor pulls	168.22 tons
	6 Construction Container pulls	49.32 tons
	31 Collection Site Container pulls	86.29 tons

Jefferson County Cooperative Extension Office
Monthly Report – Board of County Commissioners
June, 2011 (submitted to County Coordinator, July 6)

4-H Youth Activities

- JGL – Meeting with Explorers 4-H Club Leader, June 1
- JGL – Camp Counselor Planning meeting , June 2
- JGL – Farmers Market Meeting, June 3
- JGL – Jefferson School District Volunteer Celebration and Recognition , June 3
- JGL - 4-H County Counsel Meeting, June 6
- JGL –Presented awards at Jefferson Elementary School Awards Ceremony, June 6
- JGL – End of Year Trip, County Council, June 8
- JGL – Jefferson County Soil & Water District Board Meeting – June 9
- JGL - Soil and Water Conservation District Meeting – June 10
- JGL – Extension Professionals Association of Florida Board Meeting, June 9
- JGL - Epsilon Sigma Phi Board Meeting, June 10
- JGL –A Taste of the Farm, June 14
- JGL - Farmers Market Meeting, June 15
- JGL - Wildlife Day Camp Counselor Training, June 17
- JGL – Wildlife Day, June 20-24
- JGL – 5-7 Year Old Day Camp, June June 28-July 1
- KDJ- Cherry Lake Counselor Planning Meeting- June 2nd
- KDJ- 4H@ TCC Summer Program-June 13th
- KDJ- Wildlife Camp Counselor Training- Chiles' Plantation- June 17th
- KDJ- Wildlife Camp- Chiles' Plantation- June 20th-24th
- KDJ- 4H@ TCC Summer Program-June
- KDJ- 4H 5-7 year old camp – June 28- 30th

Family & Consumer Sciences

- KDJ- Tobacco Free Jefferson- Health Department Annex-June 7th
- KDJ-My Food Plate Webinar- Web- June 2nd
- KDJ- Farmers Market Meeting-JCEO- June 3rd
- KDJ- Financial Education Meeting- United Way (Tallahassee, FL)- June 7th
- KDJ- Economic Security Goals and Objectives Meeting- June 8th
- KDJ- Food Safety Conference Call- June 8th
- KDJ- Client Meeting #1- JCEO- June 3rd
- KDJ- Client Meeting #2- JCEO- June 3rd
- KDJ- ESDT Logic Model Meeting- JCEO- June 14th
- KDJ- Client Meeting #3- JCEO- June 14th
- KDJ- Farmers Market Meeting- June 15th
- KDJ- Shared Services Guest Speaker- June 28th
- KDJ- Client Meeting #4-JCEO- June 27th
- KDJ- VITA Jefferson Meeting- June 28th

Agriculture and Natural Resources Activities

- JED –Florida Georgia Wildlife Series Planning Advisory Meeting JUNE 9
- JED –Jefferson County Soil & Water Board Meeting JUNE 9
- JED - Florida Pecan Growers' Field Day Planning Meeting JUNE 10
- JED- Big Bend Horsemen's Association Meeting (Arena Update) JUNE 13
- JED- Original Florida Writers Tour Dinner JUNE14
- JED- Southeastern Risk Management Group- Cattle Outlook- Polycom JUNE 16
- JED- Wildlife Day camp Counselor Training JUNE 17
- JED- Teaching Conservation and Natural Resources Jubilee Wildlife Day Camp JUNE 20-24
- JED- UGA Drought Management Webinar JUNE 20
- JED- King Ranch Institute of Ranch Management Equine Lectureship Kingsville, TX JUNE 27- 29
- JED- County Alliance for Responsible Environmental Stewardship Awards dinner Live Oak JUNE 30
- ONGOING- Plant and Pest ID, Soil test interpretations and consultations, Pasture Consultations, Planning for Florida-Georgia Wildlife Programs and Pecan Field Day

FAMU, 4-H & Ag Agent – Jefferson County

- CW – Farmers Market Meeting-JCEO- June 3rd
- CW – Met with Mr. Steve Anderson to develop Food Safety Plan (Extension office) – June 10
- CW – Attended/worked FAMU Farm Fest (Quincy) – June 11
- CW – Attended Turf grass IST (Jay, FL) – June15
- CW – Attended Camp Jubilee training (Camp Jubilee, Miccosukee)– June17
- CW – Taught at Wildlife Camp Jubilee(Camp Jubilee, Miccosukee) –June 20-24

Administrative and Other Activities, Faculty and Staff

- JGL – Meeting with FAMU Extension Administrator - June 4
- JGL – Meeting Roy, John & Jed, regarding Horse Areena, June 14
- JGL – Staff Meeting, June 15
- JGL – CED meeting, Polycom, June 16
- JGL – Interview Candidate for FCS Position, June 16
- KDJ- Staff Meeting- JCEO- June 15h
- KDJ- EPAF- Table Top Display Submitted- Email- June 28th
- KDJ- IWORK- Madison, FL- NFCC- June 30
- KDJ- Program Enhancement Grant Submitted- Email- June 30th

**JEFFERSON
COUNTY ROAD
DEPARTMENT**

Memo

To: Jefferson County Board of County Commissioners

From: David R. Harvey, Road Superintendent

Date: July 11, 2011

Re: Informational Item – Road Department Summary of Monthly Activities for June 2011

General Roadway and Drainage Maintenance

- A) Limited road surface grading, stabilization and ditch maintenance activities were conducted on 44 County Roads. Work on many roads was conducted up to 2 times during the month.
- B) Right-of-way brushing and trimming on 12 Road. Mowing on 14 roads.
- C) Patching also occurred on 0 roadways.

Driveway Connections

A total of 2 driveways were inspected.

Roadway and Drainage Reconstruction

Have 2 vacancies, holding till budget reviews

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			
June 2011		June 2010	
Building	11	Building	24
Electrical	17	Electrical	15
Plumbing	1	Plumbing	4
Mechanical	8	Mechanical	8
Mobile Homes	4	Mobile Homes	1
Relocate	0	Relocate	0
Demolish	1	Demolish	0
Miscellaneous	3	Miscellaneous	1
City Permit	13	City Permits	14
City Fees	\$1,526.50	City Fees	\$1,337.82
County Permits	32	County Permits	39
County Fees	\$3,490.88	County Fees	\$5,733.70
Total		Total	
City/County Permits	45	City/County Permits	53
City/County Fees	\$5,017.38	City/County Fees	\$7,071.52

June 2011		June 2010	
Radon Fee	\$183.03	Radon Fee	\$508.52
Building Permit Fee	\$3,789.35	Building Permit Fee	\$6,333.00
Mobile Home Permit Fee	\$1,045.00	Mobile Home Permit Fee	\$230.00
Home Inspections Fee	\$0.00	Home Inspections Fee	\$0.00
Contractor Licenses Fee	\$1,610.00	Contractor Licenses Fee	\$3,460.00
Business & Home Occup Fee	\$100.00	Business & Home Occup Fee	\$300.00
Total	\$6,727.38	Total	\$10,831.52

June 2011		June 2010	
New Construction Permits (Residential)	0	New Construction Permits (Residential)	1
Commercial Permits (Non-Residential)	0	Commercial Permits (Non-Residential)	1
Mobile Home Permits	4	Mobile Home Permits	1
Repair & Addition Permits	37	Repair & Addition Permits	49
Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	4	Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	1
Total	45	Total	53
Valuation		Valuation	
Valuation Home Permits	\$0	Valuation Home Permits	\$236,520
Valuation Commercial Permits	\$0	Valuation Commercial Permits	\$45,000
Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$148,159	Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$449,539

JEFFERSON COUNTY PLANNING AND ZONING DEPARTMENT

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

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

June 2011		June 2010	
Zoning Verification Fee	\$0.00	Zoning Verification Fee	\$0.00
Simple Lot Split Fee	\$300.00	Simple Lot Split Fee	\$0.00
Family Subdivision Fee	\$0.00	Family Subdivision Fee	\$0.00
Minor Development Fee	\$0.00	Minor Development Fee	\$0.00
Major Development Fee	\$0.00	Major Development Fee	\$0.00
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)	\$150.00
Development Permits Fee (Residential)	\$2,472.01	Development Permits Fee (Residential)	\$1,263.10
Development Permits Fee (Commercial)	\$0.00	Development Permits Fee (Commercial)	\$0.00
Development Permits Fee (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	\$435.00	Development Permits Fee (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	\$745.00
Total	\$4,497.01	Total	\$2,158.10

June 2011		June 2010	
Simple Lot Splits (No. Lots Created _____)	3	Simple Lot Splits (No. Lots Created _____)	0
Family Subdivisions (No. Lots Created _____)	0	Family Subdivisions (No. Lots Created _____)	0
Minor Development (No. Lots Created _____)	0	Minor Development (No. Lots Created _____)	0
Major Development (No. Lots Created _____)	0	Major Development (No. Lots Created _____)	0
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)	1
Development Permits (Residential)	4	Development Permits (Residential)	1
Development Permits (Commercial)	0	Development Permits (Commercial)	0
Development Permits (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	3	Development Permits (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	3
Total	15	Total	5

June 2011		June 2010	
Emergency Medical Impact Fee	\$247.44	Emergency Medical Impact Fee	\$61.86
Fire/Rescue Impact Fee	\$192.64	Fire/Rescue Impact Fee	\$48.16
Transportation Impact Fee	\$0.00	Transportation Impact Fee	\$0.00
Law Enforcement Impact Fee	\$0.00	Law Enforcement Impact Fee	\$0.00
911 Address Fee	\$400.00	911 Address Fee	\$200.00
Driveway Permit Fee	\$106.00	Driveway Permit Fee	\$0.00
Total	\$946.08	Total	\$310.02