

BOARD OF COUNTY COMMISSIONERS
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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.

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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.

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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

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- 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.

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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