



**BOARD OF COUNTY
COMMISSIONERS**
THE KEYSTONE COUNTY-ESTABLISHED 1827
435 W. Walnut St., Monticello, Florida 32344

Stephen G. Fulford
District 1

John Nelson, Sr.
District 2

Hines F. Boyd
District 3

Betsy Barfield
District 4

Danny Monroe
District 5

Regular Session Agenda
October 20, 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**
 - a) **Recognition of Resigning Planning Commission Members:** – Chairman Fulford
George Cole
Cindy Lee
Nick Prine
3. **Consent Agenda**
 - a) **Approval of Agenda**
4. **Citizens Request & Input on Non-Agenda Items** (3 Minute Limit, No Commissioner Discussion.)
5. **General Business**
 - a) **Redistricting Issues** – Attorney Bird/Attorney Suzanne Van Wyk
 - b) **Industrial Park Road Pay Request** – Glen Harrellson/Dixie Paving
 - c) **November 17th Commission Meeting Conflict** – Commissioner Barfield
 - d) **Recreation Park Advisory Board Vacancy** – Henry Gohlke
 - e) **Planning Commission Commentary** – Dr. George Cole
 - f) **County & Planning Attorney Contracts** – Commissioner Barfield
 - g) **Solid Waste Bid Purchase Recommendation** – Beth Letchworth
6. **County Coordinator's Report**
 - a) **Department Head Reports**
7. **Citizen's Forum** (3 Minute Limit, Discussion Allowed.)
8. **Commissioner Discussion Items**
9. **Adjourn**

From the manual "Government in the Sunshine", page 40:

Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Kirk Reams
Clerk of Courts

Roy M. Schleicher
County Coordinator

Bird & Sparkman, P.A.
County Attorney

**ITEM 5(e): PLANNING COMMISSION
COMMENTARY**

CHARGE TO THE JEFFERSON COUNTY PLANNING COMMISSION

Responsibilities:

The Planning Commission serves as an advisory body to The Board of County Commissioners with responsibilities including the preparation of amendments to the County Comprehensive Plan; recommending amendments to the County Land Development Code; and making recommendations regarding subdivision and land development applications . (*The Land Development Code requires that applications for major developments be reviewed by the Planning Commission and then forwarded to the Board of County Commissions with recommendations for either approval or disapproval.*) In addition, the Land Development Code charges the Planning Commission with the responsibility for maintaining statistics on land use trends, maps, and other information that will assist their decisions on land use policy and development applications.

Members of the Planning Commission are expected to regularly attend scheduled meetings. In addition, they are expected to become familiar with the County's Comprehensive Plan and the Land Development Code. In addition, it is recommended that members read the *Florida Planning Officials Handbook* (University of Florida Department of Urban and Regional Planning).

The Comprehensive Plan is a formal series of broad philosophical statements of the goals of the county regarding land use. Included as part of the Comprehensive Plan is the future land use map which defines the land use category assigned to all parcels within the county. The Comprehensive Plan is a formal document that is approved by the State. As such, amendments to the Comprehensive Plan involve a lengthy and complex process that requires a series of public hearings and state approval.

The Land Development Code is a series of county ordinances dealing with land use that provide detailed guidance as to how the goals of the Comprehensive Plan are implemented. Among other related topics, this code provides detailed rules for subdivisions and land development in the county. The Land Development Code is a relatively flexible document which may be readily changed, as needed, by action of the Board of County Commissioners.

As public officials, Planning Commission members are subject to the "Sunshine Law" that prevents them from meeting to discuss, deliberate, decide or take formal action relating to or within the scope of their official duties except at properly advertised meetings. In addition to

being subject to the Sunshine Law, members of the Planning Commission are required to annually file a financial disclosure statement reporting sources of income.

Organization:

The members of the Planning Commission are responsible for establishing their own rules of procedure and the schedule of meetings. Annually, they are responsible for electing a chairman and vice chairman. The Land Development Code also directs the Planning Commission to appoint a secretary. Recent practice has been to assign the duties of the secretary to an employee of the County Planning Office. Those duties include preparation of agendas and minutes for all meetings, arranging for public advertisement of meetings, preparation of statement regarding recommendations of the Planning Commission, and transmission of such statements to the Board of County Commissioners. When a county employee serves in role as secretary, they will do so under the direction of the Chairman of the Planning Commission.

Relationship with Board of County Commission:

The Planning Commission exists to provide recommendations to the Board of County Commissioners regarding land use in the county. Therefore, clear communications between the two entities are critical to that mission.

At each occasion that the Planning Commission takes a formal action resulting in a recommendation to the Board of County Commissioners, a written statement should be prepared, signed by the Chairman of the Planning Commission, and transmitted to the Board of County Commissioners. Such statements should include reasons for the recommendations to ensure that the Board gives full weight to the recommendation in making their own decision on the matter. To ensure that the report reflects the consensus opinion of the Planning Commission, their deliberations should include discussions of the reasoning for their decision.

When the Board of County Commissioners wishes further clarification regarding the Planning Commission's findings or wishes a review of other topics, the request will likewise express such a request in a written transmission.

Relationship with Planning Official:

The role of the Planning Official is to advise and work with prospective land developers and review their applications. For major developments, the Planning Official is charged with issuing a recommendation to the Planning Commission that the application be approved, approved with conditions, or disapproved; and forwarding the application and the recommendation to the

Planning Commission for consideration. In addition, the Planning Official has an essential role in providing recommendations to the Planning Commission regarding needed changes in land use policy for their consideration of possible changes in the Land Development Code or Comprehensive Plan. Therefore, while close working ties are essential, the respective roles of the two entities must be understood and respected.

Current Assignment:

The current charge for the Planning Commission is to continue to review and make recommendations regarding any applications for major developments in a timely manner. In addition, the Planning Commission is requested to perform a thorough review of the Land Development Code to update it and make it consistent with recently approved changes to the Comprehensive Plan and to insure that it is an understandable and logical document reflecting sound land use policy.

(date)

(Signatures of BOCC)

**ITEM 5(f): COUNTY & PLANNING
ATTORNEY CONTRACTS**

CONTRACT FOR PROFESSIONAL SERVICES

THIS AGREEMENT made and entered into as of _____ day of January, 2010, by and between **THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA**, hereinafter referred to as “**BOARD**” and **T. BUCKINGHAM BIRD**, hereinafter referred to as “**ATTORNEY**”, WITNESSETH:

WHEREAS, the BOARD is a body corporate, organized and existing under the laws of the State of Florida; and

WHEREAS, the BOARD is charged by law with the operation of County government of Jefferson County, Florida; and

WHEREAS, in connection with the operation and maintenance of County government and its attendant public services, the BOARD has need for the services of an Attorney at law to advise, counsel, and represent the Board, the members of the BOARD, the various department directors and other public officials operating through the BOARD; and

WHEREAS, the ATTORNEY has served as Attorney for the BOARD since about 1973, under the terms of oral contracts for professional services; and

WHEREAS, the parties hereto deem it appropriate to set forth the various terms, provisions and conditions of their contractual relationship for legal services.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and agreements herein contained, the parties hereto do hereby agree as follows:

1. APPOINTMENT AND RETAINER. The BOARD does hereby appoint and retain the ATTORNEY to serve in the capacity of COUNTY ATTORNEY. Such appointment and retainer to become effective on January 1, 2010 and run until December 31, 2010. The ATTORNEY does hereby accept such retainer and appointment, and does hereby agree to serve

as COUNTY ATTORNEY. This contract may be continued from year to year by re-appointment by the BOARD.

2. SERVICES TO BE RENDERED. The Professional services to be rendered by the ATTORNEY pursuant to this Contract shall include, without limitation by enumeration, the following:

(a) Advise, counsel and represent the BOARD, individual members of the BOARD, the Department Directors and various elected officials operating through the BOARD in any and all legal matters pertaining to or arising from the BOARD'S operation and maintenance of the County government for Jefferson County, Florida;

(b) Advise, counsel and represent the BOARD, its individual members, and the Department Directors and various elected officials operating through the BOARD in all matters arising as a result of the BOARD'S operation and maintenance of County government of Jefferson County, Florida, in : (1) All administrative hearings and appeals before all governmental agencies; (2) All civil litigation, to include all aspects and phases of proceedings in all trial courts and appellate courts; (3) All arbitration proceedings to which the BOARD is a party, whether by statute or Contract;

(c) Draft, prepare, review and analyze legal documents, contracts, agreements, instruments, resolutions, policies, and papers to be executed by or on behalf of the BOARD;

(d) Conduct legal research and analysis of specific legal matters, issues or problems, together with the rendition of written, verbal or telephonic opinions relating thereto to the BOARD, individual members of the BOARD, Department Directors and various elected officials operating through the BOARD;

(e) Supervise or conduct inquiries or investigations of such legal matters as the BOARD shall direct;

(f) Make all reasonable efforts to attend all regular and special meetings of the BOARD, and in those instances where such attendance cannot be had, the ATTORNEY shall advise the BOARD of a location at which he may be contacted telephonically or otherwise, during such meetings;

(g) Decline representation of other parties having claims, cause of action or interests which are against, adverse or hostile to the BOARD, in order that the ATTORNEY may make himself available, at all reasonable times to render legal services to the BOARD in accord with this Contract;

(h) Maintain periodic contact, communication and conference with other County Attorneys, and legal counsel for the State of Florida, for the purpose of exchanging ideas and concepts in dealing with legal matters and problems common to the other County governments of the State of Florida;

(i) Provide such other and further professional legal services as may be customarily performed by an Attorney at Law, or as may be directed by the BOARD or its Chairman.

3. COMPENSATION. In consideration of the services provided by the ATTORNEY, as set forth hereinabove, the BOARD shall compensate the ATTORNEY in the following matter:

A. The sum paid individual members of the BOARD from time to time as and for a monthly retainer fee. Compensation amount is to increase or decrease as and when the individual BOARD member's compensation changes. The monthly retainer fee shall be compensation to the ATTORNEY for the following:

(1) The ATTORNEY'S continued availability, at all reasonable times, to render the various professional legal services described hereinabove;

(2) The ATTORNEY'S non-availability for employment by other parties having claims, causes of action, or interests which are against, adverse, or hostile to the BOARD;

(3) The ATTORNEY'S preparation for, and attendance at meetings of the BOARD;

(4) Telephone conferences, office conferences, and correspondence;

(5) Routine legal research not connected with litigation or administrative and arbitration proceedings conducted by an office or agency rather than the BOARD;

(6) Periodic review of trends in County government law;

(7) Preparation and review of routine contracts and documents;

(8) Attendance at periodic seminars and associational meetings;

(9) Preparation, appearance and representation at administrative hearings and proceedings conducted by the BOARD; and

B. The sum of \$ _____ per hour for all services performed in connection with litigation, appellate work, arbitration proceedings, and administrative proceedings conducted by an agency or officer other than the BOARD. Provided, however, that validation of bonds, real estate transactions, and other transactions that involve legal services rendered in the form of guarantees that directly affect the liability of the ATTORNEY shall be by separate negotiations on a case by case basis. It is understood that this will be unusual circumstances and that the BOARD and the ATTORNEY will not be faced with such negotiations on a frequent basis.

C. The BOARD shall pay direct, or reimburse the ATTORNEY upon his submission

of proof or payment, all annual dues and assessments occasioned by the ATTORNEY'S membership in The Florida County Attorney's Association.

D. The BOARD shall promptly reimburse the ATTORNEY for the actual costs, fees, and expenses advanced by the ATTORNEY in connection with the ATTORNEY'S performance of services rendered pursuant to litigation.

4. TIME OF PAYMENT. The monthly retainer fee described hereinabove shall be paid by the BOARD on a monthly basis. Extra services shall be evidenced by a special statement itemizing and providing a description of each service rendered, the time expended by the ATTORNEY in rendering such service (such time to be expressed in 1/4ths of an hour), the charge for each such service, and the date such service was rendered . Reimbursable costs, expenses, and fees shall be itemized in substantially the same manner as service rendered, and shall be accompanied by appropriate documentation (or copies thereof) to reflect prior payment or obligation to pay by the ATTORNEY.

5. INDEPENDENT CONTRACTOR STATUS. The ATTORNEY is to be retained and paid by the BOARD as an independent contractor performing legal services for and on behalf of the BOARD. The ATTORNEY shall not be considered as an employee of the BOARD.

6. ATTORNEY FOR BOARD. The ATTORNEY is retained by the BOARD, shall report directly to the BOARD, and shall be directly responsible to the BOARD; provided, however, that nothing in this Paragraph shall be construed to prohibit or preclude the ATTORNEY'S rendition of professional legal services to the Department Directors for Jefferson County, Florida. As in the past, it is the express intent of the BOARD and the ATTORNEY that the ATTORNEY'S advice, counsel and services shall be available to the Department Directors.

7. ASSOCIATION OF SPECIALISTS. The BOARD and the ATTORNEY recognize that there may arise certain situations or legal matters which require that the

ATTORNEY have the assistance and association of one or more Attorneys who specialize in, or have extraordinary expertise and skill in a specific field or area of the law. At such time as the foregoing situation becomes apparent to the ATTORNEY, the ATTORNEY shall notify the BOARD of such situation and shall request and recommend to the BOARD that the BOARD retain the services of one or more Attorneys to assist the ATTORNEY in the specific situation involved.

8. CONFLICTS OF INTEREST. The BOARD and the ATTORNEY recognize that certain situations may arise which, because of this prior representation of a particular client, or for other reasons, the ATTORNEY may be ethically precluded from representing the BOARD in a particular matter. At such time as such situation becomes apparent to the ATTORNEY, he shall promptly notify the BOARD of the existence of such situation and the ATTORNEY shall recommend to the BOARD a course of action to be taken by the BOARD.

9. OWNERSHIP OF FILES. All files and the contents thereof, heretofore or hereafter created and maintained by the ATTORNEY in the performance of his duties as County Attorney, shall be deemed to be the property of the ATTORNEY; provided however, that nothing contained in this Contract shall be deemed to preclude the ATTORNEY from delivering to the BOARD, or any other person designated by the BOARD, all original papers possessed by the ATTORNEY where such original papers are classified as public documents.

10. EFFECTIVE DATES OF CONTRACT. This Contract shall become effective as of January 1, 2009, and shall continue in full force and effect until December 31, 2009, or until either party terminates the same by giving sixty (60) days notice to the other party.

11. MODIFICATION OF CONTRACT. This contract and any provisions hereof may be modified, amended or deleted at any time by a writing executed by the BOARD and the ATTORNEY with the same formalities as this Contract.

EXECUTED by the **BOARD OF COUNTY COMMISSIONERS FOR JEFFERSON COUNTY, FLORIDA**, this _____ day of January, 2010.

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

By: _____
Chairman

EXECUTED by **T. BUCKINGHAM BIRD**, this _____ day of January, 2010.

T. BUCKINGHAM BIRD

Ard, Shirley & Hartman, P.A.

ATTORNEYS AT LAW

207 WEST PARK AVENUE, SUITE B
TALLAHASSEE, FLORIDA 32301

MAILING ADDRESS:
POST OFFICE BOX 1874
TALLAHASSEE, FLORIDA 32302-1874

TELEPHONE: (850) 577-6500
FACSIMILE: (850) 577-6512
WWW.ASHLAWFIRM.COM

SAMUAL J. ARD
SCOTT SHIRLEY
DANIEL W. HARTMAN
JEANNE B. CURTIN

January 15, 2003

Mr. Dale Boatright
Clerk, Second Judicial Circuit
Jefferson County Courthouse
Monticello, FL 32344

**Re: Proposal for Planning & Zoning Legal
Representation for Jefferson County - Scott Shirley**

Dear Dale:

Pursuant to our discussions, enclosed with this letter are copies of the original proposals submitted for my representation of Jefferson County.

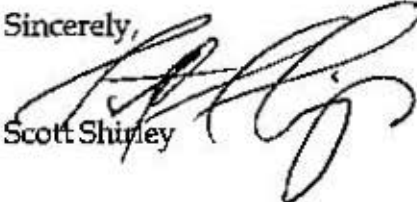
Enclosed are the following:

- a) Initial proposal for services dated February 24, 1998.
- b) October 9, 1998 proposal directed to John Durst with attached New Matter Report in response to the County's September 30, 1998 advertisement for services.
- c) Revised October 27, 1998 New Matter Report reflecting agreed-on flat rate.

Unfortunately, I am not in possession of the fully executed proposals as they were entered into during my time at Oertel, Hoffman, Fernandez & Cole and the executed copies remained in their possession.

Please call if you have any questions concerning the enclosed.

Sincerely,


Scott Shirley

SS:nh

Enclosures

S:\SS\jess\boatright-proposal-ltr.typed

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

SAMUAL J. ARD
 TIMOTHY P. ATKINSON
 M. CHRISTOPHER BRYANT
 C. ANTHONY CLEVELAND
 TERRY COLE
 SEGUNDO J. FERNANDEZ
 DANIEL W. HARTMAN
 KENNETH F. HOFFMAN
 KENNETH G. OERTEL
 PATRICIA A. RENOVITCH
 SCOTT SHIRLEY

2700 BLAIR STONE ROAD, SUITE C
 POST OFFICE BOX 6507 (ZIP 32314-6507)
 TALLAHASSEE, FLORIDA 32301

JOHN H. HILICAN
 ENVIRONMENTAL CONSULTANT
 (NOT A MEMBER OF THE FLORIDA BARI)

(904) 877-0099

FAX (904) 877-0981

February 24, 1998

Jefferson County
 c/o T. Buckingham Bird, County Attorney
 200 S. Cherry
 Monticello, Florida 32344

Re: Legal Services by Oertel, Hoffman, Fernandez & Cole, P.A. to Jefferson Co.
 Our File No. 2520
 Wainwright Development Proposal

Dear Buck:

Thank you for recommending that Jefferson County use our firm. Enclosed please find two copies of our New Matter Report, which the firm opens for each new case. As discussed, the New Matter Report functions as a short-form contract for engagement of the firm's legal services. Please review and have the appropriate County official sign where indicated, retaining a copy for your records and returning the original to our offices. The County will not need to furnish an initial advance to the firm for this matter, so please ignore the space marked "opening advance" under the billing procedure section of this form. The representation will include services to Jefferson County relative to the County's review and consideration of the Wainwright development proposal.

Our billing rate for this matter is \$100.00 per hour for attorneys and \$40.00 per hour for law clerks and paralegals. In addition, we bill for expenses such as copying, long distance telephone charges, telex, and travel. Our bills are sent on a monthly basis and provide a detailed breakdown of all time expended. We will keep you briefed by phone on a regular basis and copy you with any correspondence through this office. We charge an interest fee of 1% per month for any bills that are more than 60 days overdue.

Again, we appreciate your use of our legal services and look forward to working with you in this matter.

Very truly yours,



Scott Shirley

SS:rbj2520F:\DOCUMENTS\SLTR\bled.br.wpd

Enclosure

el, Hoffman, Fernandez & Cole, P.
NEW MATTER REPORT
 Client Information

Client: JEFFERSON COUNTY
Address: c/o T. Buckingham Bird, Esq.
 200 S. Cherry
 Monticello, FL 32344

Date: February 24, 1998
 (X) New Client () Present Client

Business Phone: 997-3503
Contact: Buck Bird 997-3503
 John Durst, County Administrator

Client Number: 2520
Home Phone:
FAX No.:

File Matter: outside counsel services
Nature of Matter: County Attorney Services re. Wainwright Development Proposal
Opposing party(ies): n/a
Opposing Lawyer: n/a

Fee Arrangement

Fixed fee of: N/A **or range of:** N/A **to:** N/A
Time Rate: Senior Attorney – \$100/hr.; Associate: \$100/hr.; Clerk: \$40/hr.
Contingency of: N/A
Other: N/A
Estimated Fee: N/A

(Client Signature)

Billing Procedure

New General Retainer: \$ N/A
Opening Advance of: \$ N/A
Billing Instructions for Bookkeeper:

	Monthly	Quarterly	Upon Conclusion	Other
Fee	XX			
Disbursements	XX			

Other:

Firm Administration

Opened by: SS:cjb
Responsible Lawyer: SS
Assigned Lawyer(s): SS
New Matter Report Prepared by: cjb

Engagement Received from: B. Bird
Engagement Received by: SS
 (XX) Open New File
Checked for Conflict of Interest by: SS

Comments:
Registration with Ethics Commission: N/A

Remarks

Statements are due upon receipt. A late payment charge of 1% per month will be assessed against balances due after 60 days.

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET
FIFTH FLOOR
TALLAHASSEE, FLORIDA 32301

(850) 521-0700
FAX (850) 521-0720

MAILING ADDRESS:
POST OFFICE BOX 1110
TALLAHASSEE, FLORIDA 32302-1110

TIMOTHY P. ATKINSON
M. CHRISTOPHER BRYANT
C. ANTHONY CLEVELAND
TERRY COLE
SEGUNDO J. FERNANDEZ
DANIEL W. HARTMAN
KENNETH F. HOFFMAN
THOMAS O. INGRAM
KENNETH G. OERTEL
PATRICIA A. RENOVITCH
SCOTT SHIRLEY

October 9, 1998

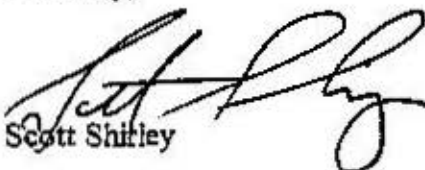
John Durst, County Administrator
Jefferson County Planning Department
277 N. Mulberry
Monticello, FL 32344

Dear John:

In response to Jefferson County's request for proposal for planning and zoning related legal services, please accept my previous proposal, dated August 10, 1998, as my proposal in response to the county's recent advertisement in the *Monticello News* of September 30, 1998. For your convenience, I have attached a copy of my previous proposal, and a copy of the firm resumé for the law firm of Oertel, Hoffman, Fernandez & Cole, P.A. The firm resumé details the experience of myself and our other attorneys in a variety of practice areas, including our growth management practice, and work with the Department of Community Affairs.

Thank you for the opportunity to make this proposal. Should you have any questions or comments regarding my proposal, please do not hesitate to contact me.

Sincerely,


Scott Shirley

SS:ejb/FADocument/S3/LTR/durst-john.wpd

Enclosure

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET
FIFTH FLOOR
TALLAHASSEE, FLORIDA 32301

MAILING ADDRESS:
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SCOTT SHIRLEY

(850) 521-0700
FAX (850) 521-0720

August 10, 1998

Mr. John Durst, County Administrator
Jefferson County
PO Box 1069
Monticello, FL 32345

Re: Planning and Zoning Counsel Proposal

Dear John:

In response to your recent inquiry, it is my pleasure to submit this proposal to provide legal services to Jefferson County. I propose to provide legal services in the area of zoning and land use. The scope of my services will include the following:

1. Advice and counsel to the Board of County Commissioners, County Administration and staff, and the County Local Planning Agency concerning zoning and land use matters as stated more specifically below;
2. Attendance at all Local Planning Agency meetings;
3. Attendance at meetings of the Board of County Commissioners as needed to address all zoning and land use matters;
4. Attendance at other meetings as necessary and related to zoning and land use issues in Jefferson County;
5. Legal research, preparation of memoranda of law, and advice and counsel to County staff and Boards in the areas of Growth Management; Comprehensive Planning; zoning and requests for re-zoning; formulation, amendment and application of land development regulations and other standards relating to the development of land; formulation, amendment and application of development review procedures; formulation, amendment and application of the Jefferson County Comprehensive Plan (including the EAR process currently under way); requests for variances and special exceptions; formulation, amendment and application of procedures for administrative appeals and quasi-judicial hearings in the area of zoning and land use; and other matters generally accepted as being related to the above areas.
6. Attendance at proceedings concerning administrative appeals and quasi-judicial hearings relating to zoning and land use;

August 10, 1998

Page 2

7. Communication and negotiation with state agencies and other units of local government relating to zoning and land use;.

As our fee for the services enumerated above we propose a flat rate of \$15,000.00 per year. This is based on spending an estimated 10 to 20 hours per month, which my experience with the County so far indicates is the approximate time to be devoted to the tasks included in this proposal. Monthly costs such as copying, long distance telephone charges, telex etc. will be billed separately on a monthly basis and are not included in the flat rate quoted above. Travel expenses will be subject to pre-approval. All bills will include a detailed breakdown of costs expended, and at the County's request, backup documentation will be provided. All correspondence through this office will be copied to you, and as necessary, to the office of County Attorney T. Buckingham Bird and Clerk of Court Dale Boatwright.

Excluded from this proposal is litigation in Circuit Court or the various courts of appeal, attendance of regional planning counsel meetings, legislative lobbying, state agency rule making, and issues of environmental law relating to the permitting and enforcement activities of regional, state or federal agencies. Both myself and other members of this firm have extensive experience in these areas. Services in these areas can be provided as needed on either a flat or hourly rate basis

I have included a new matter report with this proposal which, together with this letter, acts as a contract for engagement of our services. If the County finds this proposal to be acceptable, please have the appropriate County official sign and return the original to this office retaining a copy for your records. Of course, I will agree to using whichever form of contract the County feels comfortable with.

Thank you again for the opportunity to make this proposal. I have enjoyed working with you, Buck, and others at the County on the matters I have been engaged on thus far and look forward to establishing a continuing professional relationship with Jefferson County.

If you have any Questions or comments regarding this proposal please do not hesitate to contact me.

Sincerely,



Scott Shirley

c: T Buckingham Bird
Dale Boatwright

F:\Document\SS\LTR\2320-proposal-1.rpd

Counsel, Hoffman, Fernandez & Cole, P.A.
NEW MATTER REPORT
Client Information

Client: JEFFERSON COUNTY
Address: c/o John Durst, County Administrator
P. O. Box 1069
Monticello, FL 32345

Date: August 10, 1998
(X) **New Client** () **Present Client**

Business Phone: 342-0223
Contact: Buck Bird 997-3503
John Durst, County Administrator

Client Number: 2547-1
Home Phone:
FAX No.:

File Matter: Outside counsel services
Nature of Matter: County Attorney Services re. Zoning and Land Use Matters
Opposing party(ies): n/a
Opposing Lawyer: n/a

Fee Arrangement

Fixed fee of: \$15,000.00/year
Time Rate: Senior Attorney – \$ /hr.; Associate: \$ /hr.; Clerk: \$ /hr.
Contingency of: N/A
Other: N/A
Estimated Fee: N/A

(Client Signature)

Billing Procedure

New General Retainer: \$ N/A
Opening Advance of: \$ N/A
Billing Instructions for Bookkeeper:

	Monthly	Quarterly	Upon Conclusion	Other
Fee	xx			
Disbursements	xx			

Other:

Firm Administration

Opened by: SS
Responsible Lawyer: SS
Assigned Lawyer(s): SS
New Matter Report Prepared by: kmp
Comments:
Registration with Ethics Commission: N/A

Engagement Received from: B. Bird
Engagement Received by: SS
(XX) **Open New File**
Checked for Conflict of Interest by: SS

Remarks

Statements are due upon receipt. A late payment charge of 1% per month will be assessed against balances due after 60 days.

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET

FIFTH FLOOR

TALLAHASSEE, FLORIDA 32301

(850) 521-0700

FAX (850) 521-0720

MAILING ADDRESS:

POST OFFICE BOX 1110

TALLAHASSEE, FLORIDA 32302-1110

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 PATRICIA A. RENOVITCH
 SCOTT SHIRLEY

October 27, 1998

John Durst, County Administrator
 Jefferson County Planning Department
 277 N. Mulberry
 Monticello, FL 32344

Re: Contract of Planning and Zoning Legal Services

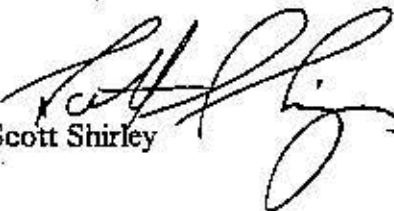
Dear John:

As discussed by telephone on October 26, 1998, enclosed is a revised New Matter Report reflecting the agreed-on flat rate of \$12,500 per year. All other terms would be as previously stated in my proposal of October 9, 1998. This will operate as my contract for services. If this is acceptable, please sign and return the New Matter Report, retaining a copy for your records.

Thank you for providing me with the opportunity to work with you, the LPA members, and members of the Board on issues which will make a difference to the future of Jefferson County.

Should you have any questions or comments regarding my contract, please do not hesitate to contact me.

Sincerely,


 Scott Shirley

SS:cjb/P:\document\SSLTR\durst-john.wpd

c: Dale Boatwright
 Buck Bird

Enclosure

tel, Hoffman, Fernandez & Cole, F
NEW MATTER REPORT
 Client Information

Client: JEFFERSON COUNTY
Address: c/o John Durst, County Administrator
 Planning Department, 277 N. Mulberry
 Monticello, FL 32344

Date: October 27, 1998
 (X) New Client () Present Client

Business Phone: 342-0223
Contact: Buck Bird 997-3503
 John Durst, County Administrator

Client Number: 2547-1
Home Phone:
FAX No.:

File Matter: County Attorney Services
Nature of Matter: County Attorney Services re. Zoning and Land Use Matters
Opposing party(ies): n/a
Opposing Lawyer: n/a

Fee Arrangement

Fixed fee of: \$12,500.00/year
Time Rate: N/A
Contingency of: N/A
Other: Other terms as stated in proposal of October 9, 1998.
Estimated Fee: N/A

(Client Signature)

Billing Procedure

New General Retainer: \$ N/A
Opening Advance of: \$ N/A
Billing Instructions for Bookkeeper:

	Monthly	Quarterly	Upon Conclusion	Other
Fee	xx			
Disbursements	xx			

Other:

Firm Administration

Opened by: SS
Responsible Lawyer: SS
Assigned Lawyer(s): SS
New Matter Report Prepared by: kmp/cjb
Comments:
Registration with Ethics Commission: N/A

Engagement Received from: J. Durst
Engagement Received by: SS
 (xx) Open New File
Checked for Conflict of Interest by: SS

Remarks

Statements are due upon receipt. A late payment charge of 1% per month will be assessed against balances due after 60 days.

**ITEM 5(g): SOLID WASTE BID PURCHASE
RECOMMENDATION**

**Jefferson County Solid Waste Department
1591 S. Waukeelah Street
Monticello, FL 32344
(850) 342-0184**

Date: October 13, 2011

To: County Commissioners/Roy Schleicher

From: Beth Letchworth/Solid Waste Director

Subject: Agenda Item - Bid Purchase Recommendation

Friday October 14, 2011 is the bid opening for the following equipment:

- 1. One new roll-off truck**
- 2. Ten new 5 bay recycle roll-off containers**
- 3. Eight new 8 yard slant front load boxes**
- 4. Eight new 6 yard slant front load boxes**

After the bid opening and the review of the winning bids, we would like to obtain approval to purchase this equipment at the October 20, 2011 BOCC meeting.

ITEM 6(a): DEPARTMENT HEAD REPORTS

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			
September 2011		September 2010	
Building	28	Building	16
Electrical	19	Electrical	15
Plumbing	9	Plumbing	7
Mechanical	10	Mechanical	7
Mobile Homes	1	Mobile Homes	5
Relocate	0	Relocate	0
Demolish	0	Demolish	0
Miscellaneous	3	Miscellaneous	6
City Permit	7	City Permits	8
City Fees	\$601.89	City Fees	\$486.60
County Permits	63	County Permits	48
County Fees	\$11,310.76	County Fees	\$9,719.92
Total		Total	
City/County Permits	70	City/County Permits	56
City/County Fees	\$11,912.65	City/County Fees	\$10,206.52

September 2011		September 2010	
Radon Fee	\$424.87	Radon Fee	\$1,260.86
Building Permit Fee	\$11,257.78	Building Permit Fee	\$7,645.66
Mobile Home Permit Fee	\$230.00	Mobile Home Permit Fee	\$1,300.00
Home Inspections Fee	\$0.00	Home Inspections Fee	\$0.00
Contractor Licenses Fee	\$275.00	Contractor Licenses Fee	\$270.00
Business & Home Occup Fee	\$4,200.00	Business & Home Occup Fee	\$4,050.00
Total	\$16,387.65	Total	\$14,526.52

September 2011		September 2010	
New Construction Permits (Residential)	10	New Construction Permits (Residential)	6
Commercial Permits (Non-Residential)	0	Commercial Permits (Non-Residential)	1
Mobile Home Permits	1	Mobile Home Permits	5
Repair & Addition Permits	56	Repair & Addition Permits	38
Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	3	Miscellaneous Permits (Sheds, Workshop, Signs, Barns, Pools)	6
Total	70	Total	56
Valuation		Valuation	
Valuation Home Permits	\$1,241,250	Valuation Home Permits	\$868,763
Valuation Commercial Permits	\$0	Valuation Commercial Permits	\$29,000
Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$311,516	Valuation Other Permits (Including Additions, Re-roof, & Non-Residential Structures)	\$475,571

JEFFERSON COUNTY PLANNING AND ZONING DEPARTMENT

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

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

September 2011		September 2010	
Zoning Verification Fee	\$0.00	Zoning Verification Fee	\$0.00
Simple Lot Split Fee	\$0.00	Simple Lot Split Fee	\$100.00
Family Subdivision Fee	\$0.00	Family Subdivision Fee	\$200.00
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	\$100.00	Minor Re-plat Fee	\$100.00
Comp Plan Amendment Fee	\$0.00	Comp Plan Amendment Fee	\$0.00
Development Permits Fee (Mobile Homes)	\$285.00	Development Permits Fee (Mobile Homes)	\$1,425.00
Development Permits Fee (Residential)	\$9,071.45	Development Permits Fee (Residential)	\$4,818.14
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)	\$700.00	Development Permits Fee (Misc: Sheds, Workshop, Signs, Barns, Pools, Septic, Temp RV, Temp Use)	\$1,110.00
Total	\$10,156.45	Total	\$7,753.14

September 2011		September 2010	
Simple Lot Splits (No. Lots Created _____)	0	Simple Lot Splits (No. Lots Created _____)	1
Family Subdivisions (No. Lots Created _____)	0	Family Subdivisions (No. Lots Created _____)	2
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	1	Minor Replats	1
Comp. Plan Amendments	0	Comp. Plan Amendments	0
Development Permits (Mobile Homes)	1	Development Permits (Mobile Homes)	5
Development Permits (Residential)	11	Development Permits (Residential)	6
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)	6
Total	16	Total	21

September 2011		September 2010	
Emergency Medical Impact Fee	\$185.58	Emergency Medical Impact Fee	\$618.60
Fire/Rescue Impact Fee	\$144.48	Fire/Rescue Impact Fee	\$481.60
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	\$226.00	911 Address Fee	\$900.00
Driveway Permit Fee	\$530.00	Driveway Permit Fee	\$424.00
Total	\$1,086.06	Total	\$2,424.20

**Jefferson County Cooperative Extension Office
Monthly Report – Board of County Commissioners
Sept, 2011 (submitted to County Coordinator, Oct 4)**

4-H Youth Activities

- JGL - Extension Professional Association of Florida Conference - Sept. 1
- JGL – Meeting with small farmer - Sept. 8
- JGL – Leaders Council Meeting – Sept. 6
- JGL – Pre- North Florida Fair Meeting – Sept. 6
- JGL – Club Officer Training – Sept. 7
- JGL – JOY Meeting – Sept. 7
- JGL – Jefferson County Soil and Water Conservation Board Meeting – Sept. 8
- JGL – Post Wildlife Camp Meeting – Sept. 9
- JGL - Post Camp Wildlife Day Camp Meeting - Sept. 10
- JGL - Soil & Water District Conservation Meeting - Sept. 10
- JGL - Water Street Park Planning Meeting - Sept. 12
- JGL - 4-H Camp Advisory Meeting – Sept. 13
- JGL - 4th Grade 4-H Club Meeting - Sept. 18
- JGL - 4-H County Council Meeting - Sept. 19
- JGL - 3rd Grade 4-H Club Meeting - Sept. 20
- JGL - 5th Grade 4-H Club Meeting - Sept. 16
- JGL – Ag Adventure Day – Sept. 26-29
- JGL - Jefferson County Farm Bureau Annual Meeting – Sept. 27
- JGL – Meeting with 4-H District Council President – Sept 30

Family & Consumer Sciences/4-H

4-H Youth Activities

- KDJ - 3rd Grade 4H – JCES – Sept 20th
- KDJ - 5th Grade 4H – JCES- Sept 21st
- KDJ - Tobacco Free Partnership-SWAT Leader Training-
Green Industries-Sept 10th

Family & Consumer Sciences

- KDJ - Florida Prosperity Partnership Meeting- Web- Sept 12th
- KDJ - FMMM Training for Mentors- Sept 13th-15th
- KDJ - FCS PIT Meeting – Sept 16th
- KDJ - Shared Services- Jefferson Library- Sept 27th
- KDJ - HEC – Sweet Grass Dairy- Sept 29th

FAMU, 4-H & Ag Agent – Jefferson County

- CW – Community Gardening Resources training – Sept. 1
- CW – North Florida Fair Meeting – Sept. 6
- CW – FAMU Staff Meeting – Sept. 7
- CW – Wildlife Camp Meeting – Sept. 9
- CW – Attended New Faculty Orientation – Sept. 22
- CW – Jefferson County Extension Staff meeting – Sept. 23
- CW – Took local chestnut producers to Chestnut Farm visit – Sept. 28

- CW – Taught at Ag Adventures – Sept. 29, 30

Agriculture and Natural Resources Activities

- JED – NW District Ag program Team Meeting; Polycom Sept. 7
- JED – Big Bend Horseman’s Association Meeting –Arena Report; Sept. 12
- JED - Area ‘A’ 4-H Horse Show Planning Meeting Polycom; SEP 13
- JED – Ocala Equine Institute Sept. 15
- JED - Florida-Georgia Wildlife series Advisory committee Meeting Sept. 20
- JED - Extension Staff Meeting; Sept. 23
- JED - Presentation of Outstanding Farm Family and JCES Extension Update; Jefferson County Farm Bureau Annual Meeting; Sept. 27

- JED – ONGOING- Plant and Pest ID, Soil test interpretations and consultations, Pasture Consultations, New Leaf Market Farm Tour (Green Industries Site) Planning;

4-H Activities

- JED - Planning for North Florida Fair Junior Beef Show
- JED -Teaching at Ag Adventures (Cotton and Soybeans) SEP 26-30 NFREC, Quincy

Administrative and Other Activities, Faculty and Staff

- JGL – Meeting with Florida 4-H Foundation Member – Sept. 6
- JGL – UF IFAS County Extension Directors Meeting – Sept 15
- JGL – Dept. Heads Meeting, Sept. 20
- JGL – Retirement Workshop - Sept. 21
- JGL – Meeting UF IFAS NW District Extension Director - Sept. 22
- JGL – Office Staff Meeting – Sept. 23
- KDJ- Finger Printing to partner with ELC-Sept 6
- KDJ- Meeting with Shelly Swenson- Sept 19th
- KDJ- IFAS New Hire Orientation-Gainesville, FL – Sept 22nd
- KDJ- Staff Meeting –Sept 23rd

Jefferson County Fire Rescue
Monthly Department Report

TO: Mr. Roy Schleicher
County Coordinator

DATE: October 11, 2011

SUBJECT: Department Directors Report

FROM: Mark Matthews, Chief
Jefferson County Fire Rescue

REFERENCE: September 2011 Report
ATTACHMENTS: 0

JCFR CALLS FOR SERVICE – ALL CALLS---

2011	SEPTEMBER	Y.T.D.
FIRE	34	403
EMS	197	1,745

TOTAL: 231 TOTAL: 2,148

JCFR FIRE CALLS WITH MONTICELLO -----

2011	SEPTEMBER	JULY to DATE
JCFR Response in City	4	16
MVFD Response in County	0	3

SEPTEMBER 2011 EMS COLLECTIONS - \$54,213.94

10/11 FISCAL YEAR EMS COLLECTIONS TOTAL - \$707,577.18

BAD DEBT COLLECTIONS DUE TO THE EFFORTS OF NCS-Plus

2011	SEPTEMBER	JULY to DATE
	\$380.00	\$3,147.75

NEW STATION UPDATES Nothing new to report.

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

VOLUNTEER TRAINING No training was held in September.

Jefferson County Parks Department Mike Holm- Parks Director

SPORTS- Tackle Football program underway.
 There are 3 teams, from ages 7 to 12 .
 There are 60 registered players.
 All Games are being played in Thomasville Ga.

Flag Football is also underway with 3 teams and 36 registered players
from ages 7 to 11.

Cheerleading 6 to 12 years of age, with 25 girls registered.

Soccer Registration will begin on Dec. 2011

Co-ed softball 4 teams, 60 registered.

EVENTS- There will be a CIRCUS on October 5, 2011 consisting of 2 shows
 (5:30 and 7: 30)

UPCOMING DATES: BOO Fest Chili cook off October 29,2011 starting at 5pm.

Recreation Park Improvements Needed:

The concession stand is in need of replacement the current building is a safety hazard.

Ball field lighting wiring and poles are aged. This can develop into a major safety hazard.

**JEFFERSON
COUNTY ROAD
DEPARTMENT**

Memo

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

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

Date: **October 10, 2011**

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

General Roadway and Drainage Maintenance

- A) Limited road surface grading, stabilization and ditch maintenance activities were conducted on 126 County Roads. Work on many roads was conducted up to 2 times during the month.
- B) Right-of-way brushing and trimming on 19 Road. Mowing on 26 roads.
- C) Patching also occurred on 9 roadway.

Driveway Connections

A total of 4 driveways were inspected.

Roadway and Drainage Reconstruction

Schedule Demo Grants building

Service all mining equipment

Erosion control Casa Bianca Rd

Memorandum

Date: October 13, 2011

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

From: Beth Letchworth

Subject: Monthly Report for September

Manned Site Tonnage from:	Aucilla Site	47.93
	Bassett Site	39.36
	Fulford Site	17.89
	Lamont Site	37.07
	Lloyd Site	80.75
	Nash Site	38.04
	New Monticello Site	64.58
	Main Office Site	12.49
	Pinckney Hill Site	13.26
	Recreation Park Site	31.14
	Wacissa Site	43.55
	Waste Tires	15.64
	County Commercial	164.62
	City of Monticello	<u>252.56</u>
	Total	858.88

City of Monticello

Rear Load Garbage Truck	17 Loads to Landfill	115.90 tons
Grapple Truck	34 Loads to Landfill	127.76 tons

County

Front Load Garbage Truck	18 Loads to Landfill	168.40 tons
Grapple Trucks	51 Loads to Landfill	180.12 tons
Roll-off Trucks	17 Compactor pulls	149.36 tons
	4 Construction Container pulls	16.78 tons
	33 Collection Site Container pulls	81.94 tons