

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
September 15, 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 Assistant County Coordinator John McHugh, County Attorney Buck Bird and Clerk of Court Kirk Reams.

ITEM 2(a): Public Announcements, Presentations and Awards

1. Citizen Buddy Westbrook spoke of the success of the 4th of July fireworks and asked for continued support.

ITEM 3: Consent Agenda

2. Commissioner Monroe asked for a correction to the minutes of the August 18th, 2011 Regular Session. **On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the minutes of the August 18th, 2011 Regular Session were approved as amended. On motion by Commissioner Barfield, seconded by Commissioner Nelson and unanimously carried, the consent agenda consisting of the approval of the agenda and the minutes of the September 1st, 2011 Regular Session, was approved.**

ITEM 4: Citizens' Request and Input on Non-Agenda Items

3. Citizen Harry Brumbley commented that the County Coordinator was wrong in placing a letter of reprimand in Road Superintendent David Harvey's personnel file for the Wacissa River boat ramp issue.

ITEM 5(a): TDC Presentation and Request

4. Nancy Wideman, representing TDC, submitted presentation material on the TDC's role. She requested approval of the removal of Jim Dullock from the Council and recommended the approval of David Ward to take his place. She also requested approval of the TDC Budget for FY 2011-2012. **On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, David Ward was appointed to the TDC to replace Jim Dullock. On motion by Commissioner Barfield, seconded by Commissioner Nelson and unanimously carried, the Board approved the TDC Budget for FY 2011-2012.**

ITEM 5(b): Health Department Contract / Fee Schedule

5. Health Department Director Kim Barnhill presented the contract and fee schedule for Board approval and asked that the legislative committee lobby for Fixed Capital Outlay monies for the Jefferson County Health Department. **On motion by Commissioner Boyd, seconded by Commissioner Monroe and unanimously carried, the resolution establishing a fee schedule was approved. On motion by Commissioner Barfield, seconded by Commissioner Monroe and unanimously carried, the contract with the Jefferson County Health Department was approved for FY 2011-2012.**

ITEM 5(c): Proposed Solid Waste Assessment Reduction Resolution

6. Commissioner Boyd stated there was a way fees could be lowered and reserves could be used for operational purposes while improving services at the Solid Waste Department. He stated that in his mind there were three options to deal with the reserve: spend it, a combination of spending and “refunding” or “refunding” all of it. Commissioner Boyd presented an estimate of yearly capital expenditures showing an ability to meet these needs. Chairman Fulford responded that there would be a restructuring of the assessment before next year and that he was comfortable reducing the assessment for one year knowing this. Commissioner Barfield stated that people wanted to see the level of service raised to manned sites with compactors. Commissioner Monroe voiced concern about the current level of service. Commissioner Nelson concurred but stated he wanted to be confident in the data before making a decision on lowering the assessment. Chairman Fulford stated that Solid Waste Director Beth Letchworth had not been allowed to spending reserve funds until this budget season. Commissioner Boyd stated his belief that there was more than enough money to make sites more accessible and that a good faith effort could be done to show the public that the Board is not just spending reserves until they are gone. Chairman Fulford stated that the amount budgeted in past years had been less than what was actually collected. **Commissioner Boyd made a motion to approve the amended resolution that lowered the Solid Waste Assessment by \$30. Chairman Fulford passed the gavel to Commissioner Monroe and seconded the motion for discussion.** Commissioner Monroe stated his desire to wait until the study was done. Citizen Jodi Conrad stated she agreed with Commissioner Boyd and urged the Commissioners to vote to accept this resolution. **The motion failed 2 to 3 (Barfield, Monroe and Nelson opposed).**

ITEM 6(a): PUBLIC HEARING – Ordinance No. 2011-091511-01
EAR Comp Plan & FLUM Amendments

7. Attorney Scott Shirley introduced the ordinance by reading the title and introduction. Commissioner Barfield commented that she did not think the land in the Wacissa River should be changed from AG20 to AG5. Citizen Neil Fleckenstein, with the Tall Timbers, stated this was one of the largest re-zonings he had ever seen proposed and that 300 more homes could potentially be allowed on this property if the change was made. He urged the Board to vote “no” on this proposed future land use map amendment. Citizen Bradley Williams, representing one of the properties requesting a classification change, stated that surrounding properties had higher densities and that his property should be the same as everyone else. Commissioner Barfield voiced concern over urban sprawl and a proliferation of septic tanks in an area with a sensitive environment. Commissioner Monroe stated that the land involved lent itself to larger lots/ranches and that property rights were involved. Commissioner Boyd stated he agreed with Commissioner Barfield and added that he had concerns with the proximity to the Wacissa River springs area. Commissioner Barfield stated that property owners should have concern for their neighbors and water resources. Citizen Paul Henry commented that AG5 could possibly generate more tax revenue in the future. Planning Official explained that until the EAR process complete, individual land owners could not apply for amendments to the Comp plan. Commissioner Boyd stated that zoning overlays could be an option in helping with the process. Commissioner Monroe stated that a concentrated dairy operation could be utilized the property involved under an AG20 classification and create more runoff issues. Commissioner Fulford asked if each parcel under Map Amendment 2011-05 could be addressed separately, to which Attorney Shirley responded in the affirmative. Chairman Fulford stated that if one of the parcels was voted to be removed from the agenda package, then it would be a dead issue. Citizen Georgia Ackerman with Protect the Wacissa Springs asked the Board to consider springs protection in regards to the Wacissa River and asked that in the future a work group be put together to discuss

springs protection. **On motion by Commissioner Barfield, seconded by Commissioner Boyd and failed 2 to 3 (Fulford, Monroe, Nelson opposed), the Board did not remove area E of Map Amendment 2011-05, the 1971.5 acres of area E. On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the Board approved Ordinance 2011-091511-01, EAR Comp Plan and FLUM Amendments, with staff changes and amendments.**

ITEM 6(b): PUBLIC HEARING – Ordinance No. 2011-072111-02
Aquifer Protection Ordinance (First Reading)

8. Attorney Scott Shirley introduced the ordinance by reading the title and introduction. He explained that water bottling procedures were distinguished from a water utility and that even if there was infrastructure to support water bottling facilities, a corresponding land classification would be required to support those operations. He further commented that the next step would be putting together an aforementioned springs protection group. **On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the Board approved Ordinance 2011-072111-02.** Chairman Fulford announced the second reading would be heard at the morning meeting in October.

ITEM 5(d): Update on Mine Contract with Randy Hatch

9. Commissioner Barfield stated that the committee had met and discussed the contract and that a proposed contract would be brought before the Board at the morning meeting in October.

ITEM 5(e): Interlocal Agreement Affirming Region 6 Workforce Consortium

10. Assistant County Coordinator John McHugh introduced this agenda item. **On motion by Commissioner Nelson, seconded by Commissioner Barfield and unanimously carried, the Board approved the Interlocal Agreement Affirming the Region 6 Workforce Consortium.**

ITEM 5(f): Legislative Priorities

11. Dick Bailar, representing the Legislative Committee, presented the list of priorities for Board approval. **On motion by Commissioner Barfield, seconded by Commissioner Monroe and unanimously carried, lobbying on behalf of the Jefferson County Health Department for Fixed Capital Outlay was added to the priority list.** Clerk of Court Kirk Reams asked that the pursuit of grant funding for the restoration of the Lamont School House to be used as a branch library be added to the list. **On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, Clerk Reams' request was approved and this was added to the priority list. On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the entire priority list was approved.**

ITEM 5(g): Grants Building Surplus / Sale Discussion / Decision

12. Chairman Fulford informed the Board he had received a call from a citizen interested in purchasing the building. Assistant County Coordinator John McHugh presented an outline of a possible parcel including the building and stated he would ask the city about the process of partitioning the property. Commissioner Boyd commented that there was

buildable land behind this property for the Solid Waste facility. Commissioner Barfield voiced concerns with costs associated with declaring the property surplus and accessibility issues if the Solid Waste facility was built elsewhere. Chairman Fulford stated that selling the property would free-up highway frontage and put land back on the tax roll, which was an argument for moving the Fire Station. Commissioner Barfield stated that she did not want to short-change the Solid Waste Department by taking away developable land. **On motion by Commissioner Barfield, seconded by Commissioner Boyd and unanimously carried, the decision to move forward with partitioning the parcel in accordance with city requirements while developing a site plan that meets the rest of the construction needs of the Solid Waste Department was approved.**

ITEM 5(h): Malloy Landing Closure / Alternative Boat Ramp Issue

13. Citizen Stephen Walker stated that the Boland family had not provided an alternative landing upon the closure of Malloy Landing Road. Chairman Fulford responded that pursuing an additional landing has been a priority and that he desired further information from Attorney Shirley regarding whose responsibility it was to provide such an alternative landing. Attorney Shirley responded that the county had several options, including legal action, and that he would do more research and report back to the Board. Citizen Harry Brumbley stated that he believe Commissioner Monroe should recuse himself from negotiating with the Boland family. Chairman Fulford volunteered to negotiate in his place.

ITEM 7(a): County Coordinator's Report / Department Head Reports

14. Assistant County Coordinator John McHugh presented the Department Head reports.

ITEM 7(b): County Coordinator's Report / Wacissa River Boat Ramp

15. Assistant County Coordinator John McHugh stated that the impact to the wetlands due to the new boat ramp had been removed and that the county was looking at options for permitting, including dredging the canal. **On motion by Commissioner Monroe, seconded by Commissioner Boyd and unanimously carried, the Board approved beginning the permitting process as soon as possible.**

ITEM 8: Citizens' Forum

16. Citizen Jeff Granger asked when the County Attorney's contract was up for review. Attorney Bird responded that the review was at the pleasure of the Board. Commissioner Barfield stated that it was the right time and the duty of the Board to take a look at attorney services. Chairman Fulford commented that these services were typically not bid. Commissioner Barfield asked this to be placed on the agenda for the next meeting. Chairman Fulford stated that selection was based on qualifications, not price.
17. Citizen Paul Henry gave an update on community help provided to Mrs. Johnson-Bellamy's living situation and stated that communities could help each other without the need for federal assistance programs. Citizen Dick Bailar responded that Mrs. Johnson-Bellamy was in line to get a home and that any work done on her current home could disqualify her from receiving funds.
18. Citizen Harry Brumbley stated that County Coordinator Roy Schleicher should be reprimanded for wielding power he did not have when he placed a letter of reprimand in Road Superintendent David Harvey's file.

19. Citizen Roger Walker asked about a county ordinance related to dogs at the head of the Wacissa River. Attorney Bird stated that the ordinance mentioned was no longer in effect. Commissioner Monroe stated this needed to be addressed in the future.
20. Citizen C.P. Miller stated that Solid Waste Director Beth Letchworth should be treated better and that the footprint of the Solid Waste Department should be protected.

ITEM 9: Commissioner Discussion Items

21. Clerk of Court Kirk Reams requested that Citizen Paul Michael be appointed to the Value Adjustment Board, as no citizens applied for the position. Commissioner Barfield stated she would like more of an opportunity in the future to make suggestions. **On motion by Commissioner Nelson, seconded by Commissioner Monroe and unanimously carried, the Board approved Paul Michael as the citizen appointee to the Value Adjustment Board upon the completion of volunteer application.**
22. Commissioner Boyd informed the Board that the contractor that constructed part of Industrial Park Road was asking to be paid. He stated that the County Engineer and Road Superintendent David Harvey stated that the road was sufficient and that the Board should accept the fact that it was not built to specifications. Commissioner Barfield stated she would like to hear from Engineer Alan Wise on this issue before making a decision.
23. Commissioner Boyd requested having a workshop to discuss improvements at the Solid Waste sites. A workshop was set for October 10th at 6 pm at the Jefferson County Courthouse Annex.
24. Chairman Fulford stated that re-districting workshops needed to be scheduled before the end of the year. Commissioner Barfield responded that the prison count issue needed to be addressed.
25. The warrant register was reviewed and bills ordered paid.

ITEM 10: Adjournment

26. **On motion by Commissioner Monroe, seconded by Commissioner Nelson and unanimously carried, the meeting was adjourned.**

Attest: _____
Clerk

Chairman