



BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

Benjamin "Benny" Bishop
District 1

John Nelson, Sr.
District 2

Hines F. Boyd
District 3

Betsy Barfield
District 4

Stephen Walker
District 5

**Regular Session Agenda
November 15, 2012 at the Courthouse Annex
1 Courthouse Circle Monticello, FL 32344**

1. **6:00 P.M. – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
 - a) **Recognition of Outgoing Commissioners Stephen Fulford and Danny Monroe**
3. **Installation of Commissioners Benny Bishop, Hines Boyd, and Stephen Walker**
4. **Election of Chair**
5. **Election of Vice-Chair**
6. **Consent Agenda**
 - a) **Approval of Agenda**
7. **Citizens Request & Input on Non-Agenda Items (3 Minute Limit, No Commissioner Discussion)**
8. **General Business**
 - a) **Scheduling Workshop for Committes & Boards/Planning & Orientation**
 - b) **Maintenance of Subdivision Roads**
 - c) **Septic Tank Inspection Opt-Out Issue/Discussion**
 - d) **Requested Resolution on Long-Term Debt – Commissioner Boyd**
9. **PUBLIC HEARING: ORDINANCE NO. 2012-111512-01 – GAS TAX REVENUE ROAD BOND SERIES 2012**
10. **County Coordinator's Report**
 - a) **Road Construction Report**
11. **Citizen's Forum (3 Minute Limit, Commissioner Discussion Allowed)**
12. **Commissioner Discussion Items**
13. **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

Parrish Barwick
County Coordinator

Bird & Sparkman, P.A.
County Attorney

**ITEM 8(a): SCHEDULING WORKSHOP
SESSION FOR COMMITTEES &
BOARDS/PLANNING & ORIENTATION**

Boards - Requiring Commission Appointments

Commissioner

Apalachee Regional Planning Agency
Rural Area of Critical Economic Concern
Capital Regional Transportation Planning Agency
Acilla Landfill Governing Board
North Florida Broadband Authority

Commissioner Barfield

Commissioner Boyd

Citizen Boards & Committees

Affordable Housing Advisory Committee
Responsible Staff - Lola Hightower

Chair

Members

Dick Bailar
Larry Freeman
Bill Gunnels
Fred Mosley
Thomas Scott
Katrina Walton
James Yeager
Bud Wheeler

County Construction Licensing Board

County Board
Responsible Staff - Wallace Bullock

Chair

Members

Bill Nelson
Dick Bailar
Tom LaMotte
Michael Schweir
Mark Kessler

Animal Control-Dangerous Animal Classification

Responsible Staff - Beth Letchworth

Ms. Cay Curtis, Interested Citizen
Mr. Mark Positano, Health Department
Major Bill Bullock, Sheriff's Department

Members

Economic Development Council (EDC)

Responsible Staff - Julie Conley

BOCC Appointees

County Commissioner Stephen Fulford Ex Officio
City Council Member John Jones Ex Officio

School Board Appointee

School Board Member Marianne Arbulu

Regional Workforce Development Board Appointee

Sheryl Rehberg

Chamber of Commerce Appointee

Ron Cichon (Chair)

Other Members per By-laws

Frank Blow
Monty Morgan

County Coordinator Parrish Barwick Ex Officio

Legislative Committee

Elected Officials - Category 1

Administrative Personnel - Category 2

Past Legislators & Lobbyists - Category 3

Members

City Council Member John Jones
County Commissioner (Chair)
School Board Member Marianne Arbulu
Property Appraiser Angela Gray

EDC E.D. Julie Conley
Chamber E.D. Mary Frances Gramling
County Coordinator Parrish Barwick
Department of Health
County Extension Agent John Lilly

Friends of the Library

Responsible Staff - Kitty Brooks

Members

Carl Hanks - President
Gene Greenwood
Elizabeth Robinson
Arnold Burkart
Diane Simpson
Timothy Hildreth
Bill Schaubel
Betty Messer

Library Advisory Board

Responsible Staff -Kitty Brooks

Members

Betty Messer
Marianne Miller
Quay Sylvester
Edna Henry

Parks & Recreation Advisory Board

Responsible Staff - Mike Holm

Members

Michele Brantley
Curtis Green
Steve Register
County Commissioner Gene Hall
Thomas "Bobo" Chancy

Planning Commission

Responsible Staff - Bill Tellefsen

Members

Nick Prine
Roy Faglie
Bud Wheeler
Pat Murphy
Corwin Padget
Thomas (Bobo) Chancy
John Floyd Walker
George Cole, Chair
Cindy Lee
C.P. Miller

Tourist Development Council - Non-County Board

Responsible Staff - Nancy Wideman

Members

Government Representative - City	City Council Member John Jones City Clerk Emily Anderson
Government Representative - County	County Commissioner Danny Monroe
Lodging/Accommodations	Gretchen Avera (Chair) Clyde Simpson
Tourism Industry	Merry Ann Frisby Jim Dulock Mary Frances Gramling
Other Interested Persons	Tim Peary Dick Bailar Julie Conley Arun Kundra

Utility Coordinating Committee

Responsible Staff - Bruce Mitchell

Members

Bob Cooper, Jefferson Community Water, Inc. (Chair)
Anthony Black, CenturyLink
Juan Dacosta, Progress Energy
Carl Hackle, Tri-County Electric Cooperative
David Harvey, Jefferson County Road Department
Bruce Mitchell, Jefferson County Road Department
Buddy Westbrook, American Underground Utilities
Steven Wingate, City of Monticello

**ITEM 8(c): SEPTIC TANK INSPECTION OPT-
OUT ISSUE/DISCUSSION**

RESOLUTION

A RESOLUTION THE BOARD OF COUNTY COMMISSIONERS, TAYLOR COUNTY, FLORIDA, OPTING TAYLOR COUNTY OUT OF THE NEW STATUTORY REQUIREMENT TO IMPLEMENT A LOCAL SEWAGE TREATMENT AND DISPOSAL SYSTEM EVALUATION AND ASSESSMENT PROGRAM BY ORDINANCE; INFORMING THE FLORIDA SECRETARY OF STATE OF THE SAME; PROVIDING FOR THE TRANSMISSION OF A CERTIFIED COPY OF THIS RESOLUTION TO THE FLORIDA SECRETARY OF STATE; AUTHORIZING THE CHAIRMAN TO SIGN THIS RESOLUTION; AUTHORIZING THE CHAIRMAN TO SIGN THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 27, 2012, Governor Rick Scott signed CS/HB 1263 into law as Chapter 2012-184, Laws of Florida; and

WHEREAS, the Act creates a new statute, Florida Statute 381.00651, governing local government septic tank inspection programs; and

WHEREAS, subpart (2) of the newly-enacted Florida Statute 381.00651 requires counties that contain a “first magnitude spring” to “develop and adopt by local ordinance an onsite sewage treatment and disposal system evaluation and assessment program” (i.e., septic tank inspection program) on or before January 1, 2013; and

WHEREAS, Florida Statute 381.00651(2), allows counties to “opt-out” of the above-stated mandate if a supermajority of the county’s governing body adopts “a resolution that indicates an intent on the part of such local government not to adopt an onsite sewage treatment and disposal system evaluation and assessment program”; and

WHEREAS, Taylor County contains a river-rise that has been classified as a first magnitude spring, namely Nutall Rise, within its geographic boundaries; and

WHEREAS, a supermajority of the Taylor County Board of County Commissioners desires to exclude Taylor County from Florida Statute, 381.00651's mandate to enact an onsite sewage treatment and disposal system evaluation and assessment ordinance;


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TAYLOR COUNTY, FLORIDA, AS FOLLOWS:

1. The recitals above are incorporated herein by reference and made a part hereof.
2. The Taylor County Board of County Commissioners hereby notifies the Florida Secretary of State that a supermajority of its members has voted to opt Taylor County out of Florida Statute 381.00651's mandate to enact an onsite sewage treatment and disposal system evaluation and assessment ordinance.
3. The Chairman is hereby authorized to sign this Resolution.
4. The Clerk of the Court shall send a true and correct copy of this Resolution to the Florida Secretary of State as required by Florida Statute 381.00651.
5. This Resolution shall take effect immediately upon adoption.

PASSED in regular session this 4th day of June 2012.



ATTEST:


ANNIE MAE MURPHY, CLERK

BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA

BY: 

PATRICIA PATTERSON, CHAIR

**ITEM 8(d): REQUESTED RESOLUTION ON
LONG TERM DEBT BY COMMISSIONER
BOYD**

RESOLUTION NO. 1-111512-01

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS REQUIRING A REFERENDUM
FOR CERTAIN LONG TERM DEBT

WHEREAS it is the intent of the Board to maintain a financially strong government;

WHEREAS incurring excessive long term debt may threaten the financial health of county government;

WHEREAS the addition of substantial long term debt for a reasonable cause should have the consent voters;

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

1. Any long term debt to be paid over a period of ten years or more and exceeding total borrowing of \$2,000,000 or more shall require the approval of county voters in a referendum election.
2. The provisions of this resolution shall be codified in an ordinance adopted by this Board.

RESOLVED this 15th day of November 2012.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA

BY: _____
Kirk Reams, Clerk

BY: _____
_____, Chairman
(As approved by the Board on November 15, 2012)

**ITEM 9: PUBLIC HEARING- ORDINANCE NO.
2012-111512-01 – GAS TAX REVENUE ROAD
BOND SERIES 2012**

JEFFERSON COUNTY ORDINANCE NO. - 2012-111512-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA AUTHORIZING THE ISSUANCE OF GAS TAX REVENUE BONDS PAYABLE FROM SPECIFIED REVENUE SOURCES; SUCH BONDS TO BE ISSUED FOR THE PRINCIPAL PURPOSE OF FINANCING THE COSTS OF CERTAIN TRANSPORTATION IMPROVEMENTS WITHIN THE COUNTY; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly otherwise requires:

"Board" shall mean the Board of County Commissioners of Jefferson County, Florida.

"Bonds" shall mean revenue bonds issued by the County pursuant to this Ordinance, payable solely from Pledged Funds.

"Constitutional Gas Tax" shall mean the tax of two cents per gallon on motor fuel levied by Section 206.41, Florida Statutes, and allocated to the County pursuant to the provisions of Section 206.47, Florida Statutes.

"County" shall mean Jefferson County, a political subdivision of the State of Florida.

"Gas Tax Revenues" shall mean the revenues derived by the County from the Constitutional Gas Tax.

"Pledged Funds" shall mean the Gas Tax Revenues.

"Project" shall mean the acquisition and construction of transportation improvements in and for the County, from time to time.

The words "herein," "hereunder," "hereby," "hereto," "hereof," and any similar terms shall refer to this Ordinance.

Words importing the singular number include the plural number, and vice versa.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that it is in the best interests of the citizens and taxpayers of the County to issue its revenue bonds for the purpose of financing the costs of the Project.

SECTION 3. ISSUANCE OF REVENUE BONDS.

(a) The Board shall have the power and it is hereby authorized to provide by resolution, at one time or from time to time in series, for the issuance of Bonds of the County, or notes in anticipation thereof, for transportation improvements and for the acquisition and construction from time to time of various Projects. The principal of and interest on each series of Bonds shall be payable solely from the Pledged Funds. The County may grant a lien upon and pledge such funds and revenues in favor of the holders of each series of Bonds in the manner and to the extent provided in the resolution authorizing the issuance thereof. Such funds and revenues shall immediately be subject to such lien without any physical delivery thereof and such lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County.

The Bonds of each series shall be dated, shall bear interest at such rate or rates, shall mature at such time or times not exceeding 40 years from their date or dates, as may be determined by the Board, and may be made redeemable before maturity, at the option of the County, at such price or prices and under such terms and conditions as may be fixed by the Board prior to the issuance of such Bonds. The Board shall determine the form of the Bonds, the manner of executing such Bonds, and shall fix the denomination or denominations of such Bonds and the place or places of payment of the principal and interest, which may be at any bank or trust company within or without the State of Florida. In case any officer whose signature or a facsimile of whose signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. The Board may sell such Bonds in such manner and for such price as it may determine to be for the best interests of the County.

Prior to the preparation of definitive Bonds of any series, the Board may, under like restrictions, issue interim receipts, interim certificates, or temporary Bonds, with or without coupons, exchangeable for definitive Bonds when such Bonds have been executed and are available for delivery. The Board may also provide for the replacement of any Bonds which shall become mutilated, or be destroyed or lost. Bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this Ordinance.

(b) The proceeds of any series of Bonds shall be used solely for purposes of acquiring and constructing and refinancing the Project as set forth in Section 3(a) above, and shall be disbursed in such manner and under such restrictions, if any, as the Board may provide.

(c) The resolution providing for the issuance of any series of Bonds may also contain such limitations upon the issuance of additional Bonds as the Board may deem proper, and such additional Bonds shall be issued under such restrictions and limitations as may be prescribed by such resolution.

SECTION 4. TAXING POWER NOT PLEDGED.

(a) Bonds issued under the provisions of this Ordinance shall not be deemed to constitute a general obligation debt of the County or a pledge of the faith and credit of the County, but such Bonds shall be payable solely from the sources set forth in Section 3(a) hereof and in the resolution of the County providing for the issuance of such Bonds. All Bonds shall contain a statement on their face to the effect that the County is not obligated to pay the same or the interest thereon except from

the sources set forth in Section 3(a) hereof and in the resolution of the County providing for the issuance of such Bonds, and that the faith and credit of the County are not pledged to the payment of the principal or interest of such Bonds.

(b) The issuance of Bonds under the provisions of this Ordinance shall not directly or indirectly or contingently obligate the County to levy or to pledge any form of ad valorem taxation whatever therefor. No holder of any such Bonds shall ever have the right to compel any exercise of the ad valorem taxing power on the part of the County to pay any such Bonds or the interest thereon or to enforce payment of such Bonds or the interest thereon against any property of the County, nor shall such Bonds constitute a charge, lien or encumbrance, legal or equitable, upon any property of the County, except the aggregate revenues described in Section 3(a) hereof and in the resolution authorizing the issuance of such Bonds.

SECTION 5. TRUST FUNDS. All moneys received pursuant to the authority of this Ordinance, whether as proceeds from the sale of Bonds or the revenues described in Section 3(a) hereof and in the resolution authorizing the issuance of such Bonds, shall be deemed to be trust funds, to be held and applied solely as provided in this Ordinance and in the resolution authorizing issuance of the Bonds. The Board shall, in the resolution authorizing the issuance of any series of Bonds, provide for the payment of the proceeds of the sale of such Bonds and the revenues to be received to any officer who, or to any agency, bank or trust company which, shall act as custodian of such funds, and hold and apply the same to the purposes hereof, subject to such regulations as this Ordinance and such resolution may provide.

SECTION 6. REMEDIES OF BONDHOLDERS. Any holder of Bonds, except to the extent the rights herein given may be restricted by the resolution authorizing issuance of such Bonds, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted hereunder or under such resolution, and may enforce and compel the performance of all duties required by this part, or by such resolution, to be performed by the County or the Board or by any officer thereof.

SECTION 7. ALTERNATIVE METHOD. This Ordinance shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Ordinance, being necessary for the welfare of the inhabitants of the County, shall be liberally construed to effect the purposes thereof.

SECTION 8. EFFECTIVE DATE. In accordance with Section 125.66(3), Florida Statutes, a certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners as soon after the enactment as is practicable and this Ordinance shall take effect when a copy has been accepted by the U.S. Postal Service for special delivery by registered mail to the Department of State.

DULY ENACTED in regular session, this ____ day of _____, 2012.

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

(SEAL)

By: _____
Chairman

ATTEST:

Clerk