



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
December 6, 2012 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344**

1. **9:00 A.M. – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
 - a) **Presentation of Regional Landfill Refund Check – Frank Darabi/John McHugh**
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) **North Florida Workforce Development Board Inter-local Agreement – Sheryl Rehberg**
 - b) **FEMA Maps Presentation – Bill Tellefsen/Scott Shirley**
 - c) **Road Construction Cost Scenarios – Commissioner Boyd**
 - d) **Dragline Discussion – Randy Hatch**
 - e) **Sidewalk Project Prioritization – Alan Wise/Kirk Reams**
 - f) **Emergency Ambulance Purchase Request – Mark Matthews**
 - g) **Boards and Committee Assignments/Appointments – Parrish Barwick/Chairman Nelson**
6. **County Coordinator's Report**
 - a) **Road Construction Update**
 - b) **Christmas Gift Certificates**
7. **Citizen's Forum (3 Minute Limit, Commissioner 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

Parrish Barwick
County Coordinator

Bird & Sparkman, P.A.
County Attorney
Page 1 of 54

**ITEM 5(a): NORTH FLORIDA WORKFORCE
DEVELOPMENT BOARD INTERLOCAL
AGREEMENT**

INTERLOCAL AGREEMENT

Affirming the Region 6 Workforce Consortium

THIS AGREEMENT entered into by and between the following parties: Hamilton County, Jefferson County, Lafayette County, Madison County, Suwannee County and Taylor County, political subdivisions of the State of Florida; and the North Florida Workforce Development Board, Inc. for the Local Workforce Investment Area comprised of the Hamilton, Jefferson, Lafayette, Madison, Suwannee and Taylor counties pursuant to Federal Public Law 105-220 (Workforce Investment Act of 1998 – Title I) and the State of Florida Workforce Act of 1996, as amended.

WITNESSETH that:

WHEREAS, Federal Public Law 105-220 (Workforce Investment Act of 1998 – Title I) enacted by the Congress of the United States and signed into Law by the President of the United States and the State of Florida Workforce Act of 1996, as amended, has developed a unified training system that will increase the employment, retention and earnings by participants, and as a result improve the quality of the workforce, reduce welfare dependency, and enhance productivity and competitiveness; and

WHEREAS, Workforce Investment Act of 1998 (WIA) requires the Governor to designate Local Workforce Investment Act to promote the effective delivery of job training services and further provides that a consortium of general purpose local governments may constitute such an area; and

WHEREAS, the Board of County Commissioners of each of the parties to this agreement desires that its county be included in a regional economic development and job training program to avail its citizens of the benefits of WIA; and

WHEREAS, the Governor has designated the parties to this Agreement as a Workforce Region (WR) for the purposes of the WIA; and

WHEREAS, the WIA requires the establishment of a Regional Workforce Board (RWB) to provide policy guidance for, and exercise oversight with respect to, activities under the job training program for its workforce development region in partnership with the general purpose local governments (County Commissions) within its WR; and

WHEREAS, the Board of County Commissioners of each of the parties to this Agreement desires that the RWB created hereby be known as the North Florida Workforce Development Board (NFWDB); and

WHEREAS, it is the responsibility of the Board of County Commissioners of each county in the WR to appoint members to the NFWDB in partnership with local business associations and economic development organizations in accordance with the WIA and an Agreement entered by the Board of County Commissioners of each county; and

WHEREAS, it is the responsibility of the NFWDB, in accordance with an agreement with the Board of County Commissioners of each county in the WR, to determine procedures and policies so as to develop a WIA plan, and select a grant recipient, fiscal agent, administrative entity, and designate a One-Stop Operator.

WHEREAS, the Local WIA Plan must be approved and submitted jointly by the NFWDB and the Region 6 Workforce Consortium (Hamilton, Jefferson, Lafayette, Madison, Suwannee and Taylor County Commissions).

NOW, THEREFORE, The parties agree as follows:

1. Establishment of Region 6 Workforce Consortium

There is hereby established a multi-jurisdictional arrangement (hereinafter called the “Region 6 Workforce Consortium”) among all the parties hereto for the express purpose of collectively carrying out the individual responsibilities of each party to this Agreement under the WIA. The Region 6 Workforce Consortium shall consist of the Boards of County Commissions from the six member counties, each voting as an individual entity.

2. Identification of Parties to this Agreement

Each of the parties to this Agreement is a county of the State of Florida, and as such is for general purposes a political subdivision which has the power to levy taxes and spend funds, as well as general corporate and police powers. The governing body of each of the parties to this Agreement is its Board of County Commissioners and each party to this Agreement is identified as follows:

**Board of County Commissioners
Hamilton County, Florida**

**Board of County Commissioners
Jefferson County, Florida**

**Board of County Commissioners
Lafayette County, Florida**

**Board of County Commissioners
Madison County, Florida**

**Board of County Commissioners
Suwannee County, Florida**

**Board of County Commissioners
Taylor County, Florida**

3. Geographical Area to be Served by this Agreement

The geographical areas which will be served by this agreement is 4,125 square miles, and includes all of the six (6) member counties, which are legally described in Florida Statutes.

4. Size of the Population to be Served

The population of the six (6) county area to be served by this Agreement is 123,000 based upon 2010 data; prepared by Florida Research & Economic Database, Tallahassee, Florida.

5. Agreement Not Prohibited by Law

State or local law does not prohibit this Agreement.

6. Responsibilities of Region 6 Workforce Consortium

The parties to this Agreement hereby authorize the Region 6 Workforce Consortium to exercise all decision-making powers, delegated to the Board of County Commissioners of each county pursuant to the WIA. **More specifically:**

- A. To appoint the members of the NFWDB, in accordance with Section 117 of Title I of the WIA and Section 7 of this Agreement, which will serve the functions described Section 117(d) of Title I of the WIA;
- B. Enter into an agreement with the NFWDB to designate it the grant recipient, an entity to administer the WIA, a fiscal agent, and a One-Stop operator as described in Section 117(d) of Title I of the WIA and the State of Florida Workforce Act of 1996, as amended;
- C. To review and approve all plans prepared under Section 177(d) of Title I of the WIA and jointly submit, along with the NFWDB, said plans to the Governor; and
- D. To perform any other appropriate duties necessary for the accomplishment of and consistent with the purposes of this Agreement and the WIA and the State of Florida Workforce Act of 1996, as amended.

7. Affirmation, Composition, and Appointment of the Regional Workforce Board (RWB)

The NFWDB is constituted in accordance with the requirements of Section 117 of the WIA and the State of Florida Workforce Act of 1996. The minimum NFWDB membership shall number nineteen

(23) and must remain compliant with the WIA and the State of Florida Workforce Act of 1996, as amended.

A. Members shall be appointed for fixed terms and may serve until their successors are appointed.

Any vacancy in the membership of the NFWDB shall be filled in the same manner as the original appointment. Any member of the NFWDB may be removed for cause in accordance with bylaws established by the NFWDB, and/or per state legislative authority given the Governor.

B. A majority of the NFWDB shall be representative of the private sector, who shall be owners of business concerns, chief executives, or chief operating officers of non-governmental employers, or other private sector executives who have substantial management or policy responsibility. The chairman of the NFWDB shall be a representative of the private sector and shall be selected by the membership of the NFWDB.

C. The private sector representatives on the NFWDB shall number no less than a majority (51%) of the total membership and shall be selected in the following manner:

1. Nominations for the private sector seats shall be submitted to the respective County Commissions by local business organizations including local chambers of commerce, downtown merchants associations, area business associations, economic development organizations, etc., but must be compliant with the WIA and State of Florida Workforce Act of 1996 as amended.
2. Such persons nominated by the County Commissions and appointed by the consortium for the NFWDB shall be representative of the business community. In addition, the number of private sector seats shall be governed by state rule, and all efforts must be made to assure representation from all six participating counties.

D. Eleven (11) board memberships are specified in the State of Florida Workforce Act of 1996 and subsequent rulings in HB 7023 of 2012 Florida Legislative Session.

1. The following members are not nominated by the County Commissions or their designee, but are seated as specified in the State of Florida Workforce Act of 1996:

- (A) A representative of post-secondary training (1);
- (B) A Public School (K-12) Representative (1);
- (C) Two (2) economic development representatives;
- (D) One (1) Vocational Rehabilitation representative designated by the agency's service delivery area director;
- (E) One (1) Department of Children and Families representative (District 3, representing five of the six counties) designated by the Northeast Florida District of Florida Department of Children and Families;
- (F) One (1) representative of a Senior Community Service Employment Program;
- (G) One (1) representative of an organization providing services to disabled persons;
- (H) Two (2) organized labor union representatives;
- (I) One (1) community based organization representative.

8. Local Workforce Investment Area designation

Pursuant to the designation by the Governor, the six (6) counties constituting the RWB shall be a Local Workforce Investment Area (LWIA) as provided for in Section 116 of Title I of the WIA for the geographical area covered by this Agreement.

9. No Local Funds Required of Counties

No funds will be provided from the treasuries of any of the parties to this Agreement for implementation of the WIA, it being the intent, hereof, that all funding of the WIA shall be accomplished entirely by grants pursuant to the WIA and any other available State or Federal grants.

10. Termination/ Duration of Agreement

This Agreement becomes effective upon acceptance by all parties and shall have the duration equal to the period that the RWB designation remains in effect for the geographical areas covered by this Agreement. Any party to this Agreement may withdraw from, thereby terminating this Agreement by passing a resolution to such effect and giving proper written notice to all parties.

11. Effective Date

This Agreement and any amendments hereto shall be effective between and among each county adopting this Agreement and any amendments hereto upon filing this Agreement and any amendments thereto with the Clerk of the Circuit Court in their respective county.

12. Amendment(s)

It is agreed that no modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

13. Notice

Whenever a party desires to give notice unto the other, notice must be given in writing sent by registered United States mail with Return Receipt Requested, addressed to the party for whom it is intended and the place last specified for giving such notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective place or giving notice, to with:

Hamilton County
Chairman, Hamilton County Commission
207 N. E. 1st. St., Rm 106
Jasper, Florida 32052

Jefferson County
Chairman, Jefferson County Board of County Commissioners
Courthouse, Rm 10
Monticello, Florida 32344

Lafayette County
Chairman, Lafayette County Board of County Commissioners
PO Box 88
Mayo, Florida 32066

Madison County
Chairman, Madison County Board of County Commissioners
PO Box 539
Madison, Florida 32341

Suwannee County
Chairman, Suwannee County Board of County Commissioners
224 Pine Avenue
Live Oak, Florida 32064

Taylor County
Chairman, Taylor County Board of County Commissioners
PO Box 620
Perry, Florida 32348

North Florida Workforce Development Board
Chairman
705 E. Base St.
Madison, Florida 32340

14. Performance

The performance of the Regional Workforce Board for Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor counties or any of their obligations under this Agreement shall be subject to and contingent upon the availability of Federal, State, or other grant funds.

15. Survivability

If one section, subsection or part of this Agreement is found to be invalid in its compliance with the enabling Florida Statute, or is contested and successfully challenged in a court of law or other legal forum, then in any said event only that section, subsection or part that has been affected by such proceedings shall be changed or deleted and the remainder of this Agreement shall maintain its full force and effect and shall remain legally binding on all parties hereto.

SIGNATORY PAGE-HAMILTON COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Hamilton County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____ DATE: _____

SEAL

SIGNATORY PAGE-LAFAYETTE COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Lafayette County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____ DATE: _____

S E A L

SIGNATORY PAGE-MADISON COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

MADISON COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Madison County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

MADISON COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____ DATE: _____

S E A L

SIGNATORY PAGE-SUWANNEE COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

SUWANNEE COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Suwannee County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

SUWANNEE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____

DATE: _____

S E A L

SIGNATORY PAGE-JEFFERSON COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Suwannee County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____

DATE: _____

S E A L

SIGNATORY PAGE-TAYLOR COUNTY

INTERLOCAL AGREEMENT

BETWEEN THE

TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Taylor County, of the State of Florida, and

AS APPROVED in regular session of the Commission, do hereby agree and acknowledge this _____ day of _____, 2012.

TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

ATTEST: _____

DATE: _____

S E A L

SIGNATORY PAGE-NFWDB

INTERLOCAL AGREEMENT

BETWEEN THE

HAMILTON, JEFFERSON, LAFAYETTE, MADISON, SUWANNEE and TAYLOR COUNTY

BOARDS OF COMMISSIONERS

AND THE

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

THIS INTERLOCAL AGREEMENT, made and entered into pursuant to the authority of Section 163.01, Florida Statutes, by the passing of a resolution to effect the contents of this agreement, and to the betterment of the citizens of Hamilton, Jefferson, Lafayette, Madison, Suwannee and Taylor Counties, of the State of Florida, and

AS APPROVED in regular session of the Board of Directors, do hereby agree and acknowledge this _____ day of _____, 2012.

NORTH FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

By: _____
J. Douglas Whitaker, Chairman

ATTEST: _____

DATE: _____

S E A L

NFWDB MEMBERSHIP ROSTER
OCTOBER 2012

First Name	Last Name	Sector	County	WIA Required	Business Sector
Jim	Brannan	Post Secondary Training Provider	Taylor	x	
Dennis	Cason	Economic Development	Suwannee	x	
Evelyn	Day	Private Sector	Taylor		x
S.W.	Ellis	Private Sector	Jefferson		x
Tom	Cappallino	Older Workers-Experience Works	Regional	x	
Allison	Gill	Vocational Rehabilitation	Suwannee	x	
Darlene	Hagan	Private Sector	Madison		x
Coy	Howell	Private Sector	Suwannee		x
Mike	Hunter	Private Sector	Taylor		x
Sam	Stalnaker	Secondary Schools	Madison	x	
Adrian	Kinsey	Community Based Org	Madison	x	
Paul	Kovary	Private Sector	Leon		x
Paul	Millington	Labor Union	Suwannee	x	
Ronnie	Moore	Labor Union	Madison	x	
Karen	Page	DCF	Columbia	x	
Matt	Pearson	Low Income Individuals	Lafayette	x	
Michael	Reichman	Private Sector	Jefferson		x
Debbie	Reid	Private Sector	Hamilton		x
Randy	Trammell	Private Sector	Taylor		x
Tom	Tuckey	Private Sector	Madison		x
Doug	Whitaker	Private Sector	Hamilton		x
Scott	Frederick	Economic Development	Taylor	x	
Jim	Garrison	Private Sector-Large employer	Hamilton		x
				11	12

ITEM 5(b): FEMA MAPS PRESENTATION



FEMA

November 20, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
Case No.: 08-04-1048S

The Honorable Stephen Fulford
Chairman, Jefferson County
Board of Commissioners
1 Courthouse Circle
Monticello, Florida 32344

Community: Jefferson County, Florida
(Unincorporated Areas)
Community No.: 120331

APPEAL START

Dear Chairman Fulford:

On May 18, 2012, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided your community with Preliminary copies of the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Jefferson County, Florida and Incorporated Areas. FEMA has posted digital copies of these FIRM and FIS report materials to the following Website: <http://portal.nwfwmdfloodmaps.com>. The Preliminary FIRM and FIS report include proposed flood hazard information for certain locations in the Unincorporated Areas of Jefferson County. The proposed flood hazard information may include addition or modification of Special Flood Hazard Areas, the areas that would be inundated by the base (1-percent-annual-chance) flood; base flood elevations or depths; zone designations; or regulatory floodways.

We have published a notice of the proposed flood hazard determinations in the FEDERAL REGISTER and will publish a public notification concerning the appeal process (explained below) in the Monticello News on or about November 28, 2012, and December 5, 2012. We will also publish a separate notice of the flood hazard determinations on the "Flood Hazard Determinations on the Web" portion of the FEMA Website (www.fema.gov/plan/prevent/fhm/bfe). We have enclosed copies of the notice published in the FEDERAL REGISTER and the newspaper notice for your information.

These proposed flood hazard determinations, if finalized, will become the basis for the floodplain management measures that your community must adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). However, before any new or modified flood hazard information is effective for floodplain management purposes, FEMA is providing community officials and citizens an opportunity to appeal the proposed flood hazard information presented on the preliminary revised FIRM and FIS report posted to the above-referenced Website.

Section 110 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) is intended to ensure an equitable balancing of all interests involved in the setting of flood hazard determinations. The legislation provides for an explicit process of notification and appeals for your community and for private persons prior to this office making the flood hazard determinations final. The appeal procedure is outlined below for your information and in the enclosed document titled *Criteria for Appeals of Flood Insurance Rate Maps*.

During the 90-day appeal period following the second publication of the public notification in the above-named newspaper, any owner or lessee of real property in your community who believes his or her property rights will be adversely affected by the proposed flood hazard determinations may appeal to you, or to an agency that you publicly designate. It is important to note, however, that the sole basis for such appeals is the possession of knowledge or information indicating that the proposed flood hazard determinations are scientifically or technically incorrect. The appeal data must be submitted to FEMA during the 90-day appeal period. Only appeals of the proposed flood hazard determinations supported by scientific or technical data can be considered before FEMA makes its final flood hazard determination at the end of the 90-day appeal period. Note that the 90-day appeal period is statutory and cannot be extended. However, FEMA also will consider comments and inquiries regarding data other than the proposed flood hazard determinations (e.g., incorrect street names, typographical errors, omissions) that are submitted during the appeal period, and may incorporate any appropriate changes to the FIRM and FIS report before they become effective.

If your community cannot submit scientific or technical data before the end of the 90-day appeal period, you may nevertheless submit data at any time. If warranted, FEMA will revise the FIRM and FIS report through the Letter of Map Change (LOMC) after the effective date. This means that the FIRM would be issued with the flood hazard information presently indicated, and flood insurance purchase requirements would be enforced accordingly, until such time as a revision could be made.

Any interested party who wishes to appeal should present the data that tend to negate or contradict our findings to you, or to an agency that you publicly delegate, in such form as you may specify. We ask that you review and consolidate any appeal data you may receive and issue a written opinion stating whether the evidence provided is sufficient to justify an official appeal by your community in its own name or on behalf of the interested parties. Whether or not your community decides to appeal, you must send all copies of individual appeals and supporting data, if any, to:

Mr. Jerrick Saquibal, P.E., CFM
Northwest Florida Water Management District
81 Water Management Drive
Havana, FL 32333-4712
Email: Jerrick.Saquibal@nwfwmnd.state.fl.us
Phone: (850) 539-5999 ext. 228

or

Mr. James Link
Suwannee River Water Management District
9225 CR 49
Live Oak, Florida 32060
Email: link_j@srwmd.state.fl.us
Phone: (386) 362-1001

If we do not receive an appeal or other formal comment from your community in its own name within 90 days of the second date of public notification, we will consolidate and review on their own merits such appeal data and comments from individuals that you may forward to us, and we will make such modifications to the proposed flood hazard information presented on the FIRM and in the FIS report as may be appropriate. If your community decides to appeal in its own name, all individuals' appeal data must be consolidated into one appeal by you, because, in this event, we are required to deal only with the local government as representative of all local interests. We will send our final decision in writing to you, and we will send copies to the community floodplain administrator, each individual appellant, and the State NFIP Coordinator.

All appeal submittals will be resolved by consultation with officials of the local government involved, by an administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. If you are unsatisfied with the appeal resolution, use of a Scientific Resolution Panel (SRP) is also available to your community in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. An SRP is an option after FEMA and community officials have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Please refer to the enclosed "Scientific Resolution Panels" fact sheet for additional information on this resource available to your community.

FEMA will make the reports and other information used in making the final determination available for public inspection. Until the conflict of data is resolved and the FIRM becomes effective, flood insurance available within your community will continue to be available under the effective NFIP map, dated July 16, 1991, and no person shall be denied the right to purchase the applicable level of insurance at chargeable rates.

The decision by your community to appeal, or a copy of its decision not to appeal, should be filed with this office no later than 90 days following the second publication of the flood hazard determination notice in the above-named newspaper. Your community may find it appropriate to call further attention to the proposed flood hazard determinations and to the appeal procedure by using a press release or other public notice.

If warranted by substantive changes, during the appeal period we will send you Revised Preliminary copies of the FIRM and FIS report. At the end of the 90-day appeal period and following the resolution of any appeals and comments, we will send you a Letter of Final

Determination, which will finalize the flood hazard information presented on the FIRM and FIS report and will establish an effective date.

If you have any questions regarding the proposed flood hazard determinations, FIRM panels, or FIS report for your community, please call either the Northwest Florida Water Management District at (850) 539-5999, the Suwannee River Water Management District at (386) 362-1001, or our FEMA Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627) or e-mail the FMIX staff at FEMAMapSpecialist@riskmapcds.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Lowe", with a long horizontal flourish extending to the right.

Robert E. Lowe, Chief
Risk Analysis Branch
FEMA Region IV

Enclosures:

Newspaper Notice
Proposed Flood Hazard Determinations FEDERAL REGISTER Notice
Criteria for Appeals of Flood Insurance Rate Maps
“Scientific Resolution Panels” Fact Sheet

cc: Ms. Joy Duperault, CFM, Florida NFIP Coordinator
Mr. Jerrick Saquibal, Northwest Florida Water Management District
Mr. James Link, Suwannee River Water Management District
Mr. Bill Tellefsen, Planning Official

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Flood Hazard Determinations for Jefferson County, Florida and Incorporated Areas

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within Jefferson County, Florida and Incorporated Areas. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for Jefferson County, Florida and Incorporated Areas. The preliminary FIRM and FIS report can be viewed at <http://portal.nfwmdfloodmaps.com/>. These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).



Community	Community map repository address
Unincorporated Areas of Hancock County	Hancock County Administration Building, 225 Main Cross Street, Hawesville, KY 42348.

Wayne County, Michigan (All Jurisdictions)

Maps Available for Inspection Online at: <http://www.starr-team.com/starr/RegionalWorkspaces/RegionV/RomulusPMR/SitePages/Home.aspx>

City of Dearborn Heights	6045 Fenton Street, Dearborn Heights, MI 48127.
City of Romulus	11111 Wayne Road, Romulus, MI 48174.
City of Taylor	25605 Northline Road, Taylor, MI 48180.
City of Westland	36601 Ford Road, Westland, MI 48185.
Township of Huron	22950 Huron River Drive, New Boston, MI 48164.

Delaware County, Ohio, and Incorporated Areas

Maps Available for Inspection Online at: <http://www.starr-team.com/starr/RegionalWorkspaces/RegionV/DelawareCoOH/SitePages/Home.aspx>

City of Delaware	City Hall, Planning and Zoning Department, 1 South Sandusky Street, 2nd Floor, Delaware, OH 43015.
Unincorporated Areas of Delaware County	Code Compliance Building, 50 Channing Street, South Wing, Delaware, OH 43015.

Mason County, West Virginia, and Incorporated Areas

Maps Available for Inspection Online at: www.rampp-team.com/wv.htm

City of Point Pleasant	City Hall, 400 Viand Street, Point Pleasant, WV 25550.
Town of Hartford	Town Hall, 133 2nd Street, Hartford, WV 25247.
Town of Henderson	Town Hall, 1 Railroad Street, Henderson, WV 25106.
Town of Leon	Town Hall, 136 Main Street, Leon, WV 25123.
Town of Mason	Office of the Mayor, 656 2nd Street, Mason, WV 25260.
Town of New Haven	City Hall, 218 5th Street, New Haven, WV 25265.
Unincorporated Areas of Mason County	Mason County Courthouse, 200 6th Street, Point Pleasant, WV 25550.

Wood County, West Virginia, and Incorporated Areas

Maps Available for Inspection Online at: www.rampp-team.com/wv.htm

City of Parkersburg	City Hall, 1 Government Square, Parkersburg, WV 26101.
City of Vienna	City Hall, 609 29th Street, Vienna, WV 26105.
City of Williamstown	City Hall, 100 West 5th Street, Williamstown, WV 26187.
Town of North Hills	North Hills Municipal Court, 176 North Hills Drive, Parkersburg, WV 26101.
Unincorporated Areas of Wood County	Wood County Courthouse, 1 Court Square, Parkersburg, WV 26101.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: September 3, 2012.

Sandra K. Knight,
Deputy Associate Administrator for
Mitigation, Department of Homeland
Security, Federal Emergency Management
Agency.

[FR Doc. 2012-23349 Filed 9-20-12; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND
SECURITY**

**Federal Emergency Management
Agency**

[Docket ID FEMA-2012-0003; Internal
Agency Docket No. FEMA-B-1267]

**Proposed Flood Hazard
Determinations**

AGENCY: Federal Emergency
Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect

in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before December 20, 2012.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

You may submit comments, identified by Docket No. FEMA-B-1267 to Luis

Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be

construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in

support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at www.fema.gov/pdf/media/factsheets/2010/srp_fs.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

Community	Community map repository address
Tuscaloosa County, Alabama, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.adeca.alabama.gov/Divisions/owr/floodplain/Pages/County-Status.aspx	
City of Northport City of Tuscaloosa Town of Brookwood Town of Coaling Town of Coker Town of Lake View Town of Moundville Town of Vance Town of Woodstock Unincorporated Areas of Tuscaloosa County	City Hall, 3500 McFarland Boulevard, Northport, AL 35476. City Hall, 2201 University Boulevard, Tuscaloosa, AL 35401. Town Hall, 15689 Highway 216, Brookwood, AL 35444. Town Hall, 11281 Stephens Loop Road, Coaling, AL 35449. Town Hall, 11549 Eisenhower Drive, Coker, AL 35452. Town Hall, 21289 Phyllis Drive, Lake View, AL 35111. Town Hall, 410 Market Street, Moundville, AL 35474. Town Hall, 18336 Highway 11 North, Vance, AL 35490. Town Hall, 28513 Highway 5, Woodstock, AL 35188. Tuscaloosa County Public Works Department, 2810 35th Street, Tuscaloosa, AL 35401.
Franklin County, Florida, and Incorporated Areas	
Maps Available for Inspection Online at: http://portal.nwfwmfloodmaps.com	
City of Apalachicola City of Carrabelle Unincorporated Areas of Franklin County	City Hall, 1 Bay Avenue, Apalachicola, FL 32320. City Hall, 1001 Gray Avenue, Carrabelle, FL 32322. Franklin County Planning and Building Department, 34 Forbes Street, Suite 1, Apalachicola, FL 32320.
Hillsborough County, Florida, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.bakeraecom.com/index.php/florida/hillsborough	
Unincorporated Areas of Hillsborough County	Hillsborough County Department of Planning and Growth Management, 5701 East Hillsborough Avenue, Suite 1140, Tampa, FL 33610.
Jefferson County, Florida, and Incorporated Areas	
Maps Available for Inspection Online at: http://portal.nwfwmfloodmaps.com	
City of Monticello Unincorporated Areas of Jefferson County	City Hall, 245 South Mulberry Street, Monticello, FL 32344. Jefferson County Courthouse, 1 Courthouse Circle, Monticello, FL 32344.

Criteria for Appeals of Flood Insurance Rate Maps

November 30, 2011



FEMA

This document outlines the criteria for appealing proposed changes in flood hazard information on Flood Insurance Rate Maps (FIRMs) during the appeal period. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) applies rigorous standards in developing and updating flood hazard information and provides communities with an opportunity to review the updated flood hazard information presented on new or revised FIRMs before they become final.

1. Background

The regulatory requirements related to appeals are found in Part 67 of the National Flood Insurance Program (NFIP) regulations. Additional FEMA procedural details are provided in Procedure Memorandum No. 57, *Expanded Appeals Process*, dated November 30, 2011. Detailed information on appeals can also be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials* and FEMA's *Document Control Procedures Manual*. All referenced documents are accessible through the "Guidance Documents and Other Published Resources" webpage, located at: http://www.fema.gov/plan/prevent/fhm/frm_docs.shtm.

As outlined in these documents, an appeal period is provided for all new or modified flood hazard information shown on a FIRM, including additions or modifications of any Base (1-percent-annual-chance) Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway. SFHAs are areas subject to inundation by the base (1-percent-annual-chance) flood and include the following SFHA zone designations: A, AO, AH, A1-A30, AE, A99, AR, AR/A1-A30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-V30, VE, and V. Therefore, a statutory 90-day appeal period is required when a flood study, Physical Map Revision (PMR), or Letter of Map Revision (LOMR) is proposed in which:

- New BFEs or base flood depths are proposed or currently effective BFEs or base flood depths are modified;
- New SFHAs are proposed or the boundaries of currently effective SFHAs are modified;
- New SFHA zone designations are proposed or currently effective SFHA zone designations are modified; and
- New regulatory floodways are proposed or the boundaries of currently effective floodways are modified.

Clarification on the necessity for an appeal period is provided for certain specific circumstances outlined below:

- Edge matching of effective floodplain boundaries or information. This usually occurs in first-time countywide flood mapping projects when effective BFEs, base flood depths,

SFHAs, or floodways are extended to an adjacent community that previously had differing or no BFEs, base flood depths, SFHAs, or floodways shown on their effective FIRM in order to fix a map panel to map panel mismatch. In these instances, **an appeal period is required** because BFEs, base flood depths, SFHAs, or floodways are changing or being shown for the first time in the area.

- Redelineation of effective floodplain boundaries. This occurs when an effective SFHA boundary is redrawn on the FIRM using new or updated topography to more accurately represent the risk of flooding. In these instances **an appeal period is required** because the SFHA boundary is changing. However, the appeal period will only apply to the updated SFHA boundary delineations, not the methodology used to originally establish BFEs/flood depths (since this will not have changed).
- Revisions to SFHA zone designations. A revision to an SFHA zone designation may occur with or without a BFE and/or boundary change. For example, when a Zone VE floodplain is changed to a Zone AE designation to reflect the updated location of a Primary Frontal Dune (PFD), the BFE and SFHA boundary may not necessarily change. For any change in SFHA zone designation, including the *removal* of an SFHA designation from a FIRM, **an appeal period is required.**
- Regulatory floodway boundaries. When the effective floodway boundary is redrawn on the FIRM to more accurately represent the extent of the encroachment, **an appeal period is required.**
- MT-1 cases. When the SFHA or floodway boundary is amended due to the issuance of a Letter of Map Amendment (LOMA), Letter of Map Revision based on Fill (LOMR-F), Letter of Map Revision – Floodway, or other MT-1 case, **an appeal period is not required.**
- Annexation of effective floodplain boundaries. When a new or revised FIRM shows new community boundaries which include effective BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**, provided no BFE, base flood depth, SFHA, or floodway changes apply.

However, in cases where the flood hazard information in the annexed area has never received due process (for example, if the area is shown for information only on all FIRMs depicting the area), **an appeal period is required.**

- Reissuance of effective LOMRs: When a LOMR is reissued after not being incorporated into a revised FIRM, **an appeal period is not required.**

- Updates that do not impact flood hazard data: When flood studies, PMRs, or LOMRs result in changes to FIRMs that do not impact BFEs, base flood depths, SFHAs, or floodways, **an appeal period is not required**.
- Datum Conversions: **An appeal period is not required** specifically for a datum conversion (e.g., a conversion from NGVD 29 to NAVD 88).

1.1. Additional Procedures for LOMRs

Beginning with LOMRs issued on or after December 1, 2011, the following procedures will apply:

In order to provide sufficient due process rights for changes due to LOMRs, any LOMR in a compliant community that requires an appeal period will become effective 120 days from the second newspaper publication date, following FEMA's current policy. This allows time to collect appeals, as well as provides for newspaper publication schedule conflicts. LOMRs in non-compliant communities or in communities that require adoption of the LOMR will become effective following the six month compliance period.

Evidence of public notice or property owner notification of the changes due to a LOMR will continue to be requested during the review of the LOMR request. This will help to ensure that the affected population is aware of the flood hazard changes in the area and the resultant LOMR. However, evidence of property owner acceptance of the changes due to a LOMR will no longer be requested. Because all LOMRs that require an appeal period will become effective 120 days from the second newspaper publication date, the receipt of such acceptance will have no effect on the effective date of the LOMR; therefore, there is no need for the requester to pursue acceptance.

2. Appeal Eligibility Requirements

Areas that are eligible for appeal include:

- Areas showing new or revised BFEs or base flood depths
- Areas showing new or revised SFHA boundaries (including both increases and decreases in the extent of the SFHA)
- Areas where there is a change in SFHA zone designation
- Areas showing new or revised regulatory floodway boundaries (including both increases and decreases in the extent of the regulatory floodway).

The area of concern must be within the scope of the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundary changes and

be supported by scientific and/or technical data. The criteria for data submittals are outlined in Title 44, Chapter 1, Code of Federal Regulations, Section 67.6(b) and in this document.

The statutory 90-day appeal period cannot be extended. FEMA may provide an additional 30 days for a community after the 90-day appeal period has ended to submit supporting and clarifying data for an appeal received during the appeal period. No appeals will be accepted after the 90-day appeal period.

Challenges that do not relate to new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways are not considered appeals. Challenges received by FEMA during the appeal period that do not address these items will be considered comments. Comments include, but are not limited to the following:

- The impacts of changes that have occurred in the floodplain that should have previously been submitted to FEMA in accordance with 44 Code of Federal Regulations, Section 65.3;
- Corporate limit revisions;
- Road name errors and revisions;
- Requests that changes effected by a LOMA, LOMR-F, or LOMR be incorporated;
- Base map errors; and
- Other possible omissions or potential improvements to the mapping.

Any significant problems identified by community officials or residents (at formal meetings or otherwise) will be addressed appropriately.

3. Supporting Data and Documentation Required for Appeals

The BFEs and base flood depths presented in Flood Insurance Study (FIS) reports and shown on FIRMs are typically the result of coastal, hydrologic and hydraulic engineering methodologies. Floodway configurations, generally developed as part of the hydraulic analyses, are adopted by communities as a regulatory tool for floodplain management and are delineated on FIRMs along with SFHAs.

Because numerous methodologies have been developed for estimating flood discharges and flood elevations/depths, and other flood hazard information under a variety of conditions, FEMA contractors, mapping partners, and others whose data and documentation FEMA approves and uses, such as communities, regional entities and State agencies participating in the Cooperating Technical Partners (CTP) Program, use their professional judgment in selecting methodologies that are appropriate for the conditions along a particular segment of a particular flooding source.

For FEMA contracted flood studies and PMRs the approach to be used will usually be discussed with community officials at the beginning of the flood study or PMR mapping process.

Because the methodologies are the result of attempts to reduce complex physical processes to mathematical models, the methodologies include simplifying assumptions. Usually, the methodologies are used with data developed specifically for the flood study, PMR, or LOMR. Therefore, the results of the methodologies are affected by the amount of data collected and the precision of any measurements made.

Because of the judgments and assumptions that must be made and the limits imposed by cost considerations, the correctness of the BFEs, base flood depths and other flood hazard information is often a matter of degree, rather than absolute. For that reason, appellants who contend that the BFEs, base flood depths, or other flood hazard information is incorrect because better methodologies could have been used, better assumptions could have been made, or better data could have been used, must provide alternative analyses that incorporate such methodologies, assumptions, or data and that quantify their effect on the BFEs, base flood depths or other flood hazard information. FEMA will review the alternative analyses and determine whether they are superior to those used for the flood study, PMR, or LOMR and whether changes to the FIS report and/or FIRM, or LOMR are warranted as a result.

Unless appeals are based on indisputable mathematical or measurement errors or the effects of natural physical changes that have occurred in the floodplain, they must be accompanied by all data that FEMA needs to revise the preliminary version of the FIS report and FIRMs. Therefore, appellants should be prepared to perform coastal, hydrologic and hydraulic analyses, to plot new and/or revised Flood Profiles, and to delineate revised SFHA zone and regulatory floodway boundaries as necessary.

An appeal must be based on data that show the new or modified BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways to be scientifically or technically incorrect. All analyses and data submitted by appellants must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate. The data and documentation that must be submitted in support of the various types of appeals are discussed in the subsections that follow.

3.1. Appealing BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways

Scientifically incorrect BFEs, base flood depths, SFHA zone designations, or regulatory floodways:

Proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways are said to be scientifically incorrect if the methodology used in the determination of the BFEs,

base flood depths, SFHA zone designations, or regulatory floodways is inappropriate or incorrect, or if the assumptions made as part of the methodology are inappropriate or incorrect. An appeal that is based on the proposed BFEs, base flood depths, SFHA zone designations, or regulatory floodways being scientifically incorrect would, therefore, contend that the use of a different methodology or different assumptions would produce more accurate results. A list of National Flood Insurance Program-accepted hydrologic, hydraulic and coastal models is available on FEMA's website at http://www.fema.gov/plan/prevent/fhm/en_modl.shtm. To show that an inappropriate or incorrect coastal, hydraulic or hydrologic methodology has been used, an appellant must submit the following data, as applicable:

- New hydrologic analysis based on alternative methodology and if applicable, updated hydraulic/floodway or coastal analyses based on the updated discharge values;
- New hydraulic/floodway analysis based on alternative methodology and original flood discharge values (if the appeal does not involve the hydrologic analysis);
- New coastal analyses based on alternative methodology and original stillwater elevations (if the appeal does not involve the hydrologic analysis);
- Explanation for superiority of alternative methodology;
- As applicable, revised Summary of Discharges Table, Flood Profiles, Transect Data Table, Summary of Stillwater Elevations Table, and Floodway Data Table (FDT); and
- Revised SFHA zone boundaries and, if applicable, regulatory floodway boundary delineations.

Technically Incorrect BFEs, Base Flood Depths, SFHA Zone Designations, or Regulatory Floodways:

The proposed BFEs, base flood depths, SFHA zone designation or regulatory floodways are said to be technically incorrect if at least one of the following is true.

- **The methodology was not applied correctly.**
 - To show that a hydrologic methodology was not applied correctly, an appellant must submit the following:
 - New hydrologic analysis in which the original methodology has been applied differently;
 - Explanation for superiority of new application;
 - New hydraulic/floodway or coastal analysis based on flood discharge values from new hydrologic analysis;

- Revised Summary of Discharges Table and/or Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that a hydraulic methodology was not applied correctly, an appellant must submit the following information. *(Please note that an appeal to a floodway configuration cannot be solely based on surcharge values.)*
 - New hydraulic/floodway analysis, based on original flood discharge values, in which the original methodology has been applied differently;
 - As applicable, revised Flood Profiles, FDT and other FIS report tables as needed; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that a coastal methodology was not applied correctly, an appellant must submit the following:
 - New coastal analysis, based on the original stillwater elevations, in which the original methodology has been applied differently;
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The methodology was based on insufficient or poor-quality data.**
 - To show that insufficient or poor-quality hydrologic data were used, an appellant must submit the following:
 - Data believed to be better than those used in original hydrologic analysis;
 - Documentation for source of data;
 - Explanation for improvement resulting from use of new data;
 - New hydrologic analysis based on better data;
 - New hydraulic/floodway or coastal analysis based on flood discharge values resulting from new hydrologic analysis;
 - Revised Summary of Discharges Table, Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that insufficient or poor-quality hydraulic data were used, an appellant must submit the following:

- Data believed to be better than those used in original hydraulic analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New hydraulic analysis based on better data and original flood discharge values;
 - Revised Flood Profiles and, if applicable, FDT; and
 - Revised SFHA zone boundary and, if applicable, regulatory floodway boundary delineations.
 - To show that insufficient or poor-quality coastal analysis data were used, an appellant must submit the following:
 - Data believed to be better than those used in original coastal analysis;
 - Documentation for source of new data;
 - Explanation for improvement resulting from use of new data;
 - New coastal analysis based on better data and original stillwater elevation values; and
 - Revised SFHA zone boundary and, all applicable FIS report tables, including the Transect Data Table.
- **The application of the methodology included indisputable mathematical or measurement errors.**
 - To show that a mathematical error was made, an appellant must identify the error. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
 - To show that a measurement error (e.g., an incorrect surveyed elevation used in the flood study, PMR, or LOMR) was made, appellants must identify the error and provide the correct measurement. Any new survey data provided must be certified by a Registered Professional Engineer or Licensed Land Surveyor. FEMA will perform any required calculations and make the necessary changes to the FIS report and FIRM.
- **The methodology did not account for the effects of natural physical changes that have occurred in the floodplain.**
 - For appeals based on the effects of natural physical changes that have occurred in the base floodplain, appellants must identify the changes that have occurred and provide the data FEMA needs to perform a revised analysis. The data may include new stream channel and floodplain cross sections or coastal transects.

3.2. Appeals to SFHA Boundaries

The supporting data required for changes to SFHA zone boundaries will vary, depending on whether the boundaries are for flooding sources studied by detailed methods or flooding sources studied by approximate methods, as discussed below.

Flooding sources studied by detailed methods

Usually, detailed SFHA zone boundaries are delineated using topographic data and the BFEs and base flood depths resulting from the hydraulic analysis performed for the flood study, PMR, or LOMR. If topographic data are more detailed than those used by FEMA or show more recent topographic conditions, appellants should submit that data and the revised SFHA zone boundaries for FEMA to incorporate into the affected map panels. All maps and other supporting data submitted must be certified by a Registered Professional Engineer or a Licensed Land Surveyor and must reflect existing conditions. Maps or data prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified. For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Flooding Sources Studied by Approximate Methods

Usually, where BFEs or base flood depths are not available, flood zone boundaries are delineated with the best available data, including flood maps published by other Federal agencies, information on past floods, and simplified hydrologic and hydraulic analyses. If more detailed data or analyses are submitted, FEMA will use them to update the flood hazard information shown on the affected map panels. Such data and analyses may include the following:

- Published flood maps that are more recent or more detailed than those used by FEMA;
- Analyses that are more detailed than those performed by FEMA or that are based on more detailed data than those used by FEMA;
- Topographic data and resulting updated SFHA boundaries.

For further information on submittals involving topographic data, please refer to the section below *Additional Guidance on Appeal Submittals Involving Topographic Data*.

Please note that, when applicable, appeals related to the *methodology* used to develop an approximate flood zone boundary must follow the guidelines established for appeals to BFEs, base flood depths, SFHA zone designations, or regulatory floodways under Section 3.1 above. However, since flood profiles, FDTs, Summary of Discharges Tables, Transect

Data Tables, and Summary of Stillwater Elevations Tables are not developed in support of approximate floodplain boundaries, these data will not need to be submitted for appeals to flooding sources studied by approximate methods.

All submitted data and analyses must be certified by a Registered Professional Engineer or a Licensed Land Surveyor. Maps prepared by an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, U.S. Bureau of Reclamation, or a State department of highways and transportation, are acceptable without certification as long as the sources and dates of the maps are identified.

Additional Guidance on Appeal Submittals Involving Topographic Data

For appeal submittals that involve topographic data, the following additional guidelines must be followed:

- The data must be more detailed/accurate, and/or reflect more recent topographic conditions, and be in a digital Geographic Information System (GIS) format preferably;
- The appeal submittal must clearly state which flooding sources are being appealed based on the updated topographic data;
- Updated SFHA boundary delineations that reflect the submitted topographic data for each appealed flooding source must also be provided, preferably in digital GIS format;
- All topographic data submitted must adhere to FEMA's current data capture standards for such data;
- If necessary, a data sharing agreement must be provided.

4. Appeal Period Procedures

Appeals and comments must be resolved by following the procedures below:

- Acknowledgement by FEMA of the receipt of an appeal in writing, ensuring that acknowledged appeals include ALL of the criteria discussed above.
- Acknowledge the receipt of comments. This can be done either in writing, by FEMA, or through a documented phone conversation between the mapping partner and the community that submitted the comments. At a minimum FEMA must notify the community in writing that it did not receive any appeals. This can be done by separate correspondence or by the inclusion of language in the Letter of Final Determination (LFD).

- FEMA or the mapping partner will evaluate any scientific or technical data submitted for compliance with existing mapping statutes, regulations, or Guidelines and Standards.
- FEMA or the mapping partner will request any additional scientific or technical data required to properly review the appeal or comment.
- FEMA or the mapping partner will make a recommendation to FEMA on the resolution of the appeal or comment.
- FEMA or the mapping partner will prepare a draft appeal resolution letter (if **all** the criteria for an appeal are met).
- The assigned mapping partner shall dispatch the signed FEMA appeal resolution letter and if warranted, Revised Preliminary copies of the FIRM and FIS report to the community CEO and floodplain administrator and all appellants. All correspondence must be prepared and issued on FEMA Headquarters or FEMA Regional letterhead.
- FEMA provides a comment period of 30 days following the date the appeal or comment resolution letter is issued. Any comments received during the 30 day comment period must be addressed and resolved before proceeding with the LFD. Extensions to this 30 day period can only be granted with FEMA Headquarters approval.

5. General Technical Guidance

Detailed guidance on the supporting documentation that must be submitted in support of an appeal can be found in *Appeals, Revisions, and Amendments to National Flood Insurance Program Maps—A Guide for Community Officials*.

Unless appeals are based on the use of alternative models or methodologies, the hydrologic and hydraulic analyses that appellants submit must be performed with the models used for the flood study, PMR, or LOMR. Generally, when appellants are required to submit hydrologic or hydraulic analyses, those analyses must be performed for the same recurrence interval floods as those performed for the flood study, PMR, or LOMR. The vertical datum used in any data submitted must match the datum used in the preliminary FIS report and FIRM. Further, SFHA boundaries are to be shown on a topographic map (preferably, in digital form) whose scale and contour interval are sufficient to provide reasonable accuracy.

New flooding information cannot be added to a FIRM in such a way as to create mismatches with the flooding information shown for unrevised areas. Therefore, in performing new analyses and developing revised flooding information, appellants must tie the new BFEs, base flood

depths, SFHA boundaries, SFHA zone designations, and/or regulatory floodway boundaries into those shown on the maps for areas not affected by the appeal.

All analyses and data submitted by appellants, including those that show mathematical or measurement errors must be certified by a Registered Professional Engineer or Licensed Land Surveyor, as appropriate.

6. Scientific Resolution Panel (SRP)

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on FIRMs is built collaboratively using the best science available.

When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The SRP serves as the independent third party. To be eligible for an SRP, an appeal must include supporting information or data to substantiate that the BFEs, base flood depths, SFHA boundaries, SFHA zone designations, or floodways proposed by FEMA are scientifically or technically incorrect. An SRP request is an option only after FEMA and a local community have been engaged in a collaborative consultation process for at least 60 days without a mutually-acceptable resolution of an appeal.



FEMA



Scientific Resolution Panels

FEMA's Scientific Resolution Panel (SRP) process reinforces FEMA's commitment to work with communities to ensure the flood hazard data depicted on Flood Insurance Rate Maps (FIRMs) is built collaboratively using the best science available. Flood hazards are constantly changing, and as such, FEMA regularly updates FIRMs through several methods to reflect those changes. When changes to the FIRMs are met with conflicting technical and scientific data, an independent third party review of the information may be needed to ensure the FIRMs are updated correctly. The Scientific Resolution Panel serves as the independent third party.

Who can request an SRP?

A community, Tribe or political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction can request FEMA use the SRP when conflicting data are presented. Chief Executive Officers or authorized community representatives must make or endorse the SRP request if they did not develop or propose the conflicting technical data.

When can communities request an SRP?

A community can request an SRP if it has:

- Not received a Letter of Final Determination (LFD);
- Submitted an appeal during the 90-day appeal period with scientific or technical data resulting in different flood hazards than those proposed by FEMA;
- Allowed at least 60 days of community consultation with FEMA (but no more than 120 days).

Additionally, a community that has received a FEMA-issued appeal resolution letter and has not exercised the SRP process will have 30 days from the issuance of the letter to request an SRP.

Independent Panel Sponsor

The SRP process is managed by the National Institute of Building Sciences (NIBS), a non-profit organization independent from FEMA. NIBS will act as the Panel Sponsor, coordinating the SRPs, ensuring that proper regulations and procedures are employed and maintaining a cadre of experts from which Panel members are selected.

Panel Member Selection

For each appeal, an SRP (or Panel) of three or five members will be convened. Panel members are technical experts in surface water hydrology, hydraulics, coastal engineering, and other engineering and scientific fields that relate to the creation of Flood Hazard Maps and Flood Insurance Studies throughout the United States.

Based on the technical specifications of the appeal, NIBS will develop a list of potential panel members with relevant expertise from its cadre of experts. NIBS will ensure that there is no conflict of interest amongst the panel members. NIBS will confirm that members do not reside in the state from which the appeal is taken and have no personal or professional interest in its findings of the appeal.

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NIBS will provide the list of eligible panel members to the community and FEMA. The community selects the majority (in the case of a five-member Panel, the community selects three), and FEMA selects the minority (in the case of a five-member Panel, FEMA selects two).

The Process

To request an SRP, the Chief Executive Officer of a community or authorized representative completes an SRP Request Form and submits it to FEMA during the time periods outlined above.

Once FEMA confirms the appeal is eligible for an SRP, FEMA will forward the SRP Request form to NIBS to initiate the Panel selection process and develop a list of potential members.

Once the Panel is convened, Panel members will be provided with a summary of the issue, FEMA's data, and the data the community submitted during the 90-day appeal period. Panel members will review the data and, on a point-by-point basis, deliberate and make a decision based on the scientific and technical challenges of the appeal.

If the community feels it is necessary to make an oral presentation in support of its appeal, it must include a justification on the SRP Request Form.

Resolution

The Panel will render a written recommendation to FEMA, based on the scientific and technical data submitted by the community and FEMA. The recommendation may either deny the community's data or incorporate it in part or in whole into the FIRM. For an appeal to be incorporated, the community's data must satisfy the NFIP standards for flood hazard mapping.

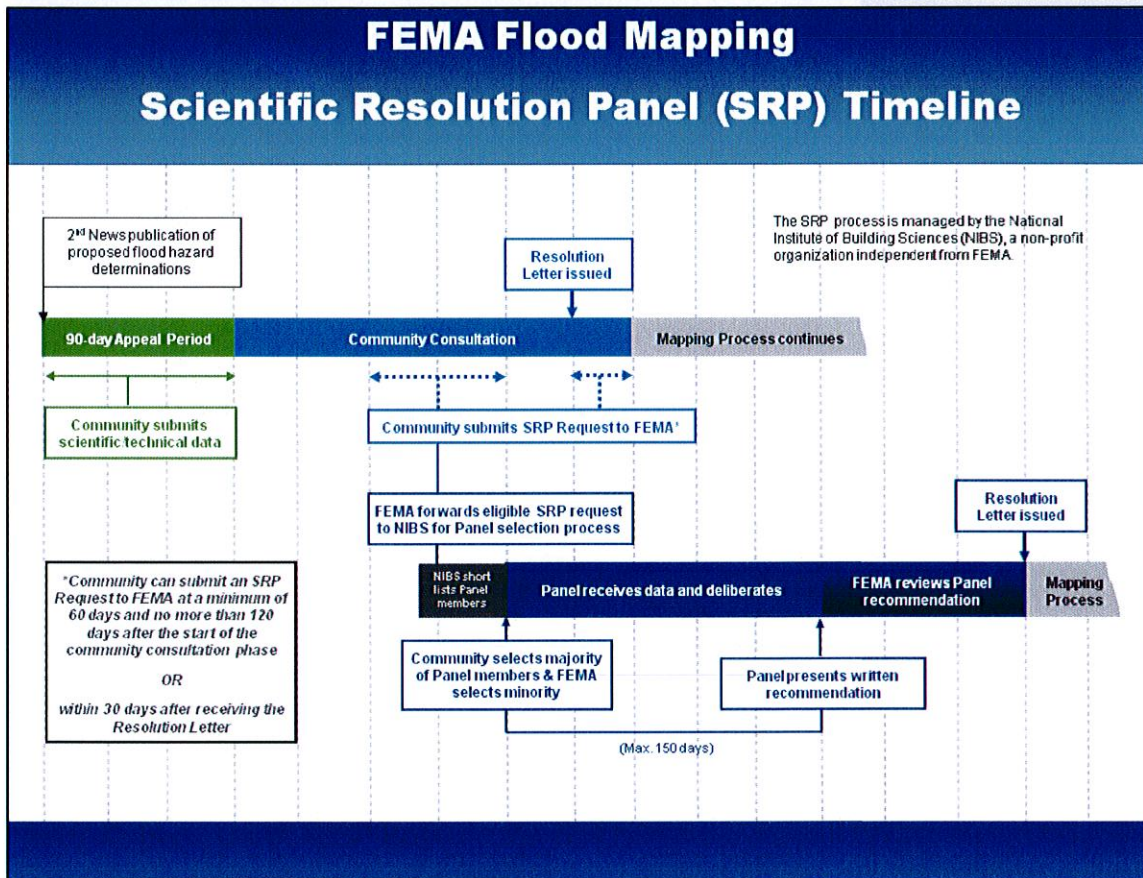
The Panel will present a written report with its decision and rationale to FEMA and the community no later than 150 days after being convened. The SRP's decision will become the recommendation provided to the FEMA Administrator. Once a final determination has been made, FEMA will issue a resolution letter. If changes to the maps are made, FEMA will incorporate the changes into revised preliminary FIRM panels and Flood Insurance Study. These changes will be made available to the community with a resolution letter for review prior to the issuance of an LFD.

Once a determination is made and a resolution letter is issued, the community will not be able to re-submit an appeal of the proposed flood hazard information nor request an SRP again. If the community is not satisfied with the recommendation of the Panel or the determination of the FEMA Administrator, it may appeal to the appropriate United States District Court, as outlined in Section 67.12 of the National Flood Insurance Program (NFIP) regulations.

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For Additional Information

For more information on appeals, see the FEMA document: [Appeals, Revisions, and Amendments to National Flood Insurance Program Maps: A Guide for Community Officials](#).

Part 67 of the NFIP regulations, which pertains to appeals, is available on the "Forms and Publications" section of FEMA's Flood Hazard Mapping website at www.fema.gov/fhm.

Other Important Links www.floodSRP.org www.fema.gov/plan/prevent/fhm/st_hot.shtm#2

Status of Map Change Requests: http://www.fema.gov/plan/prevent/fhm/st_main.shtm

Risk MAP: www.fema.gov/plan/prevent/fhm/rm_main.shtm

Flood Hazard Mapping Annex: www.floodmaps.fema.gov

Flood Insurance: www.floodsmart.gov

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**ITEM 5(e): SIDEWALK PROJECT
PRIORITIZATION**



KIRK REAMS

Jefferson County
Clerk of Court & CFO

1 Courthouse Circle
Monticello, FL 32344
(850) 342-0218
Fax (850) 342-0222

December 1, 2012

Jefferson County Board of County Commissioners
1 Courthouse Circle
Monticello, FL 32344

RE: Sidewalk Prioritization Agenda Item.

Commissioners and Coordinator Barwick:

I was recently contacted by FDOT and was informed that FDOT is holding approximately \$118,000 for us for the sidewalk project of our choosing. The Community Traffic Safety Team (CTST) had recently identified the need for extending the sidewalk in the Eastern side of US 19 in front of Gulf Coast Lumber southward past the site of the future Tractor Supply. Also, Commissioner Barfield had recently requested the feasibility of constructing a sidewalk be looked into on the south side of 158A (Old Lloyd Road) from SR 59 to the Woman's Club as this is a state funded resurfacing project in the current fiscal year. Engineer Alan Wise is looking into the ability of the county to provide a sidewalk in this area from an engineering and right-of-way standpoint and will report to the board at Thursday's meeting. Mr. Wise and I will be asking the board to prioritize these projects so that this funding may be applied and one of this projects be completed before the state fiscal year ends June 30th.

Sincerely,

Kirk B. Reams



**ITEM 5(f): EMERGENCY AMBULANCE
PURCHASE REQUEST**

JEFFERSON COUNTY AMBULANCE STATUS REPORT (Date: 11/30/2012)

UNIT NUMBER	TYPE OF VEHICLE	YEAR	MAKE	MODEL	MILEAGE	REPAIR COSTS YEAR to DATE	
R-34	ALS AMBULANCE	2008	FORD	F350	162,711	\$6,444	Blown motor. 6.4 Power Stroke. Cassis not worth rebuilding. Truck has had serious mechanical issues due motor design. Box good. Recommend re-mount for this truck. - <i>Purchased using a Matching EMS grant</i>
R-32	BLS AMBULANCE	2005	FORD	F350	177,792	\$1,957	Primary BLS truck. Spends a lot of time being up-graded to an ALS truck due to other ALS trucks breaking. Box is a 1997 and has been in a bad wreck before and is showing stress cracks round back doors. - <i>Original purchased using a Matching EMS grant and has been remounted once using a Matching EMS grant.</i>
R-36	BLS AMBULANCE	1998	FORD	F350	126,869	\$1,155	Reserve BLS truck. Has a 1988 box. Chassis would be good for conversion to brush truck. - <i>Originally purchased using an EMS Matching grant and has been remounted once using an EMS Matching grant.</i>
R-35	ALS AMBULANCE	2003	International	4400	236,848	\$16,688 \$7,000 for a new engine	Was purchased used 3 years ago using EMS County grant funds that are normally used to upgrade the EMS equipment. This was the only way to get needed trucks within budget. This truck does come with maintenance as it is used. We have put over 50,000 miles on it since we purchased it. - <i>Purchased using a County EMS</i>
R-31	ALS AMBULANCE	2004	International	4400	231,730	\$1,846	Was purchased used 6 months ago using EMS County grant funds that are normally used to upgrade the EMS equipment. This was the only way to get needed trucks within budget. This truck does come with maintenance as it is used. We have put over 5,000 miles on it since we purchased it. - <i>Purchased using a County EMS</i>
R-33	ALS AMBULANCE	2010	CHEVY	G3350	85,913	\$2,395	Newest Ambulance. - <i>Purchased using a Matching EMS grant</i>

EMS budget has expended \$30,485 in repair bills this year to date. About \$7,000 was to do an in-frame engine rebuild on R-35.

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down. <i>ginally</i>
<i>urchased</i>
S ice issues <i>IS grant</i>
MS ice issues <i>S grant</i>

**ITEM 5(g): BOARDS & COMMITTEE
ASSIGNMENTS/APPOINTMENTS**

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

Members

Chair

Dick Bailar
Larry Freeman
Bill Gunnels
Fred Mosley
Thomas Scott
Stella Ellis
James Yeager
Bud Wheeler

County Construction Licensing Board

Responsible Staff - Wallace Bullock
Recording Daneille Fountain

Members

Chair

Bill Nelson
Dick Bailar
Tom LaMotte
Michael Schweir
Mark Kessler

Animal Control-Dangerous Animal Classification

Members

Responsible Staff - Beth Letchworth

Ms. Cay Curtis, Interested Citizen
Mr. Mark Positano, Health Department
Donna Dowler, Interested Citizen

Economic Development Council (EDC)

Responsible Staff - Julie Conley

Members

Voting Members

County Commissioner

City Council - Steve Wingate
Workforce Board - Sheryl Rehberg
Chamber of Commerce - Ron Cichon
At Large - Bill Gunnels
At Large - Frank Blow
At Large - Monty Morgan

Ex Officio Members

County Commissioner

City Council John Jones

School Board

County Coordinator Parrish Barwick

Legislative Committee

Members

Dick Bailar

Elected Officials - Category 1

City Council Member John Jones

County Commissioner (Chair)

School Board Member Marianne Arbulu

Property Appraiser Angela Gray

Administrative Personnel - Category 2

EDC E.D. Julie Conley

Chamber E.D. Mary Frances Gramling

County Coordinator Parrish Barwick

Department of Health

County Extension Agent John Lilly

Past Legislators & Lobbyists - Category 3

Library Advisory Board

Responsible Staff -Kitty Brooks

Members

Amy Kell

Carly Peary

Edna Henry

Gerrold Austin

Judy Carney

Susan Whitson

Tim Hildreth

Parks & Recreation Advisory Board

Responsible Staff - Mike Holm

Members

Chasity McCarthy

Chris Eades

Dixon Hughes

Franklin Hightower

Jeff Singleton

Nic Flynt

Steve Register

Thomas "Bobo" Chancy

Wendy Hughes

Planning Commission

Responsible Staff - Bill Tellefsen

Members

Jay Adams

Roy Faglie

Bud Wheeler

John Larussi

Corwin Padget

Thomas (Bobo) Chancy

John Floyd Walker

Gene Hall

Michael Bonfanti

C.P. Miller

Vice Chair

Chair

Tourist Development Council - Non-County Board

Members

Responsible Staff - Nancy Wideman

Government Representative - County County Commissioner

Government Representative - City City Council John Jones
City Clerk Emily Anderson

Lodging/Accommodations Gretchen Avera
Clyde Simpson

Tourism Industry Merry Ann Frisby
David Ward
Melanie Mays

Other Interested Persons Tushar Patel
Tim Peary
Renee Long
Julie Conley
Dick Bailar

Utility Coordinating Committee

Members

Responsible Staff - Bruce Mitchell

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