



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
March 21, 2013 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344**

1. **6:00 P.M. – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
3. **Consent Agenda**
 - a) **Approval of Agenda**
 - b) **Minutes of February 7, 2013 Regular Session**
4. **Citizens Request & Input on Non-Agenda Items (3 Minute Limit, No Commissioner Discussion)**
5. **General Business**
 - a) **April Water Conservation Month Proclamation – SRWMD Staff**
 - b) **Paul Thompson Road Improvements – Jeff Silver/Commissioner Boyd**
 - c) **Citizen Request for Full Transparency in Redistricting – Chairman Nelson/Kate Calvin**
 - d) **Naming Opportunities Policy – Commissioner Barfield**
 - e) **RESTORE ACT Discussion – Commissioner Barfield**
6. **County Coordinator's Items**
 - a) **FL Saferider Lease – Julie Conley**
 - b) **US 19 Beautification Grant Update – Alan Wise**
 - c) **CDBG Grant Application Appeal – Coordinator Barwick**
 - d) **Recreation Advisory Board Member Appointments – Coordinator Barwick**
7. **PUBLIC HEARING (7 PM)**
 - a) **Tax Abatement Ordinance**
 - b) **Sunday Alcohol Sales Ordinance**
8. **Citizen's Forum (3 Minute Limit, Commissioner Discussion Allowed)**
9. **Commissioner Discussion Items**
10. **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
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ITEM 3: CONSENT AGENDA ITEMS

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JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
February 7, 2013

The Board met this date in regular session. Present were Chairman John Nelson, Commissioners Betsy Barfield, Benjamin “Benny” Bishop, Hines Boyd and Stephen Walker. Also present were County Coordinator Parrish Barwick, County Attorneys Buck Bird & Paula Sparkman and Clerk of Court Kirk Reams.

ITEM 2: Public Announcements, Presentations & Awards

1. Library Director Kitty Brooks announced the award of a Literacy Grant for \$10,000.

ITEM 3: Consent Agenda

2. County Coordinator Parrish requested that the inter-local cost sharing agreement for judicial software utilized by counties in the 2nd circuit be placed on the agenda. **On motion by Commissioner Bishop, seconded by Commissioner Walker and unanimously carried, the request was approved.** Chairman Nelson requested that Sunday alcohol sales issue be moved to the first item of business. **On motion by Commissioner Bishop, seconded by Commissioner Walker and unanimously carried, the Consent Agenda—consisting of the approval of the agenda as amended, the minutes of October 18th Regular Session, the minutes of November 1st Regular Session, the minutes of November 15th Regular Session, the minutes of the November 26th Special Session and the minutes of the December 6th Regular Session—was approved.**

ITEM 5(i): Sunday Alcohol Sales Discussion

3. Chairman Nelson recommended looking at surrounding counties before amending the ordinance. Citizens Jerry Sutphin and Paul Henry spoke in favor of Sunday alcohol sales. Citizen Kate Calvin requested that the Jefferson County Voice website be used for citizen input on the issue. **On motion by Commissioner Walker, seconded by Commissioner Barfield and unanimously carried, the Board approved using the website survey as an information source.** Citizens Troy Avera and Phil Calandra spoke in favor of Sunday alcohol sales. Citizen Bill Brumfield spoke against Sunday alcohol sales. Commissioner Barfield stated that the increased sales tax revenue would benefit the county, to which Commissioner Walker agreed. Commissioner Bishop stated he was not in favor of changing the current ordinance. Attorney Paula Sparkman stated that a draft would be prepared for the Board to review.

ITEM 5(a): Cell Tower Appeal

4. Planning Official Bill Tellefsen stated that the person filing the appeal asked that the hearing be moved to February 21st. **On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the hearing was moved to the February 21st meeting.**

ITEM 5(b): Letter of Support for Re-Designation of RACEC

5. Economic Development Director Julie Conley requested a letter of support for the 5 year re-designation of the Rural Area of Critical Economic Concern that Jefferson County is a part of as well as a support letter for a staff grant. **On motion by Commissioner Boyd,**

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seconded by Commissioner Barfield and unanimously carried, these requests were approved.

ITEM 5(c): American Hunter Update

6. Economic Development Director Julie Conley stated that the \$175,000 grant to finish the completion of the stormwater facility at the Industrial Park had been approved. She requested permission to apply for a Rural Business Enterprise grant to help offset some of the construction costs for the American Hunter facility. **On motion by Commissioner Barfield, seconded by Commissioner Boyd and unanimously carried, the Board approved Mrs. Conley's request.**

ITEM 5(d): Granny-Flat Tax Request

7. Citizen Bill Brumfield requested that the Board consider implementing a Granny-Flat exemption. This is where tax payers who build additions or perform renovations to provide living quarters for a parent or grandparent get a tax exemption up to 20% of the homestead value. Property Appraiser Angela Gray stated this would be an estimated \$1800-\$11,000 impact to county revenue. She also stated that the county would need to notify other taxing authorities in the county that would be affected. Commissioner Walker stated that this was a good thing for the county residents taking care of loved ones. Chairman Nelson asked that Property Appraiser Angela Gray make this presentation to other taxing entities and also bring back information on expanding the low-income senior citizen homestead exemption.

ITEM 5(e): RESTORE ACT Discussion

8. Commissioner Barfield gave an update on the RESTORE ACT and stated that the county could be receiving between approximately \$2-\$10 million. She recommended sending out an RFP for consulting services prior to holding a workshop. Commissioner Boyd stated it was premature to issue an RFP because of the dynamic nature of the process. A workshop was set for March 5th at 4 pm to further discuss this issue.

ITEM 5(f): Crepe Myrtle Maintenance Discussion

9. Commissioner Barfield brought forth the matter of the poor maintenance of the crepe myrtles along US-90 and requested that a letter be sent to FDOT requesting maintenance. **On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the request to send a letter was approved.**

ITEM 5(g): Tax Abatement Discussion

10. Commissioner Barfield stated that she did not want to abate taxes unless there was a substantial benefit to the county. County Attorney Buck Bird presented a sample ordinance to the Board and this item was set for public hearing at the night meeting in March.

ITEM 5(h): Naming Opportunities Guidelines

11. Commissioner Barfield presented this item. Attorney Bird stated that to take effect, this item needed to be placed on a future agenda and adopted by a resolution. Commissioner Bishop stated that naming should be an honor for past achievements, not something that should be bought.

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MINUTE BOOK 23, PAGE _____**ITEM 5(j): Re-Districting Discussion/Decision**

12. Attorney Bird asked the Board when it desired to set up meetings on this issue to decide whether changes needed to be made to districts. He also presented a proposal from Bryant, Miller & Olive. Attorney Bird stated that he recommended that the districts be the same as the School Board, but that they did not have to be the same and it would be up to the School Board to decide. Commissioner Barfield asked that Bryant, Miller & Olive look at the districts to decide if they needed to be changed and also requested that the prison population issue be addressed. Attorney Bird stated that Bryant, Miller & Olive needed to be contracted with in order to make any legal recommendations. Chairman Nelson stated it would be difficult to divide the prison into each district. Commissioner Barfield stated that she wanted equal representation and that this law firm understood the history of redistricting in the county and assured there would be public input. **On motion by Commissioner Boyd, seconded by Commissioner Barfield and carried 4 to 1 (Nelson opposed), the Board accepted the proposal and decided to move forward with the re-districting process.** Citizen CP Miller expressed concern about the county not putting this out for bid. Attorney Bird stated that the Board could extend contractual agreements for professional services. Commissioner Boyd stated that the contract could be placed under two separate agreements with two separate companies to allow it to go under the \$10,000 threshold.

ITEM 5(k): Road Inventory

13. Citizen Phil Calandra presented a slideshow documenting the Board's decisions related to the Road Inventory list. He explained that this was the result of an objective and public process which could be used as an information tool on deciding what to do with the future of the county roads as a working and living document. **On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the Board approved the Clerk as the Custodian of the Road Inventory list.**

ITEM 5(l): Road Construction Bids

14. County Coordinator Parrish Barwick introduced this item. **On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the Board approved Peavy and Sons as the low bidder for asphalt construction on roads that have been prepared by the county. On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the Board approved Littlefield Construction as the alternative surface supplier.** County Coordinator Parrish Barwick requested that staff negotiate with the low-bidders on three turnkey projects to get within an acceptable range of costs that the county could manage on its own. **On motion by Commissioner Barfield, seconded by Commissioner Walker and carried 4 to 1 (Boyd opposed), the request was approved.** Commissioner Boyd stated he would rather work on these issues in a workshop setting by developing a plan. Commissioner Barfield stated that constituents are telling her to move forward and that she believes in proceeding with the roads that have been stabilized. **On motion by Commissioner Barfield, seconded by Commissioner Walker and unanimously carried, the decisions to place asphalt on Indian Hills and to go with the recommendation from the County Coordinator on the Lloyd Acres project were approved. On motion by Commissioner Boyd, seconded by Commissioner Bishop and unanimously carried, the decision to place chip-seal surface on Tyson and Casa Bianca Roads was approved.** County Coordinator Parrish Barwick requested the ability to look at equipment for road construction in order to cut the cost of construction and hauling. **On motion by Commissioner Boyd, seconded by Commissioner Walker and unanimously carried, the request was granted.**

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ITEM 8: Commissioner Discussion Items

15. Commissioner Bishop informed the Board that FWC would be removing the dam at Sneeds Smokehouse in order to restore the area to its original condition.
16. Commissioner Barfield stated that the Board needed to officially move the US-19 project to Tier 1 status on the bicycle and pedestrian master plan.
17. Commissioner Walker stated that there was an unresolved issue related to the county obtaining a secondary boat ramp from the Boland family. He further stated that the county may have to revisit the Malloy landing issue if his negotiations with the Boland's were not productive.

ITEM 11: Adjournment

18. The warrant register was reviewed and bills ordered paid.
19. **On motion by Commissioner Bishop, seconded by Commissioner Walker and unanimously carried, the meeting was adjourned.**

Attest: _____
Clerk

Chairman

**ITEM 5(a): APRIL WATER CONSERVATION
MONTH PROCLAMATION**

Official Proclamation

Jefferson County Board of Commissioners
Monticello, Florida

WHEREAS, clean, safe and sustainable water resources are vital to Jefferson County’s residents, visitors, economy, and environment; and

WHEREAS, droughts, development, and population growth serve as reminders that Florida’s ground and surface water resources such as rivers, lakes and springs are finite and fragile; and

WHEREAS, permanent, year-round water conservation measures are in effect throughout the Suwannee River Water Management District; and

WHEREAS, Jefferson County supports and promotes the efficient use of Florida’s water resources; and

WHEREAS, local governments are essential in assisting in promoting water conservation awareness and implementing water conservation measures; and

WHEREAS, every agricultural operation, business, industry, school, resident and visitor can help by conserving water and thus promote a healthy economy and community; and

WHEREAS, every citizen can help save water by following the District’s year-round water conservation measures and by conserving water both indoors and outdoors; and

WHEREAS, water conservation will continue to play an important role in the future protection and preservation of ground and surface water resources; and

WHEREAS, the State of Florida traditionally designates April as Water Conservation Month,

NOW THEREFORE, the Jefferson County Board of Commissioners hereby proclaims April 2013 as Water Conservation Month.

ATTEST:

Jefferson County Board of County Commissioners

By:_____

(Printed)_____

Title:_____

Date:_____

**ITEM 5(c): CITIZEN'S REQUEST FOR
TRANSPARENCY IN REDISTRICTING**

Who is the mapper?	Bill Cooper	KSA? Watkins?
Previous experience doing redistricting maps? Federal State Local		
How many years? How many maps?		
Knowledge and experience applying up to date Federal and Florida voter apportionment laws/statutes in redistricting maps?		
Knowledge and experience applying prison population parameters to redistricting maps?		
Fee schedule: Charge for database and software set up Charge for 3 initial maps Hourly rate thereafter Reimbursement of travel expenses		
Disclosure of individual bias		

William S. Cooper
525 Garden Lane
Bristol, VA 24201
276-669-8567
[*bcooper@msn.com*](mailto:bcooper@msn.com)

Summary of Redistricting Work

I have a BA degree in Economics from Davidson College in Davidson, North Carolina.

Since 1986, I have prepared proposed redistricting maps of approximately 600 jurisdictions for Section 2 litigation, Section 5 comment letters, and for use in other efforts to promote compliance with the Voting Rights Act of 1965. I have analyzed and prepared election plans in over 100 of these jurisdictions for two or more of the decennial censuses – either as part of concurrent legislative reapportionments or, retrospectively, in relation to litigation involving many of the cases listed below.

Since the release of the 2010 Census in February 2011, I have developed statewide legislative plans on behalf of clients in five states (Alabama, Georgia, Florida, South Carolina, and Virginia), as well as about 100 local redistricting plans in approximately 20 states – primarily for groups working to protect minority voting rights.

In March 2011, I was retained by the Sussex County, Virginia Board of Supervisors and the Bolivar County, Mississippi Board of Supervisors to draft new district plans based on the 2010 Census. In the summer of 2011, both counties received Section 5 preclearance from the Department of Justice.

Also in 2011, I was retained by way of a subcontract with Olmedillo X5 LLC to assist with redistricting for the Miami-Dade County Board of Commissioners and the

Miami-Dade School Board. Final plans were adopted in late 2011 following public hearings.

In the fall of 2011, I was retained by the City of Grenada, MS to provide redistricting services. The ward plan I developed received preclearance in March 2012.

In August 2012, I began serving as a redistricting consultant for Tunica County, MS.

I testified in two redistricting lawsuits in 2011 in New Mexico and New York – *Archuleta v. City of Albuquerque* and *Pope v. County of Albany*.

I am also a consultant and expert for the plaintiffs in *Georgia State Conference NAACP, et al. v. Fayette County*, *Alabama Legislative Black Caucus et al. v. Alabama*, *Montes v. City of Yakima, Washington*, *Everett Dean et al. v. Washington County, Mississippi*, and *Navajo Nation v. San Juan County, Utah*.

I also serve as a redistricting and demographic consultant to the Massachusetts-based Prison Policy Initiative and Demos for a nationwide project to end prison-based gerrymandering. I have analyzed 2011 election plans in over a dozen states as part of my work with these two organizations. In December 2011, I filed a declaration in *Fletcher v. Lamone* in support of an *amicus* brief submitted by PPI and Demos.

During the 2000's, I analyzed census data and prepared draft election plans involving about 300 local-level jurisdictions in 25 states. I produced these plans at the request of local citizens' groups, national organizations such as the NAACP and, in a few instances, by contract with local governments. Election plans I developed for two counties – Sussex County, Virginia and Webster County, Mississippi – were adopted and precleared in 2002 by the U.S. Department of Justice. A ward plan I prepared for the City of Grenada, Mississippi was precleared in August 2005. A county council plan I developed for Native

American plaintiffs in a Section 2 lawsuit (*Blackmoon v. Charles Mix County*) was adopted by Charles Mix County, South Dakota in November 2005. A county supervisors' plan I produced for Bolivar County, Mississippi was precleared in January 2006. A plan I drafted for Latino plaintiffs in Bethlehem, Pennsylvania (*Pennsylvania Statewide Latino Coalition v. Bethlehem Area School District*) was adopted in March 2009. Plans I developed for minority plaintiffs in Columbus County, NC and Cortez-Montezuma School District in Colorado were adopted in 2009.

In addition, during the post-2000 reapportionment process, I drafted proposed statewide legislative plans on behalf of clients in eight states – Florida, Montana, New Mexico, North Dakota, South Dakota, Tennessee, Virginia, and Wyoming. In August 2005, a federal court ordered the State of South Dakota to remedy a Section 2 voting rights violation and adopt a state legislative plan I developed. (*Bone Shirt v. Hazeltine*)

Since 1986, I have prepared election plans for Section 2 litigation in Connecticut, Florida, Georgia, Louisiana, Maryland, Mississippi, Montana, Nebraska, New Jersey, New York, North Carolina, Ohio, South Carolina, South Dakota, Tennessee, Virginia, Washington, and Wyoming.

I have testified at trial as an expert witness on redistricting and demographics in federal courts in the following voting rights cases (approximate testimony dates are in parentheses):

Colorado

Cuthair v. Montezuma-Cortez School Board (1997)

Georgia

Cofield v. City of LaGrange (1996)

Love v. Deal (1995)

Askew v. City of Rome (1995)

Woodard v. Lumber City (1989)

Louisiana

Knight v. McKeithen (1994)
Reno v. Bossier Parish (1995)
Wilson v. Town of St. Francisville (1997)

Maryland

Cane v. Worcester County (1994)

Mississippi

Addy v Newton County (1995)
Boddie v. Cleveland (2003)
Boddie v. Cleveland School District (2010)
Ewing v. Monroe County (1995)
Farley v. Hattiesburg (2008)
Jamison v. City of Tupelo (2006)
Gunn v. Chickasaw County (1995)
NAACP v. Fordice (1999)
Nichols v. Okolona (1995)
Smith v. Clark (1995)

Montana

Old Person v. Cooney (1998)
Old Person v. Brown (on remand) (2001)

Nebraska

Stabler v. Thurston County (1995)

New York

Arbor Hills Concerned Citizens v. Albany County (2003)
Pope v. County of Albany (2011)

South Carolina

Smith v. Beasley (1996)

South Dakota

Bone Shirt v. Hazeltine (2004)
Cottier v. City of Martin (2004)

Tennessee

Cousins v. McWherter (1994)
Rural West Tennessee African American Affairs Council v. McWherter (1993)

Virginia

Henderson v. Richmond County (1988)
McDaniel v. Mehfoud (1988)
White v. Daniel (1989)
Smith v. Brunswick County (1991)

Wyoming

Large v. Fremont County (2007)

In addition, I have filed declarations or been deposed in these voting rights cases:

Alabama

Alabama Legislative Black Caucus et al. v. Alabama et al. (2013)

Florida

Burton v. City of Belle Glade (1997)

Johnson v. DeSoto County (1999)

Thompson v. Glades County (2001)

Georgia

Georgia State Conference NAACP, et al. v. Fayette County (2012)

Jones v. Cook County (1993)

Johnson v. Miller (1998)

Knighton v. Dougherty County (2002)

Louisiana

NAACP v. St. Landry Parish Council (2005)

Prejean v. Foster (1994)

Rodney v. McKeithen (1993)

Maryland

Fletcher v. Lamone (2011)

Mississippi

Dean v. Washington County (2012)

Williams v. Bolivar County (2005)

Clark v. Calhoun County (on remand)(1993)

Houston v. Lafayette County (2002)

Wilson v. Clarksdale (1992)

Stanfield v. Lee County(1991)

Teague v. Attala County (on remand)(1993)

Montana

Alden v. Rosebud County (2000)

North Carolina

Lewis v. Alamance County (1991)

Gause v. Brunswick County (1992)

Webster v. Person County (1992)

South Carolina

Vander Linden v. Campbell (1996)

South Dakota

Emery v. Hunt (1999)

Kirkie v. Buffalo County (2004)

Tennessee

NAACP v. Frost, et al. (2003)

Virginia

Moon v. Beyer (1990)

Washington

Montes v. City of Yakima (2013)

###

ITEM 5(d): NAMING OPPORTUNITIES POLICY

DRAFT
Naming Opportunities

Public Property Naming Policy

As outlined in this policy, facilities and properties may be named for individuals or for organizations responsible for a ‘substantial charitable donations/services benefiting Jefferson County’. The term ‘substantial gift’ in this context is deliberately not defined by arbitrary standards or by a specific dollar amount. Its interpretation is meant to be flexible so that each situation may be judged on its own merits and may take into account significant contributions of personal services as well as monetary or in-kind gifts. It is expected that each naming opportunity will recognize the donor (living or deceased) according to the level of gift and size of facility.

1. Purpose:

The “Public Property Naming Policy” will be created for the purpose of developing standards and processes for attaching names to public parks, facilities and property owned by the County of Jefferson, FL.

The naming of public properties should be approached with caution, patience and deliberation. A process must be developed and followed.

Naming opportunities are tied to service or charitable donations. A super majority vote of the Jefferson County Board of County Commissioner is required.

Naming a park/facility/property after a person (living or deceased) is a bit more difficult to identify the effort when it is tied to service. Noble traits for service include, but not limited to: unselfishness, not part of a job, a founding member. It can be the ‘brainchild’ of the project, out of the ordinary service (create a park and do not have children). Consider 30+ years of unselfish service to the cause.

If not tied to service, giving opportunities should be tied to monetary giving of 1/2 of the total cost of the project. It is desirable for the County to name facilities and properties in honor of significant contribution of funds to the County.

Facilities and properties may be named for individuals or for organizations responsible for a substantial gift of 1/2 or more of the total cost of the facility and may take into account significant contributions of personal services as well as monetary or in-kind gifts.

The naming of County property and facilities should promote ready identification and/or geographic association to the public.

It should honor a person, corporation or organization that has achieved unique distinction.

Naming opportunities can be a combination of personal services, monetary contributions and in-kind contributions.

2. Public Property Naming Commission:

The Public Property Naming Committee (PPNC) will become a permanent committee consisting of 6 persons, one each to be nominated by each member of the Commission. One member will be the county coordinator. All members of the committee shall be nominated as stated above and shall be confirmed by a majority vote of the members of the Board of County Commissioners.

The terms of the Public Property naming Committee will be three years terms and will stagger.

The Public Property Naming Committee will meet two times a year. A special-called meeting of the PPNC can be called by the Committee Chair or by 3 members of the committee with at least seven (7) days notice. All meetings of the PPNC will be open to the public and will require at least seven (7) day public notice.

The number of public properties re-named each year will be limited to three (3) or less. The committee can increase or decrease the number of properties to be re-named by a super majority vote of the Board of County Commissioners.

The PPNC accepts the application and considers the naming/renaming request. The request is approved by the PPNC. A waiting period begins when the PNCC receives the application. The waiting period shall be no less than six (6) months and/or up to twelve (12) months, the application and supporting documentation is then sent to the Board of County Commission for consideration. A super majority vote is required for approval of a naming/renaming request.

3. Scope:

To put together a process with criteria that is fair and equitable by which public property and facilities are named.

4. Criteria Recommendations:

In naming public property, consideration shall be primarily given to the following criteria:

1. Neighborhood, geographic or common usage identification
2. A natural or geological feature
3. Significant historical events or cultural attributes
4. A historical figure
5. An individual (living or deceased) who has made a significant land, building or monetary contribution to the County for the building or property being named.

6. To recognize an organization, which may include a business, that has made exceptional contributions to the County in the form of financial support, service, volunteers, or that represents enduring historical significance.
7. An individual (living or deceased) who has contributed outstanding civic service to the County, having but not limited to, the following attributes:
 - a. Superior levels of performance on their chosen field
 - b. Effective citizenship
 - c. Outstanding community service by being widely recognized as having national, state or local community significance for community or public service.
 - d. Excellent character and general reputation
 - e. High standards and ethics.

5. Public Property and Facilities Naming

The interior features of a County owned building may be named separately from the main building subject to the criteria and procedures set forth in this policy.

6. Naming of Parks Procedures:

Suggestions for names for parks or park facilities may be accepted from organizations, neighborhood residents, individuals and the media. All suggestions, solicited or not, shall be acknowledged for consideration by the PPNC.

The PPNC shall host a public hearing to provide an opportunity for public comments on naming recommendations.

The PPNC will review names and make recommendations for the PPNC to present to the Commission.

Current Event: The department shall wait at least one year between receipts of a name proposal related to a current event before final recommendation of that naming opportunity.

Facilities shall be identified by the established name, and signs shall be maintained as a source of identity and civic pride.

7. Public Property Naming Application.

The application must be supported by official documentation including but not limited to:

8. Naming for an individual:

- 1) Complete 'naming opportunity' application.
- 2) List of volunteer/service activities, including dates of involvement and offices held.
- 3) List of professional accomplishments.

- 4) List of honors/awards, both volunteer and professional, including dates awarded.
- 5) Narrative as to why the individual should be honored with the naming of the property/facility
- 6) Information regarding any significant donations, gifts, financial support or contributions made by the individual to the County.

9. Naming for an organization:

- 1) Complete 'naming opportunity' application.
- 2) A copy of the Charter of the organization, including mission statement.
- 3) A copy of the Minutes of the meeting or authentic copy of the proclamation made that substantiates the organization's desire to seek a facility naming opportunity.
- 4) List of service to the community, both volunteer and monetary, including dates of involvement and results.
- 5) Authentic copies of recognitions awarded by national organization of which the local organization is an affiliate.
- 6) List of other honors/awards earned by the organization.
- 7) Narrative as to why the organization should be honored with the naming of a facility.
- 8) Information regarding any significant donations, gifts, financial support or contributions made by the organization.

The burden of supporting the Naming Application rests with the individual or group submitting the application.

1. Fulfill all criteria requirements
2. Send completed application to Public Property Naming Committee.
3. PPNC considers and if approved sends recommendation (after the waiting period) to the Board of County Commissioners.
4. The matter shall be placed on the BOCC agenda for two readings.
5. Once approved, (a super majority vote is required by the BOCC), notice is sent to appropriate persons/agencies.

ITEM 6(a): FL SAFERIDER LEASE

COMMERCIAL LEASE AGREEMENT

This Commercial Lease Agreement, made and entered into this ____ day of _____, 2013, by and between JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS, whose address is 1 Courthouse Circle, Room 10, Jefferson County Courthouse, Monticello, Florida 32344, hereinafter referred to as "Lessor"; and FLORIDA SAFERIDER, INC., a Florida corporation, whose address is Post Office Box 2042, Tallahassee, Florida 32316, hereinafter referred to as "Lessee".

W I T N E S S E T H:

That Lessor does hereby lease to Lessee the following described premises located in Monticello, Jefferson County, Florida, (hereinafter referred to as "the property"), to-wit: See attached Exhibit "A".

1. Term of Lease. The term of this lease shall be for a period of time commencing February 1, 2013, and terminating January 31, 2015. Thereafter, the lease may be extended from year to year, upon terms and conditions mutually acceptable to Lessor and Lessee.
2. Payment of Rent. Lessee shall pay to Lessor \$1,000 per month rental, due on the 1st day of each month. All rent payments shall be paid to Jefferson County Board of County Commissioners, 1 Courthouse Circle, Room 10, Monticello, Florida 32344, or such other place as specified in writing by Lessor.
3. Inspection of Premises. Lessee acknowledges that he has inspected the premises and that it is in clean, safe, fit and habitable condition for the purposes for which it will be utilized
4. Insurance. Lessor shall maintain standard hazard insurance on the premises for the term of the lease and shall provide Lessee with proof of said insurance coverage within 10 days of the execution of this agreement. Lessor shall not be responsible for damages or losses with respect to Lessee's personal property. Lessee shall maintain liability insurance on the premises and shall include Lessor as a protected party, in an amount acceptable to Lessor but no less than \$1,000,000.
5. Assignment and Subletting. This lease shall not be assigned prior, written, advance approval of Lessor.
6. Alterations, Additions and Improvements. Lessee agrees to maintain the leased premises in its existing state, normal wear and tear excepted. Any alterations, additions or improvements made to the leased property during the term of this lease shall be at Lessee's expense and shall be approved in writing, in advance, by Lessor. Lessee will obey all laws, ordinances and regulations affecting said premises and will peacefully surrender the premises to the Lessor upon termination of this lease.
7. Waiver of Performance. The failure of Lessor or Lessee to insist upon performance of any of the conditions of this lease in any one or more instances shall not constitute a waiver thereafter of the right to full performance of all the agreements herein set forth, and all conditions, when any performance is due.

8. Notices. Notice to the Lessor may be given in person or by certified mail addressed to Lessor at 1 Courthouse Circle, Room 10, Monticello, Florida 32344. Notice to Lessee may be given in person or by certified mail to Lessee at Post Office Box 2042, Tallahassee, Florida 32316.
9. Attorneys' Fees. If Lessor or Lessee defaults in the performance of any of the covenants of this agreement and, by reason thereof the Lessor or Lessee employs the services of an attorney to enforce the performance of said covenants, the prevailing party shall be paid by the other party a reasonable attorney's fee and all expenses and costs incurred in enforcement of any remedy available to the prevailing party.
10. Hold Harmless. Lessee covenants to indemnify and hold harmless Lessor against any and all claims, demands, damages or injuries arising from the conduct or management of, or from any work or thing whatsoever done in or about the leased premises during the term of this lease or any extension thereof, or arising from any act or negligence of Lessee, his agents, contractors or employees, or arising from any accident, injury or damage whatsoever, however caused, to any person or persons, or to the property of any person, persons, corporation or corporations, occurring during such term on, in or about a the leased premises.
11. Entire Agreement. This contains the entire agreement of the parties and no representations, inducements, promises or agreements, oral or otherwise, between the parties not embodied herein shall be of any force or effect.
12. Successors. The provisions of this lease shall apply to, bind and inure to the benefit of the Lessor and Lessee, and their respective heirs, successors, legal representatives and assigns.

IN WITNESS WHERE, the parties hereto have set their hands and seals the day and year first above written.

JEFFERSON COUNTY BOARD
OF COUNTY COMMISSIONERS

BY: _____
John Nelson, Sr.
Chairman

FLORIDA SAFERIDER, INC.,
a Florida corporation

BY: _____
Brandon L. Thompson
President

ITEM 6(b): US 19 BEAUTIFICATION UPDATE

EXHIBIT A

**JEFFERSON COUNTY
US 19 Landscaping – Phase I
PREBLE-RISH, INC. PROJECT NO. 751.056
TASK ORDER 056-2013**

This Task Order is for the purpose of Preble-Rish, Inc. (PRI) as the ENGINEER to provide professional services for the **US 19 South Landscaping – Phase I** for Jefferson County acting by and through it's Board of County Commissioners.

I. DESCRIPTION OF ENGINEER’S SERVICES

A. Grant Application

PRI will meet with attend necessary public hearings and prepare the grant application with necessary exhibits to file a grant request application with FDOT.

B. Design Package

PRI shall utilize existing FDOT Right-of-Way maps and As-built drawings provided by FDOT as base maps. No survey is expected or included in this Scope.

PRI shall prepare landscaping plans for the expenditure of the first phase of grant funding, which is approximately \$260,000. We anticipate that this will provide for approximately 2.5 miles of roadway to be landscaped, beginning just north of Martin Road and extending south.

C. Permitting

PRI shall coordinate the permitting and approval of the landscaping through FDOT, including the landscaping office and traffic safety office to ensure that the design is in compliance and approved by FDOT.

D. Bidding/Construction Administration/Construction Inspection

PRI will prepare necessary documents to publically bid the project, review bids submitted by Bidders, and make Contractor Selection recommendation to the County. PRI will perform periodic inspections to review the progress of the work and inspect the work before/during critical events. PRI will review pay requests and prepare necessary documentation to close the project out.

II. Tasks and Fees

A. Grant Application	No Charge	\$2,500.00
B. Design Package		\$3,700.00
C. Permitting		\$2,000.00
D. Bidding/Construction Administration/Construction Inspection		\$1,100.00

Total \$ 6,800.00

Exclusions:

- a) Wetlands Delineation, Biological Survey, Biological Mitigation.
- b) Permit Application Fees.
- c) As-built, topographical, or existing conditions survey.
- d) Off-site Surveying, Condo Surveying, As-builts, or Construction Stakeout.
- e) Dredge and Fill Permitting.
- f) Traffic Studies.
- g) Title Work or Legal Opinion.
- h) Advertisement fees.
- i) Anything not specifically mentioned above.

IN WITNESS WHEREOF, the parties hereto have caused this Task Order to be executed by their undersigned officials as duly authorized.

PREBLE-RISH, INC.

Address for Correspondence

187 East Walnut Street
Monticello, FL 32344

By: _____

Name and Title: Alan Wise, P.E., Sr. Project Manager

Witnessed: _____

Date: _____

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

Address for Correspondence

1 Courthouse Circle
Monticello, FL 32344

By: _____

Name and Title: Mr. John Nelson – Chairman, Jefferson Co. BOCC

Date: _____

ITEM 6(c): CDBG APPLICATION APPEAL

PARRISH BARWICK
JEFFERSON CNTY BRD OF CNTY COMMISSIONERS
1 COURTHOUSE CIR
MONTICELLO FL 32344

13-0356

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

JACKSON COUNTY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 13-0355
)	
DEPARTMENT OF ECONOMIC)	
OPPORTUNITY,)	
)	
Respondent.)	
_____)	
)	
JEFFERSON COUNTY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 13-0356
)	
DEPARTMENT OF ECONOMIC)	
OPPORTUNITY,)	
)	
Respondent.)	
_____)	

NOTICE OF HEARING

A hearing will be held in this case at the Division of Administrative Hearings (check the reception area for hearing room assignment), the DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida, on March 20, 2013, at 9:30 a.m., or as soon thereafter as can be heard. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUE: As set forth in the Petitions for Administrative Proceedings.

AUTHORITY: Chapter 120, Florida Statutes; and Florida Administrative Code Chapter 28-106, Parts I and II.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas

will be issued by the Administrative Law Judge upon request of the parties. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Florida Administrative Code Rule 28-106.106. Failure to appear at this hearing may be grounds for closure of the file without further proceedings.

The agency shall be responsible for preserving the testimony at the final hearing. Fla. Admin. Code R. 28-106.214.

February 6, 2013



BARBARA J. STAROS
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

COPIES FURNISHED:

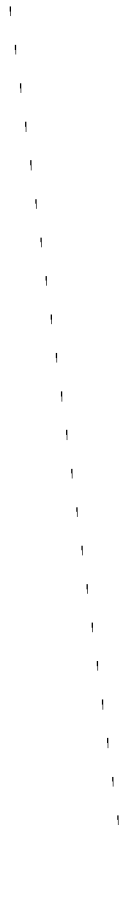
Ted Lakey
Jackson County Board
of County Commissioners
2864 Madison Street
Marianna, Florida 32448

Sherry A. Spiers, Esquire
Department of Economic Opportunity
MSC 110
107 East Madison Street
Tallahassee, Florida 32399
sherry.spiers@deo.myflorida.com

Stephen S. Everett, Esquire
Department of Economic Opportunity
MSC 110
107 East Madison Street
Tallahassee, Florida 32399
stephen.everett@deo.myflorida.com

Parrish Barwick
Jefferson County Board
of County Commissioners
1 Courthouse Circle
Monticello, Florida 32344

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.



STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

JACKSON COUNTY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 13-0355
)	
DEPARTMENT OF ECONOMIC)	
OPPORTUNITY,)	
)	
Respondent.)	
_____)	
)	
JEFFERSON COUNTY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 13-0356
)	
DEPARTMENT OF ECONOMIC)	
OPPORTUNITY,)	
)	
Respondent.)	
_____)	

ORDER OF PRE-HEARING INSTRUCTIONS

This cause having been scheduled for final hearing, it is, therefore,

ORDERED that:

1. Counsel for all parties shall meet no later than 10 days prior to the date for final hearing in this cause and shall:

- (a) Discuss the possibility of settlement;
- (b) Stipulate to as many facts and issues as possible;
- (c) Prepare the pre-hearing stipulation as required by this Order;

(d) Examine all exhibits (except for impeachment exhibits) proposed to be offered into evidence at the hearing;

(e) Furnish opposing counsel the names and addresses of all witnesses (except for impeachment witnesses); and

(f) Complete all other matters which may expedite the hearing in this case.

2. Counsel for Petitioner shall initiate arrangements for the attorneys' conferences. However, all attorneys in this cause are charged with the duty of meeting in such conferences and of complying with the schedule set forth in this Order.

3. The pre-hearing stipulation shall contain:

(a) A concise statement of the nature of the controversy;

(b) A brief, general statement of each party's position;

(c) A list of all exhibits (except for impeachment exhibits) to be offered at the hearing, noting any objections thereto, and the grounds for each objection;

(d) A list of the names and addresses of all witnesses (except for impeachment witnesses) to be called at the hearing by each party, with expert witnesses being so designated;

(e) A concise statement of those facts which are admitted and will require no proof at hearing, together with any reservations directed to such admission;

(f) A concise statement of those issues of law on which there is agreement;

(g) A concise statement of those issues of fact which remain to be litigated;

(h) A concise statement of those issues of law which remain for determination by the Administrative Law Judge;

(i) A concise statement of any disagreement as to the application of the rules of evidence;

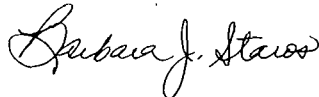
(j) A list of all pending motions or other matters which require action by the Administrative Law Judge;

(k) An estimate as to the length of time required for the hearing; and

(l) The signature of counsel for all parties.

4. The parties shall file their pre-hearing stipulation no later than 7 days prior to the date set for final hearing in this cause. If for any reason the pre-hearing stipulation cannot be executed by all counsel, each attorney shall file and serve a separate proposed pre-hearing statement no later than 5 days before the final hearing with a statement of reasons why no agreement was reached on the stipulation. Failure to comply with the requirements of this Order may result in the exclusion of witnesses or exhibits not previously disclosed.

DONE AND ORDERED this 6th day of February, 2013, in Tallahassee, Leon County, Florida.



BARBARA J. STAROS
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 6th day of February, 2013.

COPIES FURNISHED:

Ted Lakey
Jackson County Board
of County Commissioners
2864 Madison Street
Marianna, Florida 32448

Sherry A. Spiers, Esquire
Department of Economic Opportunity
MSC 110
107 East Madison Street
Tallahassee, Florida 32399
sherry.spiers@deo.myflorida.com

Stephen S. Everett, Esquire
Department of Economic Opportunity
MSC 110
107 East Madison Street
Tallahassee, Florida 32399
stephen.everett@deo.myflorida.com

Parrish Barwick
Jefferson County Board
of County Commissioners
1 Courthouse Circle
Monticello, Florida 32344

**ITEM 6(d): RECREATION PARK ADVISORY
BOARD APPLICATIONS**

**JEFFERSON COUNTY FLORIDA
BOARD OF COUNTY COMMISSIONERS
COUNTY VOLUNTEER BOARD/AGENCY APPLICATION**

The Jefferson County Board of County Commissioners recognizes that citizen participation is a vital component of a vibrant democratic local government. The County also recognizes the unique contributions made by volunteers and encourages involvement in local government through service on a County volunteer board or agency.

(PLEASE TYPE OR PRINT CLEARLY)

Name of volunteer Board/Agency for which you are applying:

1. Rec. Advisory Board
2. _____
3. _____

Name: Demott Anderson

Address: 790 N. Mulberry St City/State Monticello FL Zip 32344

Alternate Address: _____ City/State _____ Zip _____

Telephone: (Home) 850-528-7088 (Cell) SAME (Fax) _____ (Work) _____

Preferred Contact # Home () Cell Work ()

E-Mail Address: demott@simpsonnurseries

Are you: Jefferson County Registered Voter? Yes No _____

Please circle the months you would NOT be available for meetings:

Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec.

Occupation: Nurseryman — City of Monticello 23 year, Retired

(If retired, please indicate former occupation or profession.)

Are you currently serving on any County Boards or Committees? Yes _____ No

If yes, please provide the name of the Board or Committee:

1. _____
2. _____

Applicable County codes require appointments to the following Boards to be persons who are residents of the Jefferson County: Code Enforcement Board, Planning Commission. No person may serve on more than one of these boards concurrently.

Complete the following: Please describe those facets of your background/experience that you feel may be useful for membership on this Board/Agency.

What do you feel you can contribute to the Board/Agency to which you are applying?

I have coached + umpired for 17 years at
The rec Park, I put in ~~all~~ Bathrooms, repaired
all leaks, run all the water lines planted
all the trees there over the last 23 years

Academic – Degrees, Diplomas

High school Diploma

Professional – Certifications

Knowledge – Training, interests, or experience

Babe Ruth umpire
High school – girls softball 4 years
High school – Baseball 3 years
all at ACA

Community Involvement – List organizations/positions

Monticello V.F.D. 17 years Asst. Fire Chief
Hiram Masonic Lodge Past master
ACA Athletic chairman 5 years
ACA Board member 3 years
MVFD Retirement Board 10 years

Organizations – Membership

same

Please attach any other information or resume you feel will assist the Commissioner in your district and the Board of County Commissioners in making their decision on this appointment.

IMPORTANT INFORMATION ON APPOINTMENTS TO BOARDS OR AGENCIES

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision and all members of bodies exercising planning, zoning, or natural resources responsibilities are required to file a financial disclosure form within 30 days after appointment and annually thereafter for the duration of the appointment as required by Chapter 112, F.S. If appointed, please contact the County Supervisor of Elections to obtain the applicable disclosure forms.

Terms on various boards and agencies vary and may be for a period up to three years. Appointments expire on the last day of August of each year on a staggered basis. In addition, vacancies occur throughout the year for various reasons and vacancies are filled for the remainder of the unexpired term. If any vacancy is for a period of less than six months, the Board of County Commissioners, at their discretion, may appoint an individual for the remainder of the current term, plus one full term at the time of appointment. County boards and agencies play a vital part in our community. You are encouraged to submit an application for appointment to a County board or agency prior to board appointment deadlines. The deadline to accept any application for annual appointments is 5:00 p.m. Wednesday of the week preceding the Regular Commission Meeting on the first Thursday of the month of August. There is no deadline for accepting applications to fill vacancies. For information concerning any board or agency or the appointment process, please call the Office of the County Coordinator at the Courthouse Annex, (850)342-0287, or visit our website at www.jeffersoncountyflorida.gov.

COMPLETE, SIGN, AND RETURN THIS FORM TO:

Office of the County Coordinator
Jefferson County
445 W. Palmer Mill Road
Monticello, FL 32344


Applicant Signature

2-27-13
Date

Staff Use Only: Appointed: Yes No Term Expiration Date: _____

Date Notified: _____

**JEFFERSON COUNTY FLORIDA
BOARD OF COUNTY COMMISSIONERS
COUNTY VOLUNTEER BOARD/AGENCY APPLICATION**

The Jefferson County Board of County Commissioners recognizes that citizen participation is a vital component of a vibrant democratic local government. The County also recognizes the unique contributions made by volunteers and encourages involvement in local government through service on a County volunteer board or agency.

(PLEASE TYPE OR PRINT CLEARLY)

Name of volunteer Board/Agency for which you are applying:

1. Recreation Advisory Board
2. ENFORCEMENT Board
3. Planning Com.

Name: John W. Weaver

Address: 304 Limestone Rd. City/State FL Zip 32344

Alternate Address: N/A City/State _____ Zip _____

Telephone: (Home) 850-977-5029 (Cell) 850-510-0678 (Fax) _____ (Work) Retired

Preferred Contact # Home () Cell () Work ()

E-Mail Address: _____

Are you: Jefferson County Registered Voter? Yes _____ No Not yet

Please circle the months you would NOT be available for meetings:

Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec.

Occupation: Retired Maintenance Test Helper

(If retired, please indicate former occupation or profession.)

Are you currently serving on any County Boards or Committees? Yes _____ No

If yes, please provide the name of the Board or Committee:

1. _____
2. _____

Applicable County codes require appointments to the following Boards to be persons who are residents of the Jefferson County: Code Enforcement Board, Planning Commission. No person may serve on more than one of these boards concurrently.

Complete the following: Please describe those facets of your background/experience that you feel may be useful for membership on this Board/Agency.

What do you feel you can contribute to the Board/Agency to which you are applying?

By Being involved in meetings where Co. And City Needs to works. Board/Agency Needs To think of People in The County than just Themselves, Road Problems Country Wide work in sports all my life

Academic – Degrees, Diplomas

High School Dip

Quarter of Accounting

Income Tax Computer Acc.

Professional – Certifications

40 yrs Baseball Official

40 yrs Shrine (Blue Lodge)

Knowledge – Training, interests, or experience

Machine Operator

Community Involvement – List organizations/positions

Coach Little League Boys and Girls

Umpire H.S. Baseball, Football, Basketball

And Girls Softball

Vol. Coach for 20 years

As a Softball Coach 25 years Nationals Girls 5 years

Organizations – Membership

Mason - Cairo Lodge #599 P.M.

Flint River Umpire P.P.

Hasan Temple

Cairo Royal Arch Mason R.H.P.

Cairo Shrine Club P.P.

Please attach any other information or resume you feel will assist the Commissioner in your district and the Board of County Commissioners in making their decision on this appointment.

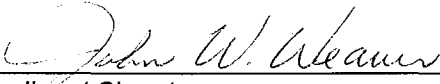
IMPORTANT INFORMATION ON APPOINTMENTS TO BOARDS OR AGENCIES

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision and all members of bodies exercising planning, zoning, or natural resources responsibilities are required to file a financial disclosure form within 30 days after appointment and annually thereafter for the duration of the appointment as required by Chapter 112, F.S. If appointed, please contact the County Supervisor of Elections to obtain the applicable disclosure forms.

Terms on various boards and agencies vary and may be for a period up to three years. Appointments expire on the last day of August of each year on a staggered basis. In addition, vacancies occur throughout the year for various reasons and vacancies are filled for the remainder of the unexpired term. If any vacancy is for a period of less than six months, the Board of County Commissioners, at their discretion, may appoint an individual for the remainder of the current term, plus one full term at the time of appointment. County boards and agencies play a vital part in our community. You are encouraged to submit an application for appointment to a County board or agency prior to board appointment deadlines. The deadline to accept any application for annual appointments is 5:00 p.m. Wednesday of the week preceding the Regular Commission Meeting on the first Thursday of the month of August. There is no deadline for accepting applications to fill vacancies. For information concerning any board or agency or the appointment process, please call the Office of the County Coordinator at the Courthouse Annex, (850)342-0287, or visit our website at www.jeffersoncountyflorida.gov.

COMPLETE, SIGN, AND RETURN THIS FORM TO:

Office of the County Coordinator
Jefferson County
445 W. Palmer Mill Road
Monticello, FL 32344



Applicant Signature

2 - 28 - 13
Date

Staff Use Only: Appointed: Yes No Term Expiration Date: _____

Date Notified: _____

ITEM 7(a): TAX ABATEMENT ORDINANCE

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM**

To: Honorable Chairperson and Members of the Board

From: T. Buckingham Bird, County Attorney

Subject: Public Hearing - Consideration of Adoption of Ordinance
Authorizing the Jefferson County Board of County Commission
to Grant Ad Valorem Tax Exemptions to Certain Businesses
as set out in Section 196.1995, Florida Statutes.

Statement of Issue:

Pursuant to s.3, Art. VII of the Florida Constitution, counties may, after vote of the electorate through referendum, grant ad valorem tax exemptions to businesses meeting the criteria set out in section 196.1995, Florida Statutes.

Background:

During the November, 2012 election, the citizens of Jefferson County voted to authorize the Board of County Commissioners to grant ad valorem tax exemptions pursuant to Section 196.1995, Florida Statutes. Pursuant to section 196.1995(5), Florida Statutes, after a majority vote in favor of such authority, the board of county commissioners may enact an ordinance relating to its authority to exempt from ad valorem taxation up to 100 percent of the assessed value of all improvements made by or for the use of the new business and of all tangible personal property of such new business, or up to 100 percent of the assessed value of all added improvements to real property made to facilitate the expansion of an existing business and of the net increase in tangible personal property acquired to facilitate such expansion of an existing business made after the day such ordinance is adopted.

Analysis:

See above.

Fiscal Impact:

To be determined based upon an analysis of the statutorily required application each business requesting abatement must submit.

Options:

1. Vote to enact the ordinance authorizing the granting of ad valorem tax exemptions in accordance with Section 196.1995, Florida Statutes.

2. Vote not to enact the ordinance authorizing the grant of ad valorem tax exemptions in accordance with Section 196.1995, Florida Statutes.

3. Further directions by the Board.

County Attorney's Recommendation

Option 1

Attachment:

Proposed Ordinance Language

Summary of process for granting ad valorem tax exemptions under Section 196.1995, Florida Statutes.

ORDINANCE NO. _____

AN ORDINANCE EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA TO GRANT ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS TO NEW BUSINESSES AND EXPANDING EXISTING BUSINESSES; PROVIDING DEFINITIONS; ESTABLISHING CRITERIA, PROCEDURES, ASSIGNMENTS AND RESPONSIBILITIES OF COUNTY PROPERTY APPRAISER; PROVIDING CRITERIA FOR THE BOARD OF COUNTY COMMISSIONERS TO CONSIDER IN GRANTING OR DENYING EXEMPTIONS; PROVIDING FOR ADOPTION OF RULES RELATING TO IDENTIFICATION AND CLARIFICATION OF SUCH PROPERTY AND BUSINESSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS in order to provide for the orderly economic development of Jefferson County, quantitative policy goals have been established to guide and measure the progress of development activities; and

WHEREAS the following are long term goals which should be pursued in order to provide adequate, appropriate employment opportunities:

1. Raise Jefferson County's per capita income.
2. Increase the percentage of manufacturing employment in total employment to at least the state level.
3. Increase the percentage of high-wage and medium-wage employment in all manufacturing employment.
4. Raise the educational level of the Jefferson County population (age 25 and over) to the State level.
5. Maintain agriculture among the top four income producing industrial divisions in the County.
6. Encourage diversification of agriculture with emphasis on increasing agricultural employment.

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

SECTION 1. Short Title. This ordinance shall be known and may be referred to as

“Economic Development Ad Valorem Tax Exemption Ordinance of Jefferson County, Florida”.

SECTION 2. Jurisdiction. This ordinance shall apply to all unincorporated areas of

Jefferson County, Florida.

SECTION 3. Application. This ordinance shall provide for exemption for only those

ad valorem taxes levied by the BOARD OF COUNTY COMMISSIONERS.

SECTION 4. Definitions. In this ordinance, the words “new business” shall mean an

activity described under Florida Statutes, Section 196.012(15), and domiciled in Jefferson County, Florida which manufactures, processes, compounds, fabricates, produces, assembles and/or packages for sale items of tangible personal property at a fixed location which comprises an industrial or manufacturing plant.

a. New business shall mean a business, as defined in Section 4 herein, establishing jobs for 10 or more full-time employees in Jefferson County.

b. In this ordinance, expansion of an existing business shall mean an activity described in Florida Statutes, Section 196.012(16) domiciled in Jefferson County that increases its operation on a site co-located with its parent organization or a subsidiary of the parent organization, owned by the same organization that establishes jobs for 10 or more full-time employees in Jefferson County.

c. Exemption means exempt from ad valorem taxation of up to 100 percent of the assessed value of all improvements to real property made by or for the use of new business as defined in Section 4 herein, and all tangible personal property of such new business, or up to 100 percent of the assessed value of all added improvements to real property, which additions are made to facilitate the expansion of an existing co-located business, and the net increase of all tangible personal property acquired in connection therewith.

d. Exemption shall not apply to (a) land on which a new business or expanding business is located; (b) property acquired to replace existing property; (c) taxes levied to pay for bond issues or other special tax levies authorized by the voters; (d) school taxes; (e) water management district taxes.

e. In accordance with the policy goals established and Florida Statutes, Section 196.1995, exemptions granted to a new business or expanding business are renewable each year for a period of 10 years providing the business makes application March 1, and provides not less than 10 new jobs in Jefferson County for 10 new employees each year substantiated by appropriate payroll documentation. Failure to make or renew application by March 1 of any year shall constitute a waiver of the exemption for that year. Extensions may be granted if application is not filed timely at no fault of applicant. Such extensions shall be granted in the discretion of the Board of County Commissioners. The authority to grant exemptions under this ordinance shall expire 10 years after the date such authority was approved in an election, i.e., November, 2022, however, such authority may be renewed for another 10 year period in a referendum called pursuant to Florida Statutes.

f. Exemptions under this ordinance shall first apply to new businesses and expanding businesses, as defined in Section 4, for the assessed value of improvements to real property and tangible personal property on the 2012 assessment rolls of Jefferson County.

Improvements to real property and tangible personal properties on assessments rolls of Jefferson County prior to 2012 are not eligible under this ordinance.

SECTION 5. Application Procedures. A new business or expanding business, as defined in Section 4a and 4b, which desires an economic development ad valorem tax exemption shall on or before March 1 of the year in which the exemption is desired to take effect, file a written application of Florida Department of Revenue Form DR-418 with the Jefferson County Board of County Commissioners. The application shall request the adoption of an ordinance granting the applicant an exemption pursuant to the conditions set forth in this ordinance and shall include the following:

- a. The name and location of the new business or the expansions of an existing business as defined in Section 4a and 4b.
- b. A description of the improvements to real property for which the exemption is being requested, the date construction of improvements commenced and the date the improvements were completed.
- c. A description of the tangible personal property for which an exemption is being requested and the date when such property was acquired; the date when such property was delivered to Jefferson County; and the date the property was installed in Jefferson County.
- d. Proof to the satisfaction of the Board of County Commissioners of Jefferson County that the applicant is in fact a new business or an expansion of a business existing in Jefferson County as defined in Section 4a and 4b.
- e. Any other data or information pertinent and appropriate to the request for exemption.

SECTION 6. Review Procedures.

A. Prior to review of the application by the Board of County Commissioners, said Board shall cause a copy of the application to be delivered to the Jefferson County Property Appraiser. In accordance with Florida Statutes, Section 196.012, the Property Appraiser shall study the application and report the following to the Board of County Commissioners:

(1) A total of revenues available to the county for that fiscal year generated from ad valorem tax sources.

(2) Any and all revenues foregone by the county for that fiscal year by virtue of ad valorem tax exemptions previously granted.

(3) An estimate of the ad valorem tax revenues that would be foregone by the county during that fiscal year if the ad valorem tax exemption applied for by that application were granted had the property for which the application of exemptions was being requested otherwise been subject to taxation.

(4) A determination as to whether the property for which an exemption is requested is to be encompassed into a new business or an expansion of an existing business, as defined in Section 4a and 4b, which determination the Property Appraiser shall also affix to the face of the application. The Property Appraiser may request of the Florida Department of Revenue such information as it may have available to assist in making said determinations.

B. An ordinance granting an exemption under this ordinance shall be adopted in the same manner as any other ordinance of the county and shall include the following:

(1) The name and address of the new business or the expansion of an existing business to which the exemption is granted.

(2) The total amount of revenue available to the county for all ad valorem tax sources for that fiscal year; the total amount of revenue foregone by the county for that current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect; and the

estimated revenue foregoing by the county for the fiscal year attributable to the exemption of the new business or expansion of the existing business named in the ordinance.

(3) The expiration date of the exemption.

(4) A finding that the new business or the expansion of an existing business meets all requirements set forth in this ordinance.

C. In utilizing the discretionary power to grant exemptions to new and expanded businesses, as defined in Section 4a and 4b of this ordinance, the Board of County Commissioners shall consider the following:

(1) The increase in employment attributable to the new or expanding business.

(2) The favorable or adverse impact on the community by the new or expanding business as determined by the Board of County Commissioners including, but not limited to environment, labor availability and criteria in paragraph 6C(3).

(3) The cost of any increased local government services, including, but not limited to roads, water, sewer, gas and law enforcement, and other direct expenditures associated with that specific business.

(4) The unemployment and underemployment of the available local labor force and the types and wages of jobs to be created.

(5) The ability of the county to otherwise meet its total fiscal needs should the requested exemption be granted.

SECTION 7. Other Powers. In addition to the foregoing, the Board of County

Commissioners is authorized and empowered:

a. To prescribe rules, regulations and policies in connection with the performances of its functions and duties under this ordinance including such as may pertain to the receipt and

review of preliminary applications and proposals for the exemption hereunder; and

b. To issue, make and execute such other instruments as may be necessary or convenient in the exercise of its functions and duties under this ordinance.

SECTION 8. Severability Clause. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the parts so declared to be unconstitutional or invalid.

SECTION 9. Repeal. All ordinances, or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby subordinated to the provision of this ordinance or repealed to the extent necessary to give this ordinance full force and effect.

SECTION 10. Effective Date.

This ordinance shall take effect upon filing with the Department of State.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Jefferson County, Florida by a vote of ____ to ____, this ____ day of _____, 2013.

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

By: _____
John N. Nelson, Chairman

ATTEST:

KIRK REAMS, Clerk of Court
and Ex-Officio Clerk of Board of
County Commissioners

**PROCEDURE FOR GRANTING ECONOMIC
DEVELOPMENT AD VALOREM TAX EXEMPTIONS**

- I. Economic development ad valorem tax exemptions are authorized by s.3, Art. VII of the Florida Constitution and are controlled by Section 196.1995, Florida Statutes.
- II. One way to exercise this authority is for the Board of County Commissioners to vote to hold a referendum. The referendum must be within the total jurisdiction of the county. Any such referendum expires 10 years after the date the authority was approved but can be renewed for subsequent 10 year periods if each renewal is approved in a referendum.
- III. The Commission may vote to limit the effect of the referendum to new business and expansion of existing business in certain enterprise zones or brownfield areas.
- IV. Once the referendum passes by majority vote, the Commission may vote to exempt from ad valorem taxation up to 100% of the assessed value of all improvements to real property made by or for the use of the new business and of all tangible personal property of such new business. If the referendum was limited to certain enterprise zones or brownfield areas, the exemption would likewise be limited.
- V. The exemption can remain in effect for up to 10 years with respect to a particular facility.
- VI. The business seeking the exemption must file a written application with the Commission. The application must request the adoption of an ordinance granting the applicant an exemption. The application must contain the following information:
 - a. The name and location of the new business or expansion of the existing business.
 - b. A description of the improvements to real property for which an exemption is requested and the date of the commencement of such improvements.
 - c. A description of the tangible personal property for which an exemption is requested and the dates when such property was or is to be purchased.

- d. Proof to the satisfaction of the Commission that the applicant is a new business or an expansion of an existing business as defined in s. 196.012(15) or (16).
- e. The number of jobs the applicant expects to create along with the average wage of the jobs and whether the jobs are full-time or part-time.
- f. The expected schedule for job creation.
- g. Other information deemed necessary or appropriate by the county.

VII. Before taking action on the application, the Commission must deliver a copy of the application to the Property Appraiser. The Property Appraiser must report the following information to the county:

- a. The total revenue available to the county for the current fiscal year from ad valorem taxes or an estimate of such revenue if the actual total revenue cannot be determined.

Any revenue lost to the county for the current fiscal year by virtue of exemptions previously granted under this section or an estimate of such revenue loss if the actual loss cannot be determined.

An estimate of the revenue lost to the county for the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested was otherwise subject to tax.

A determination as to whether the property for which an exemption is requested is to be incorporated into a new business or the expansion of an existing business or into neither, which determination the Property Appraiser shall affix to the front of the application.

VIII In considering the application, the Commission must take into account the following:

- a. The total number of new jobs created by the application.
- a. The average wage of the new jobs.
- a. The capital investment to be made by the applicant.
- a. The type of business or operation and whether it qualifies as a targeted industry as may be identified from time to time by the Commission.
- a. The environmental impact of the proposed business.
- a. The extent to which the applicant intends to source its supplies and materials within the jurisdiction.
- a. Any other economic-related characteristics or criteria deemed necessary by the Commission.

IX The ordinance must be adopted in the same manner as other ordinances but must contain the following:

- a. The name and address of the new business or expansion of an existing business to which the exemption is to apply.
- b. The total amount of revenue available to the county from ad valorem tax sources for the current fiscal year, the total amount of revenue the county

lost for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect and the estimated revenue loss to the county for the current fiscal year attributable to the business named in the ordinance.

- c. The period of time for which the exemption will remain in effect and the expiration date the exemption which may be a period up to 10 years.
- d. A finding that the business named in the ordinance meets the requirements of s. 196.012(15) or (16).

Upon approval of the application, the Commission may enter into written tax exemption agreement with the applicant. The agreement may contain performance criteria. It must be consistent with s. 196.1995, Florida Statutes. The agreement must require the applicant to report at a specific time before the expiration of the exemption the actual number of new jobs created and their actual average wage. The agreement may provide for revocation by the Commission in whole or in part if the applicant does not meet the expectations and representations described in its application.

NOTICE OF INTENT

NOTICE IS HEREBY GIVEN to all concerned that the Board of County Commissioners of Jefferson County, Florida. Intends at its regularly scheduled meeting, at 7:00 PM, at the Jefferson County Governmental Annex, 435 W. Walnut Street, Monticello, Florida, on the _____ day _____, 2013 to consider adoption of an ordinance:

AN ORDINANCE EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA TO GRANT ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS TO NEW BUSINESSES AND EXPANDING EXISTING BUSINESSES; PROVIDING DEFINITIONS; ESTABLISHING CRITERIA, PROCEDURES, ASSIGNMENTS AND RESPONSIBILITIES OF COUNTY PROPERTY APPRAISER; PROVIDING CRITERIA FOR THE BOARD OF COUNTY COMMISSIONERS TO CONSIDER IN GRANTING OR DENYING EXEMPTIONS; PROVIDING FOR ADOPTION OF RULES RELATING TO IDENTIFICATION AND CLARIFICATION OF SUCH PROPERTY AND BUSINESSES; PROVIDING A SEPARABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE;

INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO THIS MATTER, HE WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSE, HE MAY NEED TO ASSURE THAT A VERBATIM RECORDING OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The proposed ordinance is available for public inspection at the Office of the Clerk,

Jefferson County Courthouse, 1 Courthouse Circle, Monticello, Florida.

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

By: _____
Kirk Reams, Clerk of Court

Published one time on
_____, 2013
Monticello News

**ITEM 7(b): SUNDAY ALCOHOL SALES
ORDINANCE**

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, AMENDING CODE OF ORDINANCES CHAPTER 4 ALCOHOLIC BEVERAGES SECTION 4-2 PROHIBITED TIMES FOR SALE AND CONSUMPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Board of County Commissioners desires to enact an ordinance repealing and replacing Section 4-2 of the Jefferson County Board of County Commissioners Code of Ordinances, originally adopted by Ordinance No. 75-4, and relating to Alcoholic Beverages; and

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

SECTION 1. REPEAL AND REPLACE CODE OF ORDINANCES SECTION 4-2. PROHIBITED TIMES FOR SALE AND CONSUMPTION. Section 4-2, Prohibited times for sale and consumption, is hereby repealed and replaced in its entirety with the following language:

“No alcoholic beverages may be sold, consumed, served or permitted to be served or consumed in any place holding a license under the state division of beverages between the hours of 1:00 a.m. and 7 a.m., Monday through Sunday.”

SECTION 2. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect upon receipt of notice of its filing from the Office of the Secretary of State of the State of Florida.

PASSED AND DULY ADOPTED in regular session by the Board of County Commissioners of Jefferson County, Florida, this _____ day of _____, 2013.

BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA

By : _____
JOHN NELSON, Chairman

ATTEST:

APPROVED AS TO FORM:

KIRK REAMS, Clerk of Circuit Court
and Ex-Officio Clerk of Board of
County Commissioners

COUNTY ATTORNEY