

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR SESSION  
November 19, 2013

The Board met this date in regular session. Present were Chairperson Betsy Barfield, Commissioners Benjamin oBennyö Bishop, Hines Boyd, John Nelson and Stephen Walker. Also present were County Coordinator Parrish Barwick, County Attorney Buck Bird and Chief Deputy Clerk Tyler McNeill.

**ITEM 3: Election of Chair**

1. **On motion by Commissioner Walker, seconded by Commissioner Boyd and unanimously carried, the Board elected Commissioner Barfield as Chair.**

**ITEM 4: Election of Vice-Chair**

2. **On motion by Commissioner Walker, seconded by Commissioner Boyd and unanimously carried, the Board elected Commissioner Bishop as Vice-Chair.**

**ITEM 5: Consent Agenda**

3. **On motion by Commissioner Nelson, seconded by Commissioner Walker and unanimously carried, the consent agenda—consisting of the approval of the agenda, the TDC Application Process and the Small Grant Program Review Committee Recommendations—was approved.**

**ITEM 6: Citizens Request & Input on Non-Agenda Items**

4. Economic Development Director Julie Conley requested a joint workshop with the Board and the Economic Development Council prior to the January 21<sup>st</sup> regular session meeting. The intent of this workshop would be to discuss the economic development/vision plan in order to receive feedback and comments prior to submitting this plan.
5. Citizen Roland Brumbley requested the Board finish the job of negotiating with the Boland family about alternative landing at the Wacissa River. Chairperson Betsy Barfield stated this was an agenda item and would be addressed later in the meeting.

**ITEM 7(a): Constitutional Officers 218.36 Obligations**

6. Chief Deputy Clerk Tyler McNeill stated that this item was for informational purposes only and that it was formal notification that Constitutional Officers had met this obligation.

**ITEM 7(b): Alternative Wacissa River Landing Issue**

7. County Attorney Scott Shirley gave a history of the Wacissa River landing issue and an update on where the process was currently. He stated that in 2010, the Boland family offered Brumbley Landing as alternative landing site and stated it was historic but very different than Malloy Landing. He further stated that in the initial negotiations the Board accepted the offer to negotiate but did not rescind the resolution to vacate Malloy Landing Road. Mr. Shirley stated that on May 22, 2013, he sent the Boland's attorney a letter stating that the negotiations had never been consummated, to which their attorney agreed that this needed to be completed. Mr. Shirley and the Boland's attorney met and

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did a site visit to different landings. Mr. Shirley gave a presentation in which he reviewed the map and photos of the proposed landing as well as the terms of the proposed lease.

8. Commissioner Walker stated his belief that the proposal including the lease and landing location was totally unacceptable and, referencing the land development code, said this landing did not meet the standard for access to a waterway.
9. Chairperson Barfield asked counsel if the Board was required to abide by the previous Board's decision, to which Attorney Scott Shirley stated the Board is satisfying the agreement to negotiate with the Boland Family. Attorney Buck Bird added that there have been negotiations and that if both parties have negotiated in good faith, then negotiations would only cease when there was a breakdown in communication and the two parties could not come to terms.
10. Commissioner Boyd stated that the Board had never taken action on the Brumbley Landing proposal and added he felt there were pros and cons of both Brumbley and Malloy Landings.
11. Commissioner Walker inquired as to whether or not Suwannee River Water Management District had been contacted about whether or not improvements could be made at Brumbley Landing. Attorney Shirley stated he had not received a definitive answer, to which Commissioner Walker stated three years was long enough to have an answer.
12. Citizen Roland Rubmley said the proposed lease agreement was unacceptable and recommended the Board have someone that lives in and has knowledge of the area to research this issue. He provided information and a history of this area and recommended the Board throw the whole deal out and start over.
13. Citizen Charlie Walker said this was a bad deal and wanted the county to open Malloy Landing Road back to the public.
14. Chairperson Barfield stated this item would be continued after the public hearings.

**ITEM 8(a): PUBLIC HEARING: Second Reading of Ordinance No. 2013-111913-01 (Floodplain Management)**

15. Attorney Shirley introduced this item and performed the second reading of the new floodplain management ordinance.
16. Citizen David Hall stated that both water management districts needed to be involved, to which Attorney Shirley stated this was a model ordinance promoted on a statewide level and was uniform for all Water Management Districts.
17. Commissioner Bishop noted that if anyone had issues with this ordinance, there were procedures for variances and appeals for anyone dissatisfied.
18. **On motion by Commissioner Boyd, seconded by Commissioner Nelson and unanimously carried, ordinance No. 2013-111913-01 was approved.**

**ITEM 8(b): PUBLIC HEARING: Granny-Flat Tax Ordinance No. 2013-111913-02**

19. Attorney Bird introduced the Granny-Flat tax ordinance.

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20. Citizen David Hall asked questions and for clarification on the ordinance, to which County Coordinator Parrish Barwick and Attorney Bird responded.
21. Citizen Charlie Walker stated he was against the ordinance and that he felt the county was being a charitable organization with its citizens' money.
22. Commissioner Boyd commented that to qualify, an individual had to be over 62.
23. **On motion by Commissioner Boyd, seconded by Commissioner Bishop and unanimously carried, ordinance No. 2013-111913-02 was approved.**

**ITEM 7(b) – (cont'd): Alternative Wacissa River Landing Issue**

24. Citizen David Hall stated that the BOCC is the final authority for all decisions and that even if the Planning Commission denies or Land Development Code is cited, the Board can overrule.
25. Citizen Troy Averra stated he could not believe the terms of the lease and his opinion that the county was receiving a ditch (Brumbley Landing) in exchange for a waterway (Malloy Landing).
26. Citizen Billy Brown stated a boat could not get up and down the river on Brumbley Landing and the cost would be too great to dredge for clearance.
27. Citizen Roland Brumbley stated Brumbley Landing was too dry and not an option.
28. **Commissioner Walker made a motion to re-open Malloy Landing Road, to which Commissioner Nelson seconded for discussion. Commissioner Bishop recused himself due to a conflict of interest.** Commissioner Boyd inquired as to any legal ramifications/costs, to which Attorney Bird stated he would research. Attorney Bird added that the Board could reject the Boland's offer and send attorney back for further negotiations. Attorney Bird stated that there was always a cost associated with litigation. Commissioner Boyd stated he did not feel this was a prudent position for the Board to take and that the Boland family had twice tried to make legitimate offers. He added that this could be a huge waste of taxpayers' money. Citizen Kate Calvin asked how the Board could determine whether or not the offers were legitimate, since DEP had ultimate jurisdiction. Commissioner Walker stated that he was not worried about litigation and that the county was insured. Citizen Jeff Granger stated this issue needed to be addressed and that Malloy Landing Road needed to be reopened. Nancy Wideman, Coordinator for the Tourist Development Council, stated that the TDC was very interested in the Wacissa River and they did not support the lease as presented. Citizen Kim Gilmore stated that this issue needed to be handled by outside attorneys. **The motion carried 3 to 1 (Boyd opposed, Bishop abstained).** Chairperson Barfield stated she was unsure how to proceed but asked County Coordinator Parrish Barwick to work with Commissioner Walker to address moving forward.

**ITEM 11: Commissioner Discussion Items**

29. Commissioner Nelson stated that a luncheon on the Wednesday before Thanksgiving had been scheduled instead of an employee picnic.
30. Chairperson Barfield requested the December 3<sup>rd</sup> Regular Session be moved to 6 pm since the re-districting issue would be addressed at this meeting. County Coordinator Barwick agreed that this issue needed to be discussed at the first December meeting if

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possible. It was the consensus of the Board to have the December 3<sup>rd</sup> meeting moved from 9 am to 6 pm.

31. Chairperson Barfield inquired as to whether or not the Fire Assessment resolution for the City of Monticello needed to be discussed and voted on prior to the end of 2013 to which Attorney Bird strongly advised having it completed in this calendar year. Chairperson Barfield requested to have this issue on the December 3<sup>rd</sup> agenda.

**ITEM 12: Adjournment**

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

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Chairman

Attest: \_\_\_\_\_  
Clerk