



BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

**Benjamin "Benny"
Bishop**

District 1, Vice-Chair

John Nelson, Sr.

District 2

Hines F. Boyd

District 3

Betsy Barfield

District 4, Chair

Stephen Walker

District 5

**Regular Session Agenda
September 2, 2014 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) **SRWMD Presentation – Dr. Ann Shortelle/Dr. George Cole**
 - b) **ARPC Presentation – Chris Rietow**
- 3. Consent Agenda**
 - a) **Approval of Agenda**
 - b) **Minutes of August 19, 2014 Regular Session**
- 4. Citizens Request & Input on Non-Agenda Items (3 Minute Limit)**
- 5. General Business**
 - a) **General Election Canvassing Board Alternate – Attorney Bird**
 - b) **Legislative Committee Update – Dick Bailar**
 - c) **Lloyd Historic District/Land Development Code – Attorney Shirley**
- 6. County Coordinator**
- 7. PUBLIC HEARING: AMENDED FIRE ASSESSMENT ORDINANCE**
- 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

T. Buckingham Bird
County Attorney

ITEM 3: CONSENT AGENDA MATERIALS

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
August 19, 2014

The Board met this date in regular session. Present were Chairperson Betsy Barfield, Commissioners Benjamin “Benny” 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 2: Public Announcements, Presentations & Awards

1. Chris Cantolino with Vizco gave a presentation on his business which is located at the county Industrial Park. Chairperson Barfield recommended that Mr. Cantolino work with County Coordinator Parrish Barwick to continue the conversation on how to move forward in accomplishing some of his long term goals. Chairperson Barfield thanked Mr. Cantolino for re-locating to Jefferson County. Commissioner Boyd inquired about an access issue with the main drive and stated he would like to see the County grant Mr. Cantolino 100 feet so he and his employees could easily access the site. County Coordinator Parrish Barwick stated all he would need is a request and it could be taken care of.

ITEM 3: Consent Agenda

2. Chairperson Barfield requested amending the agenda to postpone the public hearing to October 21st at 6 pm and November the 18th at 6 pm. **On motion by Commissioner Nelson, seconded by Commissioner Walker and unanimously carried, the agenda as amended was approved.**

ITEM 4: Citizens Request & Input on Non-Agenda Items

3. Citizen Paul Henry inquired about Mr. Cantolino’s business and asked if he used loans or taxpayer money to relocate. Mr. Barwick stated none that he was aware of and Mr. Henry stated that is how business should be done.
4. Citizen Dan Hamedani asked if he could attend a budget workshop and be given time for a presentation on a road improvement suggestion for Casa Bianca Road, to which Chairperson Barfield responded in the affirmative.

ITEM 5a: SHIP Down Payment Assistance

5. County Coordinator Parrish Barwick stated there was one application for down payment assistance in the amount of \$20,000. He stated that it would be re-paid over a seven year period by the citizen being in the facility. Commissioner Bishop asked if the person would have to pay the money back to which Mr. Barwick stated if they stayed in the house for seven years, the money was 100% forgiven. Citizen Paul Henry stated his opinion that the SHIP program wasn’t quite as bad as the CDBG program but stated this person’s annual income was \$45,000 which was well above what Sheriff’s deputies make. He stated if this income justified public assistance, then the Board needed to consider this during budget time when looking at the Sheriff’s budget. **On motion by Commissioner Boyd, seconded by Commissioner Nelson and unanimously carried, the Board approved the above SHIP application.**

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

ITEM 8: Commissioner Discussion Items

6. County Attorney Buck Bird stated public hearing on Fire Tax amendment would be at the next meeting. He stated that by statute, the public hearing had to be prior to September 15th and that was the reason He stated that every property owner in the city had notified via a mailout. County Coordinator Barwick noted that the city initiated this process, as the county could not impose taxes on the city.
7. Commissioner Boyd stated his concerns that funds approved for the Citizens for United People grant were being used improperly. County Coordinator Parrish Barwick stated he had made contact with Mr. C.P. Miller regarding the funds for Howard School and that he would be in touch with the Board. Commissioner Nelson stated he could not comment about the funds as he was enlisted as the Director of Entertainment and was due to perform at the event on Saturday. He stated that any questions about funds should be directed to the president of the organization.

ITEM 9: Adjournment

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

Attest: _____
Clerk

Chairman

**ITEM 5(b): LEGISLATIVE COMMITTEE
UPDATE**

JCKC Action Report, Dick Bailar, Legislative Committee

At the May 20th meeting of the BOCC, Steve Andris, owner of the Jefferson County Kennel Club, Luther Pickels, JCKC Director, and Mary Snellgrove, Executive Secretary, presented a resolution requesting their assistance to help JCKC reorganize and reopen. The BOCC unanimously approved the resolution and authorized that it and an accompanying letter be delivered to Governor Scott for his information and possible assistance. At the same time, BOCC Chair, Betsy Barfield, directed Dick Bailar of the county Legislative Committee to do whatever could be done to assist the JCKC in its efforts to resume operations.

Accordingly, Bailar, with the assistance of Rep. Halsey Beshears, arranged a meeting with Mr. Dan Olson, Director of the Department of Business and Professional Regulation. Andris, Pickels and Bailar met with Mr. Olson and three chief aides at their Northwood Plaza offices. They were very courteously received, some misunderstandings were corrected and some new information was disseminated. All in all, it was a very productive meeting that ultimately resulted in JCKC not only getting the two year licensing extension it sought, but an additional year was added which is an absolute boon for the reorganization process. The DBPR officials also committed to further study and assistance.

The next step was to arrange a meeting with Senator Bill Montford, who represents the county and sits on the Gaming Commission. He discussed the issues thoroughly with Andris and Pickels and suggested some steps that might be more effective than others in their reorganizational efforts, and was quite frank about some concerns that were probably dead in the water. Rep. Beshears, due to other commitments, was unable to attend the meeting but is committed to assist JCKC in any way that he can.

After the new legislature is formed in November and committee assignments are made, especially the Gaming Commission, the Legislative Committee will assist in arranging meetings with the appropriate legislators and/or their aides. At one time, JCKC was the largest part-time employer in the county and had a huge economic impact on the community. A re-opened facility would be welcome.

**ITEM 5(c): LLOYD HISTORIC
DISTRICT/LAND DEVELOPMENT CODE**

ORDINANCE 02- 06

AN ORDINANCE AMENDING THE JEFFERSON COUNTY LAND DEVELOPMENT CODE BY AMENDING SECTION 2.03.03 HISTORIC DISTRICTS AND AMENDING ORDINANCE NO.01-01 BY WHICH SAID SECTION WAS ADOPTED; ADOPTING REMEDIAL AMENDMENTS TO THE LAND DEVELOPMENT CODE PURSUANT TO A STIPULATED SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF COMMUNITY AFFAIRS AND OTHER PARTIES; AMENDING SECTION 2.03.03B.1; PROVIDING FOR IDENTIFICATION OF THE COUNTY HISTORIC DISTRICT IN THE VILLAGE OF LLOYD; CREATING TWO SEPARATE PARTS OF SAID DISTRICT; AMENDING SPECIAL PROVISIONS RELATING TO THE LLOYD HISTORIC DISTRICT; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

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

Whereas, pursuant to Chapter 163, Part II, and Chapter 125, Florida Statutes, the Jefferson County Board of County Commissioners is charged with the duty and obligation to adopt appropriate land development regulations and codes managing and controlling growth and development within the geographical boundaries of Jefferson County;

Whereas, through Ordinance No. 01-01 the Jefferson County Board of County Commissioners adopted certain Land Development Regulations (LDRs) dealing with the designation of historic districts, specifically the Lloyd Overlay Historic District;

Whereas, these LDRs were challenged by residents of the County affected by the Ordinance;

Whereas, in order to resolve the challenge to the Ordinance, Jefferson County and the affected parties have entered into a Stipulated Settlement Agreement;

Whereas, the Jefferson County Board of County Commissioners is amending Ordinance No. 01-01 to reflect the terms of Stipulated Settlement entered into by the parties;

NOW, THEREFORE, BE IT ORDAINED by the Jefferson County Board of County Commissioners as follows:

SECTION I – Historic Districts

1. Section 2.03.03 Historic districts as appears in Ordinance No. 01-01 is hereby amended to read as follows with ~~strikeout~~ being deleted and underlined portions being added:

Section 2.03.03 Historic Districts

A. Generally. These are districts or areas that have been designated as historic on the National Registrar or determined to have historical significance by the County.

B. Designated Historic Districts.

1. **Lloyd Overlay**

- a. Generally. ~~This overlay district shall consist of all areas shown as the County Lloyd Historical District in the Mixed Use - Suburban Residential designation of the Lloyd area. The purpose of this overlay is to provide for additional protection for certain designated areas of the Lloyd National Register District by creating a County Lloyd Historical District. This district can be enlarged by adjoining property owners who have received National Historical status and then apply to the County for inclusion, and~~

~~can also be enlarged to include historic areas or properties not included in the National Register District. A property may be removed or excluded from the County Historic District if the property or area has been removed from the National Register District, has lost its individual National Register Designation, or otherwise lacks sufficient historic significance so as to justify continued inclusion in the County District. See end of this section for a map of the National Register Historical District of Lloyd and the County Historical District.~~ The purpose of this overlay district is to establish, and provide development regulations for, the County Historic District in the Village of Lloyd. This overlay district shall, at a minimum, include all areas included in the National Register Lloyd Historic District, including any future expansions thereof. At the request of the affected property owner, the County may enlarge this overlay district to include additional historically significant properties even though such property is not included in the National Register Lloyd Historic District. The overlay district is composed of two parts for purposes of several of the regulatory measures stated herein. The western part is the area of the overlay district located south and west of a line beginning at the intersection of the western segment of Odom Street and the overlay district boundary, then proceeding east to the intersection of Odom Street and Main Street, then proceeding south to the intersection of Main Street and Lloyd Highway. The east part of the overlay district is that part located north and east of the above described line. See end of this section for a map of the overlay district.

- b. **Permitted and Prohibited Uses.** Uses allowed within the Lloyd Overlay shall be the same as the underlying land use district provided that the provisions contained in Section 2.03.03 (e) are adhered to.
- c. **Density and Intensity.** The density and intensity of a development site shall be that of the underlying land use district.
- d. **Access Management.** At the time of these Code revisions access management within the Historical District is not an issue. Should development occur that would impact access in this area, access management will be addressed at that time.
- e. **Special Provisions.**

These regulations are set to protect the County Historical District in Lloyd

- 1) Within the Mixed Use - Interchange Business land use district, south of I-10, no Heavy Industrial activities are allowed and a minimum setback of one-hundred (100) feet from the edge of the right-of-way shall be required. All efforts shall be made to incorporate required open space within this setback and to avoid the use of the area for unnecessary impervious surfaces. A class C buffer shall be used where the Interchange/Business adjoins the Suburban/Residential area.
- 2) New buildings and accessory structures in the Historical district will be compatible with ~~aesthetically appropriate~~ and similar in size to historic buildings in the district, including commercial buildings.
New buildings and accessory structures in areas of the western part

of the district shall harmonize aesthetically and architecturally with existing historic structures. No new buildings in the District shall be over 38 feet high, ~~and shall have a floor area to parcel size ratio no greater than 1 to 3.~~ Additional requirements for development in the Suburban Residential Land Use Category are also established in the Jefferson County Comprehensive Plan, and include, but are not limited to, the provisions of Policy 1 - 2. The provisions in the Suburban Residential Land Use Category, as adopted in the Jefferson County Comprehensive Plan on November 18, 1999, will remain an integral part of this regulation.

- 3) Dumpsters, metal sheds, and other types of commercial or light industrial support equipment or machinery on the exterior should be shielded from view by appropriate fencing or buffering high enough to prohibit view from the street.
- 4) Signage will comply with Article Six with the following exceptions. No billboards, neon signs or signs lit from the inside are allowed. Permanent accessory signs shall be 25% less in size than those allowed in Article Six.
- 5) Setbacks from the street for all new buildings will be minimum of 25 feet throughout the entire district and a maximum of ~~35~~ 45 feet in the western part of the district. ~~for all new buildings.~~
- 6) No new cocktail lounges, or fuel stations will be allowed to open in the district.

SECTION II - Severability

If any Section, paragraph, word, phrase or title of this Ordinance is determined to be unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect to the extent that this Ordinance can be meaningfully applied in absence of that portion declared invalid.

SECTION III - codification

This Ordinance may be codified in the Jefferson County Land Development Code without the necessity of re-adoption hereof.

SECTION IV - Effective Date

A certified copy of this Ordinance shall be filed within ten (10) days with the Florida Department of State and shall take effect upon receipt of official acknowledgment from the Department of State that the same has been filed.

DULY ADOPTED in regular session, this 15 day of August, 2002.

BOARD OF COUNTY COMMISSIONERS
JEFFERSON COUNTY, FLORIDA

By: Clifford Brown


Clifford Brown
Chairman, Board of County Commissioners

ATTESTED BY:

Carl D. Boatwright

C. Dale Boatwright
Clerk of Court

Approved as to form and content.

A handwritten signature in black ink, appearing to read "Scott Shirley", is written over a horizontal line.

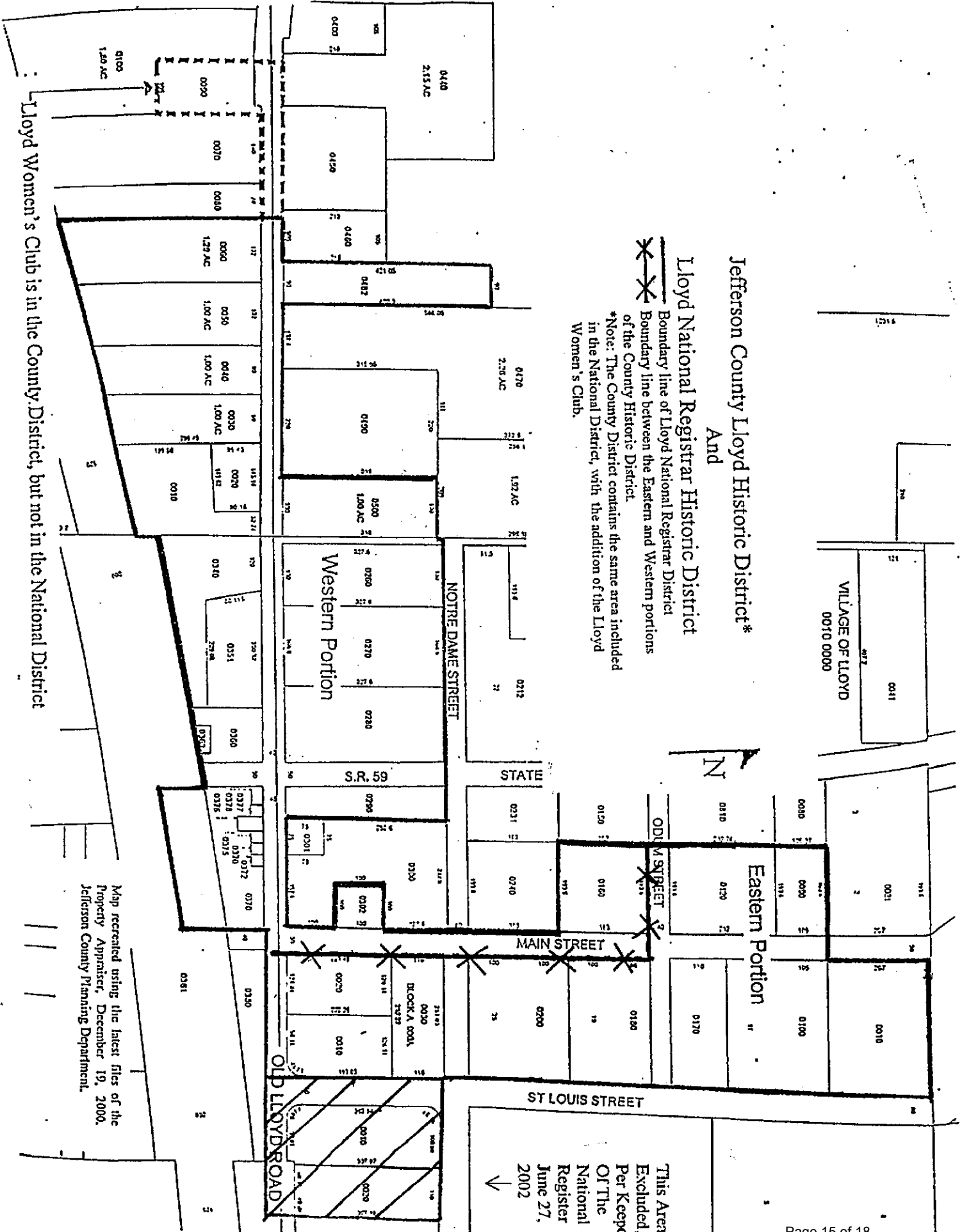
Scott Shirley, Esq.
Jefferson County Land Use Attorney

Jefferson County Lloyd Historic District* And

Lloyd National Registrar Historic District

Boundary line of Lloyd National Registrar District
Boundary line between the Eastern and Western portions
of the County Historic District

*Note: The County District contains the same area included
in the National District, with the addition of the Lloyd
Women's Club.



Map recreated using the latest files of the
Property Appraiser, December 19, 2000.
Jefferson County Planning Department.

This Area
Excluded,
Per Keeper
Of The
National
Register
June 27,
2002

**ITEM 7: PUBLIC HEARING-AMENDED FIRE
ASSESSMENT ORDINANCE**

AMENDING ORDINANCE NO. 2014 _____

JEFFERSON COUNTY, FLORIDA

AN ORDINANCE AMENDING JEFFERSON COUNTY ORDINANCE NO. 89-1 CREATING A MUNICIPAL SERVICE BENEFIT DISTRICT PROVIDING FIRE PROTECTION SERVICES, AMENDING SECTIONS 1 & 2 TO ENLARGE THE SPECIAL FIRE DISTRICT TO ALL AREAS OF JEFFERSON COUNTY, FLORIDA INCLUDING THE CITY OF MONTICELLO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. PURPOSE. The purpose of this ordinance is to amend Ordinance 89-1 so as to clarify and enlarge various provisions and to more equitably impose the special assessment provided herein.

Section 2. AMENDMENTS TO ORDINANCE NO. 89-1. Jefferson County Ordinance 89-1 is hereby amended to restate the sections set forth hereafter.

Section 3. AMENDMENT TO SECTION 1. SECTION 1 IS HEREBY AMENDED AND RESTATED AS FOLLOWS: Section 1. CREATION OF THE DISTRICT AND BOUNDARIES. Pursuant to the powers granted to the Board of County Commissioners of Jefferson County, Florida, by the Constitution of the State of Florida and the Florida Statutes, in particular, Florida Statutes F.S. 125.01, the affirmative referendum dated November 4, 1986 the Board of County Commissioners of Jefferson County, Florida hereby creates a Municipal Service Benefit Unit to be known as, "SPECIAL FIRE DISTRICT", hereinafter referred to as the "District", and more particularly described as:

All unincorporated and incorporated areas of Jefferson County, Florida, including the City of Monticello, Florida.

Section 4. AMENDMENT TO SECTION 2. SECTION 2 IS HEREBY AMENDED AND RESTATED AS FOLLOWS: Section 2. PURPOSE. The purpose of this District is to provide the unincorporated and incorporated areas of Jefferson County, including the City of Monticello, Florida with Fire Protection.

Section 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held or declared to be unconstitutional, invalid or void, such holding or invalidity shall not affect the remaining provisions of this Ordinance and the unconstitutional, invalid or void provisions shall be deemed to have been severed herefrom, and the remainder of this Ordinance, after the exclusive of such part or parts, shall be deemed to be valid, as if such part or parts had not been included herein. If this Ordinance of any provisions hereof shall be held inapplicable to any person, group or persons, property, or kind of property, circumstances, or set of circumstances, such holdings shall not affect the application hereof to any other person, property, or circumstances.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective upon receipt of official acknowledgment from the Department of State that this Ordinance has been filed.

DONE AND ADOPTED in regular session on this _____ day of _____, 2014.

THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA

By: _____
Chairman

Attest:

Clerk

Approved as to Form:

T. BUCKINGHAM BIRD, County Attorney