

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
Courthouse Annex
February 7, 2019
6:00 P.M.

The Board met this date in regular session. Present were Chair Betsy Barfield, Commissioners Stephen Fulford, Eugene Hall, J.T. Surles and Stephen Walker. Also present were County Attorneys Buck Bird and Scott Shirley, County Coordinator Parrish Barwick and Clerk of Court Kirk Reams.

1. Chair Barfield called the meeting to order. County Coordinator Parrish Barwick led the invocation and pledge of allegiance.
2. County Coordinator Barwick stated that Kim Albritton with the Jefferson County Health Department had a conflict and would provide information at a future meeting. Commissioner Hall requested an agenda item for an update on Kim Albritton's pursuit of her Master's Degree.
3. Katrina Walton, with the Tourist Development Council, provided an update on the Bed Tax and thanked the Board for the increased amount, which resulted in a 78% increase of Bed Tax revenue.
4. **On motion Commissioner Walker, seconded by Commissioner Surles and unanimously carried, the Board approved the Consent Agenda consisting of: Approval of Agenda, General Fund/Transportation Vouchers: 1/22/2019 & 2/7/2019; Bond 2/7/2019; Debt Register 1/25/2019; BOCC Minutes for 1/3/2019 Regular Session, BOCC Minutes for 1/17/2019 Regular Session; and amended TDC Agreement with Chamber of Commerce.**
5. Chair Barfield introduced the Duke Rail Bed Corridor Bike Trail item. Sheriff Mac McNeill asked everyone to be courteous even though the topic was sensitive. Commissioners Hall and Surles both stated they felt misinformed regarding adjacent landowners being notified. Commissioner Hall requested to rescind his "yes" vote to the bike trail, to which Attorney Scott Shirley stated that a single vote could not be rescinded, but a motion to rescind the action taken could be made. **Commissioner Hall made a motion to rescind the action taken (approval of the Bike Trail) to which Commissioner Surles seconded for discussion.** Commissioner Surles stated that over 50 people opposed to the bike trail had approached him and that he had only spoken with two people in favor of the project. Chair Barfield requested that Attorney Shirley address several issues presented at the recent public hearing prior to public comments at tonight's meeting, as some of what he presented may answer subsequent questions. Attorney Shirley addressed the following questions/concerns: there was no information on the effect the trail would have on property value; that biking is a low noise activity; that a feasibility/economic study would be at the discretion of the Board of County Commissioners; that a notice to adjacent landowners was not necessary since this project was exempt from the definition of development; that maintenance costs were expected to be minimal since most of the work would be performed by volunteers; and that he did not have reason to believe in any violations of the Sunshine Law. The following people spoke in favor of the bike trail as currently approved: Rick Ashton; Brad McCloud; Chucha Barber; Jim Phillips; Gary Robertson; Robert Carruthers; Phil Calandra; Robert Sidler; Dean Dugger; Jed Smith; Georgia Ackerman; Mack Barfield; Matthew Boyland;

Curt Blair; Jeff Mims; Robin Saffley; Michael Ashworth; Harold McQueen; and Joann Mattese. The following people spoke in opposition to the bike trail as currently approved: Melvin Roberts; Chip Beal; BJ Nelson; Stewart Wheeler; Jimmy Graganella; David Collins; Lynn McGrady; Michael Gay (attorney represent adjacent landowner that recently filed a lawsuit); Mike Willis; Winchester Johnson; Maitland Remington; Valerie Welch; David Ward; Wallace Bullock; Bud Wheeler; Charlie Ward; and Drew Mitchell. Chair Barfield stated she was open to the idea of “pressing reset” and starting the process over with workshops held to obtain input from the citizens on both sides of the issue. Commissioner Fulford stated this type of project had been discussed for years and he would love the County to have something like this, but landowners are clearly not ready for this iteration. Chair Barfield expressed her desire to work together with adjacent landowners. Citizen Chip Beal asked for clarification on the motion as to whether it was rescind the previous vote or just have workshops on the currently approved project, to which Chair Barfield stated it was the former. Chair Barfield asked Attorney Michael Gay if the lawsuit would be dropped if the vote on the previous action were to be rescinded, to which he responded in the affirmative. **The motion to rescind was carried 4 to 1 (Walker opposed).** Commissioner Walker asked if the County would be able to legally walk on the trail for future planning purposes, to which Danny Collins with Duke Energy stated just place a call and arrangements can be made to walk the trail.

6. Clerk of Court Kirk Reams introduced the Thompson Valley Road SCRAP project item. He noted this project was for resurfacing and drainage on Thomason Valley Road from US-19 on the west to Turkey Scratch on the east. The low bidder was Capital Asphalt at \$823,597, which was below the budget of \$1.1 million. On motion by Commissioner Surles, seconded by Commissioner Walker and unanimously carried, the Board approved low bidder Capital Asphalt and a duplicate resolution accepting the project at the new bid level.
7. County Engineer Josh Baxley, with Dewberry, introduced the Land and Water Conservation Fund grant application for the Malloy property. Clerk of Court Kirk Reams stated there was a public hearing prior to this regular session and that the appraisal on the land came back less than expected at \$45,000. He also noted that the grant would be for \$22,500, which is half of the appraised amount, and then provided an overview of the timeline for this particular grant. **On motion by Commissioner Walker, seconded by Commissioner Fulford and unanimously carried, the Board voted to proceed with the grant application.**
8. County Coordinator Parrish Barwick introduced the SHIP Housing Project change order requests for Dosber Cuyler (\$11,327) and Leatha Holmes (\$225). **On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried, the Board approved the change orders as presented.**
9. Clerk of Court Kirk Reams introduced the Supervisor of Elections request to move into the annex facility in July 2019. He stated that the Election’s Office needed more space and a better layout for early voting as well as better storage. Chair Barfield inquired if the move would be permanent, to which Clerk of Court Reams responded in the affirmative. **On motion by Commissioner Surles, seconded by Commissioner Walker and unanimously carried, the Board approved the Supervisor of Elections Office moving to the Annex in July 2019.**
10. David Collins, attorney for Clerk of Court Kirk Reams, stated he was present at the meeting to answer any questions about the request for legal expenses on behalf of his

client. Commissioner Hall inquired about the total cost of the request for payment, to which Mr. Collins stated it was \$114,163 (\$84,163 for expenses not yet paid and \$30,000 reimbursed to Clerk Reams). These expenses are comprised of \$38,313 for criminal case and \$75,850 for the civil portion. Commissioner Fulford asked Mr. Collins why these expenses are the county's responsibility, to which Mr. Collins cited case law and precedent. County Attorney Scott Shirley stated that both he and County Attorney Buck Bird could not give objective advice as they represent both the Board and the Clerk and recommended the Board obtaining outside counsel in order to be advised how to proceed. It was the consensus of the Board to obtain outside counsel. Citizen Richard Connell asked County Attorneys Shirley and Bird if they had read the case law and whether or not it supported Mr. Reams, to which Mr. Shirley stated they would not opine.

11. Citizen Paul Henry stated he would like the opportunity to provide input/comment on the consent agenda before it is approved. He also made several recommendations about voucher payable checks and balances. Chair Barfield also expressed issues with the accounting software currently utilized. Clerk of Court Kirk Reams stated the currently software did have limitations, but was functional and more affordable than alternatives. Chief Deputy Clerk Tyler McNeill stated the software utilized for Accounts Payable also operates Accounts Receivable, Budget and Payroll and that web-based alternatives had been explored, but were cost prohibitive for a county of our size that processes all of the above functions "in-house."
12. Citizen George Evans asked for clarification on the paving of city roads with county funds. There was a discussion about the necessity of an inter-local agreement allocating the city's \$48,000 per year from the gas tax towards road paving projects, which has never been executed. Therefore, the county is not able to use funds to pave city roads at this time.
13. County Coordinator Parrish Barwick requested direction from the Board with regard to engineering proposals for special projects, such as those related to Economic Development. It was the consensus of the Board to form a committee to review those projects and place with one of the 6 engineering firms that provided proposals. Commissioner Fulford was asked to be the Board's appointee to the committee, to which he obliged.
14. County Coordinator Barwick provided an update on activities at the Road Department. He also expressed the need to surplus several vehicles/pieces of equipment as well as the mobile home at the old Fire/EMS station. It was the consensus of the Board for Mr. Barwick to move forward with declaring these items surplus.
15. County Attorney Buck Bird stated there was an issue with an upcoming tax sale and that he would be writing to that person's attorney.
16. County Attorney Scott Shirley scheduled an executive session to discuss Elder vs. Jefferson County and Morris Petroleum for 5:00 pm on February 21, 2019 at the Courthouse Annex.
17. Commissioner Hall requested an agenda item be added for the next meeting regarding the paving of city streets in order to provide more clarification to the citizens. Commissioner Hall also commented that the paint on the ceiling in the courtroom was peeling and would need to be addressed in the near future.

18. Chair Barfield stated she would bring RESTORE ACT information to a future meeting. She also stated that the Dirty Pecan ride would be happening on March 2nd at 8 am and that food had been donated by Carrabba's. Chair Barfield also noted the county audit had been completed and would be on the agenda for the next meeting.
19. On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried, the meeting was adjourned.

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

Betsy Barfield, Chair

ATTEST:

Kirk Reams, Clerk of Court