



BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

**Benjamin "Benny"
Bishop**
District 1

Eugene Hall
District 2, Vice-Chair

Hines F. Boyd
District 3

Betsy Barfield
District 4

Stephen Walker
District 5, Chair

**Regular Session Agenda
June 7, 2016 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344**

- 1. 7:00 P.M. – Call to Order, Invocation, Pledge of Allegiance**
- 2. Public Announcements, Presentations, & Awards**
 - a) **SRWMD Presentation – Tom Singleton**
- 3. Consent Agenda**
 - a) **Approval of Agenda**
 - b) **Minutes of May 17, 2016 Regular Session**
 - c) **Appointment of Buddy Westbrook as District 3 Planning Comm./Nominated by Comm. Boyd**
 - d) **TDC Appointments**
- 4. Citizens Request & Input on Non-Agenda Items (3 Minute Limit)**
- 5. General Business**
 - a) **Big Joe Road Bid Recommendation – Kirk Reams/Daryle Gray/Debby Preble**
 - b) **Small Business Program Report – Marcia Elder**
 - c) **Net Resolution – Chair Walker**
- 6. County Coordinator**
 - a) **Mosquito Control Equipment Replacement – Parrish Barwick**
- 7. Commissioner Discussion Items**
- 8. 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
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ITEM 3

CONSENT AGENDA ITEMS

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
May 17, 2016

The Board met this date in regular session. Present were Chairman Stephen Walker, Commissioners Benjamin “Benny” Bishop, Hines Boyd and Gene Hall. Also present were County Attorney Buck Bird, County Coordinator Parrish Barwick and Finance Clerk Charles Culp.

1. Commissioner Bishop led the invocation and Pledge of Allegiance.
2. Chairman Walker presented a plaque to Sherry Dean in appreciation of her civic contributions.
3. **On motion by Commissioner Boyd, seconded by Commissioner Hall and unanimously carried (4-0), the consent agenda—consisting of the approval of the agenda, the minutes of the March 15th Regular Session, the minutes of the April 5th Regular Session and the minutes of the April 19th Regular session—was approved.**
4. Citizen Paul Henry requested Board approval to extend an invitation Mrs. Tedder to a future meeting to discuss our local road improvement plan.
5. County Coordinator Parrish Barwick requested clarification on funding for road projects for the remainder of the fiscal year. After discussion, the Board stated that funding for any projects performed next year would be discussed in the upcoming budget sessions.
6. Several citizens spoke on the practice of fracking and requested the Board to approve an ordinance banning fracking. It was the consensus of the Board to not pursue an ordinance at this time.
7. Supervisor of Elections Marty Bishop discussed voting machines and a recent grant that would partially fund new, ADA compliant voting machines. The Board discussed both purchasing and leasing the machines. **On motion by Commissioner Boyd, seconded by Commissioner Bishop and unanimously carried (4-0), the Board approved funding the lease of the new voting machines in the 16/17 budget cycle.**
8. County Coordinator Parrish Barwick introduced the local mitigation strategy resolution. **On motion by Commissioner Bishop, seconded by Commissioner Hall and unanimously carried, the Board approved the local mitigation strategy resolution.**
9. County Coordinator Parrish Barwick provided an update on the mosquito control program. He also provided a brief update on the progress of various road projects.
10. County Attorney Buck Bird informed the Board that a meeting needed be held in the near future to discuss payment of the plaintiff’s legal costs in regards to the re-districting lawsuit per the judge’s order. After discussion, the Board determined that a special meeting prior to the next Commission meeting would be preferable. The Commissioners also stated the special meeting should be after 5 pm so citizens could attend. **On motion by Commissioner Hall, seconded by Commissioner Bishop and unanimously carried (4-0), the Board called a special meeting at 6 pm on Tuesday, June 7th and moved the regular session from 9 am to 7 pm (immediately following the special meeting).** County Coordinator Barwick stated he would reach out to the School Board to see if they would be interested in attending as well.

11. Commissioner Hall complemented the sod at the Recreation Park and requested County Coordinator Barwick set up a meeting for him with the Recreation Park Advisory Board.
12. Commissioner Boyd stated his desire to always hold Commission meetings twice a month, even if nothing is on the agenda. He stated that his belief that it was a Commission's job to meet twice per month, and that the meetings provide a forum and opportunity for citizens to discuss issues, even if they are not on the agenda.
13. The warrant register was reviewed and bills ordered paid.
14. **On motion by Commissioner Bishop, seconded by Commissioner Hall and unanimously carried (4-0), the meeting was adjourned.**

Chairman

Attest: _____
Clerk

Kirk Reams

From: Chamber of Commerce <info@monticellojeffersonfl.com>
Sent: Monday, May 23, 2016 11:59 AM
To: kreams@jeffersonclerk.com
Subject: Next meeting
Attachments: TDC members 2016.doc

Hey Kirk,

The TDC has had some “personnel” additions and I want to make the BOCC aware of them to make sure they are approved. I’ve attached the TDC board. Bobbie Golden and Michele Arceneaux have been added. Betsy and Arun’s appointment times are up and I’d like to bring it to your attention before the next meeting for reappointment. What is the process?

Thanks
Katrina

Katrina Richardson,

Executive Director
Monticello – Jefferson County Chamber of Commerce
and

Jefferson County Tourist Development Council
420 W Washington Street
Monticello, FL 32344
850-997-5552

info@monticellojeffersonfl.com

Chamber - www.monticellojeffersonfl.com

TDC - <http://www.visitjeffersoncountyflorida.com/>

Chamber - Like us on Facebook <https://www.facebook.com/pages/Monticello-FL-Jefferson-County-A-Great-Place-To-Discover/1438016813114542?ref=hl>

TDC – Like us on Facebook <https://www.facebook.com/Discover-Monticello-FL-231608396898839/?fref=nf>

Jefferson County Tourist Development Council Members

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Government Representation - County

Betsy Barfield 2012
387 De Sercy Road
933-4055
bbarfield@jeffersoncountyfl.gov

Government Representation – City

Emily Anderson 2014
68 East Hunter Ridge
997-5686 (h)
342-0292 (w)
eanderson@mymonticello.net

Julie Conley 2014
1130 Pearl Street
997-2855 (h) 997-7999 (w)
519-7099 (c)
jcedc@embarqmail.com

Lodging/Accommodations

Gretchen Avera 2013
P. O. Box 980
997-5007 (h)
321-6980 ©
bobbie.golden@gmail.com

Bobbie Golden 2016
704 Barnes Road
997-6599 (h)
averaclarke@aol.com

Arun Kundra 2012
2716 Gamble Road
997-3538 (w)
210-7000(c)
akkundra@gmail.com

Tourism Industry

Michele Arceneaux 2016
150 N. Jefferson Street
510-6790 (c)
info@traditionesp.com

David Ward 2015
P.O. Box 616
997-1528(h)
519-5543 (c)
dwardpa@embarqmail.com

Coordinator

Katrina Richardson
420 W. Washington St
997-5552
567-6451
info@monticellojeffersonfl.com

Other Interested Persons

Nancy Wideman
1100 Pearl Street
997-0517 (h)
528-7362 ©
nancyw1100@yahoo.com

Dick Bailar
1023 South Main Street
997-0676 (h)
342-1427 (c)
rjbailar@att.net

Pat Inmon
555 W. Palmer Mill Road
997-4568 (h)
933-0456 (c)
P_inmon@yahoo.com

ITEM 5(a)

**BIG JOE ROAD BID
RECOMMENDATION**

June 1, 2016

Jefferson County
Attn: Kirk Reams, Clerk of Court
1 Courthouse Circle
Monticello, Florida 32344

RE: Big Joe Road Widening and Resurfacing

Dear Mr. Reams,

As you know we received bids for the referenced project at 11:00 A.M. EST May 25, 2016, and two (2) contractors submitted bids. Copies of all bids have been provided under separate cover. The detailed bid results are attached and labeled Exhibit A.

All submitted bids were over budget, but Peavy and Son Construction Co., Inc. was the lowest responsible/ responsive bidder. Therefore, we recommend **awarding the contract to Peavy and Son Construction Co., Inc.** in the amount of **\$855,717.00**. Enclosed is a copy of the Notice of Award and Agreement that need to be executed if the Commission approves our recommendation. Once both documents have been fully executed, a change order will be issued to remove some items from the scope to bring the project within budget.

If you have any questions, please give me a call at 850.524.0696 or e-mail me at dgray@dewberry.com.

Sincerely,



Daryle Gray, P.E.
Project Manager

PAY ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	Peavy & Son Construction		CW Roberts Contracting	
				UNIT PRICE	COST	UNIT PRICE	COST
GENERAL COSTS							
101-1	MOBILIZATION	LS	1.00	\$ 16,000.00	\$ 16,000.00	\$ 73,000.00	\$ 73,000.00
102-1	MAINTENANCE OF TRAFFIC	LS	1.00	\$ 33,000.00	\$ 33,000.00	\$ 82,000.00	\$ 82,000.00
110-1-1	CLEARING & GRUBBING	LS	1.00	\$ 15,000.00	\$ 15,000.00	\$ 12,500.00	\$ 12,500.00
908104-1	CONTRACTOR'S EROSION CONTROL	LS	1.00	\$ 5,000.00	\$ 5,000.00	\$ 5,354.32	\$ 5,354.32
ROADWAY							
9999-01	ASPHALT CUT & PATCH	LS	1.00	\$ 5,000.00	\$ 5,000.00	\$ 8,107.83	\$ 8,107.83
327-70-6	MILLING EXIST. ASPH. PAVT. 1.5" AVG. DEPTH	SY	310.00	\$ 15.00	\$ 4,650.00	\$ 20.82	\$ 6,454.20
334-1-12	SUPERPAVE ASPHALTIC CONC., TRAFFIC B	TN	3,710.00	\$ 84.00	\$ 311,640.00	\$ 81.34	\$ 301,771.40
285701	OPTIONAL BASE GROUP 01 (TURNOUT CONSTRUCTION)	SY	980.00	\$ 40.00	\$ 39,200.00	\$ 12.46	\$ 12,210.80
162-1-11	PREPARED SOIL LAYER, FINISH SOIL LAYER, 6"	SY	6,560.00	\$ 1.50	\$ 9,840.00	\$ 1.01	\$ 6,625.60
570-1-2	PERFORMANCE TURF, SOD	SY	6,560.00	\$ 2.50	\$ 16,400.00	\$ 2.52	\$ 16,531.20
570-1-1	PERFORMANCE TURF	SY	13,120.00	\$ 0.30	\$ 3,936.00	\$ 2.24	\$ 29,388.80
1FT WIDENING & 1FT PAVED SHOULDER							
110-7-1	MAILBOX RELOCATION	EA	5.00	\$ 50.00	\$ 250.00	\$ 123.06	\$ 615.30
120-1	REGULAR EXCAVATION	CY	1,100.00	\$ 6.00	\$ 6,600.00	\$ 14.11	\$ 15,521.00
120-6	EMBANKMENT	CY	1,800.00	\$ 6.00	\$ 10,800.00	\$ 16.89	\$ 30,402.00
120-2-2	BORROW EXCAVATION	CY	900.00	\$ 15.00	\$ 13,500.00	\$ 25.80	\$ 23,220.00
160-4	12" TYPE "B" STABILIZATION (2'-4" EACH SIDE)	SY	6,200.00	\$ 7.50	\$ 46,500.00	\$ 7.76	\$ 48,112.00
285706	OPTIONAL BASE GROUP 06 (2'-4" EACH SIDE)	SY	6,200.00	\$ 10.00	\$ 62,000.00	\$ 10.18	\$ 63,116.00
334-1-12	SUPERPAVE ASPHALTIC CONC., TRAFFIC B	TN	740.00	\$ 84.00	\$ 62,160.00	\$ 99.11	\$ 73,341.40
PAVEMENT MARKINGS							
546-71	RUMBLE STRIPS	PS	8.00	\$ 400.00	\$ 3,200.00	\$ 950.85	\$ 7,606.80
*710-11-201	PAINTED PAVEMENT MARKINGS, FINAL, STANDARD, YELLOW	GM	4.47	\$ 1,400.00	\$ 6,258.00	\$ 1,118.64	\$ 5,000.32
710-90	PAINTED PAVEMENT MARKINGS, FINAL SURFACE	LS	1.00	\$ 14,000.00	\$ 14,000.00	\$ 9,788.13	\$ 9,788.13
711-11111	THERMOPLASTIC, STD, WHITE, SOLID, 6"	NM	4.47	\$ 4,200.00	\$ 18,774.00	\$ 4,362.71	\$ 19,501.31
711-11160	THERMOPLASTIC, STD, WHITE, MESSAGE			\$ -	\$ -	\$ -	\$ -
	STOP	EA	1.00	\$ 350.00	\$ 350.00	\$ 139.83	\$ 139.83
711-11211	THERMOPLASTIC, STD, YELLOW, SOLID, 6"	LM	4.47	\$ 4,100.00	\$ 18,327.00	\$ 4,362.71	\$ 19,501.31
711-11125	THERMOPLASTIC, STD, SOLID, WHITE, 24"	LF	56.00	\$ 9.00	\$ 504.00	\$ 8.95	\$ 501.20
*706-3	RETRO-REFLECTIVE PAVEMENT MARKERS			\$ -	\$ -	\$ -	\$ -
	BLUE	EA	2.00	\$ 4.00	\$ 8.00	\$ 27.97	\$ 55.94
	BI-DIRECTIONAL AMBER	EA	295.00	\$ 4.00	\$ 1,180.00	\$ 6.71	\$ 1,979.45
700-1-11	SINGLE POST SIGN	EA	22.00	\$ 325.00	\$ 7,150.00	\$ 318.81	\$ 7,013.82
700-1-13	SINGLE POST SIGN, F&I GROUND MOUNT, 21-30 SF	EA	1.00	\$ 1,700.00	\$ 1,700.00	\$ 1,677.97	\$ 1,677.97
700-1-60	SINGLE POST SIGN, REMOVE	EA	31.00	\$ 25.00	\$ 775.00	\$ 22.37	\$ 693.47
705-10-1	OBJECT MARKER, TYPE 1	EA	3.00	\$ 175.00	\$ 525.00	\$ 167.80	\$ 503.40
705-10-2	OBJECT MARKER, TYPE 2	EA	14.00	\$ 60.00	\$ 840.00	\$ 50.34	\$ 704.76
705-10-3	OBJECT MARKER, TYPE 3	EA	4.00	\$ 175.00	\$ 700.00	\$ 167.80	\$ 671.20
DRAINAGE							
120-3	LATERAL DITCH EXCAVATION	LS	1.00	\$ 1,500.00	\$ 1,500.00	\$ 23,000.00	\$ 23,000.00
400-1-2	CONCRETE CLASS I, ENDWALLS	CY	25.00	\$ 900.00	\$ 22,500.00	\$ 1,136.24	\$ 28,406.00
430-94-1	DESILTING PIPE, 0 - 24"	LF	55.00	\$ 20.00	\$ 1,100.00	\$ 22.37	\$ 1,230.35
430-174-115	PIPE CULVERT, CMP MATERIAL, ROUND 15" SD	LF	70.00	\$ 40.00	\$ 2,800.00	\$ 71.13	\$ 4,979.10
430-174-118	PIPE CULVERT, CMP MATERIAL, ROUND 18" SD	LF	30.00	\$ 75.00	\$ 2,250.00	\$ 107.27	\$ 3,218.10
430-174-124	PIPE CULVERT, CMP MATERIAL, ROUND 24" SD	LF	80.00	\$ 65.00	\$ 5,200.00	\$ 70.89	\$ 5,671.20
430-174-124	PIPE CULVERT, RCP MATERIAL, ROUND 24" SD	LF	70.00	\$ 75.00	\$ 5,250.00	\$ 85.49	\$ 5,984.30
430-174-218	PIPE CULVERT, CMP MATERIAL, OTHER SHAPE, ELLIP-ARCH, 18" SD	LF	410.00	\$ 45.00	\$ 18,450.00	\$ 55.52	\$ 22,763.20
430-984-123	MITERED END SECTION, CMP, 15" SD	EA	4.00	\$ 750.00	\$ 3,000.00	\$ 869.98	\$ 3,479.92
430-984-125	MITERED END SECTION, CMP, 18" SD	EA	2.00	\$ 900.00	\$ 1,800.00	\$ 885.46	\$ 1,770.92
430-984-129	MITERED END SECTION, CMP, ROUND, 24" SD	EA	4.00	\$ 1,000.00	\$ 4,000.00	\$ 983.33	\$ 3,933.32
430-984-129	MITERED END SECTION, RCP, ROUND, 24" SD	EA	2.00	\$ 1,300.00	\$ 2,600.00	\$ 913.72	\$ 1,827.44
430-984-625	MITERED END SECTION, CMP, ELLIPTICAL/ARCH 18" SD	EA	24.00	\$ 600.00	\$ 14,400.00	\$ 895.85	\$ 21,500.40
120-4	12" TYPE "B" STABILIZATION (for side drain @ STA 0+23)	SY	18.00	\$ 50.00	\$ 900.00	\$ 46.22	\$ 831.96
285706	OPTIONAL BASE, BASE GROUP 6 (for side drain @ STA 0+23)	SY	18.00	\$ 50.00	\$ 900.00	\$ 47.97	\$ 863.46
334-1-12	1.5 (165 LBS/SY) TYPE SP-9.5 STRUCTURAL COURSE, TRAF B (cap over side drain @ STA 0+23)	TN	2.00	\$ 150.00	\$ 300.00	\$ 886.72	\$ 1,773.44
120-2-2	BORROW EXCAVATION (fill around mes's and headwalls)	CY	1,000.00	\$ 15.00	\$ 15,000.00	\$ 20.74	\$ 20,740.00
162-1-11	PREPARED SOIL LAYER, FINISH SOIL LAYER, 6"	SY	1,000.00	\$ 3.00	\$ 3,000.00	\$ 1.90	\$ 1,900.00
570-1-2	PERFORMANCE TURF, SOD	SY	1,000.00	\$ 2.50	\$ 2,500.00	\$ 2.24	\$ 2,240.00
425-1521	TYPE C INLET	EA	1.00	\$ 2,500.00	\$ 2,500.00	\$ 1,892.14	\$ 1,892.14
9999-02	RIP RAP, F&I	CY	50.00	\$ 100.00	\$ 5,000.00	\$ 327.73	\$ 16,386.50
9999-03	DEWATERING	LS	1.00	\$ 5,000.00	\$ 5,000.00	\$ 6,342.32	\$ 6,342.32
TOTAL					\$ 855,717.00		\$ 1,064,344.83

GRAND TOTAL		\$ 855,717.00	\$ 1,064,344.83
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BIG JOE ROAD WIDENING AND RESURFACING

PROJECT NO. 751.078

SECTION 00080-NOTICE OF AWARD

TO: Peavy & Son Construction
39 Schwall Rd
Havana, FL 32333

PROJECT DESCRIPTION: BIG JOE ROAD WIDENING AND RESURFACING

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated May 4, 2016, and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$ 855,717.00 . You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and certificates of insurance within ten (10) calendar days from the date of this NOTICE to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) calendar days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 2016.

By: _____
Title: Chairman, Jefferson County Board of County Commissioners

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

By: _____(Company Name).

This the _____ day of _____, 2016.

By: _____(Print and Sign Name).

Title: _____.

BIG JOE ROAD WIDENING AND RESURFACING

PROJECT NO. 751.078

SECTION 00050-AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2016, by and between, Jefferson County, Florida, hereinafter called "OWNER" and Peavy & Son Construction doing business as a corporation, hereinafter called "CONTRACTOR". WITNESSETH: That for and in consideration of the payments and agreements herein after mentioned:

1. The CONTRACTOR will commence and complete the construction of the **JEFFERSON COUNTY – BIG JOE ROAD WIDENING AND RESURFACING.**

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.

3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the project within **90** consecutive calendar days, thereafter unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS. Liquidated damages for failure to substantially complete the project within the specified time will be set at **\$500.00** per day. Completion means that the OWNER can use the project as designed.

4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of **\$855,717.00** as shown in the BID.

5. The term "CONTRACT DOCUMENTS" means and includes the following:

- (A) NOTICE TO RECEIVE SEALED BIDS
- (B) INFORMATION FOR BIDDERS
- (C) BID
- (D) BID BOND
- (E) AGREEMENT
- (F) PERFORMANCE BOND
- (G) PAYMENT BOND
- (H) NOTICE OF AWARD
- (I) NOTICE TO PROCEED
- (J) APPLICATION AND CERTIFICATION FOR PAYMENT

- (K) CHANGE ORDER
- (L) GENERAL CONDITIONS
- (M) SUPPLEMENTAL GENERAL CONDITIONS
- (N) NOTICE OF SUBSTANTIAL COMPLETION
- (O) CERTIFICATE OF FINAL COMPLETION
- (P) PUBLIC ENTITY CRIMES STATEMENT
- (Q) ANTI-COLLUSION STATEMENT
- (R) CONFLICT OF INTEREST DISCLOSURE FORM
- (S) DRUG FREE WORKPLACE
- (T) SUPPLEMENTAL TECHNICAL SPECIFICATIONS
- (U) DRAWINGS prepared by Dewberry | Preble-Rish, Inc.
- (V) ADDENDA
 - No. 1, dated _____
 - No. 2, dated _____
 - No. 3, dated _____
 - No. 4, dated _____
 - No. 5, dated _____

6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized official, this Agreement in two (2) copies each of which shall be deemed an original on the date first written above.

(SEAL)

ATTEST:

OWNER:

JEFFERSON COUNTY, FLORIDA

BY _____
(Signature)

BY _____
(Signature)

NAME _____
(Please Type)

NAME Stephen Walker

TITLE _____

TITLE Chairman, Jefferson County
Board of County Commissioners

(SEAL)

ATTEST:

CONTRACTOR:

BY _____
(Signature)

BY _____
(Signature)

NAME _____
(Please Type)

NAME _____
(Please Type)

TITLE _____

TITLE _____

ADDRESS: _____

Employer Identification
Number _____

END OF SECTION 00050

ITEM 5(b)

**SMALL BUSINESS PROGRAM
REPORT**

May 31, 2016

TO: Jefferson County Board of County Commissioners

FROM: Marcia Elder

RE: **Small Business Development Program** - Transition Report

In follow-up to CPI's April 6th letter of notice to the Commission, and subsequent written progress reports, our purpose for this **June 7 BOCC agenda item** is to provide an update on transition services and preliminary recommendations related to the future of the Program.

As part of the transition process we have several initial recommendations for discussion by the Commission:

1. That a small informal committee be created to meet with me to discuss the SBDP – as a way of assisting the County with understanding its options for and evaluating the future of the Program.

- This will include a more detailed discussion of Program operations, accomplishments, needs and related information.
- It also will include review of certain redacted documents whereby participating individuals can see in more detail the actions, services and performance of the SBDP and have a better understanding of the Program and future options.
- I propose that the informal committee consist of a Commissioner and preferably two (or up to three) non-County representatives. A representative of the EDC and the City Clerk could be good choices for a productive review.
- One to two meetings should be adequate (preferably two).
- The meeting(s) should take place in the SBDP office – a small area for a group meeting but the most informative for this purpose.

Having a small group that can work well together, provide good feedback on information to be presented (key questions, options, etc.), have an understanding of and commitment to the well-being of the community and the role of small business, and who will be respectful of the nature of the Program information will be integral to having a productive meeting.

This recommendation also relates to the fact that the Program has operated under confidentiality requirements (which remain in place) and, during both of its terms

(under CPI and our predecessor), has functioned independently under a sole manager. CPI believes that the County will benefit from a more specific familiarity with the Program and its operations.

Given restrictions on multiple Commissioners participating on such a committee, I will be happy to conduct a similar review individually with other Commissioners if helpful.

If the above recommendation is agreeable with the Commission: upon completion of this review I will prepare a written report of results and will reflect considerations from the meeting(s) in the development of our final recommendations.

2. That a Commissioner and the County Coordinator be assigned to meet with me in the SBDP office at the close of CPI's term -- so that I can provide the final update on where things stand, show the location of hard copy and electronic records, advise of procedures and things to expect, return keys and computer, and answer questions.

3. That the SBDP Website be continued – as a source of information resources for local entrepreneurs and businesses as well as business prospects outside of the community. The Commission can simply pay for the domain and site hosting renewals in September (a minimal third party fee for annual renewals). If the Commission wishes for CPI to continue as Webmaster for the site (on an hourly basis involving limited time periodically) we will be happy to do so. Otherwise the site can remain as is (with updates to be completed by the conclusion of our term). *It is also recommended that the Commission similarly approve continuation of the Vision ACTION Plan Website.*

Other Updates & Actions

Priorities at this time include:

1. Client Support: We are continuing to assist existing clients and to be available for short-term assistance to other businesses and entrepreneurs who contact us. We are not promoting the addition of new clients at this time. We have several clients in progress with Business Plan development for which we are awaiting additional information in order to take next steps. We also have a long-term client with a complicated situation underway with a separate agency, and it is our hope to further assist them in order that their business can be up and running.
2. Confidential Records: We are continuing to invite past and current clients to collect files containing confidential information and to prepare paper and, where requested, electronic (CD) file copies for return. This is being done in instances where work with the client is completed and there is no reason for such records to remain with the County, or where clients otherwise care to collect such records. Exit interviews are being done with clients who pick-up records.

3. Records Management: Paper and electronic records are being organized for easy use by any subsequent Program representative. Brief status sheets are also being completed on clients.
4. Program Management: Written summaries are being prepared to assist others in understanding Program practices, procedures, file protocols and such. Some of this may also be of interest for perusal by the informal committee.
5. Decisions on SBDP: Suggested approaches and considerations are being outlined to help guide future Program evaluation (with written criteria), Program scope (which has substantially changed under our term) and considerations in any new hires and staffing support. These will be discussed with the mentioned (proposed) committee.
6. Other Actions: Various tasks from our April 6 letter have been carried out while others are underway or remain to be done.

A final written report will also be provided, to include final status, Program accomplishments, additional recommendations, guidance documents, an updated spreadsheet with data on clients served (types, numbers, status, etc.) and other relevant information. In addition, I will be available for a final appearance before the Commission at your July 5 meeting (or the 19th if you prefer) to address that report and any further items as desired – and CPI will be available on request to provide an orientation for any new representative or staff who may be assigned to the Program.

Secretarial support will be needed for compilation of reports to the Commission and information for committee review. It is important that someone be provided who can do photocopies, assembling of materials and such at the Annex building.

Lastly, the personal time that it was necessary for me to take off for reasons stated in the notice has been taken and some additional time is needed. However, we have had some flexibility on the official end date for SBDP services and, while our goal is to wrap-up as soon as reasonably possible, we are committed to completing all responsibilities and leaving things in good order for the County.

If additional information or other actions are needed at this time, please let me know. Otherwise I will be prepared to further address any of the recommendations or other information above as needed at the June 7 Commission meeting.

Sincerely, Marcia Elder

ITEM 5(c)

NET RESOLUTION

Kirk Reams

From: Stephen Walker <swalker@jeffersoncountyfl.gov>
Sent: Monday, May 30, 2016 10:37 PM
To: Parrish
Cc: Kirk
Subject: fw: Net resolution
Attachments: FWC Rule 68B-4.0081.pdf; Resolution 2016 14 FWC Rule Suspension.pdf; Section 16 Florida Constitution.pdf

Parrish, you are probably more familiar with this than any of us and it is something I think we need to participate in being is affects our shoreline. Would it be possible to get this ready for our next meeting so we can vote on it. It may be as getting an electronic copy we can make changes to and piggy backing on their original resolution and putting our county in it. Thanks

"Under Florida law, e-mail addresses and correspondence are public records. Your e-mail address and the contents of any e-mail sent to the sender of this communication will be released in response to any request for public record, except as excluded by F.S. 119.071 or any other law of the State of Florida. The information contained in this email and/or attachment(s) may be confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient or the individual responsible for delivering to the intended recipient, please notify sender immediately by telephone to obtain instructions as to whether information in this email ad/or attachment(s) is confidential and privileged or protected from disclosure under applicable Florida law."

From: "Ralph Thomas" <rthomas@mywakulla.com>
Sent: Sunday, May 29, 2016 8:33 PM
To: "bbishop@jeffersoncountyfl.gov" <bbishop@jeffersoncountyfl.gov>, "ghall@jeffersoncountyfl.gov" <ghall@jeffersoncountyfl.gov>, "hboyd@jeffersoncountyfl.gov" <hboyd@jeffersoncountyfl.gov>, "bbarfield@jeffersoncountyfl.gov" <bbarfield@jeffersoncountyfl.gov>, "swalker@jeffersoncountyfl.gov" <swalker@jeffersoncountyfl.gov>
Subject: Net resolution

Dear Fellow Commissioners,

Attached you will find a copy of a Resolution that the Wakulla County BOCC adopted 5-0. Dixie County also approved a similar resolution. I have also attached a copy of the applicable section of the Florida Constitution and the FWC rule. Our position is to ask FWC to suspend Rule 68B-4.0081 (d). Doing so will still allow compliance with the Constitutional Amendment adopted by voters, while also allowing our fishermen to utilize gear that enables them to make a living without causing a 98% by-catch and un-necessary slaughter of juvenile fish.

Here is the link to the FWC meeting. Our Commissioners have committed to attend and speak at this meeting.

<http://m.myfwc.com/about/commission/commission-meetings/2016/june/22/agenda/>

We believe it will be very helpful, if your Board will join us and also ask FWC to suspend this rule. I appreciate any assistance you and your board can provide. If I can answer any questions, do not hesitate to let me know.

Ralph Thomas
Wakulla County Commissioner
District 1
(850) 597-3858

Please Read Before You Reply or Forward This Communication: In order to ensure transparency in governmental decision-making and adherence to the Government in the Sunshine Law, the information contained in this e-mail should

68B-4.0081 Statewide Net Gear Specifications; Soaking Requirements; Definitions; Cast Net Specifications.

(1) This rule is intended to implement prohibitions and restrictions of Article X, Section 16 of the Florida Constitution. As used there and in this rule, the term “net” or “netting” shall be broadly construed to include all manner or combination of mesh or webbing or any other solid or semisolid fabric or other material used to comprise a device that is used to take or harvest marine life.

(2) The following gear specifications shall apply in all state waters:

(a) The use or placement in the water of any gill or entangling nets of any size is prohibited.

(b) Any net constructed wholly or partially of monofilament or multistrand monofilament material, other than a hand thrown cast net, or a handheld landing or dip net, shall be considered an entangling net prohibited by Article X, Section 16 of the Florida Constitution, and this rule, unless otherwise authorized by rule of the Commission. The term “multistrand monofilament” does not include braided or twisted twines made of nylon, cotton, linen, or polypropylene.

(c) No person shall take or harvest, or attempt to take or harvest, any marine life in Florida waters with any net that is larger than 500 square feet in mesh area that has not been authorized by rule of the Commission. The use of a shrimp trawl, purse seine, jellyfish paired trawl, or calico scallop otter trawl that is larger than 500 square feet in mesh area, outside nearshore and inshore waters, shall be considered so authorized for purposes of this paragraph.

(d) No person shall fish with, set, or place in the water any net, other than a cast net, landing or dip net, jellyfish paired trawl, or calico scallop otter trawl with a mesh size greater than 2 inches stretched mesh. Any such net, with a mesh size greater than 2 inches stretched mesh shall be considered an entangling net for purposes of paragraph (a).

(e) No person shall soak a net for more than one hour, beginning when the first mesh is placed in the water and ending when the first mesh is retrieved back aboard the vessel or on shore. Once the first mesh is retrieved, the net operation shall be continuous until the net is completely removed from the water. This prohibition shall not apply to shrimp trawls, purse seines, jellyfish paired trawls, or calico scallop otter trawls.

(3) The following net gear specifications shall apply in nearshore and inshore Florida waters:

(a) No person shall fish with, set, or place in the water any net with a mesh area greater than 500 square feet.

(b) The mesh area of a net of uniform construction, other than a cast net or net in the form of an elongated bag, is determined by multiplying the maximum length by the maximum width of the net. The maximum length of such a net is determined by multiplying the number of meshes along the corkline of the net by the bar measurement of the mesh in the net. The number of meshes along the corkline is determined by counting the number of meshes per tie and multiplying that by the total number of ties along the corkline. The maximum width, or depth, of such a net is determined by multiplying the number of meshes between the corkline and leadline of the net by the bar measurement of the mesh in the net. If a net, other than a cast net or net in the form of an elongated bag, is constructed in a nonuniform manner, the mesh area shall be determined by adding together the mesh area of the component parts.

(c) No more than two nets shall be fished with, set, or placed in the water from a single vessel at any one time. No more than one net shall be fished with, set, or placed in the water by any person not on a vessel.

(d) No person shall connect, tie, or otherwise fasten together two or more nets in any manner so as to fish with, set, or place in the water a net exceeding the 500 square feet limit specified in paragraph (a). Two nets sharing the same corkline or leadline with a combined mesh area exceeding 500 square feet shall be considered connected and a violation of Article X, Section 16 of the Florida Constitution and this rule.

(e) No net may have more meshes attached per foot of corkline or leadline than 14 divided by the bar measurement of the mesh in the net. A net with more than this number of meshes attached per foot of corkline or leadline shall be considered an entangling net for purposes of this rule and Article X, Section 16 of the State Constitution.

(4) Cast Nets.

(a) The Fish and Wildlife Conservation Commission finds that the maximum specifications established for cast nets in paragraph (b) are appropriate to allow the largest cast nets that can be reasonably, practically, and effectively thrown by hand to take marine species in nearshore and inshore Florida waters, within the 500-square foot limit imposed by Article X, Section 16(b) of the State Constitution.

(b) No person shall fish with, set, or place in nearshore and inshore Florida waters any cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) greater than 14 feet. No more than two cast nets shall be fished in such waters from a single vessel at any time.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Art. X, Sec. 16, Fla. Const. History—New 11-26-92, Amended 4-12-93, 1-1-97, 4-27-98, Formerly 46-4.0081, Amended 12-2-99., 7-1-05

SECTION 16. Limiting marine net fishing.—

(a) The marine resources of the State of Florida belong to all of the people of the state and should be conserved and managed for the benefit of the state, its people, and future generations. To this end the people hereby enact limitations on marine net fishing in Florida waters to protect saltwater finfish, shellfish, and other marine animals from unnecessary killing, overfishing and waste.

(b) For the purpose of catching or taking any saltwater finfish, shellfish or other marine animals in Florida waters:

(1) No gill nets or other entangling nets shall be used in any Florida waters; and

(2) In addition to the prohibition set forth in (1), no other type of net containing more than 500 square feet of mesh area shall be used in nearshore and inshore Florida waters. Additionally, no more than two such nets, which shall not be connected, shall be used from any vessel, and no person not on a vessel shall use more than one such net in nearshore and inshore Florida waters.

(c) For purposes of this section:

(1) “gill net” means one or more walls of netting which captures saltwater finfish by ensnaring or entangling them in the meshes of the net by the gills, and “entangling net” means a drift net, trammell net, stab net, or any other net which captures saltwater finfish, shellfish, or other marine animals by causing all or part of heads, fins, legs, or other body parts to become entangled or ensnared in the meshes of the net, but a hand thrown cast net is not a gill net or an entangling net;

(2) “mesh area” of a net means the total area of netting with the meshes open to comprise the maximum square footage. The square footage shall be calculated using standard mathematical formulas for geometric shapes. Seines and other rectangular nets shall be calculated using the maximum length and maximum width of the netting. Trawls and other bag type nets shall be calculated as a cone using the maximum circumference of the net mouth to derive the radius, and the maximum length from the net mouth to the tail end of the net to derive the slant height. Calculations for any other nets or combination type nets shall be based on the shapes of the individual components;

(3) “coastline” means the territorial sea base line for the State of Florida established pursuant to the laws of the United States of America;

(4) “Florida waters” means the waters of the Atlantic Ocean, the Gulf of Mexico, the Straits of Florida, and any other bodies of water under the jurisdiction of the State of Florida, whether coastal, intracoastal or inland, and any part thereof; and

(5) “nearshore and inshore Florida waters” means all Florida waters inside a line three miles seaward of the coastline along the Gulf of Mexico and inside a line one mile seaward of the coastline along the Atlantic Ocean.

(d) This section shall not apply to the use of nets for scientific research or governmental purposes.

(e) Persons violating this section shall be prosecuted and punished pursuant to the penalties provided in section 370.021(2)(a),(b),(c)6. and 7., and (e), Florida Statutes (1991), unless and until the legislature enacts more stringent penalties for violations hereof. On and after the effective date of this section, law enforcement officers in the state are authorized to enforce the provisions of this section in the same manner and authority as if a violation of this section constituted a violation of Chapter 370, Florida Statutes (1991).

(f) It is the intent of this section that implementing legislation is not required for enforcing any violations hereof, but nothing in this section prohibits the establishment by law or pursuant to law of more restrictions on the use of nets for the purpose of catching or taking any saltwater finfish, shellfish, or other marine animals.

(g) If any portion of this section is held invalid for any reason, the remaining portion of this section, to the fullest extent possible, shall be severed from the void portion and given the fullest possible force and application.

(h) This section shall take effect on the July 1 next occurring after approval hereof by vote of the electors.

History.—Proposed by Initiative Petition filed with the Secretary of State October 2, 1992; adopted 1994.

RESOLUTION NO. 2016-14

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA SUPPORTING EFFORTS TO ELIMINATE HARDSHIPS CRIPPLING THE COMMERCIAL FISHING INDUSTRY; CALLING FOR THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO SUSPEND RULE 68B 4.0081 (d) LIMITING NET SIZE TO 2-INCH MESH FOR RESTRICTED SPECIES ENDORSEMENT LICENSEES IN WAKULLA COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS a robust economy is vital to the health and welfare of Wakulla County and the state of Florida; and

WHEREAS preserving a time-honored commercial fishing industry heritage that has contributed to the economy of the county for generations is vital to the state of Florida; and

WHEREAS the commercial fishing industry is struggling to survive, impeded, in part, by Rule 68B 4.0081 (d) adopted by the Florida Fish and Wildlife Conservation Commission; and

WHEREAS suspending Rule 68B 4.0081 (d) for Restricted Species Endorsement licensees in Wakulla County would increase the ability of commercial fishermen of Wakulla County to earn a living, create more jobs, and thereby contribute to the economy and general health and welfare of Wakulla County;

WHEREAS collecting data from the Aucilla River to Indian Pass using scientific protocols on fish population and commercial fishing industry during a scientifically-determined adequate rule suspension period would provide essential information for future rulemaking;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Wakulla County, Florida, that:

SECTION 1. The Florida Fish and Wildlife Conservation Commission suspend Rule 68B 4.0081 (d) immediately in Wakulla County for Wakulla County fishermen holding a Restricted Species license.

SECTION 2. EFFECTIVE DATE. This resolution shall become effective upon its approval.

DONE AND ADOPTED in Wakulla County, Florida, on this 4th day of April, 2016.

ATTEST:
OF

Brenda Payne King, D.C. for
BRENT X. THURMOND, Ex Officio
Clerk to the Board

BOARD OF COUNTY COMMISSIONERS

WAKULLA COUNTY, FLORIDA

Ralph Thomas
RALPH THOMAS, Chairman

APPROVED AS TO FORM:

Heather Encinosa

Heather Encinosa, Esq.
County Attorney

