



# BOARD OF COUNTY COMMISSIONERS

**THE KEYSTONE COUNTY-ESTABLISHED 1827**

435 W. Walnut St., Monticello, Florida 32344

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**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

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**Regular Session Agenda  
July 5, 2016 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) Road Improvement Presentation – Myra Tedder**
- 3. Consent Agenda**
  - a) Approval of Agenda**
  - b) Minutes of June 21, 2016 Regular Session**
- 4. Citizens Request & Input on Non-Agenda Items (3 Minute Limit)**
- 5. General Business**
  - a) Game Changer Private Investor 50% Partnership Proposal / LOI – EDC/Commissioner Boyd**
  - b) Game Changer Referendum Resolution Discussion/Decision – Scott Shirley**
- 6. County Coordinator**
- 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.

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**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  
June 21, 2016

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

1. Commissioner Bishop led the invocation and Pledge of Allegiance.
2. Alex Quintana, from Congresswoman Gwen Graham’s office, invited Board members to a small business workshop in Gadsden County on June 29<sup>th</sup> from 5-7 pm at the UF Extension in Quincy.
3. Chairman Walker stated that Solid Waste Director Beth Letchworth was not at the meeting and requested pulling item D from General Business and placing on a future agenda. **On motion by Commissioner Bishop, seconded by Commissioner Barfield and unanimously carried, the consent agenda—consisting of the approval of the agenda as amended and the minutes of the June 7<sup>th</sup>, 2016 Regular Session—was approved.**
4. Chairman Walker requested workshops on the Game Changer project if the letter of intent passes. Commissioner Boyd noted that no action tonight would be irreversible.
5. Economic Development Council Director Julie Conley introduced the Game Changer presentation and gave a history of the project as well as the next steps necessary in order to move forward. Warren Emo with Emo Architects and Design discussed the master site plan and facility details. Eric Sullivan, with Sports Facilities Advisory, gave an overview of his company’s role and the cost breakdown. Clerk of Court Kirk Reams introduced John Walker with Governmental Services Group, who presented revenue streams as well as the rationale behind the numbers. Also discussed were unanticipated revenues and safety net funds. Commissioner Hines Boyd presented on the project. Jeff Henry with the North Florida Economic Development Council discussed the project and recommended moving forward. Attorney Mark Mustian went over the legal process and lease agreement. Commissioner Barfield asked questions regarding the \$10 million and how it would affect the financial position of the county. Attorney Mustian stated if the county terminated the lease, the \$10 million goes off the balance sheet. Commissioner Boyd explained using public funds worked because the return of investment is not just on the sports facility but also the increase of sales, gas and tourist tax. Commissioner Barfield stated she would like to see Sports Facilities Advisory “put some skin in the game.” Eric Sullivan with SFA stated the \$10 million would not be from current revenues, but rather revenues generated by the new development. The following citizens raised concerns or spoke against the project in its current iteration: Jerry Sutphin, Phil Calandra, Paul Henry, Vivian Royster, Brandon Kilkoyn, Ellen Hudson, Charlie Walker, Keith Ristman, Gregg Walker, Bob Gitzen, Corwin Padgett, JR Hite, Dot

- Inmon, Arun Kundra, Colin Barton, Amber Starling, Charles Parrish. The following citizens spoke in support of the project: Deanne Smith, Susan Smith Thompson, Nancy Wideman. Property Appraiser Angela Gray posed and fielded questions from the Board. Chairman Walker recommended voting down the letter of intent. Commissioner Boyd stated he was in favor of placing this on the ballot as a referendum so the people could vote on it. **Commissioner Boyd made a motion to add the Game Changer Project on the referendum in August with specific language he provided, to which Commissioner Barfield seconded for discussion.** Commissioner Hall noted that many opportunities had been missed by the County. Chairman Walker stated he would feel better if this was on the November referendum. **Commissioner Barfield withdrew her second due to the specific wording in Commissioner Boyd's motion. Commissioner Boyd withdrew his motion.** Commissioner Barfield stated her desire for a simplified motion with the wording formulated by counsel. **On motion by Commissioner Boyd, seconded by Commissioner Hall and carried 4 to 1 (Walker opposed), the Board approved the Game Changer project being placed on referendum on the August ballot, with a special session to be held at 6 pm on Monday, June 27<sup>th</sup> at the Annex to discuss the wording/language.**
6. Chairman Walker adjourned the meeting for a brief recess.
  7. Chairman Walker called the meeting back to order.
  8. Debby Preble with County Engineer Preble-Rish, introduced the Piney Woods Road bids. Her recommendation was to award the project to low bidder Capital Asphalt for \$498,733, which is within the budgeted amount for the project. **On motion by Commissioner Barfield, seconded by Commissioner Bishop and unanimously carried, the Board approved Ms. Preble's recommendation of low bidder Capital Asphalt.**
  9. Commissioner Barfield introduced the item of hiring a magistrate to oversee the code enforcement appeals process. Attorney Scott Shirley went over a draft of the language and further discussed how the appeals process would work. He stated he would bring back the document in ordinance form for approval by the Board.
  10. Attorney Buck Bird introduced the Glen Bishop Enterprises project lease and bank loan agreement resolution. He stated that the resolution to borrow funds was originally with Regions Bank but was now with Farmers and Merchants Bank. The terms were up to \$610,000 at 3.92% over 15 years. Mr. Bird stated that the next step would be finalizing the lease and coming back to the Board with approval of the loan itself. **On motion by Commissioner Hall, seconded by Commissioner Boyd and carried 4-0 (Bishop abstained), the Board approved Resolution No. 2016-062116-01 for the Glen Bishop Enterprises project lease and bank loan agreement.**
  11. Attorney Bird requested that an item be placed on the agenda for the special meeting to be held on Monday, June 27<sup>th</sup>. He stated that he and Attorney Linda Bond Edwards needed some additional guidance for moving forward with plaintiffs' attorney fees resulting from the re-districting suit.

12. Commissioner Barfield asked Attorney Bird to see if public hearings were still necessary for re-districting. She also inquired when the County Commissioner would meet with the School Board to see how to divide the cost, to which Attorney Bird responded after the final amount for plaintiffs' attorney fees was determined.
13. Commissioner Barfield noted that the newspaper had listed the DEP workshop on July 29<sup>th</sup>, but stated it was actually going to be June 29<sup>th</sup>.
14. Commissioner Barfield inquired about additional work needed on tax abatement issue, to which Attorney Bird stated the Board needed to adopt procedural rules to implement.
15. Commissioner Hall stated he would be attending the Florida Association of Counties conference next week.
16. The warrant register was reviewed and bills ordered paid.
17. **On motion by Commissioner Bishop, seconded by Commissioner Hall and unanimously carried, the meeting was adjourned.**

\_\_\_\_\_  
Chairman

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

**ITEM 5a**

**GAME CHANGER PRIVATE INVESTOR 50%  
PARTNERSHIP PROPOSAL / LETTER OF  
INTENT**

**(LOI MAY BE AMENDED/UPDATED TO  
INCLUDE PRIVATE INVESTOR LANGUAGE)**

## **BOCC LETTER OF INTENT**

June 21, 2016

Dear Sir or Madam:

The following is intended to express the intent of the Board of County Commissioners of Jefferson County, Florida (the "County"), with respect to the acquisition and construction of a proposed sports facility (the "Facility") at the corner of Highway 59 and Interstate 10 within the County. This letter is subject in all respects to the final contractual documentation reflecting the terms of the transaction, and is provided as an expression of the County's intent and not as a contractual document.

1. The Facility, roads, storm water facilities and associated ancillary infrastructure will be constructed on land donated by the Smiths. Roads and storm water facilities are expected to be funded by CDBG grant funding.
2. As a pre-condition to the County going forward with the construction of the Facility, the Smiths will procure a contract to construct a minimum 88-room hotel, a high activity travel/gas center, and a zip-line/adventure facility ("Ancillary Facilities"), must be converted to formal contracts to construct said facilities.
3. The County will procure financing via a lease-purchase agreement to construct and equip the Facility and will be responsible for any cost overruns. The roads, storm water facilities and ancillary infrastructure outside the limits of the Facility property are expected to be funded by grant funding. The County will not procure financing for or construct the Ancillary Facilities.
4. Pursuant to the lease-purchase agreement, the County will be required to make lease payments from legally available, non-Ad Valorem revenues. If the County makes all lease payments through the term of the lease, the County will receive legal title to the Facility free and clear. The lease may provide for early pre-payment provisions.
5. The County will engage SFM for operation of the Facility and shall retain the right to hire and fire such entities. The County may also form a Sports Authority for the purpose of managing the Management Team and the operations of the Facility.
6. The lease-purchase financing will fund an operating reserve equivalent to one year's operating cost of the Facility. Operating deficits are expected to be covered by the operating reserve and County-accumulated surplus funds. The County will enter into a revenue sharing agreement with the Management Team.

**JEFFERSON COUNTY, FLORIDA**

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**Chairman, Board of County Commissioners**

**ITEM 5b**

**GAME CHANGER REFERENDUM  
RESOLUTION DISCUSSION/DECISION**



**RESOLUTION NO. 2016-05072016-01**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, SETTING A REFERENDUM OF QUALIFIED ELECTORS CONCERNING THE GAME CHANGER PROJECT; PROVIDING FOR FINDINGS; PROVIDING FOR REFERENDUM; PROVIDING FOR DESCRIPTION OF PROJECT; PROVIDING FOR FORM OF BALLOT; PROVIDING FOR PUBLICATION OF NOTICE; PROVIDING FOR CANVASSING OF RETURNS; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR INTENT AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The Board of County Commissioners Jefferson County, Florida, is deciding whether to participate in a public/private partnership to facilitate the acquisition and construction of a proposed sports facility at the intersection interchange of State Highway 59 and Interstate 10 within Jefferson County; and

**WHEREAS**, referred to as the “Game Changer Project,” the facility is anticipated to be located on land donated to the County, constructed at a cost of approximately \$10,000,000.00, and leased to purchase by Jefferson for a period of thirty (30) years at an annual lease payment as is necessary to repay the initial cost of construction with interest and fund an operating reserve; and

**WHEREAS**, it is anticipated, but not guaranteed, that the lease payment from the County will be offset by facility user fees and additional tax revenues generated by new additional development at the interchange including an eighty-eight (88) room hotel and travel center therewith; and

**WHEREAS**, the Jefferson County Board of County Commissioners desires to submit to the qualified electors of Jefferson County the question of whether the County should participate and support the Game Changer Project by accepting a donation of land for the project, entering into a thirty (30) year lease/purchase agreement for the facility and apply for such additional grants as may be available for the funding of additional infrastructure at the interchange.

**NOW THEREFORE, be it ADOPTED AND RESOLVED by the Board of County Commissioners of Jefferson County, Florida, as follows:**

**SECTION 1. Findings.** The findings of the Board of County Commissioners set forth in the foregoing recitals are hereby adopted.

**SECTION 2. Referendum.** A referendum election of the qualified electors of Jefferson County, Florida, concerning whether or not Jefferson County should participate in the acquisition and construction of the Game Changer Project is hereby set for August 30, 2016, to be conducted together with the regular state and County primary election.

**SECTION 3. Description of Project.** Jefferson County, Florida, has been offered the the opportunity to participate in a public/private partnership for acquisition and construction of a proposed sports facility at the intersection interchange of State Highway 59 and Interstate 10 within Jefferson County. The facility, commonly referred to as the “Game Changer Project,” would be a sports tourism facility serving as an event destination for regional tournaments and local sports events. The project is expected to consist of a 100,000 square foot dome structure connected to a 16,000 square foot building with restrooms, meeting rooms, a restaurant, offices, storage rooms and other support space. The dome will include basketball and volley ball courts, a baseball practice field, training areas, a fitness/workout area, and an active entertainment area. There will also be an adjacent 20,000 square foot covered turf field for soccer and lacrosse. The expected programming for the complex will be designed to generate revenue from both regional (sports tourism-based) events and local activities including venues for local games, sports and fitness training, and recreation activities.

The facility is anticipated to be located on land donated to the County and constructed at a cost of approximately \$10,000,000.00. The County would enter into a long term lease/purchase of the facility for a period of thirty (30) years at an annual lease payment as is necessary to repay the initial cost of construction with interest, together with a reserve to fund operating costs of the facility for a fixed period. Pursuant to the terms of the lease/purchase agreement, the County may in any year elect not to appropriate funds to make the lease payment, whereupon it would agree to release its rights in the facility to the lessor and would not be further obligated. The facility would be operated by a private entity and a revenue sharing arrangement would provide a portion of the facility user fee revenues to the County. The County would be responsible for any operating losses. It is anticipated, but not guaranteed, that the lease payment from the County will be offset by facility user fee revenues and additional tax revenues generated by new additional development at the interchange including an eighty-eight (88) room hotel and travel center with restaurants.

If the voters approve the participation of the County in the project, the Board of County Commissioners may enter into a letter of intent evidencing the County’s intent to support and participate in the project. The actual construction of the project will occur only after an acceptable lease/purchase arrangement has been negotiated, which must contain such terms and conditions as are acceptable to the Board of County Commissioners. It is anticipated that a number of additional agreements will be required in order to undertake the project, including, but not limited to, a land donation agreement, and agreements associated with grants that the County intends to apply for to fund additional infrastructure.

**SECTION 4. Form of Ballot.** The ballot question for this referendum shall be substantially in the following form:

Should Jefferson County participate in a public/private partnership for the acquisition, construction and operation of a multi-purpose sports complex to be located on donated land at the Lloyd (SR 59/I-10) Interchange to be funded by a \$10,000,000.00 thirty (30) year lease/purchase arrangement with annual payments to be made by the County as lessee in an amount necessary to repay the cost of construction, with interest, and to fund a reserve account?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**SECTION 5. Polling Locations and Ballots by Mail.** The polling locations or places shall be determined by the Supervisor of Elections of Jefferson County, Florida, and all qualified electors of the County who vote in said election shall vote at said designated polling places. Ballots by Mail as provided by law are also expressly authorized and shall constitute an exception to the above stated polling place requirement.

**SECTION 6. Notice.** The Clerk of Circuit Court shall provide notice of the referendum by causing publication of the Notice of Referendum attached hereto as Exhibit “A” in a newspaper of general circulation in Jefferson County at least twice, the first such notice to be published not later than thirty (30) days before the referendum and the second notice to be published not later than fifteen (15) days before the referendum.

**SECTION 7. Canvassing of Returns.** The returns of this referendum shall be canvassed in the manner provided by law, and said returns shall be certified to the Board of County Commissioners, which shall declare the results thereof.

**SECTION 8. Savings Clause.** In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, sentence or paragraph hereof.

**SECTION 9. Intent.** It is the intent of the Board of County Commissioners to enter into a lease/purchase arrangement for the Game Changer Project as described herein only if a majority of qualified electors voting in the referendum election set hereby vote in the affirmative concerning the ballot question in Section 4 hereof, and , as such, it is the intent of the Board to treat as binding the results of such referendum election.

**SECTION 10. Effective Date.** This resolution shall take effect immediately upon its passage.

[Signatures to follow]

**PASSED AND ADOPTED** by the Board of County Commissioners of Jefferson County, Florida, this 5<sup>th</sup> DAY of July 2016.

BY:

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Stephen Walker  
Chair, Board of County Commissioners of  
Jefferson County, Florida

ATTEST:

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Kirk Reams  
Clerk of the Circuit Court and  
of the Board of County Commissioners

Exhibit "A"

NOTICE OF REFERENDUM – GAME CHANGER PROJECT  
AUGUST 30, 2016

JEFFERSON COUNTY, FLORIDA

To be held Tuesday, August 30, 2016, as provided by  
Resolution No. 2016-05072016-01 of the Jefferson County  
Board of County Commissioners, as governing body of  
Jefferson County, Florida, adopted on  
July 5<sup>th</sup>, 2016.

Notice is hereby given that a referendum election of the qualified electors of Jefferson County, Florida, has been set for August 30, 2016, to be conducted together with the regular state and County primary election. The referendum concerns whether or not Jefferson County should participate in the acquisition and construction of the Game Changer Project. It is the intent of the Board of County Commissioners that the County be bound by the results of the referendum.

The referendum will assist the Board of County Commissioners in determining whether to participate in a public/private partnership for acquisition and construction of a proposed sports facility at the intersection interchange of State Highway 59 and Interstate 10 within Jefferson County. The facility, commonly referred to as the "Game Changer Project," would be a sports tourism facility serving as an event destination for regional tournaments and local sports events.

The facility is anticipated to be located on land donated to the County and constructed at a cost of approximately \$10,000,000.00. The County would enter into a long term lease/purchase of the facility for a period of thirty (30) years at an annual lease payment as is necessary to repay the initial cost of construction with interest, together with a reserve to fund operating costs of the facility for the lease term. Pursuant to the terms of the lease/purchase agreement, the County may in any year elect not to appropriate funds to make the lease payment, whereupon it would agree to release its rights in the facility to the lessor and would not be further obligated. The facility would be operated by a private entity and a revenue sharing arrangement would provide a portion of the facility user fee revenues to the County. The County would be responsible for any operating losses. It is anticipated, but not guaranteed, that the lease payment from the County will be offset by facility user fee revenues and additional tax revenues generated by new additional development at the interchange including an eighty-eight (88) room hotel and travel center with restaurants.

All qualified electors of Jefferson County shall be entitled to vote in the referendum.