

SUGGESTED AGENDA

TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS
PERRY, FLORIDA

MONDAY, NOVEMBER 3, 2014
6:00 P.M.

201 E. GREEN STREET
TAYLOR COUNTY ADMINISTRATIVE COMPLEX
OLD POST OFFICE

NOTICE IS HEREBY GIVEN, PURSUANT TO FLORIDA STATUTES 286.0105, THAT ANY PERSONS DECIDING TO APPEAL ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE MEETING AND 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.

ANY PERSON WISHING TO ADDRESS THE BOARD REGARDING AN AGENDAED ITEM WILL BE GIVEN THREE (3) MINUTES FOR COMMENT. A COMMENTER MAY ONLY SPEAK ONE (1) TIME FOR EACH AGENDAED ITEM.

1. Prayer
2. Pledge of Allegiance
3. Approval of Agenda

BIDS/PUBLIC HEARINGS:

4. THE BOARD TO HOLD THE SECOND AND FINAL PUBLIC HEARING, SET FOR THIS DATE AT 6:00 P.M., OR AS SOON THEREAFTER AS POSSIBLE, TO DISCUSS AND RECEIVE PUBLIC INPUT REGARDING THE UPCOMING FUNDING CYCLE AND POSSIBLE GRANT SUBMISSION FOR THE 2021 FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), TRANSPORTATION ALTERNATIVES PROGRAM.
5. THE BOARD TO HOLD THE SECOND AND FINAL PUBLIC HEARING, SET FOR THIS DATE AT 6:05 P.M., OR AS SOON THEREAFTER AS POSSIBLE, TO CONSIDER ADOPTION OF ANIMAL CONTROL ORDINANCE.

6. THE BOARD TO RECEIVE PROPOSALS FOR FINAL DESIGN AND CONSTRUCTION (DESIGN BUILD) FOR RENOVATIONS TO THE TAYLOR COUNTY FOREST CAPITAL HALL FACILITY, SET FOR THIS DATE AT 6:10 P.M., OR AS SOON THEREAFTER AS POSSIBLE.

AWARDS/RECOGNITIONS:

7. THE BOARD TO PRESENT A PROCLAMATION TO CARL MCAFEE RECOGNIZING HIM FOR HIS YEARS OF SERVICE WITH THE TAYLOR COUNTY FIRE DEPARTMENT, AS AGENDAED BY THE COUNTY ADMINISTRATOR.

COMMENTS AND CONCERNS FROM THE PUBLIC FOR NON-AGENDAED AND CONSENT AGENDA ITEMS:

CONSENT ITEMS:

8. EXAMINATION AND APPROVAL OF INVOICES.
9. THE BOARD TO RATIFY THE COUNTY ADMINISTRATOR'S SIGNATURE ON THE 4TH QUARTER FY 2013-2014 SMALL COUNTY CONSOLIDATED WASTE MANAGEMENT GRANT PAYMENT REQUEST.

PUBLIC REQUESTS:

10. BILL HENDERSON, JORDAN GREEN, AND BRIAN DELBURN TO ADDRESS THE BOARD TO DISCUSS THE UPCOMING FLORIDA DEPARTMENT OF TRANSPORTATION WORK PROGRAM, AS AGENDAED BY AMY TUCKER-BAULDREE, FLORIDA DEPARTMENT OF TRANSPORTATION.
11. THE BOARD TO HEAR A REQUEST BY PROPERTY OWNERS FOR THE BOARD TO ACCEPT THE DEED(S) CONVEYING JACKSON ROAD WEST TO THE TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS, AS AGENDAED BY MICHAEL S. SMITH, ATTORNEY FOR THE PROPERTY OWNERS.
12. THE BOARD TO CONSIDER A PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH IN TAYLOR COUNTY, AS AGENDAED BY ALISON STROTHER, VOLUNTEER, PANCREATIC CANCER ACTION NETWORK.

COUNTY STAFF ITEMS:

13. THE BOARD TO AWARD BIDS FOR THREE REHABILITATIONS AND THREE DEMOLITION AND NEW CONSTRUCTIONS FOR SIX APPROVED SHIP PROGRAM RECIPIENTS, AS AGENDAED BY MELODY COX, GRANTS DIRECTOR.

COUNTY ATTORNEY ITEMS:

14. THE BOARD TO CONSIDER APPROVING A THREE-PARTY-UTILITY EASEMENT WITH TAYLOR COASTAL WATER AND SEWER DISTRICT TO LOCATE EQUIPMENT IN THE COUNTY'S RIGHT-OF-WAY.

COUNTY ADMINISTRATOR ITEMS:

15. THE BOARD TO HEAR A DISCUSSION REGARDING THE RATIFICATION OF THE CHAIRMAN'S SIGNATURE FOR A FLORIDA DEPARTMENT OF TRANSPORTATION PROJECT PREVIOUSLY APPROVED BY THE BOARD BUT ON WHICH A TYPOGRAPHICAL ERROR WAS DISCOVERED.
16. THE BOARD TO DISCUSS AND RECOMMEND ACTION ON THE STEINHATCHEE ACRES ROAD PAVING PROJECT.
17. THE BOARD TO CONSIDER A REQUEST TO TRANSFER \$57,800 FROM RESERVE ACCOUNT FOR CONTINGENCY TO PAY FOR A HEALTH CARE RESPONSIBILITY ACT CLAIM.
18. THE COUNTY ADMINISTRATOR TO DISCUSS INFORMATIONAL ITEMS.

ADDITIONAL COMMENTS AND CONCERNS FROM THE PUBLIC FOR NON-AGENDAED ITEMS:

BOARD INFORMATIONAL ITEMS:

Motion to Adjourn

FOR YOUR INFORMATION:

- THE AGENDA AND ASSOCIATED DOCUMENTATION, IF APPLICABLE, IS AVAILABLE TO THE PUBLIC ON THE FOLLOWING WEBSITE:

www.taylorcountygov.com

- IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT MARGARET DUNN, ASSISTANT COUNTY ADMINISTRATOR, 201 E. GREEN STREET, PERRY, FLORIDA, 850-838-3500, EXT. 7, WITHIN TWO (2) WORKING DAYS OF THIS PROCEEDING.
- ANY PERSON WISHING TO ADDRESS THE BOARD REGARDING AN AGENDAED OR NON-AGENDAED ITEM WILL BE GIVEN THREE (3) MINUTES FOR COMMENT.
- BALLOTS USED TO APPOINT CITIZENS TO ADVISORY COMMITTEES AND ADVISORY BOARDS ARE AVAILABLE FOR PUBLIC INSPECTION AFTER THE MEETING AND ARE RETAINED AS PART OF THE PUBLIC RECORD.

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:

Board to hold the second of two public hearings at 6:00 pm to discuss and receive public input regarding the upcoming funding cycle and possible grant submission for the 2021 Florida Department of Transportation (FDOT), Transportation Alternatives Program.

MEETING DATE REQUESTED:

November 3, 2014

Statement of Issue: The Board to hold the second of two public hearings to discuss and receive public input regarding the upcoming funding cycle and possible grant submission for the 2021 FDOT Transportation Alternative Program. The first public hearing was held October 21, 2014 at 6:10pm.

Recommended Action: Moving forward with the submission of an application requesting funding assistance for the construction of sidewalks from the corner of Old Dixie Highway and Plantation Drive to the corner of Old Dixie Highway and Foley Road.

Fiscal Impact: It is anticipated FDOT District Two will award and divide \$5M between eighteen (18) counties for the Transportation Alternatives Program FY 2021. This is approximately \$275,000 per County. A cash match is not required. In kind project /grant administration services will be required. If the project requires design, engineering, and bidding services FDOT will provide these services for a portion of the funds awarded.

Budgeted Expense: Y/N

Submitted By: Melody Cox

Contact: Melody Cox

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues: The FDOT Transportation Alternative Program applications are submitted five to six years in advance. These funds can be used for the construction of off-road pedestrian and bicycle facilities, safe routes to schools projects, trails, trailheads, walkways, and other applicable infrastructure projects. The County must own all right of way required for the project prior to grant application submission. The County was awarded funding in the

amount of \$328,000 by this program the 2020 application cycle to construct sidewalks from the corner of Jefferson Street and Old Dixie Highway to the corner of Plantation Road and Old Dixie. Grants staff is requesting the Board to consider requesting funding assistance for the construction of sidewalks from the corner of Plantation and Old Dixie Highway to the corner of Foley Road and Old Dixie. There was a second pedestrian fatality on Old Dixie Highway in January 2014. The proposed 2.8 miles of sidewalks would complete the Old Dixie Highway corridor.

Attachments: Pictures of the proposed project site.

Old Dixie Highway Sidewalk Project

Phase II

Florida Department of Transportation
Transportation Alternatives Program 2021
Plantation Rd to Foley Rd—2.8 miles



Taylor County Board of Commissioners



Taylor County Board of Commissioners

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:



THE BOARD TO HOLD THE SECOND OF TWO (2) PUBLIC HEARINGS, SET FOR THIS DATE AT 6:05 P.M. OR AS SOON THEREAFTER AS POSSIBLE, TO CONSIDER APPROVAL OF AN ANIMAL CONTROL ORDINANCE.

MEETING DATE REQUESTED:

NOVEMBER 3, 2014

Statement of Issue:

Recommended Action:

Fiscal Impact:

Budgeted Expense:

Submitted By:

Contact:

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:

AN ORDINANCE WHICH AMENDS CHAPTER 14 OF THE CODE OF ORDINANCES OF TAYLOR COUNTY, TO AMEND SECTION 14-1 DEFINITIONS, TO AMEND SECTION 14-6 FEMALE ANIMALS IN HEAT PROHIBITED AT LARGE, AMENDING SECTION 14-9 DAMAGING, KILLING, POISONING ANIMAL OF ANOTHER, ADDING SECTION 14-10 AUTHORITY TO IMPOUND LIVESTOCK RUNNING AT LARGE OR STRAYS, ADDING SECTION 14-11 DISPOSITION OF IMPOUNDED LIVESTOCK, AMENDING SECTION 14-42 RIGHT OF ENTRY, AMENDING SECTION 14-70 REGISTRY; NOTICE TO OWNERS, AMENDING SECTION 14-71 REDEMPTION; AMENDING SECTION 14-72 DISPOSAL OF UNREDEEMED ANIMALS, AMENDING SECTION 14-96 GENERALLY, AMENDING SECTION 14-97 SCHEDULE OF FINES, AMENDING SECTION 14-98 PROCEDURE UPON CITATION, AMENDING SECTION 14-99 SURCHARGE; AMENDING SECTION 14-100 FAILURE TO PAY OR APPEAR, AMENDING SECTION 14-131 INOCULATION REQUIRED; EXEMPTION; CERTIFICATION; REFUSAL TO SHOW PROOF OF VACCINATION; AMENDING SECTION 14-132 INOCULATION RECEIPT, TAG AND RECORDS, AMENDING SECTION 14-136 QUARANTINE BY PROCLAMATION; RABIES QUARANTINE, AMENDING SECTION 14-173 PROCEDURE FOR PETITION FOR CLASSIFICATION, DELETING SECTION 14-174 ACTION UPON CLASSIFICATION; AMENDING SECTION 14-175 CONFINEMENT; SIGN AMENDING SECTION 14-176 LIABILITY INSURANCE, SURETY BOND OR CASH FEE REQUIRED; AMENDING SECTION 14-177 PERMIT AND TAG REQUIRED, AMENDING SECTION 14-178 NOTIFICATION IF AT LARGE, ETC; CHANGE OF INFORMATION ON FILE; NEW OWNER; AMENDING SECTION 14-179 BREEDING; SPAYING OR NEUTERING; AMENDING SECTION 14-180 TATOO OR MICROCHIP REQUIRED, AMENDING SECTION 14-182 SEVERE INJURY BY AN ANIMAL NOT PREVIOUSLY CLASSIFIED AS DANGEROUS; AMENDING SECTION 14-216 CRUELTY, DELETING SECTION 14-217 RESPONSIBILITY OF OWNER REPLACED BY SECTION 14-217 UNLAWFUL TO ABANDON ANIMALS, AMENDING SECTION 14-218 CROPPING OF DOG'S EARS AND TAIL, AMENDING SECTION 14-220 ANIMALS IN MOTOR VEHICLES; ADDING SECTION 14-221 REMOVAL OF FERAL CAT COLONIES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners of Taylor County, Florida has determined that to better serve the needs of the citizens of Taylor County, Florida, it is necessary to amend Section 14 of the Taylor County Code of Ordinances.

ARTICLE I. - IN GENERAL

Sec. 14-1 – DEFINITIONS is amended as follows:

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Aggressive Dog shall mean any dog that has been declared aggressive as a result of an investigation and determination from animal control because the dog:

- (1) Has severely injured or killed a domestic animal, fowl, or livestock while off the owner's property.
- (2) Has, when unprovoked, has chased or approached a person upon the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the animal control.

Animal means any living dumb creature.

Animal control officer means any person employed or appointed by the county who is authorized to investigate and enforce violations relating to animal control or cruelty under the provisions of this chapter.

Animal shelter means one or more facilities designated by the county for the purpose of housing and caring for animals held under the authority of this chapter.

At large means any animal, other than a cat or dog, which is off the premises of the owner, while not under the supervision of the owner, or, in the case of dogs, any dog which is not under the direct control of the owner.

Citation means a written notice issued to a person by an officer stating that the officer has probable cause to believe that the person has committed a civil infraction in violation of this chapter and that the county court may hear the charge.

~~Dangerous animal Dog: -~~ shall means any animal dog that has been declared dangerous as a result of an investigation and determination from animal control because the dog:

- (1) Has Aggressively bitten, attacked or endangered, or has inflicted severe injury on a human being or caused death of a human being on public or private property; or
- (2) Has more than once Sseverely injured or killed a domestic companion animal while off the owner's property; or
- (3) Has Bbeen used primarily or in part for the purpose of animal dog fighting or is an a animal dog trained for animal dog fighting.

Direct control means immediate, continuous physical control of an animal at all times such as by means of a leash, cord, secure fence or chain of such strength to restrain the animal and controlled by a person capable of restraining the animal, or safe and secure restraint within a vehicle. If the controlling person is at all times fully and clearly within unobstructed sight and hearing of the animal, and the animal will respond to signals or commands given by the owner that will prevent the animal from straying or in any manner running at large in or upon any public street, right-of-way, or any other public or private

property, voice control shall be considered direct control ~~when the animal is actually participating in training or in an official showing, obedience or field event.~~ Direct control shall not be required of dogs actually participating in a legal sport in an authorized area or to dogs used by law enforcement.

Feral Cat shall mean a cat that: (i) has an uncared for condition, such as rough hair coat, underweight, or poor general health; (ii) cannot be handled without injury to the cat or person; (iii) displays violent or aggressive behavior; (iv) has no observable indication of ownership or identification such as a tag, ear tag, microchip, or tattoo.

Humane Euthanasia shall mean an injection that causes immediate and painless death, as mandated by Florida Statutes and the Board of Veterinary Medicine.

Officer means any law enforcement officer or animal control officer.

Owner means any person, partnership, corporation or other legal entity owning, harboring or keeping any animal, or in the case of a person under 18 years of age, that person's parent or legal guardian.

Proper enclosure for an ~~dangerous animal~~ (Chapter 767.12, FS) aggressive dog shall mean the secure confinement indoors or ~~in a securely confined in an enclosed and locked pen or structure,~~ approved by Animal Control Staff, that suitable to prevents the entry of young children animal from escaping over, under or through the structure, and prevents the aggressive dog from escaping and shall also provides protection from the elements. The enclosure Such structure shall have sides and a bottom (if appropriate, as determined by Animal Control Staff) be kept locked at all times to prevent the dog from escaping over, under, or through it. The enclosure shall be kept locked at all times to prevent the unintentional opening of the enclosure. The animal shall not be permitted to come into contact with animals other than those which reside on the owner's premises, or come into contact with persons other than the owner.

Shelter shall mean provision of and access to a three dimensional structure having a roof and at least 3 walls which is dry, sanitary, clean, and weatherproof and made of durable material. At a minimum, the structure must: (i) be sufficient in size to allow each sheltered animal to stand up, turn around, lie down, and stretch comfortably; (ii) be designed to protect the sheltered animal from the adverse effects of the elements and provide access to shade from direct sunlight and regress from exposure to inclement weather conditions; (iii) be free of standing water, accumulated waste and debris and protect the sheltered animal from injury; (iv) be properly lighted to provide a regular lighting cycle of either natural or artificial light. Structures with wire, grid or slat floors which permit the animal's feet to pass through the openings, sag under the animal's weight or which otherwise do not protect the animal's feet or toes from injury are prohibited except for birds where perches are provided.

Severe injury means any physical ~~or mental~~ injury that results in broken bones, multiple punctures or disfiguring lacerations requiring sutures or cosmetic surgery.

Spayed and neutered means rendered permanently incapable of reproduction.

Sustenance – shall mean access to and the provision of palatable nourishment appropriate for the type of animal which is to eat it, free from contamination and provided in a clean and sanitary manner. Food shall be of sufficient nutritional value to maintain the animal of good health and shall be provided at suitable intervals for the species, age, and condition of the animal but not less than once daily except as otherwise prescribed by a veterinarian.

Unprovoked attack or bite means an attack or bite where the victim has been conducting himself peacefully and lawfully and has been bitten in a menacing fashion or attacked by an animal.

Veterinarian means a person trained and authorized to treat animals medically, who is duly licensed and registered by the state under Chapter 474, FS or licensing area in which the veterinarian is practicing.

(Ord. No. 98-6, § 1-1, 5-4-1998)

Cross reference— Definitions generally, § 1-2.

Sec 14-2 Hunting dogs

Any dog in the act of hunting may be exempt from this chapter unless he has bitten someone, destroyed public or private property, is a continued nuisance or considered vicious. This exemption pertains only during practice and open dog hunting season. Any closed season problems will be handled in accordance with this chapter.

(Ord. No. 98-6, § 4-14, 5-4-1998)

Sec 14-3 Owner's responsibility

For the purpose of this section, the owner shall be considered legally responsible for the actions of an animal and the care of an animal. In the absence of written proof of ownership, all adult members of the household shall be considered legally responsible.

(Ord. No. 98-6, § 1(h), 5-4-1998)

Sec 14-4 Interference with enforcement; breaking into official property

- (a) No person shall interfere with, hinder or molest any police officer, animal control officer or other person in the performance of any duty required by this chapter.
- (b) No person shall break open or assist in the breaking open of any of the fences, gates, fastenings or enclosures of the county animal shelter or impounding vehicles; and no unauthorized person shall remove or let loose any animal from the shelter or shelter property, impounding vehicles or live traps.

(Ord. No. 98-6, § 4-4, 5-4-1998)

Sec 14-5 Nuisances

- (a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, injures a member of the general public or damages or interferes with the ordinary use and enjoyment of their property.
- (b) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner so as to constitute a public nuisance. By way of example and not of limitation, the following acts or actions by an owner or possessor of an animal are declared to be a public nuisance by allowing or permitting:
 - (1) An animal to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers or other plant material or depositing fecal material.
 - (2) The molesting of passersby or chasing vehicles or other animals.

- (3) An animal to be kept in an unsanitary place or area.

The term "unsanitary" means any condition which may harbor, produce or be a breeding place for any disease or carrier thereof, or which causes or exudes odors that are offensive to any person constituting the general public.

- (c) A nuisance may be abated in the following manner:

- (1) If the owner of a nuisance animal is known, the county shall give written notice to the owner of the animal requiring that such nuisance cease immediately by causing such animal to be treated or confined, or by causing the area, pen or enclosure in which the animal is kept to be put in a sanitary and healthful condition, or by causing any other necessary thing to be done so that the nuisance shall no longer exist.
- (2) If the nuisance continues to exist, the complainant shall submit an affidavit of complaint to the county. Upon receipt of an affidavit of complaint signed by one or more persons, each complainant residing in separate dwellings in the vicinity in which the nuisance occurred, made under oath before an individual authorized by law to take acknowledgments, setting forth the nature and the date of the act, and the owner, if known, of the animal doing such act, the county shall investigate the complaint to determine whether the act complained of violated this section.
- (3) Any animal deemed a nuisance by the county may be impounded. In all instances of violations of this section, whether the animal is impounded or not, the owner of such animal may be cited by the county for a violation of this section.

(Ord. No. 98-6, § 2.1, 5-4-1998)

Sec 14-6 Female animals in heat prohibited at large is amended as follows:

~~Every female animal subject to this chapter that is in heat shall be confined in a building or secure enclosure in such manner that the female animal cannot come into contact with another animal except for planned breeding.~~

(Ord. No. 98-6, § 7-1(a), 5-4-1998)

- (a) An owner shall humanely and securely confine a domestic animal in heat (estrus) indoors or in an enclosed structure which prevents the entry of a male domestic animal and prevents the female from escaping. Confinement solely by a leash, tether or other similar restraint, or within a non-secure fence, open kennel, open cage or run, is not presumed to be in compliance with this section.
- (b) If a female domestic animal is to be released for an acceptable reason from the secured enclosure, then the owner of the female domestic animal in heat shall have physical control over the domestic animal at a distance of six feet or less, and be able to physically restrain the animal from coming into contact with a male domestic animal. Acceptable reasons for release from confinement are limited to excretion and veterinary visits.
- (c) A person intentionally breeding a female domestic animal in a controlled environment, with the consent of the owner of the male domestic animal, is exempt from this section during breeding.

Sec 14-7 Trespassing

No owner or custodian of an animal shall allow such animal to trespass upon the property of another. Any owner or custodian of such animal shall be in violation of the provision of this chapter.

(Ord. No. 98-6, § 7-2, 5-4-1998)

Sec 14-8 Fighting

- (a) *Enticing animals to fight.* It shall be unlawful for any person to bait, entice, induce, or urge or cause any animal to engage in a fight or to urge, entice or cause such animals to continue to prolong such fight.
- (b) *Keeping place used for animal fighting.* It shall be unlawful for any person to keep or use, or in any way be connected with or interested in the management of, or to receive money for the admission of any person to any place kept or used for the purpose of animal fighting.
- (c) *Attending, training, etc., animal to fight.* It shall be unlawful for any person to attend, instigate, promote, wager upon, carry on, train or in any other way act as assistant, umpire or principal, or attend or in any way engage in the furtherance of any fights between animals or in the training of animals for fighting.
- (d) *Betting.* It shall be unlawful to bet or wager any money or other valuable consideration on the fighting or baiting of animals.

(Ord. No. 98-6, § 7-4(a)–(d), 5-4-1998)

State law reference – Fighting or baiting animals Chapter 828.122, FS.

Sec 14-9 Damaging, killing, poisoning animal of another is amended as follows:

It shall be unlawful for any person to willfully or wantonly kill, maim or disfigure any animal belonging to another person.

- (a) Any person who willfully or maliciously kills, maims or disfigures any animal of another person, or willfully and maliciously administers poison to any such animal, or exposes any poisonous substance with intent that it will be taken and swallowed by such animal shall be guilty of a violation of this chapter and shall be punished as provided in this chapter.
- (b) Any person injuring an animal shall immediately notify the owner of the animal, if the owner is known, or shall notify animal control department or the Taylor County Sheriff's Department.

(Ord. No. 98-6, § 4-2, 5-4-1998)

State law reference – Exposing poison to animals Chapter 828.08, FS.

Section 14-10 Authority to impound livestock running at large or strays is added:

It shall be the duty of the sheriff or her or his deputies or designees, or any other law enforcement officer of the county, or state highway patrol officers, where livestock is found to be running at large or straying, to take up, confine, hold, and impound any such livestock, to be disposed of as hereinafter provided.

State law reference – Authority to impound livestock running at large or strays, Chapter 588.16, FS

Section 14-11 Disposition of impounded livestock is added:

The Sheriff shall dispose of impounded livestock pursuant to chapter 588.17 through 588.25, FS.

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

DIVISION 1 – GENERALLY

Sec. 14-41. – Appointment of Animal Control Officer

The board of county commissioners is authorized to appoint an animal control officer or other qualified individual. Such person shall be charged with the duty of enforcing the provisions of this chapter, and the compensation therefor shall be fixed by the board of county commissioners.

(Ord. No. 98-6, § 4-3, 5-4-1998)

Section 14-42 Right of entry is amended as follows:

~~All animal control officers of the county shall have the right to enter upon any public or private property within the county, except a building and/or a secure, fenced area designated and used for residential purposes, for the purpose of examining or capturing any animal in violation of this chapter. Such employees shall have appropriate official identification with them which identifies such employees as enforcement officers when they enter private property for the purpose of this chapter. Animal control officers shall be immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon real property as authorized by this chapter.~~

(a) Pursuant to F.S. 828.073, 828.27 and 125.01, animal control officers shall have authority to enter fenced private property, exclusive of buildings, when:

- (1) The owner of the animal which has bitten or otherwise possibly exposed a human or domestic animal to rabies refuses to surrender such animal for rabies quarantine.
- (2) The animal being sought was at large immediately prior to animal control receiving a complaint that the animal was at large chasing people or domestic animals or was causing the destruction or loss of personal property, but subsequently returned to its owner's fenced private property, provided, however, that the animal has the capability to leave the fenced property by climbing, jumping, or crawling under the fence and provided that an attempt to contact the owner, if known, was unsuccessful.
- (3) Animal Control is taking possession of any animal found neglected or cruelly treated pursuant to FS 828.27 and 125.01.

(b) Animal control officers shall be immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon real property as authorized by this chapter.

DIVISION 2 – IMPOUNDMENT

Sec. 14-66. – Reasons for; notice in lieu of

It shall be the duty of any officer to catch and impound any of the following classes of animals within the county:

- (1) Any animal running at large.
- (2) Any animal which has not been inoculated for rabies and which does not wear a tag as evidence of such inoculation.
- (3) Any female animal in heat which is not confined in a proper enclosure.

- (4) Any dangerous/aggressive animal which is not confined in a secure enclosure.
- (5) Any animal suspected or believed to be infected with rabies or any other infection or contagious disease.

Animal control officers may issue to the known owner or keeper of such animal a warning notice or citation in lieu of impounding such animal.

(Ord. No. 98-6, § 4-6, 5-4-1998)

Sec. 14-67. – Animals in public places

- (a) It shall be unlawful for any animal, whether tagged or untagged, muzzled or unmuzzled, to be allowed in any place which is open to the public, unless such animal is on a suitable and dependable leash or chain not more than six feet in length, or restrained by other suitable means. Any animal found in violation of this subsection shall be impounded.
- (b) It shall be unlawful for any animal, whether tagged or untagged, muzzled or unmuzzled, to be allowed in any restaurant, grocery store or other establishment selling grocery items or other staple goods. Any animal found in violation of this subsection shall be impounded.
- (c) Animals that are trained to assist the disabled or law enforcement are exempt from this section.

(Ord. No. 98-6, § 4-7, 5-4-1998)

Sec. 14-68. - Safekeeping

When animal control officers catch any animal as described in this division, they may impound such animal at a suitable place and keep such animal safely impounded until all charges have been paid or until such animal shall be disposed of as provided in section 14-72.

(Ord. No. 98-6, § 4-8, 5-4-1998)

Sec. 14-69. - Fees

The charge or fee for impounding or keeping any animal shall be in such amount as established by resolution of the board of county commissioners. All authorized fees shall be collected prior to the animal's release from at the animal shelter. No animal will be released from the shelter without a current rabies vaccination, if required.

(Ord. No. 98-6, § 4-9, 5-4-1998)

Section 14-70 Registry; notice to owner is amended as follows:

~~The individual in charge of the animal shelter~~ An Officer or Staff member shall immediately upon receiving any animal at such animal shelter, make a complete registry thereof, entering the breed, color, and sex of such animal. He/she shall enter the name and address of the owner ~~or keeper of such animal if known~~, and the number of the rabies tag, if ~~numbered~~ known and then the animal shall be impounded; and ~~the an officer in charge of the animal shelter or staff member~~ shall give notice ~~by mail or in person, by mail, by phone, or by written notice left in a conspicuous area at the residence, to the~~ informing such owner or keeper of the impounding of such ~~licensed~~ animal.

(Ord. No. 98-6, § 4-10, 5-4-1998)

Section 14-71 Redemption is amended as follows:

- (a) Except as otherwise provided by state law or other provisions of this chapter, the owner of any animal which has been impounded by animal control officers may redeem such animal from

impoundment by complying with the provisions of this chapter and paying the fees or charges set forth in section 14-69 within a period of five working business days from and after notification of such impoundment. All authorized charges must be paid prior to the release of any animal reclaimed by the owner or adopted by a new owner.

- (b) No animal which has been classified as dangerous/aggressive or which has been involved in an unprovoked bite or attack on a person or domestic animal shall be placed for adoption if the owner does not redeem such animal. An animal involved in a provoked bite or attack on a person or domestic animal may be placed for adoption only with prior approval of the animal shelter manager, to be determined on a case-by-case basis.

Section 14-72 Disposal of unredeemed animals is amended as follows:

- ~~(a) Unless reclaimed by the owner, any animal that is impounded for any violation of this chapter shall be kept for a minimum of five working days and shall then be disposed of at the discretion of the county animal shelter; however, the county animal shelter is authorized, directed and empowered to destroy, in an humane manner, any animal impounded which is seriously diseased or injured, or is dangerous to keep impounded.~~
- ~~(b) Any animal placed in confinement which may be rabid or suspected of being rabid shall remain under observation for a period of not less than ten days, at the owner's expense. Animals which are placed in confinement for a bite or scratch shall remain under observation for a period of ten days from the date of such bite or scratch. Such animal shall be released only by specific authorization of the animal control officer.~~
- ~~(c) Any animal that appears sick shall become the responsibility of the animal control officer if it is advisable to confine such animal for the usual period for observation of rabies or otherwise dispose of such animal. Any animal that is disposed of shall be put to death by sodium pentobarbital or in some other humane manner.~~

The Animal Control Coordinator or his/her designee, may transfer ownership or custody to a humane agency, determine suitability for adoption or destroy in a humane manner any animal impounded pursuant to this article where:

(1) An owner cannot be identified:

- (a) Any dog or cat not exhibiting any form of identification shall be held for a minimum of five (5) business days (with the exception of feral cats) excluding the day of impoundment.
 - i. In the case of feral cats, as described in Sec. 14-1, any cat deemed feral shall be held a minimum of three (3) business days excluding the day of impoundment.

(2) An owner relinquishes ownership of an animal.

(3) An owner is identified, but cannot be contacted

- (a) When a potential owner has been identified, animal control staff shall make a good faith effort to contact the owner including, but not limited to, a minimum of three (3) documented telephone attempts or one (1) written notice by certified mail, return receipt requested, informing the owner of the impoundment of the animal. Notice by mail shall be completed within 24 hours of impoundment, excluding weekends or county holidays. An animal whose alleged owner has been mailed a certified letter will be held for ten (10) business days following the date the letter

was mailed OR three (3) days after receiving certified receipt that the letter was delivered. Attempts to give an owner notice by documented physical contact, or veterinarian contact, shall qualify as attempted contact.

- (b) In the event that any untagged animal is found in a state of apparent pain or suffering, or becomes so during confinement, animal control may euthanize such animal in a humane manner without complying with the five (5) day waiting period.

(Ord. No. 98-6, § 4-12, 5-4-1998)

State law reference— Euthanasia of dogs and cats, F.S. § 828.058.

Sec. 14-73. – Destruction of a large animal

If any animal shall roam, wander or run at large, and such animal cannot be safely taken up and impounded, such animal may be destroyed by the impounding officer or by any sheriff's deputy.

(Ord. No. 98-6, § 4-13, 5-4-1998)

DIVISION 3 – CITATIONS

Section 14-96 Generally is amended as follows:

In addition to or in lieu of impounding an animal observed in violation of this chapter, an animal control officer, upon observing a violation of this chapter, or who has probable cause to believe that a violation of this chapter has occurred, may do one of the following:

- (1) (a) Issue a courtesy/warning notice of violation to the owner or keeper of the animal, provided the notice states the date and time of issuance, the name and address of the person accused, the nature of the offense, a description of the animal involved and a demand that the offense be abated within 72 hours; Such notice may be issued to any adult residing in the residence.
- (2) (b) Issue a citation to the owner or keeper of the animal, or any adult residing in the residence, provided that the citation states the time and date of issuance, name and address of the person accused, date and time of the violation, name of the issuing officer, the ordinance violated, facts constituting probable cause, deadline to pay penalties and fines or to request a hearing to contest the citation, penalties and fines; or
- (3) (c) Impound the animal which is the subject of the violation if the owner or keeper of such animal is not at or near the scene of the violation.

Section 14-97 Schedule of fines is amended as follows:

(a) Any person to whom a citation for violation of this chapter is issued shall pay the fine at the designated place, by the designated date as indicated on the citation or appear in county court at the date, time and location indicated on the citation. Civil penalties for infractions shall be progressive for any dog or cat residing on the property. Civil penalties to be set by resolution. The court may set fines not to exceed \$500.00.

(b) Civil penalties for infractions are no less than as follows:

- (1) First infraction \$25 ~~After 30 days from receipt of citation~~ \$50

- (2) Second infraction \$50 After ~~30 days from receipt of citation~~ \$75
 - (3) Third and subsequent infractions \$75 After ~~30 days from receipt of citation~~ \$100
 - (4) Or set by the court not to exceed \$500.00.
 - (5) For any fine imposed in paragraphs (b)(1) through (3) above, after 30 days from receipt of the citation, any fine remaining unpaid doubles.
- (c) ~~Any person electing to appear or required to appear in the county court waives his right to pay the minimum penalties as set forth in subsection (b) of this section, and the county judge may, after such hearing, impose a civil penalty not to exceed \$500.00, plus court costs, if a violation is found have occurred.~~ Any person who willfully refuses to accept and sign the citation, fails to pay the civil penalty within ~~90~~ 30 days or fails to appear in court to contest the citation shall be deemed to have waived his right to contest the citation and judgment may be entered for the maximum civil penalty of \$500.00 in addition to the fine and/or imprisonment penalties of F.S. 828.27.
- (d) A mandatory court appearance ~~will~~ may be required for any of the following:
- (1) ~~Third and subsequent violations of this chapter;~~
 - ~~(2)(1)~~ Violations of this chapter that result in the destruction or loss of personal property;
 - (2) Violations of this chapter which result in the unprovoked biting, wounding, attacking, injuring or killing of a person or domestic animal; or
 - (3) ~~Second or subsequent~~ Any violations of section 14-4.

(Ord. No. 98-6, § 5(b), 5-4-1998)

Section 14-98 Procedure upon citation is amended as follows:

- (a) Any person cited for a violation of this chapter shall be deemed to be charged with a civil infraction.
- (b) Any person cited for an infraction under this chapter must sign and accept a citation indicating a promise to pay the applicable civil penalty within ~~90~~ 30 days of issuance of such citation or appear in court as indicated on the citation.
- (c) ~~No person to whom a citation has been issued which requires a mandatory court appearance may pay the civil penalty in lieu of appearing in county court.~~ Any person who willfully refuses to accept and sign the citation shall be in violation of this chapter, and shall be subject to the penalties as described in this division.
- (d) If the person cited pays the applicable civil penalty in lieu of appearing in county court, he shall be deemed to have admitted the infraction and to have waived his right to a hearing on the issue of commission of the infraction.

(Ord. No. 98-6, § 5(c), 5-4-1998)

Section 14-99 Surcharge is amended as follows:

A surcharge of ~~\$2.00~~ \$5.00 shall be added to each civil penalty imposed for violation of this chapter. The proceeds from such surcharge shall be restricted to the use for provisions of minimum standard training for animal control officers as set forth in F.S. 828.27(2)(b).

(Ord. No. 98-6, § 5(d), 5-4-1998)

Section 14-100 Failure to pay or appear is amended as follows:

If a person fails to pay the civil penalty, fails to appear in court to contest the citation, or fails to appear in court as required by this chapter, the court may issue an order to show cause ~~upon the request of the board of county commissioners or its duly designated agent, who shall be the chairman.~~ This order shall require such person to appear before the court to explain why action on the citation has not been taken. If any person who is issued such order fails to appear in response to the court's directive, that person may be held in contempt of court pursuant to the provision of F.S. 828.27(2).

(Ord. No. 98-6, § 5(e), 5-4-1998)

ARTICLE III. - RABIES CONTROL

Sec. 14-131. – Inoculation required; exemption; certificate; refusal to show proof of vaccination is amended as follows:

- (a) ~~The owner or person in charge of any animal subject to rabies cat, dog, or ferret, 4 months of age or older shall cause such animal to be inoculated~~ have the animal vaccinated against rabies each year against rabies or every three (3) years depending on the vaccine administered by a veterinarian licensed to practice veterinary medicine under the laws of the state.
- (b) Every such mature animal shall currently be vaccinated against rabies with a U.S. government approved rabies vaccine. Vaccination is excused only if a licensed veterinarian certifies, in writing, that the vaccination would be injurious to the animal's health ~~or that such animal is not subject to rabies.~~ In such case, the animal shall be vaccinated against rabies as soon as its health permits. ~~confined to an enclosed building or kennel until the animal can be safely vaccinated.~~
- (c) Evidence of vaccination shall consist of a certificate signed by the veterinarian administering the vaccine and containing pertinent data for identification of the animal. The rabies vaccination tag shall be displayed around the animal's neck at all times.
- (d) It is unlawful for the owner of an animal to refuse to show proof of current vaccination of such animal within ~~72 hours~~ 3 business days of request for such information by an animal control officer or his representative.

(Ord. No. 98-6, § 6-1, 5-4-1998)

Sec. 14-132. – Inoculation receipt, tag and records is amended as follows:

- ~~(a) Upon the inoculation of any animal, the veterinarian inoculating such animal shall issue a receipt or certificate under his signature to the person causing the animal to be inoculated, which receipt shall contain the date of inoculation, the duration of the vaccine, the number of the tag affixed to the collar of such animal as provided in this subsection, the breed of the animal, its sex, approximate weight, age and color, together with the name of the owner; and the veterinarian shall furnish a numbered tag for each animal so inoculated, which tag shall be worn by such animal and shall be attached to a substantial collar or harness at all times. The receipt of the required certificate shall be made in duplicate and the duplicate copy shall be retained by the veterinarian for a period of three years from the date of issuance.~~
- (a) Upon vaccination against rabies, the licensed veterinarian shall provide the animal's owner with a rabies vaccination certificate which must contain at least the following information:
 - (1) The license number of the administering veterinarian
 - (2) The name, address, and phone number of the veterinarian and owner.
 - (3) The date of the vaccine.

(4) The expiration date of the vaccination.

(5) The species, age, sex, color, breed, weight, and the name of the animal vaccinated.

(6) The rabies vaccination manufacturer.

(7) The vaccine lot number and expiration date.

(8) The signature or signature stamp of the licensed veterinarian.

A copy of the certificate shall also be provided monthly, or at the request, to the animal control office. On a monthly basis, each licensed veterinarian in the county will provide copies of any certificates of vaccination issued in the prior month to the Animal Control Department.

(b) All inoculation collar tags shall be numbered, shall bear the veterinarian's name, county and/or city, and the date of the current year and shall be of such size and shape as to be easily recognizable and distinguishable as to the year of issuance by members of the sheriff's department or an animal control officer, as a lawful tag.

(c) Any business selling rabies vaccine in Taylor County shall prominently display a sign, no smaller than eight inches by ten inches, with letters no smaller than 0.25 inches that states:

FLORIDA STATUTES 828.30(1) STATES IN PART: "ALL DOGS, CATS, AND FERRETS FOUR MONTHS OF AGE OR OLDER MUST BE VACCINATED BY A LICENSED VETERINARIAN AGAINST RABIES WITH A UNITED STATES GOVERNMENT APPROVED VACCINE. RABIES VACCINE ADMINISTERED BY ANYONE OTHER THAN A LICENSED VETERINARIAN IS NOT RECOGNIZED IN FLORIDA."

(Ord. No. 98-6, § 6-2, 5-4-1998)

Sec. 14-133. – Wearing of tag

The tag required by this article shall be worn at all times, and no tag shall be worn except by the particular animal for which such tag was issued.

(Ord. No. 98-6, § 6-3, 5-4-1998)

Sec. 14-134. – Failure to have current tag

An animal not wearing a current tag shall be considered an animal running at large or astray and is subject to impoundment.

(Ord. No. 98-6, § 6-4, 5-4-1998)

Sec. 14-135. – Reporting animal bites; duties

(a) If any person is bitten by any animal within the county, such person shall be required to notify the sheriff's department within 24 hours after such bite.

(b) Any medical personnel or other individual shall report to the sheriff's department the name and address of any person treated for a bite by an animal.

(c) Any veterinarian authorized and licensed to practice veterinary medicine who treats any animal for rabies, or the symptoms of rabies, shall immediately notify the county or its authorized personnel.

(d) Any reports or other information supplied by veterinarians under subsection (c) of this section shall be immediately submitted and/or made available to any medical personnel for the treatment of bites by animals.

(Ord. No. 98-6, § 6-5, 5-4-1998)

Sec. 14-136. – Quarantine by proclamation; rabies quarantine is amended as follows:

The county government, when apprised of the danger of existence or spread of rabies, is authorized and shall cooperate with the county health officer to issue and publish a proclamation requiring all animals subject to rabies on private premises to be quarantined in such manner that such animals cannot contact any other animal or person ~~and cannot be contacted by any other animal or person~~. Such proclamation shall become effective 24 hours after the issuance of the proclamation and a copy of the proclamation shall be published in a newspaper of general circulation published in the county in the next available issue of such newspaper. (Ord No. 98-6, 6-7, 5-4-1998)

Any non-domestic animal that has bitten a human will immediately be confiscated, euthanized, and tested for rabies. The Animal Control Department will cooperate with the county public health unit in all matters concerning rabies issues.

Any domestic animal that has bitten a human shall be quarantined for 10 days at either the animal shelter, a veterinarian facility, or at the owner's residence.

- (a) An unvaccinated animal must be quarantined at the animal shelter or at a veterinarian facility.
- (b) An animal current on its rabies vaccination may be quarantined at the owner's residence IF warranted by the investigating animal control officer. In order for a home quarantine to be granted the animal must meet the following criteria:
 - a. Proof of current rabies vaccination
 - b. An enclosed quarantine area
 - c. At least 2 pictures of the animal on file
 - d. The bite must not have involved a severe injury (death, disfiguration, broken bones, etc.)
 - e. A dangerous dog petition is not being filed (within 24 hours of the initial investigation)
 - f. Home quarantine agreement must be completed and signed
- (c) At the request of the animal owner, the animal may be transported to a local veterinarian of choice for the 10 day quarantine. A veterinary quarantine agreement must be completed and signed by both the animal owner and the veterinarian.

Unless other circumstances have arisen during the course of the investigation, on the morning of the ~~eleventh~~ (11) first business day following the tenth day of quarantine the animal may be reclaimed by its owner. All fees must be paid in full and a rabies vaccination, at the expense of the owner, must be administered prior to release.

- (d) For any animal unredeemed after the third business day after it can be reclaimed pursuant to paragraph (c), the Animal Control Coordinator is authorized to transfer ownership, give to rescue or humanely euthanize such animal.

(Ord. No. 98-6, § 6-7, 5-4-1998)

Sec. 14-137. - Permitting violation of quarantine; sheriff's deputies authorized to kill unconfined animals

During the period of confinement or quarantine provided for in section 14-136, it shall be unlawful for the owner of any animal in the county to allow such animal out of effective confinement or quarantine. During the period of confinement or quarantine it shall be unlawful for any animal to run at large in the county, or to be found on either public or private premises free of effective confinement or quarantine. During the period of such quarantine, any sworn law enforcement officer is authorized and empowered to kill any animal found running at large in the county, or found not effectively confined or quarantined.

(Ord. No. 98-6, § 6-8, 5-4-1998)

ARTICLE IV. - DANGEROUS ANIMALS

Sec 14-171 Citation for violation; impoundment

An officer shall issue a citation requiring a mandatory court appearance to any owner or keeper of a dangerous animal found in violation of any of the provisions of this article. In addition to the issuance of a citation, an officer may impound such animal when it is found in violation of any of the provisions of this article.

(Ord. No. 98-6, § 3.1(m), 5-4-1998)

Section 14-172 Exemptions

- (a) No animal shall be classified as dangerous because of injuries it has inflicted upon another animal which at the time was teasing, tormenting, abusing or assaulting the animal.
- (b) No animal shall be classified as dangerous if the threat of injury was sustained by a person who, at the time, was committing or attempting to commit a tort or a crime upon the immediate family or owner of the animal; or who was committing a willful trespass upon the premises occupied by the owner of the animal; or who was teasing, tormenting, assaulting or abusing the animal or its owner.

(Ord. No. 98-6, § 3.1(b), (c), 5-4-1998)

Section 14-173 – Procedure for petition for classification is amended as follows:

- (a) ~~The county division of animal control~~ The Animal Control Department or any adult person may request under oath that a dog be classified as dangerous/aggressive as defined in section 14-1 by submitting a petition for classification of a dangerous/aggressive animal, hereinafter designated the "petition," to the county department.
- (b) If during a preliminary investigation, a dangerous/aggressive dog petition is requested, the animal in question shall be impounded for safekeeping, until a final disposition can be made.
 - i. The victim shall have 24 hours in which to complete the petition and return it to the Animal Control Department. If the petition is not received within the 24 hour time period, the animal shall be returned to the owner with no further stipulations.
 - ii. If the dog was NOT found in any violation of this chapter at the time of impoundment, no impoundment fees are to be charged. If the petition is turned in after the initial 24 hours, the dog in question must be housed in an enclosure suitable for a dangerous/aggressive dog (Sec 14-175) at the owner's residence until the investigation is complete and a final disposition is attained. Documentation and pictures of the dog and the enclosure must be on file at the animal control office. If no suitable enclosure is available the dog must be impounded and housed at the animal shelter – fees will apply.
- (c) If the petition is turned in after the initial 24 hours, upon receipt of such petition, the county Animal Control Department shall notify the owner of the animal that a petition has been filed and that an investigation ~~into the allegations~~ as set forth in the petition will be conducted. The dog in question must be housed in an enclosure suitable for a dangerous/aggressive dog (Sec 14-175) at the owner's residence until the investigation is complete and a final disposition is attained. Documentation and pictures of the dog and the enclosure must be on file at the animal control office. If no suitable enclosure is available, the dog must be impounded and housed at the animal shelter – fees will apply. Criteria considered in such investigation shall include, but not be limited to, aggressive history of the animal, ~~observable behavior of the animal~~, site and circumstances of the incident and testimony from interested parties, etc. If the animal is deemed dangerous or aggressive by the county Animal Control Department, notice of the declaration as dangerous or aggressive shall be delivered in writing, by certified mail or hand delivery, to the owner of the animal at the owner's last known address.

(d) If the owner of an animal classified as dangerous disputes such classification or disputes the order to permanently confine or destroy the animal, he may petition any judge of the county court, under oath, for an order for the county to show cause why the animal should be classified as dangerous or ordered to be permanently confined or destroyed. The court shall direct that the notice setting forth a time and place for a hearing on the petition be served on the county and the owner of the animal. The animal classified as dangerous shall be impounded by the county at the owner's expense pending the disposition of the hearing in county court. The location of such impoundment shall be in accordance with the rules and regulations established by the county. On or before the seventh calendar day after receipt of the written notice, the owner of a dog that has been classified as dangerous or aggressive may file a written request for a hearing to appeal the classification. The County Hearing Officer Administrator or his/her designee shall conduct the hearing on or after the fifth day and on or before the twenty-first day after receipt of the request. An owner's failure to request a hearing within seven calendar days from the date of receipt of the notification of the initial determination will result in the finding becoming the final determination, and the dog will be classified as dangerous or aggressive.

(e) The nature of the hearing is informal in form and is an opportunity for the owner to be heard. A person requesting an appeal hearing shall be afforded the following rights:

- i. Present his or her case by additional relevant oral or documentary evidence; and
- ii. Be accomplished, represented, and advised by counsel; and / or;
- iii. Offer testimony of witnesses.

(f) Following the hearing, Animal Control Department or his/her designee shall prepare a written final decision and provide a copy of the decision to the owner by registered mail or certified hand delivery.

(g) On or before the fifth day after receipt of the appeal a final decision, the owner may petition the Judge of the County Court, under oath, for an order for the Animal Control Department to show cause why the animal should be classified as dangerous or aggressive. The court shall direct the notice setting forth a time and place for a hearing on the petition to be served on the Animal Control Department and the owner of the animal. During this time, the animal must be confined in an enclosure suitable for a dangerous/aggressive dog pending a resolution of the appeal. If a suitable enclosure is not available, the animal must be impounded and housed at the Animal Control Shelter at the owner's expense.

(h) If the petition for an order to show cause is not filed with the county court within five business days following receipt by the owner or keeper of such classification, the owner or keeper shall be deemed to have waived his right to protest such classification or order to permanently confine or to destroy the animal. In such case, the county shall proceed with the disposition of the animal.

(i) If the court finds that the animal is not dangerous/aggressive, the animal shall be released to the custody of the owner or keeper who shall claim the animal no later than 72 hours three (3) business days from the time of the entry of the order finding the animal not dangerous/aggressive. If the court finds the animal not to be dangerous/aggressive the petitioner shall bear the cost. any costs incurred by the County

(Ord. No. 98-6, § 3.1(d)—(f), 5-4-1998)

Sec. 14-174. ~~Action upon classification.~~

~~Any animal classified as dangerous according to the definitions in section 14-1, shall at the time of being so classified, be either confined permanently to the owner's premises, temporarily impounded or humanely destroyed.~~

(Ord. No. 98-6, § 3.1(a), 5-4-1998)

Sec. 14-175. - Confinement; sign is amended as follows:

1. For animals dogs deemed dangerous

- (a) All dangerous animals dogs that are not humanely destroyed shall be confined in a proper enclosure for dangerous animals.
- (1) It shall be unlawful for any owner or keeper of a dangerous animal dog to maintain such animal upon any premises which does not have a proper enclosure in which to confine the animal.
 - (2) The proper enclosure shall include suitable shelter and protection from the elements and shall provide adequate exercise room, light, ventilation, sanitation and enclosed sides, top and bottom.
 - (3) It shall be unlawful for any owner or keeper to allow any dangerous animal dog to be outside of the proper enclosure unless it is necessary for the animal dog to receive veterinary care or exercise. In such case, the animal dog shall wear a properly fitted restraining device to prevent it from biting humans or other animals. Such restraining device shall not interfere with the animal's breathing or vision.
 - (4) Whenever the dangerous animal dog is outside of the enclosure, it shall be restrained by an adult capable of controlling the animal and shall be on a chain of sufficient tensile strength which shall not be more than three feet in length.
- (b) The owner or keeper of such dangerous animal dog shall display warning signs stating "Bad Dog" on the premises on which such dangerous animal is maintained warning that a dangerous animal is harbored on such property that are clearly visible from all entry points and inform both children and adults of the presence of a dangerous dog. In addition, at least one two signs shall be posted on the enclosure in which the dangerous animal dog is maintained housed.

(Ord. No. 98-6, § 3.1(g), 5-4-1998)

2. For dogs deemed aggressive:

- (a) All aggressive dogs that are not humanely destroyed shall be confined in a proper enclosure for aggressive animals.

(1) It shall be unlawful for any owner or keeper of an aggressive dog to maintain such dog upon any premises which do not have a proper enclosure in which to confine the dog.

(2) The proper enclosure shall include suitable shelter and protection from the elements and shall provide adequate exercise room, light, ventilation, sanitation, enclosed sides, and bottom, if required.

(3) Whenever the aggressive dog is outside of the enclosure; it shall be restrained by an adult capable of controlling the dog and shall be on a leash of sufficient tensile strength which shall not be more than three (3) feet.

(b) The owner or keeper of such aggressive dog shall display warning signs stating "Bad Dog" that are clearly visible from all entry points and inform both children and adults of the presence of an aggressive dog. In addition, at least two signs shall be posted on the enclosure in which the aggressive dog is housed.

Sec. 14-176. - Liability insurance, surety bond or cash fee required is amended as follows:

The owner or keeper of a dangerous animal dog shall present to the county Animal Control Office proof that he has procured liability insurance or a surety bond in the amount of not less than \$100,000.00, covering any damage or injury which may be caused by such dangerous animal dog. Such policy shall contain a provision requiring that the e-County Animal Control Department be notified immediately by the agent issuing the policy if the insurance policy is canceled, terminated or expires. Liability insurance or a surety bond shall be obtained prior to the issuing of a permit to keep such dangerous animal dog. The owner or keeper of such dangerous animal dog shall sign a statement attesting that he shall maintain and not voluntarily cancel the liability insurance policy during the 12-month period for which a permit is sought, unless he ceases to own or keep the dangerous animal dog prior to the expiration date of the permit period.

(Ord. No. 98-6, § 3.1(h), 5-4-1998)

Sec. 14-177. - Permit and tag required is amended as follows:

1. For dogs deemed dangerous:

- (a) The owner or keeper of a dangerous animal dog shall, within ~~72~~ three (3) business hours ~~days~~ of receipt of notice of classification of the animal dog as dangerous or ~~upon the prior to~~ acquisition of such animal dog, obtain an annual permit from the county to harbor such animal dog.
- (b) The fee for such permit shall be a minimum of \$50.00~~\$250.00~~ and as may be amended from time to time by resolution ~~-per year~~.
- (c) At the time the permit is issued, an easily recognizable tag shall be issued to the owner or the keeper of the dangerous animal dog. Such tag shall be worn at all times by the animal dog to clearly and easily identify it as a dangerous animal dog.
- (d) The permit for maintaining a dangerous animal dog shall be presented to any officer upon request.
- (e) Two color photos of the dog in two different poses showing the color and size of the animal are required prior to release.

2. For animals deemed aggressive:

- (a) The owner or keeper of an aggressive dog shall, within ~~72~~ three (3) business hours days of receipt of notice of classification of the dog as aggressive or prior to acquisition of such dog, obtain an annual permit from the animal control department to harbor such dog.
- (b) The fee for such permit shall be a minimum of \$150.00 and as may be amended from time to time by resolution.
- (c) The permit for maintaining an aggressive dog shall be presented to any officer upon request.
- (d) Two color photos of the dog in two different poses showing the color and size of the dog are required prior to release.

(Ord. No. 98-6, § 3.1(i), 5-4-1998)

Sec. 14-178. - Notification if at large, etc.; change of information on file; new owner is amended as follows:

- (a) The owner or keeper of a dangerous animal dog shall notify the county immediately if such animal dog escapes from its enclosure or restraint and is at large, if it bites or attacks a person or domestic animal or if it dies. If the animal dog dies, satisfactory proof of such death must be provided to the county before close of business time or the next working day. Satisfactory proof shall be either verification from an animal shelter or a veterinary hospital that the animal dog was euthanized, or verification from an officer that he has witnessed the body of the animal dog.
- (b) If the owner or keeper of a dangerous animal dog intends to change his address or sell, give away or trade any dangerous animal dog, he shall notify the county prior to such change of address, sale, transfer or trade. The owner or keeper shall provide the county with the new address or the name,

address and phone number of the person receiving the animal dog, as well as the location at which the animal dog will be maintained. It shall be the responsibility of the owner to notify the person receiving the dangerous animal dog, in writing, of the classification of the animal dog as dangerous.

- (c) Any person receiving an animal dog classified as dangerous must obtain the required permit, tag and enclosure prior to the acquisition of the animal dog. Any person obtaining an animal dog classified as dangerous shall comply fully with the provisions of this article pertaining to obtaining liability insurance, and to the maintenance, control and ownership of a dangerous animal dog.
- (d) The owner of a dangerous/aggressive dog shall immediately notify animal control if the owner believes the dangerous/aggressive dog has been stolen. A police report documenting the circumstances shall be required
- (e) An owner of a dangerous/aggressive dog shall not use the dog for hunting purposes.
- (f) The provisions of this chapter relating to dangerous/aggressive dogs do not apply to dogs used by law enforcement officials for law enforcement work.
- (g) Any dog declared dangerous/aggressive found running at large shall be impounded and a citation issued. The Animal Control Department will release the dog to the owner/keeper only after the dog's enclosure has been inspected and meets the requirements for a dangerous/aggressive dog enclosure. The owner/keeper shall be responsible for all impoundment fees and pay a fine as set by the Board by resolution.

(Ord. No. 98-6, § 3.1(j), 5-4-1998)

Sec. 14-179. - Breeding; spaying or neutering is amended as follows:

Any animal classified as dangerous/aggressive shall not be used for breeding. Animals classified as dangerous/aggressive shall be spayed or neutered prior to release from the animal shelter within 30 days of such classification unless a veterinarian certifies, in writing, that:

- (1) The animal is incapable of reproduction; or
- (2) Spaying or neutering the animal would be injurious to the animal's health; provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be spayed or neutered immediately after the health condition has been corrected.

(Ord. No. 98-6, § 3.1(k), 5-4-1998)

Sec. 14-180. - Tattoo or Microchip required is amended as follows:

- (a) Any animal dog classified as dangerous or aggressive shall be micro chipped by a licensed veterinarian or tattooed by a licensed veterinarian or by a trained tattooist at the expense of the owner or keeper of such the animal.
 - (1) The tattoo shall be placed on the inside of a rear thigh of such animal with a number corresponding to the number of the permit issued to the owner or keeper of such animal at the time of the animal's classification as dangerous. The tattoo shall be of such size as to be clearly visible.
- (b) The microchip or tattoo shall be placed in/on the animal dog prior to its release from the custody of the county animal shelter.

(Ord. No. 98-6, § 3.1(l), 5-4-1998)

Sec. 14-181. - Procedure upon attack subsequent to classification.

An officer shall impound any animal dog which subsequent to its classification as a dangerous animal dog, bites, wounds, attacks or kills, or assists in biting, wounding, attacking or killing any person or animal. The animal dog shall be placed in quarantine, if necessary, for the proper length of time, or impounded and held for ten business days, and then destroyed in an expeditious and humane manner. The ten-day time period shall allow the owner to apply to a court of competent jurisdiction for any remedies that may be

available. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal dog during any legal proceeding.

(Ord. No. 98-6, § 3.1(n), 5-4-1998)

Sec. 14-182. - Severe injury by an animal not previously classified as dangerous/aggressive is amended as follows:

An officer shall impound any animal dog for which a petition has previously been filed and investigated, that has not been declared dangerous/aggressive under this article that aggressively attacks and causes severe injury to or death of any human or animal. The animal- dog shall be placed in quarantine, if necessary, for the proper length of time, or impounded and held for ten business days, and then destroyed in an expeditious and humane manner. The ten-day time period shall allow the owner to apply to a court of competent jurisdiction for remedies that may be available. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal dog during any legal proceeding.

(Ord. No. 98-6, § 3.1(o), 5-4-1998)

ARTICLE V. - ANIMAL CARE AND CONFINEMENT

FOOTNOTE(S):

--- (6) ---

State Law reference— Animal cruelty, F.S. ch. 828.

Sec. 14-216. - Cruelty.

Any person who ~~neglects or fails to~~ provide an animal with reasonable food, drink-water, medical attention, shelter and protection from the weather shall be guilty of a violation of this chapter.

- (a) Adequate food means food which is of sufficient quality and nutritive value to maintain each animal in good health. The owner or keeper shall ensure that adequate food is accessible to each animal, is prepared so as to permit ease of consumption for the age, species, condition, size, and type of animal, is provided in a clean and sanitary manner, is placed so as to minimize contamination by excrement and pests, and is provided at suitable intervals for the species, age, and condition of the animal, which is at least once daily except as prescribed by a veterinarian.
- (b) Adequate water means, clean, fresh, potable water of a drinkable temperature. The owner shall ensure that adequate water is provided in a suitable manner, in sufficient volume, and at suitable intervals, at all times to maintain normal hydration for the age, species, condition, size, and type of each animal, except as prescribed by a veterinarian. The water must be provided in a clean, durable receptacle, which is accessible to each animal and is placed so as to prevent contamination of the water from excrement and pests.
- (c) Adequate shelter means provision of and access to a three dimensional structure having a roof and at least 3 walls which is dry, sanitary, clean, and weatherproof and made of a durable material. At a minimum, the structure must:
 - (1) Be sufficient in size to allow each sheltered animal to stand up, turn around, lie down, and stretch comfortably.
 - (2) Be designed to protect the sheltered animal from the adverse effects of the elements and provide access to shade from direct sunlight and regress from exposure to inclement weather condition.

- (3) Be free of standing water, accumulated waste and debris and protect the sheltered animal from injury.
- (4) Be properly lighted to provide a regular lighting cycle of with natural or artificial light.

Structures with wire, grid, or slat floors which permit the animals feet to pass through the openings, sag under the animals weight or which otherwise do not protect the animals feet or toes from injury are prohibited except for birds where perches are provided.

- (d) Medical attention may include humane euthanasia if the animal is beyond the ability of veterinary medicine to treat or cure and the animal is suffering.

If an animal is maintained on a tether, then the owner shall use a tether that weighs less than 1/8 of the total weight of the animal and that is at least three (3) times the body length of the animal from the nose to the end of the body excluding tail.

(Ord. No. 98-6, § 4-1, 5-4-1998)

Sec. 14-217 ~~Responsibility of owner~~ is amended as follows:

~~No owner shall fail to provide his animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.~~

UNLAWFUL TO ABANDON ANIMALS

It shall be unlawful and a violation of this chapter for a person to abandon or dispose of an animal on the property of another or on public property or to abandon an animal in his or her former residence when relocating to a new residence. It shall be a violation of this chapter for any person to abandon an animal in any location without providing for its care. Any Officer with reason to believe that an animal is abandoned may remove the animal from the premises provided that a twenty four hour period has passed since such Officer left a notice at the property to which no response was received and has made a reasonable attempt to contact the owner of the animal or property. An Officer may immediately remove an animal, without leaving a twenty four hour notice or contacting the owner, if leaving the animal would endanger the animal or citizens of the County.

Sec. 14-218. - Cropping of dog's ears and tail is amended as follows:

~~No person, except a licensed veterinarian, shall crop a dog's ears and/or tail.~~

- (a) A person shall not crop the ears or dock the tail of any dog, unless the person employs a veterinarian to perform the cropping and docking. If a person possesses a dog with an ear or ears cut off or cropped, or tail docked, and with the unhealed wound, then that such possession is prima facie evidence of a violation of this section, unless the cropping or docking was performed by a licensed veterinarian and satisfactory proof can be provided.
- (b) A person shall not castrate a dog or cat, unless that person employs a veterinarian to perform the castration.

(Ord. No. 98-6, § 7-2(b), 5-4-1998)

Sec. 14-219. - Promotion of combat.

It shall be unlawful for any person to stage, promote or engage in any combat between animals or between animals and humans which by its nature causes pain, suffering and discomfort.

(Ord. No. 98-6, § 7-5(a), 5-4-1998)

Sec. 14-220. - Animals in motor vehicles is amended as follows:

- (a) It shall be unlawful for a motor vehicle owner or operator to place or confine an animal or to allow it to be placed or confined or to remain in an unattended motor vehicle without sufficient ventilation or under conditions of such period of time as may reasonably be expected to endanger the health or well-being of such animal due to heat, lack of water or such other circumstances as may reasonably be expected to cause suffering, disability or death of the animal.
- (b) It shall be unlawful for an animal to ride on the top of a box or in/on a motor vehicle upon the paved roads ~~of the county~~ without being properly secured.

(Ord. No. 98-6, § 7-6(a), 5-4-1998)

A new Section 14-221 is created as follows:

Sec 14-221 Removal of feral cat colonies.

The Animal Control Department has the right to impound a feral cat colony if:

- (a) The colony or its members create a public health or safety concern (including rabies and other zoonotic diseases and certain animal-to-animal disease)
- (b) The cats create a public nuisance.

Severability

If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Effective Date

This Ordinance shall take effect immediately upon receipt of official acknowledgement from the office of the Secretary of State of Florida that this Ordinance has been filed in said office.

PASSED and ADOPTED in regular session by the Board of County Commissioners of Taylor County, Florida, on this _____ day of _____, 2011.

BOARD OF COUNTY COMMISSIONERS

TAYLOR COUNTY, FLORIDA

BY: _____

MALCOLM PAGE, Chairperson

ATTEST:

ANNIE MAE MURPHY, Clerk

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:



Board to ratify County's Administrator's signature on the 4th quarter FY 2013-2014 Small County Consolidated Waste Management Grant Payment Request.

MEETING DATE REQUESTED:

November 3, 2014

Statement of Issue: Requesting Board to ratify the County Administrator's signature on the 4th quarter FY 2013-2014 Small County Consolidated Waste Management Grant Payment Request.

Recommended Action: Ratify the County Administrator's signature on the Payment Request.

Fiscal Impact: \$23,882.17 to be reimbursed to the County. No match is required.

Budgeted Expense: Y/N

Submitted By: Melody Cox

Contact: Melody Cox

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues: The County received a Small County Consolidated Waste Management Grant in the amount of \$90,909.00 FY 2013-2014. We are requesting reimbursement in the amount of \$23,882.17 for the 4th quarter reporting period.

Attachments: Reimbursement Request Summary Form

ATTACHMENT B
PAYMENT REQUEST SUMMARY FORM

Grantee: TAYLOR COUNTY
Mailing Address: 201 East Green St.
Perry, FL 32347

DEP Agreement No.: 429SC
Date Of Request: 10/27/2014

Grantee's Grant Manager:
Melody Cox

Payment Request No.: 4

Performance
Period: 07/01/2014 – 09/30/2014

Task/Deliverable Amount
Requested: \$23,882.17

Task No.: 1 & 2

GRANT EXPENDITURES SUMMARY SECTION

10/01/2013 – 09/30/2014

[Effective Date of Grant through End-of-Grant Period]

CATEGORY OF EXPENDITURE	AMOUNT OF THIS REQUEST	TOTAL CUMULATIVE PAYMENTS
Salaries	\$13,089.60	\$54,540.00
Fringe Benefits	\$1,911.07	\$7,962.80
Travel (if authorized)	\$N/A	\$N/A
Subcontracting:	\$	\$
	\$	\$
Waste Tire Disposal – D.E. Barnes	\$8,869.50	\$24,540.00
Waste Tire Disposal – Aucilla	\$12.00	\$107.00
Supplies/Other Expenses	\$	\$
	\$	\$
	\$	\$
TOTAL AMOUNT	\$23,882.17	\$87,149.80
TOTAL TASK BUDGET AMOUNT	\$90,909.00	
Less Total Cumulative Payments of:	\$87,149.80	
TOTAL REMAINING IN TASK	\$3,759.20	

GRANTEE CERTIFICATION

The undersigned certifies that the amount being requested for reimbursement above was for items that were charged to and utilized only for the above cited grant activities.

Grantee's Grant Manager's Signature Dustin Hinkel	Grantee's Fiscal Agent Tammy Taylor
Print Name 850-838-3500 Ex.107	Print Name 850-838-3506 Ex. 122
Telephone Number	Telephone Number

ATTACHMENT D

PROGRESS REPORT FORM

DEP Agreement No.:	429SC		
Grantee Name:	TAYLOR COUNTY		
Grantee Address:	201 E Green Street Perry, Fl 32347		
Grantee's Grant Manager:	Melody Cox	Telephone No.:	850-838-3553
Reporting Period: 07/01/2014 – 09/30/2014			
Project Number and Title:	429SC-Taylor Small County Consolidated Solid Waste Grant		
<p>Provide the following information for all tasks and deliverables identified in the Grant Work Plan: a summary of project accomplishments for the reporting period; a comparison of actual accomplishments to goals for the period; if goals were not met, provide reasons why; provide an update on the estimated time for completion of the task and an explanation for any anticipated delays and identify by task.</p> <p>NOTE: Use as many pages as necessary to cover all tasks in the Grant Work Plan.</p> <p>.</p> <p><u>The following format should be followed:</u></p> <p>Task 1: Provide recycling services with 3 full time personnel positions for the operation of the recycling and collection facility.</p> <p>Progress for this reporting period: Task 1 was completed as per the Grant Work Plan. Three full time employees operate the recycling and collection facility.</p> <p>Identify any delays or problems encountered: There were no delays or problems encountered this reporting period. Documentation of staff salary and benefits is included in the report attachments.</p> <p>Task 2: Disposal of waste tires.</p> <p>Progress for this reporting period: Waste tires were disposed of as per the Grant Work Plan. D.E. Barnes picks up the majority of waste tires. Periodically the County disposes of waste tires at the Aucilla Area Regional Landfill and one invoice in the amount of \$12.00 was submitted this reporting period.</p> <p>Identify any delays or problems encountered: There were no delays or problems encountered this reporting period. Documentation of the expenditures incurred disposing of the waste tires is included in the report attachments.</p>			

This report is submitted in accordance with the reporting requirements of DEP Agreement No. 429SC and accurately reflects the activities associated with the project.

Signature of Grantee's Grant Manager

Date

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:



BILL HENDERSON, JORDAN GREEN, AND BRIAN DELBURN TO ADDRESS THE BOARD TO DISCUSS THE UPCOMING FLORIDA DEPARTMENT OF TRANSPORTATION WORK PROGRAM, AS AGENDAED BY AMY TUCKER-BAULDREE, FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT).

MEETING DATE REQUESTED:

NOVEMBER 3, 2014

Statement of Issue:

Recommended Action:

Fiscal Impact:

Budgeted Expense:

Submitted By: AMY TUCKER-BAULDREE 386-758-3725

Contact:

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:

THE BOARD TO HEAR A REQUEST BY PROPERTY OWNERS FOR THE BOARD TO ACCEPT THE DEED(S) CONVEYING JACKSON ROAD WEST TO THE TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS, AS AGENDAED BY MICHAEL S. SMITH, ATTORNEY FOR THE PROPERTY OWNERS.

MEETING DATE REQUESTED:

NOVEMBER 3, 2014

Statement of Issue:

THE PROPERTY OWNERS, VIA THEIR ATTORNEY MICHAEL SMITH, SAY THAT THE COUNTY HAS MAINTAINED JACKSON ROAD WEST FOR THE PAST 18 YEARS. THEY NOW WISH TO DEED THE ROAD TO THE COUNTY.

Recommended Action:**Fiscal Impact:****Budgeted Expense:**

Submitted By: MICHAEL S SMITH (850) 584-3812

Contact:

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:**Options:****Attachments:**

SMITH & SMITH

Attorneys at Law, P.A.

A Professional Association of Attorneys and Counselors at Law

Dedicated to Client Service

Michael S. Smith
Stephen A. Smith, P.A.

411 N. Washington Street
Post Office Drawer 579
Perry, Florida 32348

(850) 584-3812 Phone
(850) 584-7148 Fax
Toll Free 1-877-269-9839

September 17, 2014

Dustin Hinkel
County Administrator, Taylor County
201 East Green St.
Perry, Florida 32347

Re: Jackson Road West

Dear Mr. Hinkel,

Please find enclosed six (6) sets of packets regarding "Jackson Road West," (the Road), which is located within the boundaries of Taylor County, Florida. We have also enclosed within these packets a copy of a Personal Representative's Deed which reflects the current title owner(s) of said Road.

The owners wish to expressly donate the Road to the County. We have confirmed that the County has maintained the Road continuously for a period of eighteen (18) years. You may confirm this fact as we did with Mr. McLeod.

I am requesting that this request be placed upon the agenda for the next scheduled County Commissioner's Meeting. If you, your staff or any of the commissioners have any questions or comments kindly advise me at your convenience.

Sincerely,



Michael S. Smith, Esquire

MSS/Ch-j
Enclosures as stated
cc: Taylor County Attorney Conrad C. Bishop, Jr., file



PARCEL INFORMATION TABLE

Selected Parcel	<u>08393-000</u> (Click for Complete Card)
DOR Property Usage	RESIDENTIAL VACANT LAND (00)
Acres	0.63
OWNERSHIP INFORMATION	
Name	FLETCHER CAROL D & DONNA RAE
Mailing Address	JOHNSON & LINDA D SUTHERLAND 3112 CANMORE PLACE; TALLAHASSEE, FL 32303

NOTE: The real property set forth above was provided by survey dated May 6, 2003, by M.H. Ratliff, Registered Land Surveyor and is the same real property described in the following conveyances: Warranty Deed from Champion White and Nancy Lee White, his wife, to Carl R. Fletcher and Mildred Fletcher, his wife, dated and filed October 2, 1959, in Official Record 13, Page 312 of the public records of Taylor County, Florida; Warranty Deed from Melvin Bowden and Edith L. Bowden, his wife, to Carl R. Fletcher and Mildred Fletcher, his wife, dated May 7, 1981 and filed June 12, 1981 in Official Record 165, Page 660 of the public records of Taylor County, Florida; Warranty Deed from Melvin Bowden and Edith L. Bowden, his wife, to Carl R. Fletcher and Mildred Fletcher, his wife, dated May 7, 1981, filed June 12, 1981 in Official Record 165, Page 661 of the public records of Taylor County, Florida; Warranty Deed from Carl R. Fletcher and Mildred Fletcher, his wife, to Carl R. Fletcher and Mildred Fletcher, his wife, dated May 7, 1981 and filed June 12, 1981, in Official Record 165, Page 662 of the public records of Taylor County, Florida and Warranty Deed from Carl R. Fletcher and Mildred Fletcher to Carl R. Fletcher and Mildred Fletcher dated May 7, 1981, filed June 12, 1981 in Official Record 165, Page 663 of the public records of Taylor County, Florida.

Parcel No. 06-05-08-08393-000

Commence at the NW corner of NW 1/4 of NW 1/4 and run S 658.6 feet for Point of Beginning, thence run S 230 feet, E 20 feet, N 210 feet, E 1129 feet to R/W of US 19, thence run NW along R/W 20 feet W 1146 feet to Point of Beginning. Said parcel contains .6 acre more or less and is located in Taylor County, Florida

Parcel No. 01-05-07-05902-000

Lots 1, 2, 3, 7, 8, 9, 11, 12 of Block A ; Lots 1 and 6 of Block C; and Lot 1 of Block F of Highland Heights Subdivision as recorded in Plat Book 1, Page 80 of the public records of Taylor County, Florida

TOGETHER with all and singular the tenements, hereditaments and appurtenances belonging or in anywise appertaining to that property.

TO HAVE AND HOLD the same to the grantee, his heirs and assigns, in fee simple, forever.

And the grantor does covenant to and with the grantee, his heirs and assigns, that in all things preliminary to and in and about the sale and this conveyance, the laws of Florida have been followed and complied with in all respects.

IN WITNESS WHEREOF, grantor, as Personal Representatives of the estate of CARL R. FLETCHER, deceased, have set their hand and seal hereto as of the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness Harriet C. Devane

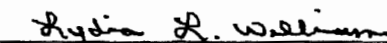


Witness JEWELL L. HOOD

As to Carol Denise Fletcher



Witness Sheena B. Crum



Witness Lydia L. Williams
As to Donna Rae Johnson

 (SEAL)

CAROL DENISE FLETCHER

Co-Personal Representative of the Estate of
Carl R. Fletcher, deceased.

 (SEAL)

DONNA RAE JOHNSON

Co-Personal Representative of the Estate of
Carl R. Fletcher, deceased

Harriet C. DeVane
Witness Harriet C. DeVane

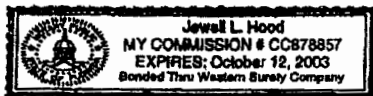
Jewell L. Hood
Witness Jewell L. Hood
As to Linda Dianne Sutherland

Linda Dianne Sutherland (SEAL)
LINDA DIANNE SUTHERLAND
Co-Personal Representative of the Estate of
Carl R. Fletcher, deceased

STATE OF FLORIDA)
COUNTY OF Leon)

The foregoing instrument was acknowledged before me on this 14 day of July, 2003, by CAROL DENISE FLETCHER, as Co-Personal Representative of the Estate of CARL R. FLETCHER, deceased, who personally appeared before me at the time of notarization, and acknowledged before me that she executed the same for the uses and purposes therein set forth therein.

[SEAL]



NOTARY:

Jewell L. Hood
Signature of Notary Jewell L. Hood
☒ personally known to me
☐ produced _____
as identification.

STATE OF FLORIDA)
COUNTY OF TAYLOR)

The foregoing instrument was acknowledged before me on this 21st day of July, 2003, by DONNA RAE JOHNSON, as Co-Personal Representative of the Estate of CARL R. FLETCHER, deceased, who personally appeared before me at the time of notarization, and acknowledged before me that she executed the same for the uses and purposes therein set forth therein.



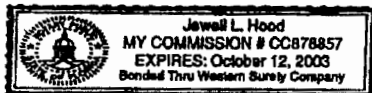
NOTARY:

Lydia L. Williams
Signature of Notary
☒ personally known to me
☐ produced _____
as identification.

STATE OF FLORIDA)
COUNTY OF Leon)

The foregoing instrument was acknowledged before me on this 14 day of July, 2003, by LINDA DIANNE SUTHERLAND, as Co-Personal Representative of the Estate of CARL R. FLETCHER, deceased, who personally appeared before me at the time of notarization, and acknowledged before me that she executed the same for the uses and purposes therein set forth therein.

[SEAL]



NOTARY:

Jewell L. Hood
Signature of Notary Jewell L. Hood
☒ personally known to me
☐ produced FL DL
as identification.

[Recent Sales in Area](#)[Previous Parcel](#)[Next Parcel](#)[Return to Main Search Page](#)[Taylor Home](#)**Owner and Parcel Information**

Owner Name	FLETCHER CAROL D & DONNA RAE	Today's Date	May 29, 2014
Mailing Address	JOHNSON & LINDA D SUTHERLAND 3112 CANMORE PLACE	Parcel Number	08393-000
Tax District	TALLAHASSEE FL 32303	Exemptions	None
Site Location	CO Millage Rate: 16.0601	Property Usage	RESIDENTIAL VACANT LAND
Section-Township-Range	06-05-08	Parcel Map	Show Parcel Maps Generate Owner List By Radius
Legal Description	LEG 0000.60 ACRES COM NW COR OF NW 1/4 OF NW 1/4 RUN S 658.6 FT FOR POB TH S 230 FT E 20 FT N 210 FT E 1129 FT TO RW US		

2013 Tax Year Value Information**Tax Information**

Value of Land	Land Value Agricultural	Building Value	Total Misc Value	Just or Classified Total Value	Assessed Value	Exempt Value	Taxable Value
\$ 572	0	0	0	\$ 572	\$ 572	0	\$ 572

Land Information

Land Use	Number of Units	Unit Type	Unit Price	Value
0	1.00	UT	\$ 572	\$ 572

Building Data

Building #	Year Built	Adjusted Square Feet	Floors	Description	Occupancy	Exterior Walls	Interior Walls
No building information associated with this parcel							

Miscellaneous Features

Description	Year	Length	Width	Area	Value
No miscellaneous features associated with this parcel					


Sales Information

Sale Date	Type of Document	Book	Page	Amount
7/2003	PERSONAL REPRESENTATIVES DEED	506	562	0

To view Clerk of Court Information click here -> [Taylor County Clerk of Court](#)[Recent Sales in Area](#)[Previous Parcel](#)[Next Parcel](#)[Return to Main Search Page](#)[Taylor Home](#)

The Taylor County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: May 18, 2014

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TAYLOR COUNTY BOARD OF COMMISSIONERS	
County Commission Agenda Item	
SUBJECT/TITLE: 	THE BOARD TO CONSIDER A PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH IN TAYLOR COUNTY, AS AGENDAED BY ALISON STROTHER, VOLUNTEER, PANCREATIC CANCER ACTION NETWORK.
MEETING DATE REQUESTED:	NOVEMBER 3, 2014

Statement of Issue: PANCREATIC CANCER IS THE FOURTH LEADING CAUSE OF CANCER DEATH IN THE UNITED STATES AND IT IS ANTICIPATED THAT, BY 2020, IT WILL BE THE SECOND LEADING CAUSE OF CANCER DEATH IN THE UNITED STATES. THIS PROCLAMATION WILL RAISE AWARENESS OF THE ISSUE IN TAYLOR COUNTY.

Recommended Action: APPROVE THE PROCLAMATION

Fiscal Impact: NONE

Budgeted Expense:

Submitted By: ALISON STROTHER, VOLUNTEER, PANCREATIC CANCER ACTION NETWORK 904-868-1030

Contact:

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:

PROCLAMATION

Declaring the month of November "Pancreatic Cancer Awareness Month" in Taylor County.

WHEREAS in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and,

WHEREAS pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020; and,

WHEREAS pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and,

WHEREAS when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and,

WHEREAS approximately 2,890 deaths will occur in Florida in 2014; and,

WHEREAS the Recalcitrant Cancer Research Act was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and,

WHEREAS the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in Taylor County and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and,

WHEREAS the Pancreatic Cancer Action Network and its affiliates in Taylor County support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and,

WHEREAS the good health and well-being of the residents of Taylor County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; therefore be it

RESOLVED that the Board of County Commissioners of Taylor County, Florida, designate the month of November 2014 as "Pancreatic Cancer Awareness Month" in Taylor County, dated this 3rd day of November, 2014.

Malcolm Page, Chairman
Board of County Commissioners

Pam Feagle, District Four
Board of County Commissioners

Jim Moody, District Two
Board of County Commissioners

Patricia "Pat" Patterson, District Five
Board of County Commissioners

Jody DeVane, District Three
Board of County Commissioners

Annie Mae Murphy, Clerk of Courts
Taylor County, Florida



PANCREATIC CANCER ACTION NETWORK

Dear Mr. Hinkel,

I am writing on behalf of the Pancreatic Cancer Action Network and the estimated 39,590 Americans who will die of pancreatic cancer in 2014, approximately 2,890 of whom live in Florida. In 2014, pancreatic cancer will afflict more than 46,420 Americans, 73% of whom will die within one year of their diagnosis, and 94% of whom will die within five years of diagnosis.

On December 24, 2012, I lost my dad, Bill Hill, to pancreatic cancer at the age of 61. Diagnosed at Stage IV, my dad was only expected to live another 3-6 months. He was determined to fight this disease with everything in him and, despite the grim prognosis, made a date to see his doctors the following year. He kept that date, but died only a few days later. Advances in early detection and treatment options are key to beating this disease and could have made the difference in saving my dad's life.

To date, pancreatic cancer is the fourth leading cause of cancer death in the United States, and it is the only major cancer with a five-year relative survival rate in the single digits at just six percent. Furthermore, the incidence and death rate for pancreatic cancer are increasing, and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020. We need your help to shine a spotlight on this disease and finally make progress in developing treatments and early detection tools. By issuing a proclamation supporting the observance of November 2014 as Pancreatic Cancer Awareness Month in Taylor County you can help us to raise awareness in our community.

I have attached a draft of the proclamation text for your review. I am happy to provide additional official Pancreatic Cancer Action Network material, including pancreatic cancer facts and statistics and NCI funding information, upon request.

We request that one original of the proclamation be made available for our records. Please contact me at 904-868-1030 or alison.strother@comcast.net with any questions. I look forward to working with you to issue a proclamation that will recognize November as Pancreatic Cancer Awareness Month and bring much needed attention to this deadly disease. Thank you for your interest in this important issue.

Sincerely,

Alison Strother

I would greatly appreciate the Board of County Commissioners considering the possibility of issuing a Proclamation declaring November as Pancreatic Cancer Awareness month in Taylor County.

I have attached a cover letter providing you with more information about our cause as well as the proclamation template.

Please contact me if you have any questions.

Sincerely,

Alison Strother
Volunteer - Pancreatic Cancer Action Network
www.pancan.org
904-868-1030

<Cover letter and Proclamation Taylor County.doc>

Margaret Dunn

From: Alison Strother <alison.strother@comcast.net>
Sent: Thursday, October 2, 2014 2:00 PM
To: Dustin Hinkel
Cc: Margaret Dunn; 52281_61714.tl196629@tasks.teamwork.com
Subject: Re: Proclamation Request: Pancreatic Cancer Awareness Month

Thank you!

Alison

On Oct 2, 2014, at 8:04 AM, Dustin Hinkel <dustin.hinkel@taylorcountygov.com> wrote:

Margaret,

Please put this in our format and in our queue for the first meeting in November.

Thanks!

Dustin Hinkel

County Administrator
Taylor County Board of County Commissioners

[Click here to sign up for instant severe weather alerts and updates via email and text message!](#)

201 E Green Street
Perry, FL 32347
850-838-3500 ext 7 Office
850-838-3501 Fax
850-672-0830 Cell

dustin.hinkel@taylorcountygov.com
<http://www.taylorcountygov.com>

Please note: Florida has a very broad public records law. Most written communications to or from public officials regarding public business are available to the media and public upon request. Your e-mail communications may be subject to public disclosure.

From: alison.strother@comcast.net [mailto:alison.strother@comcast.net]
Sent: Wednesday, October 01, 2014 10:35 PM
To: Dustin Hinkel
Cc: alison.strother@comcast.net
Subject: Proclamation Request: Pancreatic Cancer Awareness Month

Dear Mr. Hinkel,

Margaret Dunn

NOV

From: Alison Strother <alison.strother@comcast.net>
Sent: Wednesday, October 15, 2014 3:37 PM
To: Dustin Hinkel
Cc: Margaret Dunn
Subject: Re: Proclamation Request: Pancreatic Cancer Awareness Month

Thank you so much! My address is 156 Edge of Woods Rd., Saint Augustine, FL 32092.

Thanks again! I am so grateful.

Sincerely,

Alison

On Oct 9, 2014, at 1:10 PM, Dustin Hinkel <dustin.hinkel@taylorcountygov.com> wrote:

Sure. Please advise Margaret on the address.

Thanks!

Dustin Hinkel

County Administrator
Taylor County Board of County Commissioners

[Click here to sign up for instant severe weather alerts and updates via email and text message!](#)

Please note: Florida has a very broad public records law. Most written communications to or from public officials regarding public business are available to the media and public upon request. Your e-mail communications may be subject to public disclosure.

On Oct 9, 2014, at 12:30 PM, Alison Strother <alison.strother@comcast.net> wrote:

Thank you again for considering my request! Unfortunately, I cannot attend the meeting. Would it be possible to have the proclamation mailed?

Thank you,

Alison

On Oct 2, 2014, at 8:04 AM, Dustin Hinkel
<dustin.hinkel@taylorcountygov.com> wrote:

Margaret,

Please put this in our format and in our queue for the first meeting in November.

Thanks!

Dustin Hinkel

County Administrator
Taylor County Board of County Commissioners

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201 E Green Street
Perry, FL 32347
850-838-3500 ext 7 Office
850-838-3501 Fax
850-672-0830 Cell

dustin.hinkel@taylorcountygov.com
<http://www.taylorcountygov.com>

Please note: Florida has a very broad public records law. Most written communications to or from public officials regarding public business are available to the media and public upon request. Your e-mail communications may be subject to public disclosure.

From: alison.strother@comcast.net
[\[mailto:alison.strother@comcast.net\]](mailto:alison.strother@comcast.net)
Sent: Wednesday, October 01, 2014 10:35 PM
To: Dustin Hinkel
Cc: alison.strother@comcast.net
Subject: Proclamation Request: Pancreatic Cancer Awareness Month

Dear Mr. Hinkel,

I would greatly appreciate the Board of County Commissioners considering the possibility of issuing a Proclamation declaring November as Pancreatic Cancer Awareness month in Taylor County.

I have attached a cover letter providing you with more information about our cause as well as the proclamation template.

Please contact me if you have any questions.

Sincerely,

Alison Strother
Volunteer - Pancreatic Cancer Action Network
www.pancan.org
904-868-1030

<Cover letter and Proclamation Taylor County.doc>



PANCREATIC CANCER ACTION NETWORK

Dear Mr. Hinkel,

I am writing on behalf of the Pancreatic Cancer Action Network and the estimated 39,590 Americans who will die of pancreatic cancer in 2014, approximately 2,890 of whom live in Florida. In 2014, pancreatic cancer will afflict more than 46,420 Americans, 73% of whom will die within one year of their diagnosis, and 94% of whom will die within five years of diagnosis.

On December 24, 2012, I lost my dad, Bill Hill, to pancreatic cancer at the age of 61. Diagnosed at Stage IV, my dad was only expected to live another 3-6 months. He was determined to fight this disease with everything in him and, despite the grim prognosis, made a date to see his doctors the following year. He kept that date, but died only a few days later. Advances in early detection and treatment options are key to beating this disease and could have made the difference in saving my dad's life.

To date, pancreatic cancer is the fourth leading cause of cancer death in the United States, and it is the only major cancer with a five-year relative survival rate in the single digits at just six percent. Furthermore, the incidence and death rate for pancreatic cancer are increasing, and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020. We need your help to shine a spotlight on this disease and finally make progress in developing treatments and early detection tools. By issuing a proclamation supporting the observance of November 2014 as Pancreatic Cancer Awareness Month in Taylor County you can help us to raise awareness in our community.

I have attached a draft of the proclamation text for your review. I am happy to provide additional official Pancreatic Cancer Action Network material, including pancreatic cancer facts and statistics and NCI funding information, upon request.

We request that one original of the proclamation be made available for our records. Please contact me at 904-868-1030 or alison.strother@comcast.net with any questions. I look forward to working with you to issue a proclamation that will recognize November as Pancreatic Cancer Awareness Month and bring much needed attention to this deadly disease. Thank you for your interest in this important issue.

Sincerely,

Alison Strother

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:

Board to award bids for three rehabilitations and three demolition and new constructions for six approved SHIP program recipients .



MEETING DATE REQUESTED:

November 3, 2014

Statement of Issue: The Board received bids for three rehabilitation and three demolition and new construction projects for the below listed individuals who are eligible to receive assistance through the SHIP Program at the October 21, 2014 meeting. The Bid Committee recommends the following awards be made:

REHABILITATION

Ruthie Mae Parker Florida Homes, Inc. \$25,000
Peggy Glanton Certified Roofing & Construction \$17,220
Edna Tillis Florida Homes, Inc. \$25,000

DEMOLITION & NEW CONSTRUCTION

Mary Mitchell Jerry Walters Construction \$59,445
Jim Anderson Jerry Walters Construction \$67,848
Christopher Weaver Jerry Walters Construction \$67,848

Recommended Action: Board to award bids as requested above.

Fiscal Impact: Not applicable. The projects are 100% funded through the SHIP Program.

Submitted By: Melody Cox

Contact: Melody Cox

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues: Bids were received from two local contractors, however even with the Local Vendor Preference Ordinance their bids were still over the lowest bid. The bids for Ruthie Mae Parker and Edna Tillis were over the \$25,000 allowed for rehabilitations and Government Services Group, Inc. and County staff will work with the homeowners and

contractor to reduce the scope of work to the maximum allowable amount.


Attachments: Bid committee recommendations.

Bid committee: Jay Moseley, Michelle Pitts, and Melody Cox



MEMORANDUM

TO: Taylor County Board of County Commissioners

FROM: Jay Moseley, Senior Consultant 

SUBJECT: Bid Award Recommendations

DATE: October 27, 2014

BID AWARD

On October 21, 2014 sealed bids were received and opened for six houses in the Taylor County SHIP Program for Housing Rehabilitation. The bids received were accepted and opened at a regular commission meeting. These bids were reviewed and recommendations are made in accordance with the Local Housing Assistance Plan. The applicant, recommended bidder and the amount for these houses is listed below:

HOUSING REHABILITATION SHIP GRANT

APPLICANT	RECOMMENDED BIDDER	AMOUNT
Edna Tillis	Florida Homes, Inc.	\$25,000.00**
Jim B. Anderson	Jerry Walters Const., Inc.	\$67,848.00*
Peggy Glanton	Certified Roofing and Const., Inc.	\$17,220.00
Christopher Weaver	Jerry Walters Const., Inc.	\$67,848.00*
Ruthie Mae Parker	Florida Homes, Inc.	\$25,000.00**
Mary Mitchell	Jerry Walters Const., Inc.	\$59,445.00*

*While bids were received from 2 local contractors for these houses, none were within the 5% window to apply the local preference ordinance.

**Actual bids received were \$29,330 for Parker and \$29,823 for Tillis – however maximum amount allowed by the LHAP is limited to \$25,000. We will work with the homeowners and contractor to reduce the scope to reach the maximum allowed of \$25,000.

Recommended Action # 1: Award the houses as identified above.

Attachments:

Bid Documents

Bid Tabulation with Recommendations

TAYLOR COUNTY SHIP BID TABULATION

Tuesday October 21, 2014

Contractor	Edna Tillis	Jim B. Anderson	Peggy Glanton	Christopher Weaver	Ruthie Mae Parker	Mary Mitchell
Florida Homes, Inc.	\$ 29,823.00	\$ 71,348.00	\$ 20,880.00	\$ 72,842.00	\$ 29,330.00	\$ 63,350.00
Certified Roofing and Construction, Inc.	\$ 35,240.00	\$ 80,170.00	\$ 17,220.00	\$ 87,616.00	\$ 35,005.00	\$ 70,854.00
C. B. Construction, Inc.	No Bid	\$ 83,734.00	\$ 18,523.00	\$ 85,234.00	\$ 33,079.00	\$ 79,412.00
Wiess Construction, Inc. *	No Bid	\$ 72,200.00	\$ 20,250.00	\$ 72,700.00	\$ 38,100.00	\$ 71,200.00
Michael Lynn, Inc. *	No Bid	\$ 74,499.00	No Bid	\$ 73,699.00	No Bid	\$ 64,499.00
M. E. Perkins Construction, Inc.	\$ 36,421.00	\$ 70,606.00	\$ 19,687.00	\$ 75,321.00	\$ 33,409.00	\$ 65,650.00
Jerry Walters Construction, Inc.	No Bid	\$ 67,848.00	\$ 31,100.00	\$ 67,848.00	\$ 39,800.00	\$ 59,445.00
J. G. Parker Enterprises, Inc.	No Bid	\$ 68,847.00	No Bid	\$ 69,347.00	No Bid	\$ 59,867.00
* Participating Local Contractor						
Recommended Contractor	Florida Homes	Jerry Walters	Certified Roofing	Jerry Walters	Florida Homes	Jerry Walters

Openend By: _____

Witnessed by: _____

Bid Opening:

Signature

Signature

Tuesday, October 21, 2014

Annie Mae Murphy, Clerk

Melody Cox

BOCC Meeting

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:



THE BOARD TO CONSIDER APPROVING A THREE-PARTY-UTILITY EASEMENT WITH TAYLOR COASTAL WATER AND SEWER DISTRICT TO LOCATE EQUIPMENT IN THE COUNTY'S RIGHT-OF-WAY.

MEETING DATE REQUESTED:

NOVEMBER 3, 2014

Statement of Issue:

THE TAYLOR COASTER WATER AND SEWER DISTRICT HAS ASKED FOR THIS AGREEMENT IN ORDER TO INSTALL EQUIPMENT FOR A CONSTITUENT.

Recommended Action:

Fiscal Impact:

Budgeted Expense:

Submitted By:

Contact:

CONRAD BISHOP, COUNTY ATTORNEY

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:

Prepared by:
Conrad C. Bishop, Jr.
Attorney at Law
Post Office Box 167
Perry, Florida 32348

THREE PARTY UTILITY EASEMENT

THIS EASEMENT, made this _____ day of _____, 2014, by and between, TAYLOR COUNTY, a political subdivision of the State of Florida (Land Owner), whose address is 201 East Green Street, Perry, Florida, (hereinafter referred to as Grantor) and TAYLOR COASTAL WATER AND SEWER DISTRICT, 18820 Beach Road, Perry, Florida 32348 (hereinafter referred to as District and Grantee) and JIMMY METTS, (Grantee).

WITNESSETH, the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has given and granted, and by these presents does give and grant unto the District, its successors and assigns, a perpetual easement for the purpose of constructing, installing, connecting, operating, maintaining, repairing, and replacing a public wastewater grinder pump station and collection lines (The District equipment) on the Grantor's following described property. The property, to-wit:

THE RIGHTS HEREIN GRANTED TO THE DISTRICT SHALL INCLUDE:

(a) The right for the District to construct, install, patrol, inspect, alter, improve, repair, replace, rebuild, relocate and remove the District equipment (wherever used herein, the term District equipment includes the grinder pump stations, wastewater lines, electrical service lines, panels, connection devices, and all related components thereof); (b) the right for the District to upgrade the quality and type of equipment; (c) the right of the District to clear trees, limbs, undergrowth and other physical objects which, in the judgment of the District endanger or interfere with the safe, sanitary and efficient operation of the District equipment; (d) the reasonable right of the District to enter upon the property for the purpose of exercising the rights herein granted; and (e) all other rights and privileges reasonably necessary, convenient and incidental for the safe, sanitary and efficient operation and maintenance of the District equipment and the use and enjoyment of the subject easement for the purposes described above.

THIS EASEMENT IS GRANTED ON THE FOLLOWING CONDITIONS:

1. This easement is limited to a radius of ten feet (10') around the grinder pump and within a corridor being ten feet (10') in width and lying equally on both sides of all District equipment situated on the property. The Grantor and the District agree that at any future time the District may, at its sole election and expense, survey the actual location of the District equipment and record a metes and bounds description thereof, which thereupon shall be deemed to be a part hereof as though it was originally incorporated herein.
2. The District promises and agrees to use reasonable care to prevent damage to the Grantor's property. To the extent that the District disturbs the surface area of the property during installation, operation and maintenance of the District equipment, the District will restore the surface of the property as near as reasonably possible to the same condition that existed before the disturbance occurred. The Grantee, Metts agrees not to damage Grantor's property.
3. Grantor covenants not to interfere with District's facilities within the Easement area in Grantor's premises. Grantee, Metts agrees not to interfere with the District's facilities.
4. Grantor hereby warrants and covenants (a) that Grantor is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that Grantor has fully right and lawful authority to grant and convey this easement to District, and (c) that District shall have quiet and peaceful possession, use and enjoyment of this easement.

All covenants, rights, benefits, and obligations contained herein shall inure to, and be binding upon, the parties hereto and their respective heirs, grantees, representatives, successors and assigns, forever. Wherever used herein, all terms shall apply to all genders and to all persons and legal entitles, singular and plural.

IN WITNESS WHEREOF, the parties hereto have hereunto set their respective hands and seals, as of the day and year first hereinabove written.

Signed, sealed and delivered in
the presence of:

**BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA**

BY: _____
MALCOLM PAGE, Chairperson

ATTEST:

ANNIE MAE MURPHY, Clerk

STATE OF FLORIDA
COUNTY OF TAYLOR

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED
AUTHORITY, BY MALCOLM PAGE, CHAIRPERSON OF THE BOARD OF COUNTY
COMMISSION OF TAYLOR COUNTY, FLORIDA, WHO IS PERSONALLY KNOWN TO ME
OR, WHO PRODUCED _____ AS IDENTIFICATION, AND WHO PERSONALLY
APPEARED BEFORE ME AT THE TIME OF NOTARIZATION, THIS ____ DAY OF _____,
2014.

NOTARY PUBLIC

My Commission Expires:

**TAYLOR COASTAL WATER AND SEWER
DISTRICT**

Witness as to District

BY: _____
District Representative's Signature

Witness as to District

STATE OF FLORIDA
COUNTY OF TAYLOR

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED
AUTHORITY, BY _____, WHO IS PERSONALLY KNOWN TO ME
OR, WHO PRODUCED _____ AS IDENTIFICATION, AND WHO PERSONALLY
APPEARED BEFORE ME AT THE TIME OF NOTARIZATION, THIS _____ DAY OF
_____, 2014.

NOTARY PUBLIC

My Commission Expires:

Witness as to Metts

JIMMY METTS, Grantee


Witness as to Metts

STATE OF FLORIDA
COUNTY OF TAYLOR

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED
AUTHORITY, JIMMY METTS, WHO IS PERSONALLY KNOWN TO ME OR, WHO
PRODUCED _____ AS IDENTIFICATION, AND WHO PERSONALLY
APPEARED BEFORE ME AT THE TIME OF NOTARIZATION, THIS _____ DAY OF
_____, 2014.

NOTARY PUBLIC

My Commission Expires:

SUBJECT/TITLE:	
	THE BOARD TO HEAR A DISCUSSION REGARDING THE RATIFICATION OF THE CHAIRMAN'S SIGNATURE FOR A FLORIDA DEPARTMENT OF TRANSPORTATION PROJECT PREVIOUSLY APPROVED BY THE BOARD BUT ON WHICH A TYPOGRAPHICAL ERROR WAS DISCOVERED.
MEETING DATE REQUESTED: NOVEMBER 3, 2014	

Statement of Issue: THE BOARD APPROVED THE FLORIDA DEPARTMENT OF TRANSPORTATION PROJECT IN FEBRUARY 2013. SINCE THEN, IT WAS DISCOVERED THAT A TYPOGRAPHICAL ERROR WAS OF SUCH MAGNITUDE THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION HAS ASKED THE BOARD TO SIGN NEW DOCUMENTS. THERE IS NO CHANGE TO THE SCOPE OF THE PROJECT AS VERIFIED BY THE COUNTY ENGINEER.

Recommended Action: RATIFY THE CHAIRMAN'S SIGNATURE

Fiscal Impact:

Budgeted Expense:

Submitted By:

Contact: COUNTY ADMINISTRATOR

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1109 South Marion Avenue
Lake City, FL 32025-5874

ANANTH PRASAD, P.E.
SECRETARY

March 18, 2013

The Honorable Pam Feagle, Chair
Taylor County Board of County Commissioners
201 E. Green Street
Post Office Box 620
Perry, Florida 32348

**Subject: Small County Road Assistance Program
Resurfacing of East Ellison Road
from CR 252 to CR 225A ←
Financial Project ID: 430741-1-58-01**

ORIGINAL
SCRAP
DOCUMENT

Dear Chair Feagle:

Enclosed for your files is a fully executed copy of the Small County Road Assistance Program Agreement to resurfacing East Ellison Road from CR 252 to CR 225A in Taylor County, Florida. This Agreement details the terms and conditions for construction of the subject improvements which Taylor County will undertake. This letter serves as your **Notice to Proceed**. The contract beginning date is March 21, 2013 with an ending date of December 31, 2014. Any work performed prior to March 21, 2013 is not eligible for reimbursement.

Please submit a set of plans and proposed advertisement to the Department for approval prior to advertising for construction services. After bids are opened submit the Engineer's Estimate and the Bid of the Apparent Lowest, Responsive Bidder for the Department's concurrence and recommendation of award.

To expedite reimbursement, invoices should be sent directly to Ms. Kim Evans at 1109 South Marion Avenue, Lake City, Florida, 32025-5874. Invoices should be submitted in detail sufficient for a proper pre-audit and post-audit. Please remember that Taylor County is responsible for bearing all expenses in excess of the amount the Department agrees to participate **(\$163,919.00)**.

Should you have questions or need additional information, I can be reached at 1-800-749-2967, Extension 7745.

Sincerely,

Katrina Sadler
District Programs Administrator

KS:ke
Enclosures

cc: Mr. Jack Brown, County Administrator
Mr. Kenneth Dudley, P.E., Director of Engineering



Florida Department of Transportation

1109 South Marion Avenue
Lake City, FL 32025-5874

RICK SCOTT
GOVERNOR

ANANTH PRASAD, P.E.
SECRETARY

April 14, 2014

The Honorable Malcolm Page, Chair
Taylor County Board of County Commissioners
201 E. Green Street
Perry, Florida 32348

**Subject: Small County Outreach Program Agreement
Widening and resurfacing of East Ellison Road
From CR 252 to CR 225A ←
Financial Project ID: 430741-1-58-01**

ORIGINAL
SCOP
DOCUMENT

Dear Chair Page:

Enclosed for your file is a fully executed copy of the Small County Outreach Program Agreement for the widening and resurfacing of East Ellison Road from CR 252 to CR 225A in Taylor County, Florida.

The County must provide a set of signed and sealed plans and scope of service for Department's review and approval prior to the Department giving authorization to advertise.

Prior to award, please submit the name of the lowest responsible / responsive bidder. The Department will verify that the County's selection is a FDOT prequalified contractor and give Department approval.

To expedite reimbursement, invoices should be sent directly to Ms. Kim Evans at 1109 South Marion Avenue, Lake City, Florida, 32025-5874. Invoices should be submitted in detail sufficient for a proper pre-audit and post-audit. Please remember that Taylor County is responsible for bearing all expenses in excess of the amount the Department agrees to participate (\$254,856.00).

Should you have questions or need additional information, I can be reached at 1-800-749-2967, Extension 3722.

Sincerely,

James M. Driggers, Jr., P.E.
District Program Administration Engineer

JMD:ke
Enclosures

CC: Mr. Kenneth Dudley, P.E., Director of Engineering
Mr. Jack Brown, County Administrator



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1109 S. Marion Avenue
Lake City, FL 32025-5874

ANANTH PRASAD, P.E.
SECRETARY

October 16, 2014

NEW
SCRAP

The Honorable Malcolm Page, Chair
Taylor County Board of County Commissioners
201 E. Green Street
Post Office Box 620
Perry, Florida 32348

**Subject: Small County Road Assistance Program - Supplemental Agreement #1 – Limit change only
Resurfacing of East Ellison Road
From CR 252 to 255A ←
Financial Project ID: 430741-1-58-01**

Dear Chair Page:

Enclosed for execution are three (3) copies of the Small County Road Assistance Program – Supplemental Agreement # 1 for resurfacing of East Ellison Road from CR 252 to 255A in Taylor County, Florida.

Supplemental Agreement #1 changes the project limits to East Ellison Road from CR 252 to 255A. No additional funds will be added.

In addition to executing the attached Agreement, a resolution must be adopted and a certified copy attached to each copy of the Agreement.

Your assistance in securing execution is appreciated. Should you have questions or need additional information, I can be reached at 1-800-749-2967, Extension 3722.

Sincerely,

Signed on behalf of
James M. Driggers Jr., P.E.
District Program Administration Engineer

JMD:ke:mm
Enclosures

cc: Mr. Kenneth Dudley, P.E., Director of Engineering
Mr. Dustin Hinkel, County Administrator



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1109 S. Marion Avenue
Lake City, FL 32025-5874

ANANTH PRASAD, P.E.
SECRETARY

October 16, 2014

NEW
SCOP

The Honorable Malcolm Page, Chair
Taylor County Board of County Commissioners
201 E. Green Street
Post Office Box 620
Perry, Florida 32348

**Subject: Small County Outreach Program - Supplemental Agreement #1 – Limit change only
Resurfacing of East Ellison Road
From CR 252 to 255A
Financial Project ID: 430741-1-58-01**

Dear Chair Page:

Enclosed for execution are three (3) copies of the Small County Outreach Program – Supplemental Agreement # 1 for widening and resurfacing of East Ellison Road from CR 252 to 255A in Taylor County, Florida.

Supplemental Agreement #1 changes the project limits to East Ellison Road from CR 252 to 255A. No additional funds will be added.

In addition to executing the attached Agreement, a resolution must be adopted and a certified copy attached to each copy of the Agreement.

Your assistance in securing execution is appreciated. Should you have questions or need additional information, I can be reached at 1-800-749-2967, Extension 3722.

Sincerely,

Signed on behalf of
James M. Driggers Jr., P.E.
District Program Administration Engineer

JMD:ke:mm
Enclosures

cc: Mr. Kenneth Dudley, P.E., Director of Engineering
Mr. Dustin Hinkel, County Administrator

TAYLOR COUNTY BOARD OF COMMISSIONERS

County Commission Agenda Item

SUBJECT/TITLE:

THE BOARD TO DISCUSS AND RECOMMEND ACTION ON THE
STEINHATCHEE ACRES ROAD PAVING PROJECT, AS
AGENDAED BY THE COUNTY ADMINISTRATOR.



MEETING DATE REQUESTED:

NOVEMBER 3, 2014

Statement of Issue: BIDS CAME BACK ABOVE BUDGET AND NEGOTIATIONS
HAVE NOT BROUGHT THE PROJECT WITHIN BUDGET.
THE BOARD MUST REVIEW AND RECOMMEND
ALTERNATIVE ACTIONS.

Recommended Action: TBD

Fiscal Impact: \$300,000

Budgeted Expense: YES

Submitted By: DUSTIN HINKEL, COUNTY ADMINISTRATOR

Contact: 838-3500x7

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues: SEE ATTACHMENTS.

Options: RE-BID/UTILIZE FORCE ACCOUNT LABOR/MODIFY
PROJECT SCOPE

Attachments: CORRESPONDENCE

Dustin Hinkel

From: Kenneth Dudley
Sent: Monday, October 27, 2014 11:31 AM
To: Dustin Hinkel
Cc: Andy McLeod
Subject: FW: Steinhatchee Acres Subdivision
Attachments: Steinhatchee Acres Subdivision.pdf; RE: Steinhatchee Acres

Dustin, See attached.

Curt's Construction (the low bidder on the Steinhatchee Acres Project) has indicated they can't adjust their bid amounts. I forwarded them specific line item references compared to FDOT District 2 pricing in an effort to see if they would lower their pricing to make the job affordable and reflect current contract pricing. It did not work. Curt's focused on being less than the #2 bid as leaving money on the table and the distance to Steinhatchee.

Curt's Bid is \$484,000. We only have around \$300K including the county fund contribution for the segment of road between Beach Rd and the Subdivision. At nearly \$500K, it will take several more years to get these roads paved. I am thinking that since the contractor is unwilling to use current pricing, maybe we can do the limerock work in-house (public works crews) and then contract the asphalt placement. The asphalt alone in Curt's bid is \$174K leaving \$125K to do everything else. We may could even re-bid just the asphalt work and see if we get better pricing w/o the limerock work. This option will take a cooperative work effort to get the construction layout, add the needed limerock (1,600 tns), and then mix, shape and compact the base (17,000 SY). I would want Public Works (Andy/Hank) to be comfortable before/if we go that route. Surveying and Public Works costs (including materials) would be charged to the MSBU/Secondary Road Paving accounts. No added cost to Public Works but it will affect their project scheduling.

Steinhatchee Acres

Annual Collection = \$27,000
0515-59922 Sinking Fund Reserve = \$242,112
0308-56313 District 3 Secondary Road Paving = \$50,000 (will be prorated based on road length and actual cost)

Any thoughts?

Kenneth Dudley, P.E.

Please note: Florida has a very broad public records law. Most written communications to or from public officials regarding public business are available to the media and public upon request. Your e-mail communications may be subject to public disclosure.

From: Estimating CurtsConstruction [<mailto:estimating@curtscon.com>]
Sent: Monday, October 27, 2014 10:43 AM
To: Kenneth Dudley
Subject: Steinhatchee Acres Subdivision

Dear Mr. Dudley,

Please see attached response.

Thank you,

Curt's Construction
519 NW Crawford Court
White Springs, FL 32096
Live Oak: (386) 362-7814
Lake City: (386) 758-1935

Dustin Hinkel

From: Kenneth Dudley
Sent: Monday, October 20, 2014 4:57 PM
To: Estimating CurtsConstruction
Cc: Dustin Hinkel
Subject: RE: Steinhatchee Acres
Attachments: Steinhatchee.xlsx

Good afternoon Mr. Walter.

I put together a few comments that will work toward allowing us the opportunity to see if we can approach the Board concerning funding the MSBU portion of the project. Review the following questions/comments and let me know what you think.

Questions/Comments:

1. Could you provide additional detail for the \$122,564.55 Mobilization expense
2. Could you provide additional detail for the \$13,762.00 Maintenance of Traffic expense
3. Sediment Barrier (104-10-3) is generally around \$2.00/LF, please provide additional detail for \$7.50/LF
4. We will Delete Mowing (170-2) \$3,334.50
5. Is there any room for improvement of the \$2.25/SY for Reworking 6" Limerock Base, current FDOT pricing is \$0.95/SY,
6. Is there any room for improvement of the \$33.25/CY Limerock Material (210-2), current cost is \$15/CY
7. Is there any room for improvement of the \$125.35/TN Asphalt price, current district 2 pricing is \$84/TN
8. Could you provide additional detail for the \$50/LF Desilting expense? New pipe is \$85/LF
9. We will delete performance Turf, Sod, replace SY with Performance Turf
10. We will delete Center Stripe (710-11-210) \$2,972.50, only apply during Pay Item (710-90)

Kenneth Dudley, P.E.

Please note: Florida has a very broad public records law. Most written communications to or from public officials regarding public business are available to the media and public upon request. Your e-mail communications may be subject to public disclosure.

From: Estimating CurtsConstruction [mailto:estimating@curtscon.com]
Sent: Monday, October 13, 2014 3:55 PM
To: Kenneth Dudley
Subject: Steinhatchee Acres

October 13, 2014

As requested, schedule of values for above project attached.

Thank you,
Rene Britton

Curt's Construction
519 NW Crawford Court
White Springs, FL 32096
Live Oak: (386) 362-7814

Lake City: (386) 758-1935



Curt's Construction, Inc.

Live Oak Office: 14952 US 90, Live Oak, FL 32060

(386) 362-7814 Ph (386) 364-2802 Fax

Lake City Office: 519 NW Crawford Ct., White Springs, FL 32096

(386) 758-1935

Fax (386) 755-7422

EMAIL TRANSMITTAL



Date: October 27, 2014
To: Kenneth Dudley
Business: Taylor County
Email: county.engineer@taylorcountygov.com
From: Walter Lawson
RE: Steinhatchee Acres Subdivision

Number of Pages Including Transmittal: 1

Hey Mr. Dudley,

Per our conversation and your email regarding questions/comments, we submit the following:


Curt's Construction, Inc. put a lot of effort, time and cost to quote this project.

As you are aware there is a 23% spread between our bid and the 2nd bidder.

We went back and reviewed our bid and we believe our quote is fair and reasonable and can't adjust the figures.

We look forward to hearing back from you.

Sincerely,
Walter J. Lawson

BOARD OF COUNTY COMMISSIONERS Agenda Item	
SUBJECT/TITLE: 	THE BOARD TO CONSIDER A REQUEST TO TRANSFER \$57,800 FROM RESERVE ACCOUNT FOR CONTINGENCY TO PAY FOR A HEALTH CARE RESPONSIBILITY ACT CLAIM.
MEETING DATE REQUESTED:	NOVEMBER 3, 2014

Statement of Issue: THE FEDERAL HEALTHCARE RESPONSIBILITY ACT REQUIRES THE BOARD OF COUNTY COMMISSIONERS TO PAY CERTAIN HOSPITAL REIMBURSEMENT CLAIMS. A CLAIM HAS BEEN FILED.

Recommended Action:

Fiscal Impact:

Budgeted Expense: AS STATED

Submitted By: COUNTY ADMINISTRATOR

Contact:

SUPPLEMENTAL MATERIAL / ISSUE ANALYSIS

History, Facts & Issues:

Options:

Attachments:

HCRA CLAIMS PROCESSING

Reimbursement: HCRA is not Medicaid; however, HCRA does use Medicaid rates for reimbursement. Per Chapter 154, part IV, ss. 154.306(1), Florida Statute, a county's financial obligation under HCRA shall be "...at a rate of payment equivalent to 100 percent of the per diem reimbursement rate currently in effect for the out-of-county hospital under the medical assistance program for the needy under Title XIX of the Social Security Act, as amended, except that those counties that are at their 10-mill cap on October 1, 1991, shall reimburse hospitals for such services at not less than 80 percent of the hospital Medicaid per diem. ..."

To ensure all hospitals receive the same payment for rendering the same service, the 2012 Legislature directed the Agency for Health Care Administration (Agency) to develop a plan to convert Medicaid inpatient hospital rates to a prospective payment system that categorizes each case into diagnosis-related groups (DRG).

Effective July 1, 2013, the Agency implemented a new hospital inpatient payment method utilizing DRG for Florida Medicaid. With this reimbursement change, there will no longer be any hospital inpatient per diem rates posted. The only exception is for the State Mental Health Hospitals which will continue to be reimbursed per diem. It was estimated to be budget neutral at a statewide level, so some counties may pay more and others less.

The Medicaid inpatient DRG rates and outpatient per diem reimbursement rates are posted to the Agency's HCRA website each July. A hospital inpatient DRG Pricing Calculator will be posted instead of per diems. Hospital outpatient per diem rates will continue to be posted as usual.

What is a DRG?

- Each discharge is assigned a DRG code based on information routinely submitted on medical claims (diagnosis codes, procedure codes, age, gender, and birth weight)
- Each DRG has a relative weight factor, which recognizes the differences in resource requirements for patients assigned to the DRG
- The DRG relative weight and a hospital base rate are the primary components in calculating payment, which is per discharge

If a hospital's billing system is not able to provide the Medicaid inpatient DRG rates at the time services were rendered as required for HCRA reimbursement, it shall not be considered a HCRA participating hospital during such time.

INPATIENT HOSPITAL REIMBURSEMENT

HCRA defines inpatient as: A patient of a hospital who (1) receives professional services in the hospital for a 24-hour period or longer, or (2) is expected by the hospital to receive professional services in the hospital for a 24 hour period or longer even though it later develops that the patient dies, is discharged or is transferred to another facility and does not actually stay in the hospital for 24 hours.

In order to process payment on HCRA eligible UB-04 claim forms with date of admission July 1, 2014 forward, you must follow the steps below:

1. First verify that the provider is participating with the HCRA program.

2. Next, you will need to gather the following information:

Submitted charges	=	Also referred to as “covered charges.” Generally this equals the hospital billed amount because there are rarely non-covered charges on a claim. But technically, this field equals Field Locator 47 minus Field Locator 48 on the UB-04 claim provided by the hospital.
Length of stay	=	Equals discharge date minus admit date.
Medicaid payment eligible days	=	The county must reimburse participating hospitals through HCRA for up to a maximum of 45 days of inpatient services per applicant, per fiscal year (October 1-September 30). If an applicant has at least one day of coverage remaining within his/her 45-day benefit limit at the time of admission, then the eligible days shall be equal to the full length of stay. Inpatient hospital days not certified as medically necessary and the day of discharge are not reimbursable through HCRA. (For prior authorizations, remove length of stay limitations for admissions that will be reimbursed under the DRG method. The only exception will be approved applicants who have reached the 45 day benefit limit prior to admission.)
Was patient transferred - discharge status	=	This is a “Yes/No” field indicating whether or not the patient was transferred from one acute care hospital to another. Acute-to-acute transfers are identified by patient discharge status values “02”, “05”, “65”, “66”, “82”, “85”, “93”, and “94”.
Patient age (in years)	=	This is a numerical value. This should be the applicant’s age at the time of admission.
Other health coverage	=	Amount of money paid by private insurance or other coverage prior to submission of a claim. Third party coverage may affect an applicant’s eligibility with HCRA.
Medicaid copayment	=	Amount of applicant’s share of cost, if applicable.
Provider primary Medicaid ID	=	Use the Provider Medicaid ID in column A under the Provider Table tab of the DRG Pricing Calculator posted on the HCRA website. If the hospital is considered participating in the HCRA program and it is not listed under the Provider Table tab of the DRG Pricing Calculator or does not have a nine-digit Provider Primary Medicaid ID # in column D of the Participating Hospital List posted on the HCRA website, then enter the value “Non-Par”.
APR-DRG	=	Equals Field Locator 71 on the UB-04 claim provided by the hospital. Please note that the APR-DRG code must be four-digits. Participating hospitals must provide HCRA eligible inpatient UB 04 claim forms to the applicant’s county of residence using the APR-DRG grouping method (not Medicare). If the DRG code provided in Field Locator 71 on the UB 04 claim form is not a four-digit code from the DRG Table tab of the DRG Pricing Calculator posted on the HCRA website, it is not reimbursable through HCRA. If a hospital’s billing system is not able to provide the APR-DRG code in Field Locator 71 on the UB 04 claim form at time services were rendered, it is not reimbursable through HCRA. Handwritten modifications are not acceptable and may be considered fraudulent.

3. Go to the HCRA website:
http://www.ahca.myflorida.com/MCHQ/Central_Services/Financial_Ana_Unit/HCRA/index.shtml
4. Click on the "APR-DRG Inpatient Hospital Reimbursement Calculator – Effective July 1, 2014" link.
5. Open the "Florida DRG Calculator SFY 2014-2015" (effective July 1, 2014).
6. Go to the Interactive Calculator tab of the DRG Pricing Calculator.
7. Enter the data from step 2 into the highlighted fields in cells E7 through E15 of the Interactive Calculator tab of the DRG Pricing Calculator.
8. Payment due is determined by entering the data in the highlighted fields. Once all required fields have been entered, scroll down to cell E65...that is the amount reimbursable through HCRA (counties at their 10 Mill Cap on Ad Valorem Taxes as of October 1, 1991, whose residents are NOT eligible for the HCRA spend-down provision, reimburse the HCRA participating hospitals at 80% of this amount - see Appendix N of the HCRA Handbook for list of such counties).

For example, if you received a UB-04 claim with an APR-DRG code of 1352 from Orlando Regional Medical Center (Provider Medicaid ID#: 010133800) for a 31 year-old applicant who has no third party coverage or share of cost with dates of service from 7/8/2014 through 7/10/2014, was not transferred and the total submitted charges equals \$9,670.00, the allowable reimbursement through HCRA should equal \$5,068.23.

NOTE: Please be advised that if the DRG code in field 71 on the UB 04 claim form is not a four-digit code, you may be calculating reimbursement incorrectly as Medicare DRG codes are three-digits and have some duplication. Please see example below:

<u>Grouping Method</u>	<u>DRG Code</u>	<u>Description</u>
APR	0011	Liver &/or Intest Transpl
Medicare	011	MDC,P,TRACHEOSTOMY FOR FACE,MOUTH & NECK DIAGNOSES W MCC

OUTPATIENT HOSPITAL REIMBURSEMENT

HCRA defines outpatient as: A patient of a hospital who receives professional services for less than a 24-hour period regardless of the hour of admission, whether or not a bed is used, or whether or not the patient remains in the hospital past midnight. Only one day's services are billable on one outpatient claim.

In order to process payment on HCRA eligible UB-04 claim forms with date of treatment July 1, 2014 forward, you must use the pdf file entitled "Hospital Outpatient Per Diem Rates – Effective July 1, 2014", which can be found on the HCRA website.

The calculation process for hospital outpatient claims has not changed. The hospital is responsible for notifying the county of any interim adjustments to its per diem rates prior to submitting any applicable claims for payment. The per diem rate utilized at the time of claim adjudication is considered the final rate for that claim. No retroactive per diem rate adjustment is allowed. Maximum covered emergency services are \$1,500 for outpatient per applicant per fiscal year (October 1 – September 30). Please follow the instructions as provided in Chapter 6 of the HCRA Handbook.

Time Standards: The hospital has six months from the date of the Notification of Eligibility (NOE), approving an applicant's eligibility, to submit a completed UB-04 claim for payment to the appropriate county claims processing agent. The county has 90 days from the date it receives the claim to complete its adjudication and transmit its reimbursement, if appropriate, to the hospital. (The hospital may resubmit a claim denied by a county as long as the corrected claim is resubmitted within six months of the date of the NOE.)