

**BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING
WORKSHOP – MSBU PROCEDURES
DECEMBER 1, 2003 9:30 A.M.**

The Bradford County Board of County Commissioners met December 1, 2003, for their regular scheduled meeting and to conduct a workshop regarding MSBU procedures. Attending the regular meeting were: Commissioner Mann, Commissioner Thomas, Vice-Chairman Hersey, Commissioner Cooper, Clerk Norman, Marlene Stafford, Lisa Hall, Terry Brown, Mark Crawford, Bill Dampier, Terry Vaughan, Sheriff Milner, Nelson Green, Bill Cervone, Donny Wise, Angela Macey, Ernest Triest, Wilson Whidden, Herschel Waldron, Nathaniel Hines, Percy Sullivan and Phalbe Henriksen.

Vice-Chairman Hersey called the meeting to order at 9:30 a.m.

Clerk Norman led the invocation, followed by the Pledge of Allegiance.

PUBLIC COMMENTS: None.

CONSENT AGENDA:

- A. APPROVE MINUTES FROM 1ST PUBLIC HEARING TO ADOPT TENTATIVE MILLAGE AND BUDGET FOR FISCAL YEAR 2003-2004**
- B. APPROVE MINUTES FROM REGULAR SCHEDULED MEETING OF SEPTEMBER 18, 2003.**
- C. APPROVE INVENTORY DELETION LIST**

There being no items removed, **Comm. Cooper MOVED** to approve the Consent Agenda in its entirety. **Comm. Thomas SECONDED** and the **MOTION CARRIED 4-0.**

RESOLUTIONS—TERRY BROWN:

- A. APPROVE A RESOLUTION APPROVING AND ADOPTING WRITTEN POLICIES AND PROCEDURES FOR THE ASSESSMENT AND REPAIR OF DRAINAGE DITCHES ON PUBLIC AND PRIVATE PROPERTY:**

Mr. Brown read the resolution by title:

“A RESOLUTION APPROVING AND ADOPTING WRITTEN POLICIES AND PROCEDURES FOR THE ASSESSMENT AND REPAIR OF DRAINAGE DITCHES ON PUBLIC AND PRIVATE PROPERTY.”

(12-01-03)

Mr. Brown said that these are the same policies that were provided to the Commission at their last meeting. He has not received any comments from the Commission since that meeting.

Comm. Mann MOVED to adopt the resolution as presented. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0**. (The Resolution was assigned No. 03-26.)

STATUS REPORT OF COURTHOUSE EXPANSION—ERNEST TRIEST:

A. APPROVE PAY REQUEST:

Mr. Triest recommended approval of Payment #20 in the amount of \$42,928.74. He reported that construction has slowed down. The contractor has \$137,000.00 worth of work yet to accomplish before completion of the job and about six weeks to have it done.

Comm. Mann MOVED to approve Pay Request #20 in the amount of \$42,928.74. **Comm. Cooper SECONDED** the motion.

Commissioner Cooper asked Mr. Triest to contact Harry Hatcher, Chairman of the Space Committee, and request that the weekly progress meetings be re-established.

Mr. Triest said that he sent out a letter last week reminding them of the punch list items on Phases I and II. Very little work has been done on those items.

There being no further discussion, the **MOTION CARRIED 4-0**.

PRESENTATION FROM STATE ATTORNEY BILL CERVONE THANKING BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE NEW OFFICE SPACE: Mr. Cervone expressed his appreciation to the County Commission for the space that has been provided to them through the courthouse renovations. It has helped his staff immensely and has created a much more pleasant and productive environment. He invited the Commission to walk through the office and compare it to what they used to have.

When the State Legislature allows him to do so, it is his goal to put an additional attorney in Bradford County. This has been a need for some time, but literally had no place for someone to sit until now. He hopes to accomplish this within the next calendar year.

Commissioner Cooper thanked Carol Zegel and local staff for their contributions and hard work with the renovations.

DISCUSSION CONCERNING SPEED LIMIT SIGNS ON CR229—COMM. THOMAS/SAM NEWELL: Mr. Newell of 6947 N.W. CR229, said that the area around the curve at his residence and his wife's daycare is very dangerous. He is also going to begin construction on a church in the near future. He requested a reduction of the speed limit to 35-mph, and the placement of signs to indicate a church zone and day care entrance.

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Sheriff Milner said that this is in the Pleasant Grove area. The Community Traffic Safety Team has been approached by a couple of citizens wishing to increase the speed limit on that road. He and several Safety Team members have gone to the site. There is not a substantially residential area that would call for a 35-mph speed limit. To deviate from the county-wide speed limit regulations for this area, you would have to have a legitimate educational facility or school, private or public, wherein you would post a school zone for certain times of the day. This does not exist in that area at this time.

They will continue to try to enforce the current 45-mph speed limit. Should a school or a nursery of some kind come to the area, then the Board may wish to revisit, but he feels it will still be very difficult to drop the limit to 35-mph.

Commissioner Cooper asked if the Community Traffic Safety Team has taken the daycare Mr. Newell spoke of into consideration. Sheriff Milner indicated in the negative.

Commissioner Cooper asked that the Safety Team revisit the request and bring a recommendation back to the Commission. Sheriff Milner advised that the Team meets again in January.

Commissioner Cooper said that he has received several requests for the Safety Team to review the speed limits posted on Bayless Highway. Sheriff Milner said that they have look into that, but would be glad to revisit it.

APPROVE APPOINTMENT OF SHELLEY TORODE TO LIBRARY ADVISORY COMMITTEE—COMM. HERSEY/TERRY VAUGHAN: Mr. Vaughan reported that the Library Advisory Committee has been meeting on a regular basis. Judy Butterfield has made them aware that there is an opportunity to tie in a 4-H grant to procure some funds for the new library. They would like to have a teen representative on the Library Advisory Committee, and perhaps as a result to include some type of a teen room in the new library. The person who has stepped up and is willing to serve in this capacity is Shelley Torode. Ms. Torode would be a tremendous asset to the Advisory Committee.

Comm. Thomas MOVED to appoint Shelley Torode to the Library Advisory Committee as presented. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0**.

PRESENTATION FROM TERRY VAUGHAN—COMM. HERSEY/TERRY VAUGHAN: Mr. Vaughan reported that the Elections Office would be returning \$3,214.19 in excess funds for fiscal year 2002-2003.

DISCUSSION CONCERNING REDISTRICTING UPDATE—COMM. HERSEY/TERRY VAUGHAN: Terry Vaughan said that the Commission may recall back in 2001, voting to wait until after the State had concluded drawing all the lines with redistricting before the County made any moves towards altering the County's lines. He has not sensed that there is a lot of momentum or cry of dissatisfaction with the current lines. It is wise, however, for the Board to take action on the record to keep the lines as they are for the 2004 election cycle. If this is an

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issue that needs to be revisited, it can be done after the 2004 election cycle and prior to the 2006 election cycle.

Comm. Mann MOVED to keep the district lines as they are for the 2004 election cycle, to be reviewed prior to the 2006 election cycle. **Comm. Thomas SECONDED** and the **MOTION CARRIED 4-0**.

APPROVE SALE PRICE ADJUSTMENT ON SHIP HOME—COMM.

THOMAS/ANGELA MACEY: Ms. Macey said that a few months ago, she came before the Commission to set a sales price on a home located on Thompson Street. At that time, the sales price was established at \$58,000.00, which would allow \$4,000.00 for repairs. Since then, she has been able to get into the home and reevaluate the needed repairs to make the home livable, which repairs total \$6,270.00.

Ms. Macey asked the Commission to lower the sales price to \$51,230.00. This includes not only the \$2,270.00 for the additional repairs, but it has also come to light that there is \$4,500.00 in back taxes owed. The repair funds will be financed into the loan and placed in an escrow account to insure that they are completed.

Comm. Cooper MOVED to reduce the sales price to \$51,230.00. **Comm. Thomas SECONDED** and the **MOTION CARRIED 4-0**.

BID RECOMMENDATION FOR SHIP/CDBG—ANGELA MACEY: Ms. Macey advised that RFB's were advertised for five houses. The only one that came in under bid was for Unit No. 01-9, Nanci Benckowsky, submitted by S & D Specialties, Inc. for \$14,250.00.

Comm. Thomas MOVED to award the bid to S & D Specialties, Inc. for \$14,250.00. **Comm. Mann SECONDED** and the **MOTION CARRIED 4-0**.

Ms. Macey reported that she would be looking into different options for the houses where the bids were too high.

DISCUSSION CONCERNING ORDER FROM CLAY COUNTY UTILITY

AUTHORITY—TERRY BROWN: Mr. Brown said that the Florida Public Service Commission Order basically approves and ratifies the court's action in Clay County, which permitted the Clay County Utility Authority to condemn and take the water system that now services the Keystone Heights area and certain areas of Bradford County.

Initially, this water utility system was owned by Southern States, who subsequently sold the system to another utility system located in the panhandle. Clay County took exception to that, feeling that it would be more beneficial for the utility system to be owned by someone locally who would have a greater interest for the people who reside in Clay and Bradford County. This Commission voted to help support Clay County in those legal efforts. The County monitored what was going on and lended support, but was not active in the litigation.

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Mr. Brown pointed out that the County, in the condemnation proceeding, apparently ordered a purchase price of the system, which was substantially more than what the Public Service Commission had appraised the property at. The Public Service Commission is now seeking to potentially rebate back to the other consumers of that utility system these excess profits, which the other utility system is opposing.

No action needs to be taken by this Board. In consideration for this Board's support Clay County at least played lip service to our needs for an expansion of the water system into some of the other areas in Bradford County in need of service. It may be appropriate to remind them of the areas within the County where there was a problem with wells going dry.

APPROVE RENEWAL OF ATLANTIC CULVERT CONTRACT FOR CULVERT PRICES FOR AN ADDITIONAL 12-MONTH PERIOD—COMM. MANN: The existing contract gives the Commission the authority to renew the contract for 12 months, which is his recommendation. **Comm. Thomas MOVED** to renew the contract with Gulf Atlantic Culvert for an additional 12-month period. **Comm. Mann SECONDED** the motion.

Commissioner Cooper asked if the prices were the same. Commissioner Mann indicated in the positive.

There being no further discussion, **MOTION CARRIED 4-0.**

APPROVE RENEWAL OF PRITCHETT LIMEROCK CONTRACT FOR AN ADDITIONAL 12-MONTH PERIOD—COMM. MANN: There is an option in this contract to renew for an additional 12-months with prices remaining the same, which is his recommendation. Pritchett Trucking has submitted a letter agreeing to the renewal terms. **Comm. Mann MOVED** to renew the contract with Pritchett Truck for an additional 12-month period. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0.**

DISCUSSION CONCERNING SETTING WORKSHOP FOR CEMP—COMM. COOPER/BILL DAMPIER: Commissioner Cooper said that at the last Board meeting Mr. Dampier presented the Comprehensive Emergency Management Plan (CEMP). The question is, does the Commission want to set a workshop to discuss the plan or review it on an individual basis and place it on an agenda for approval prior to January 1. He does not feel that a workshop is necessary, but it is something that needs review and any questions submitted to Mr. Dampier.

Mr. Dampier said that there are no major changes, there are some updates with regard to how FEMA does business, some terminology, some organizations in a post-disaster recovery period that have been incorporated into the revision.

There was consensus to place the CEMP on the December 18, 2003 agenda for approval.

Commissioner Thomas asked Mr. Dampier for an update on the fire danger. Mr. Dampier said that the fire danger continues to rise and yesterday's frost has increased it. If the County does not receive rain, a burn ban will be necessary by the end of the month.

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APPROVE PAYMENT OF BILLS: Vice-Chairman Hersey said that he has reviewed the bills and recommends them for payment. **Comm. Thomas MOVED** to pay the bills as reviewed. **Comm. Mann SECONDED** and the **MOTION CARRIED 4-0.**

PERSONNEL MATTERS:

A. DISCUSSION CONCERNING POLICY & PROCEDURES FOR HIRING OF NEW EMPLOYEES—COMM. HERSEY:

Vice-Chairman Hersey said that the County's hiring procedures needs improvement. One person needs to be made responsible for making sure that all necessary documentation is provided and job requirements are met prior to a new employee beginning employment. He is recommending that Nancy Bailey in the Clerk's Office be the person appointed to serve in that capacity.

There was brief discussion regarding how this policy would affect the capability of drawing from a pool of part-timers in a given department. Clerk Norman said that the same requirements exist within a pool of part-timers as full-timers.

Commissioner Cooper said that a policy could be established to determine how people make it into a pool. He feels that the Commission should take it one step further and get this Board out of the practice of being involved in the personnel process, except for the ultimate end ratification and/or termination of an employee. The Commission needs to establish hiring policies and practices, put them in writing and designate the department heads to follow those practices. He likes the idea of someone overseeing that process to make sure the checklist is complete. This keeps the Board out of the ranking business, out of the political favors business, and out of the process, until the very end, which is more consistent with the legislative function of the Board as opposed to an executive function.

Mr. Brown said that since the Commission will be reviewing the hiring portion of the personnel policies, he would suggest reviewing the way all positions are advertised. He spent an entire day with the Florida Commission on human relations in Tallahassee for another government entity recently, in part defending the practice of filling vacancies from within as opposed to opening up the public advertisement process. It is good when you can promote from within, but when you do, you are subject to criticism. It might be appropriate to review the overall process to insure that it is being done the best way and consistently in all departments, and to make sure that there is paperwork to document and back up what decisions are made.

If the Commission so desires, he can review the current policy in light of some things that have come to his attention, and bring a recommendation to the Board.

After some discussion, **Comm. Cooper MOVED** to designate the Clerk, or his designee, to be responsible for final check off that all procedures have been performed prior to the Board considering anyone for employment. **Comm. Thomas SECONDED** and the **MOTION CARRIED 4-0.**

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Clerk Norman said that department heads will be heavily involved because they will be assisting the Clerk's Office with the needed information. Hopefully, this is a step in the right direction to help clear up some things.

Commissioner Cooper asked that Mr. Brown be directed to review the current policies and procedures for any revisions and update that may need to be made. Specifically, the County requires a background check and a drivers' license check, but there are no guidelines as to what they mean. Also, he feels that the County may be getting to the point where the Commission needs to start thinking about a full-time Human Resource Officer to be responsible for all H.R. issues that arise.

Mr. Brown said that he would like to coordinate with the Clerk's Office and develop a checklist for each potential new employee. That checklist would include verifying whether or not the position was properly advertised, if the background search is complete or waived for some reason, etc.

COUNTY ATTORNEY REPORTS:

Mr. Brown reported the following:

--He and Vice-Chairman Hersey have discussed correspondence received from the County's labor attorney regarding a new court decision on ADA requirements and how it may impact individual liability for County Commissioners. Although it does not change what is being done, it certainly changes the commissioners' individual exposure. The offer in the letter was to come before the Board with an update. They are also very receptive to the possibility of coming to the County once a year to speak to all department heads and key personnel to remind them of the dos and don'ts and to review changes in labor laws. He has not received a firm price yet, but the estimate he received was somewhere in the 8 to \$900.00 range for a full day seminar.

Comm. Thomas MOVED to authorize Mr. Brown to establish a date with Coffman, Coleman, Andrews & Grogan, P.A., to conduct a labor seminar. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0.**

CLERK REPORTS: None.

CHAIRMAN COMMENTS:

Vice-Chairman Hersey commented on the following:

--The encroachment/buffer zone meeting with D.C.A at Camp Blanding is set for December 4. He and Commissioner Thomas are committed to attend a workshop in Tallahassee on that day and he would like Commissioner Cooper and Commissioner Mann to try to attend the meeting.

Commissioner Cooper said that he is scheduled for hearings in Gainesville most of that day. If he can reschedule those hearings, he will be glad to attend.

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Commissioner Mann said that he would try to attend the meeting.

Commissioner Thomas recommended that the County Surveyor attend the meeting, also. Mr. Welch said that he would try to attend.

Clerk Norman said that North Central Florida Regional Planning Council would have a representative in attendance.

Discussion ensued.

--Bradford Roping Club is requesting that the County dig a drainage ditch from 301 towards the railroad tracks on the north side of the fairgrounds to divert water. The property belongs to the Fair Association.

There was some discussion.

Commissioner Cooper said that the Board just adopted a policy regarding outfall ditches. If the Fair Association is interested in having, what was at least at one time, an outfall ditch cleaned out, then they need to put it in writing and provide the County a temporary easement.

Jerome Kelley suggested that he look into it before any work is done to make sure it will not affect D.O.T. drainage.

Mr. Welch said that he believes the Fair Association's property was made part of the City of Starke sometime back. Clerk Norman said that was correct, and that the City should not have a problem with it, but should at least be notified of the request.

Vice-Chairman Hersey said that he would contact the Roping Club and have them make the various contacts. Mr. Kelley is not to do anything until it is okay with the City.

Commissioner Thomas said that once Mr. Kelley and the City give their approval, he does not have a problem with the work being done.

COMMISSIONERS' COMMENTS:

Commissioner Cooper commented on the following:

--Darrell O'Neal has requested that the Board verify in writing the two members who will be serving on the New River Solid Waste Association.

Vice-Chairman Hersey asked Commissioner Cooper and Commissioner Thomas if they are willing to continue to serve. Both indicated in the positive.

Vice-Chairman Hersey asked Ms. Hall to draft a letter to Darrell O'Neal.

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Commissioner Mann commented on the following:

--Judge Pearce, Board Member for Santa Fe Community College, has requested that the County provide an estimate on what it would cost to do the paving at the site for the Keystone Branch, and if the County could possibly do the work. The timeframe will be some time between now and August. The clearing work is complete, which was done by the County on an overtime basis to keep up with other projects. If the County takes this project on, there is a possibility that it may have to be worked in with regular maintenance and other work that is going on.

Judge Pearce is going to provide a set of plans to help with the estimate. There is going to be a tie-in with SR121, which will require a D.O.T. permit, and possibly some turn lanes.

Sheriff Milner said that back when discussions regarding the project began, he specifically requested that the County be given a portion of a building on the campus for use by the Constitutional Officers as annex offices. At that time, Santa Fe indicated eagerness and a willingness to do so. Sheriff Milner encouraged the Board members, not only in person, but to put a request for the space in writing.

Ms. Henriksen said that Santa Fe Community College is also expecting the library to provide services.

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Vice-Chairman Hersey said there needs to be a decision made regarding application of the EMS grant, which due to time constraints, will need to be handled as an emergency matter.

Comm. Cooper MOVED to declare an emergency. **Comm. Thomas SECONDED** and the **MOTION CARRIED 4-0.**

Mr. Green approached the Commission and distributed and reviewed an information sheet concerning how response times will be affected if the EMS station were moved to the area of Morgan Road and US 301 North, and the estimated cost for a new building.

This grant does not like, and almost always will not allow, the purchase of land and/or buildings because they feel that it is questionable as to whether that actually enhances EMS. If it is backed up with facts, sometimes they will approve it.

Discussion ensued.

After discussion, Commissioner Cooper recommended that the Board direct Mr. Green not to apply for a grant to move the station this year. Although it would mean more consistent response times countywide, it increases response times in other areas. Secondly, the County does not need to get into the business of applying for grants that fund one-year of operations, if there is no revenue source to fund years two through five. The search needs to continue to find a way to decrease the response times for the Lawtey area.

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Commissioner Thomas said that he would like to see Mr. Green apply for the rural grant to be used to purchase a new unit. Mr. Green said that can be done, if that is what the Board wishes to do. That would be a one-time expense of approximately \$14,000.00, and he can have the application ready by the end of the week.

Mr. Green said that he appreciates the time and thought that the Board has put into this proposal. Hopefully, after the first of the year, he, Vice-Chairman Hersey and possibly Dwayne Hardee, can sit down and review public safety throughout the County. The County is experiencing growth and it may be a 5, 10, 12-year plan, but if we do not start looking down the road, he is afraid the County will be in trouble.

Comm. Thomas MOVED for Mr. Green to apply for the rural grant towards the purchase of a new unit and to authorize the Vice-Chairman to sign the application. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0.**

There being no further business, Vice-Chairman Hersey adjourned the meeting at 11:14 a.m., and announced that the MSBU Workshop will begin at 11:25 a.m.

WORKSHOP MSBU'S

Attending the workshop were: Commissioner Mann, Commissioner Thomas, Vice-Chairman Hersey, Commissioner Cooper, Clerk Norman, Marlene Stafford, Lisa Hall, Terry Brown, John Broling, Mark Crawford, Teila Pearson, Jimmy Alvarez, Pat Welch, Jerome Kelley, Sheriff Milner, and Bill Dampier.

Vice-Chairman Hersey called the workshop to order at 11:30 a.m. The purpose of the workshop is to better define the MSBU process.

Extensive discussion ensued, which was not limited to but included the following: The petition process, verification of the requisite number of property owners, defining the geographical limits of a proposed taxing unit, extent of work within a unit, projected costs, revenues and funding, tax roll deadlines, TRIM notice requirements, contracting the work, the role of both the Property Appraiser and Tax Collector offices, formulating the amount of a given MSBU assessment, citizen advisory committees, the prospect of charging a petition fee to help offset upfront costs, acceptance of roads once they have been paved, the inclusion of the MSBU assessment on the tax bills, and Putnam County MSBU's.

At the conclusion of the workshop, Commissioner Cooper asked Mr. Brown's office to work on adding the project cost factors into the cover letter included in the petition packets and recommended that before much more is done, that the Clerk's Office, Tax Collector, Property Appraiser and the Vice-Chairman meet to hash through any other issues.

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Mr. Brown suggested contacting Putnam County to see how they handle their MSBU's. They have had them for some time and have experience. Mr. Alvarez and Ms. Pearson said that they would contact them.

There was additional discussion regarding how to compute cost estimates for work being done in a given MSBU.

Commissioner Cooper said that at least through the first petition, that the Clerk's Office should work closely with Mr. Brown's office.

Mr. Brown asked if the Board is giving him the authority to include language in the cover letter to the effect that if they elect to pave the road up to County standards, that the County would assume maintenance of the road. There was Board consensus to include that language.

Commissioner Cooper said that the collection method spelled out in the ordinance says that the Board has to adopt a resolution to have the Tax Collector collect it on the tax bill. This needs to be done to meet the deadline discussed.

Mr. Brown said that there would be a separate ordinance and a separate resolution for the Tax Collector for each unit. The ordinance will define what the total cost of the project is; will spell out how that cost is to be amortized and the assessment method. The Board will conduct public hearings on each of those ordinances. The contracts need to be let and bid awards made before anything can be finalized.

This led to additional discussion regarding a deadline to have all the information to the Tax Collector and Property Appraiser Offices in order to get it included on the tax notices. Mr. Brown said that he anticipates the entire process taking about four months.

There being no further business, the workshop adjourned at 1:06 p.m.

**BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA**

HERMAN JOHNSON, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK TO THE BOARD

These minutes typed by:

Marlene K. Stafford, Deputy Clerk