

(03-18-04)

**BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR SCHEDULED MEETING  
MARCH 18, 2004 7:30 P.M.**

The Bradford County Board of County Commissioners met March 18, 2004, to conduct their regular scheduled meeting. Attending were: Commissioner Mann, Commissioner Thomas, Chairman Johnson, Commissioner Hersey, Commissioner Cooper, Marlene Stafford, Lisa Hall, Terry Brown, Nora Thompson, David Dinkins, Nelson Green, Bill Dampier, Phalbe Henriksen, Percy Sullivan, Mark Crawford, Wilson Whidden and D.Z. Griffis.

(A copy of all documentation presented at this meeting is located in Supplement File No. 03-18-04.)

Chairman Johnson called the meeting to order at 7:32 p.m. Commissioner Cooper gave the invocation and led the Pledge of Allegiance.

At this time, Bill Dampier, as past President of American Legion, Post 56 in Starke recognized Mr. Mike McRae, Mr. Ronnie Tomlinson and Mr. Larry Ard for their help in cleaning and painting the interior of the Post home. They were each presented with a Certificate of Appreciation.

**APPROVE RESOLUTION ADOPTING FEE SCHEDULE FOR HEALTH DEPARTMENT—**

**COMM. THOMAS:** Ken McCall presented the resolution for adoption. Mr. McCall reviewed the items that are being increased.

**Comm. Thomas MOVED** to adopt the resolution as presented. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.** (The Resolution was assigned No. 04-07.)

**FORMAL QUASI-JUDICIAL HEARING ON ZONING REQUEST FOR J.B. MILLER  
PROPERTY—SAMUEL MUTCH/TERRY BROWN:**

(This hearing was recorded by Official Court Reporter, Jackie Monson, of Johns, Stephenson & Dunne, Advantage Court Reporters.) (Items presented as evidence and/or identification are on file in the Office of the Clerk.)

Mr. Whidden reported that the Zoning Board heard Mr. Miller's request for the land use amendment and rezoning, and recommends approval, 4-1. The property is located in the Keystone area on SR100. Mr. Miller is requesting that the parcel be changed from residential to commercial intensive.

Mr. Samuel Mutch, attorney for J.B. Miller, called the following witnesses, who after being duly sworn by the court reporter, testified and were cross-examined by opposing parties: Dr. Herbert Platt, J. B. Miller, Theron Hunter and Rose Marie Agius.

(03-18-04)

Mr. Mutch moved the following items into evidence:

- Applicant's Exhibit #1 - Various maps
- Applicant's Exhibit #2 - Photographs taken by Dr. Platt
- Applicant's Exhibit #3 - Soil Survey of Bradford County, map of specific area, Conventional and Special Symbols Legend
- Applicant's Exhibit #4 - Aerial map of subject area, plat map and ownership files

After being duly sworn by the court reporter, the following people testified in opposition to the application and were questioned by Mr. Mutch: Charles Wyndham and Arthur Dodd. Mr. Wyndham presented a video to assist in his testimony.

During Mr. Wyndham's testimony, the following items were moved into evidence:

- Exhibit #1 - Map of Miller property and surrounding properties
- Exhibit #2 - Map of Mt. Pleasant
- Exhibit #3 - Rezoning Criteria

Mr. Dodd distributed copies of a map and a petition with 19 signatures of people who are opposed to the application. These items were not entered into the record as evidence.

Mr. Mutch and Mr. Dodd then gave closing comments.

Mr. Brown closed the evidentiary portion of the hearing.

**Comm. Hersey MOVED** to uphold the recommendation of the Zoning Board to approve the application. **Comm. Thomas SECONDED** the motion.

After some discussion, the **MOTION CARRIED 3-2**, with Commissioner Mann and Commissioner Cooper dissenting.

At 9:20 a.m., Chairman Johnson recessed the meeting.

The meeting was called back to order at 9:28 p.m.

Mr. Brown said that there are two relevant ordinances for consideration on the J.B. Miller application. To keep the paperwork in order, action needs to be taken on the ordinances.

(03-18-04)

Ms. Hall read the ordinances by title:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TENOR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S040211D, BY THE BOARD OF COUNTY COMMISSIONERS; UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTION 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM RESIDENTIAL, LOW DENSITY (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Hersey MOVED** to adopt the Ordinance upholding the recommendation of the Zoning Board to approve Land Use Amendment Application S040211D, by the Board of County Commissioners.

**Comm. Thomas SECONDED** and the **MOTION CARRIED 3-2**, with Comm. Mann and Comm. Cooper dissenting. (The Ordinance was assigned No. 04-01.)

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-5, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR REZONING FROM RESIDENTIAL, SINGLE FAMILY-1 (RSF-1) TO COMMERCIAL, INTENSIVE (CI) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Hersey MOVED** to adopt the Ordinance upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-5, by the Board of County Commissioners.

**Comm. Thomas SECONDED** and the **MOTION CARRIED 3-2**, with Comm. Mann and Comm. Cooper dissenting. (The Ordinance was assigned No. 04-02.)

**FORMAL QUASI-JUDICIAL HEARING ON ZONING REQUEST FOR JEANETTE W. MCKIBBEN PROPERTY—SAMUEL MUTCH/TERRY BROWN:**

(This hearing was recorded by Official Court Reporter, Jackie Monson, of Johns, Stephenson & Dunne, Advantage Court Reporters.) (Items presented as evidence and/or identification are on file in the Office of the Clerk.)

Mr. Whidden gave the location of the property and reported that the Zoning Board’s decision was 4-1, to deny the rezoning.

Mr. Samuel Mutch, attorney for Ms. McKibben, called the following witnesses, who after being duly sworn by the court reporter, testified and were cross-examined by opposing parties: Dr. Herbert Platt, Jeanette McKibben, Nora Thompson and Wilson Whidden.

During Dr. Platt’s testimony, Mr. Mutch moved the following items into evidence:

- Applicant’s Exhibit #1 - Various maps
- Applicant’s Exhibit #2 - Photographs taken by Dr. Platt
- Applicant’s Exhibit #3 - January 2004 Issue of “Gainesville Today” magazine

During Ms. McKibben’s testimony, she read an affidavit signed by Stephen M. Trachtenberg, owner of Quartz Solutions, the tenant of record on the McKibben property. (The affidavit was not entered as evidence.)

Closing comments were given by Deborah Broome, Kimberly Parker, Vivian Chappell, Thomas A. Parker and Mr. Mutch.

Mr. Brown said that this particular application requires two (2) readings. The Commission can vote tonight, however, it will not be a final, binding vote. If the Commission votes in favor, the proposed changes will be submitted to DCA for their approval. If approved by DCA, then there will be a second public hearing and a vote for final approval or disapproval.

**Comm. Hersey**, based on evidence of the prior zoning of the parcel in question, **MOVED** to approve Land Use Amendment Application #R 040211A, by the Board of County Commissioners.

**Comm. Mann SECONDED** and the **MOTION CARRIED 5-0**.

**Comm. Hersey MOVED** to approve Rezoning Application #Z 04-1, by the Board of County Commissioners. **Comm. Mann SECONDED** and the **MOTION CARRIED 5-0**.

(03-18-04)

**ZONING—WILSON WHIDDEN:**

**1<sup>st</sup> PUBLIC HEARINGS:**

**A. FIRST PUBLIC HEARING CONCERNING AMENDMENTS TO THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—R 031208A (ROZBORA):**

Mr. Whidden gave the location of the property. The application is for an amendment from Residential, Low Density to Commercial. The Zoning Board voted 4-1 to deny the application.

Ms. Susan Green of Green & Kupperman, Inc., addressed the Commission on behalf of the Rozboras and the proposed developer, Craig Patterson. Ms. Green presented facts to support the land use amendment application.

The following people addressed the Commission in opposition to the amendment: Michael Davis, Sallye Scoggins, Carl Meng and Randall Scoggins.

Ms. Green rebutted the opposition.

After brief discussion, **Comm. Thomas MOVED** to forward the application to DCA for consideration. **Comm. Hersey SECONDED** and the **MOTION CARRIED 4-1**, with Commissioner Cooper dissenting.

**ENACTMENT OF ORDINANCES:**

**AMENDMENTS TO THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN:**

**APPROVE ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—APPLICATION #S 040211A, (BOCC)—TANNER:**

Mr. Whidden gave the location of the property. The application is for an amendment from Industrial to Agriculture-2. The Zoning Board voted 5-0 to approve the application.

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S040211A, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTION 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM INDUSTRIAL TO**

(03-18-04)

**AGRICULTURE-2 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 5 ACRES) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Land Use Amendment Application No. S040211A. **Comm. Mann SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-03.)

**APPROVE ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS—Z 04-2 (BOCC)—TANNER:**

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-2, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR REZONING FROM INDUSTRIAL (I) TO AGRICULTURE-2 (A-2) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Cooper MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-2. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-04.)

**APPROVE ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—S 040211B (BOCC)—SHERMAN:**

Mr. Whidden gave the location of the property. The application is a request for an amendment from Residential Low Density to Commercial. The Zoning Board voted 5-0 to approve the application.

(03-18-04)

Ms. Hall read the title into the record:

**“ AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S 040211B, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM RESIDENTIAL, LOW DENSITY (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Land Use Amendment Application #S040211B. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0**. (The Ordinance was assigned No. 04-05.)

**APPROVE ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS—Z 04-3—(BOCC)—SHERMAN:**

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-3, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR REZONING FROM RESIDENTIAL, SINGLE FAMILY/MOBILE HOME-1 (RSF/MH-1) TO COMMERCIAL, GENERAL (CG) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-3. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0**. (The Ordinance was assigned No. 04-06.)

(03-18-04)

**APPROVE ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—S 040211C—(BOCC)—HALL:**

Mr. Whidden gave the location of the property. The application is a request for an amendment from Agriculture-2 to Commercial. The Zoning Board voted 5-0 to approve the application

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATIONS, S 040211C, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM AGRICULTURE-2 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 5 ACRES) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Land Use Amendment Application No. S 040211C. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0**. (The Ordinance was assigned No. 04-07.)

**APPROVE ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS—Z 04-4—(BOCC)—HALL:**

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-4, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR REZONING FROM AGRICULTURAL-2 (A-2) TO COMMERCIAL, INTENSIVE (CI) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

(03-18-04)

**Comm. Hersey MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-4. **Comm. Mann SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-08.)

**APPROVE ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—S 040211E—(BOCC)—TOOLE:**

Mr. Whidden said that the application is a request for an amendment from Residential, Low Density to Commercial. The Zoning Board voted 5-0 to approve the application. Mr. Whidden gave the location of the property.

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S 040211E, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM RESIDENTIAL, LOW DENSITY (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Land Use Amendment Application No. S 040211E. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-09.)

**APPROVE ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS—Z 04-6 (BOCC)—TOOLE:**

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-6, BY THE BOARD OF COUNTY**

(03-18-04)

**COMMISSIONERS; PROVIDING FOR REZONING FROM RESIDENTIAL, SINGLE FAMILY-1 (RSF-1) TO COMMERCIAL, GENERAL (CG) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Cooper MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-6. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-10.)

**APPROVE ORDINANCE AMENDING THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN—S 040211F—(B0CC)—PONS:**

Mr. Whidden gave the location of the property. The request is for an amendment from Residential, Low Density to Commercial. The Zoning Board voted 5-0 to approve the application.

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S 040211F, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM RESIDENTIAL, LOW DENSITY (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Hersey MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Land Use Amendment Application No. S 040211F. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-11.)

(03-18-04)

**APPROVE ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS—Z 04-7—(BOCC)—PONS:**

Ms. Hall read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 04-7, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR REZONING FROM RESIDENTIAL, SINGLE FAMILY-1 (RSF-1) TO COMMERCIAL, GENERAL (CG) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

**Comm. Thomas MOVED** to adopt the ordinance, upholding the recommendation of the Zoning Board to approve Rezoning Application No. Z 04-7. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.** (The Ordinance was assigned No. 04-12.)

**RESOLUTIONS:**

**A. APPROVE RESOLUTION CONCERNING ADOPT-A-ROAD PROGRAM—CHAIRMAN JOHNSON:**

Chairman Johnson presented the resolution for adoption.

**Comm. Thomas MOVED** to adopt the resolution as presented.

Ms. Hall read the title into the record:

**“A RESOLUTION BY THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS, ADOPTING AN ADOPT-A-ROAD PROGRAM FOR THE PURPOSE OF LITTER CONTROL ON COUNTY HIGHWAYS.”**

**Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.** (The Resolution was assigned No. 04-8.)

**APPROVE RESOLUTION GRANTING A FRANCHISE TO NEW RIVER CABLEVISION—TERRY BROWN:** Mr. Brown presented the resolution for adoption. There is a change to be made. Page 6, Section 5.i. should read twelve (12) basic channels and not twenty-four (24).

(03-18-04)

Mr. Brown read the title into the record:

**“A RESOLUTION GRANTING A FRANCHISE TO NEW RIVER CABLEVISION, ITS SUCCESSORS AND ASSIGNS, TO BUILD, CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN BRADFORD COUNTY, FLORIDA, AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF THIS FRANCHISE; AND PROVIDING FOR AN EFFECTIVE DATE.”**

**Comm. Cooper MOVED** to adopt the resolution as amended. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0**. (The Resolution was assigned No. 04-14.)

**APPROVE RESOLUTION CONCERNING BROWNFIELD DESIGNATION AND AREA MAP—TERRY BROWN:** Mr. Brown presented the resolution for adoption with an edit in the WHEREAS clause deleting the phrase which would indicate that Bradford County was designated an enterprise zone.

Mr. Brown read the title into the record:

**“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, DESIGNATING A BROWNFIELD AREA IN BRADFORD COUNTY; AND PROMOTING THE ECONOMIC REDEVELOPMENT OF THE DESIGNATED BROWNFIELD AREA.”**

**Comm. Cooper MOVED** to adopt the resolution as represented by title and amended. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0**. (The Resolution was assigned No. 04-09.)

**APPROVE SIGNAGE FOR ADOPT-A-ROAD PROGRAM—CHAIRMAN JOHNSON:** Chairman Johnson said that a format for the signage has been drafted. The County’s Sign Department cannot make the sign, however, Mr. Thurow has indicated that if they can at least make the green and white portion of the sign, he can have the strawberries made to be placed on the signs.

**Comm. Cooper MOVED** to adopt the signage as designed and presented to the Board, and to contact KTB to see if they can assist in the construction of the sign. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0**.

(03-18-04)

**APPROVE ADOPT-A-ROAD LITTER AGREEMENT BETWEEN THE COUNTY AND LILA SELLARS—COMM. COOPER/LILA SELLARS:** Commissioner Cooper asked Mrs. Sellars to approach the Board. Mrs. Sellars is being presented to the Board as the first person in Bradford County under the new Adopt-A-Road Program to adopt a section of road in honor of her daughter, Marissa Sellars, who lost her life on that road.

Mrs. Sellars expressed her appreciation to the Commission. She hopes this will give other people an ambition to adopt a highway. There is a reason to keep Bradford County beautiful and to remember those whom we have lost.

**Comm. Cooper MOVED** to approve the Adopt-a-Road Litter Removal Agreement and to authorize the Chairman to sign it upon execution by the Sellars. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

**CONSENT AGENDA:**

- A. APPROVE RENEWAL AGREEMENT BETWEEN BRADFORD COUNTY TOURIST DEVELOPMENT COUNCIL AND NORTH FLORIDA REGIONAL CHAMBER OF COMMERCE**
- B. APPROVE IGCFF EXPENDITURES**
- C. APPROVE SATISFACTION OF MORTGAGE FOR ROBERT AND KATHY DAWKINS FOR SHIP PROGRAM**

There being no items removed, **Comm. Hersey MOVED** to approve the Consent Agenda in its entirety. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.**

**APPROVE CHANNEL LINE-UP CHANGE FOR NEW RIVER CABLEVISION—CHAIRMAN JOHNSON/MIKE MCCOY:** (This item was pulled.)

**DISCUSSION CONCERNING BOARD SPONSORING APPLICATION FOR REZONING OF TATUM BROTHERS' LUMBER COMPANY, INC.; TATUM TIMBER AND LAND; T&C TATUM; AND TOM III & LISA TATUM—WILSON WHIDDEN/TOM TATUM:** Mr. Tom Tatum approached the Commission and requested Board sponsorship for the rezoning of numerous parcels of property from RSF-MH to AG-2. (A list of the parcels is located in Supplement File No. 03-18-04.)

Extensive discussion ensued, which was not limited to but included: Designated urban development areas, amending the Comp. Plan and DCA requirements. (Ms. Enid Ebrhar with the Regional Planning Council was present and participated in the discussion.)

Commissioner Cooper recommended that Ms. Ebrhar, Mr. Tatum and Mr. Brown work together toward a solution.

(03-18-04)

**PRESENTATION REGARDING LOCAL MITIGATION STRATEGY (LMS) GRANT PROGRESS—BILL DAMPIER:** This item postponed to the next regular meeting.

**ACCEPTANCE OF FEDERAL FUNDING AUTHORITY FOR FY-2004—**

**BILL DAMPIER:** Mr. Dampier reported that the FY-2004 FEMA funding is \$13,411.00.

**Comm. Cooper MOVED** to accept from FEMA the \$13,411.00 for FY-2004.

**Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

**DISCUSSION CONCERNING FINANCIAL ASSISTANCE FOR THE NORTHEAST FLORIDA REGIONAL AIR SHOW AT KEYSTONE AIRPARK ON SATURDAY,**

**MAY 15, 2004—COMM. COOPER:** Commissioner Cooper asked that this item be postponed to the next regular meeting.

**MONTHLY ACTIVITY REPORTS OF THE SHERIFF'S OFFICE—SHERIFF**

**MILNER:** This item was postponed for the next regular meeting.

**UPDATE CONCERNING REED REPLOGLE'S CONTRACT—TERRY BROWN:**

Mr. Brown reported that he has conferred with Mr. Replogle and everything is fine.

**APPROVE PAYMENT OF BILLS: Comm. Cooper MOVED** to approve the bills as reviewed. **Comm. Mann SECONDED** and the **MOTION CARRIED 5-0.**

**PUBLIC COMMENTS:**

**Mr. James Buehne of 1586 N.E. 153<sup>rd</sup> Street commented on the following:**

--Expressed his displeasure with inadequate prior notice of the cancellation of the February 19 meeting.

**Ms. Wanda Middleton of 14202 S.E. 47<sup>th</sup> Place commented on the following:**

--Asked why S.E. 47<sup>th</sup> Place in Lincoln City is not going to be paved. The road has not been paved nor the ditches pulled in some time and with all the recent rain, it is completely washed out. S.E. 47<sup>th</sup> Place is only about 50' long.

Commissioner Mann said that there are a couple of places like that in Lincoln City where there is a water drainage problem. The surveyor and Mr. Kelley are working on that to make sure it gets graded out and put in some limerock so there is no standing water.

Discussion ensued. Chairman Johnson said that 143<sup>rd</sup> Terrace is also one that the Board had promised would be paved.

There was Board consensus to try to pave these areas, if fiscally possible. Commissioner Mann said that he would try to have something ready for the April 5 meeting.

(03-18-04)

**Mr. Fred Hodges of 565 S.E. CR18A commented on the following:**

--His wife has obtained a certified builders license from the State of Florida and he is registered in the County with the Building Department to build up to a seven-story building, however, he is not allowed to participate with the County's SHIP Program. He participates with Clay and Putnam counties. He was told he was denied because he is Workers' Comp. exempt. His license is governed by state statute, not the County.

Chairman Johnson asked Mr. Hodges for one of his business cards. He advised Mr. Hodges that the Board would send him an answer. Mr. Hodges said that he needs an answer before he pursues it any further.

**Mr. Harold Hill of 2830 S.E. C.R. 21B commented on the following:**

--A contractor is hauling dirt out of Rayonier and instead of going out through Speedville, the contractor is coming out the other way, through a residential area, and it is causing damage to the road. Mr. Hill requested a weight limit sign to keep the large trucks off his road.

Commissioner Hersey responded.

Chairman Johnson asked Commissioner Cooper to check with Mr. Waldron and report to the Board at the next meeting.

**PERSONNEL MATTERS:**

**A. CERTIFICATE OF ACHIEVEMENT PRESENTATION TO BILL DAMPIER FOR COMPLETION OF ADVANCED PROFESSIONAL SERIES FOR EMERGENCY OPERATIONS SKILLS MANAGEMENT—COMM. COOPER:**

Commissioner Cooper asked that this item be postponed to the next regular meeting.

**B. ACCEPTANCE OF RESIGNATION LETTER FROM LEAH STOCKING, FACILITIES MAINTENANCE—CHAIRMAN JOHNSON/D.Z. GRIFFIS:**

Mr. Griffis reported that Ms. Stocking resigned, effective March 30, 2004.

**Comm. Hersey MOVED** to accept the resignation letter of Leah Stocking, effective March 30, 2004. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.**

(03-18-04)

**C. REQUEST PERMISSION TO ADVERTISE FOR CUSTODIAL VACANCY IN THE FACILITIES MAINTENANCE DEPARTMENT—CHAIRMAN JOHNSON/D.Z. GRIFFIS:**

Mr. Griffis requested to advertise the vacancy created by Ms. Stocking's resignation, which is a custodial position.

Chairman Johnson inquired about the rate of pay. Mr. Griffis said that the maximum would be \$7.00 starting pay, but would depend on the experience.

**Comm. Mann MOVED** to advertise the position with a salary range from \$6.50 to \$7.00 per hour. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0.**

**COUNTY ATTORNEY REPORTS:** None.

**CLERK REPORTS:** None.

**CHAIRMAN COMMENTS:** Chairman Johnson said that there are some items that the Commission needs to address with the Sheriff. He asked if the Board would like to set a workshop to handle it.

After brief discussion, there was a consensus to schedule a workshop following the next regular meeting, and if it is determined that one is not necessary, it can be cancelled.

Chairman Johnson asked that each Commissioner be provided with copies of all relating documents prior to the workshop.

Commissioner Mann excused himself from the meeting.

**COMMISSIONERS' COMMENTS:**

**Commissioner Hersey commented on the following:**

--Received a letter from the Bradford County Fair Association requesting assistance with the driveway to the extreme north end of the property, leading up to the roping club.

**Comm. Thomas MOVED** to approve the request. **Comm. Cooper SECONDED** and the **MOTION CARRIED 4-0.**

(03-18-04)

**Commissioner Cooper commented on the following:**

--He has an item that needs to be declared an emergency. Ms. Henriksen has advised that there is an April 1 deadline to make an application for grant funds for the library. The application has an accompanying resolution that needs to be adopted.

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

**Comm. Cooper MOVED** to approve the resolution, authorizing the Chairman to apply for state construction funds from the State Division of Library and Information Services, up to a half a million dollars. **Comm. Hersey SECONDED** and the **MOTION CARRIED 4-0**. (The Resolution was assigned No. 04-10.)

There being no further business, the meeting adjourned at 12:57 a.m.

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

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**Herman Johnson, Chairman**

**Attest:** \_\_\_\_\_  
**Ray Norman, Clerk to the Board**

These minutes typed by:

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Marlene K. Stafford, Deputy Clerk