

(04-05-04)

**BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR MEETING & WORKSHOP-
INTERLOCAL AGREEMENT WITH SHERIFF
APRIL 5, 2004 9:30 A.M.**

The Bradford County Board of County Commissioners met April 5, 2004, to conduct their regular scheduled meeting and a workshop to discuss the interlocal agreement with the Sheriff. Attending were: Commissioner Mann, Commissioner Thomas, Chairman Johnson, Commissioner Cooper, Commissioner Hersey, Clerk Norman, Jim Farrell, Marlene Stafford, Angela Macey, Donny Wise, Mark Crawford, Randall Zipperer, Nelson Green, Ernest Triest, Sheriff Milner, Percy Sullivan and Bill Dampier.

Chairman Johnson called the meeting to order at 9:31 a.m. Commissioner Cooper led the invocation and the Pledge of Allegiance.

(A copy of all documentation presented at this meeting is located in Supplement File No. 04-05-04.)

PUBLIC COMMENTS:

Mr. Bobby Carter, School Board Member, District II, commented on the following:

--Item #10 on the Agenda: Discussion concerning Cypress Hammock Multi-Family Development and Impact on CR229. Mr. Carter said that the School Board is very concerned with the impact the development will have on the amount of traffic on the road, which is already a problem. Caution needs to be taken when it comes to the site plan and they would like to have input on the site plan before it is approved.

Chairman Johnson said that this item will be discussed further later in the meeting.

Mr. Paul Still commented on the following:

--In light of the recent warning from DEP, he requested that the Board consider holding a workshop to deal with solid waste management issues and the possible need for a solid waste assessment for the City of Starke residents who are using the collection centers.

CONSENT AGENDA:

- A. APPROVE PROCLAMATION AND PLEDGE OF CIVILITY IN THE MONTH OF MAY**
- B. APPROVE PROCLAMATION PROCLAIMING MAY 6, 2004 AS NATIONAL DAY OF PRAYER**
- C. APPROVE PROCLAMATION PROCLAIMING THE MONTH OF APRIL AS CHILD ABUSE PREVENTION MONTH**
- D. APPROVE MINUTES FROM REGULAR SCHEDULED MEETING AND WORKSHOP OF FEBRUARY 2, 2004**
- E. APPROVE INVENTORY DELETION LIST**
- F. APPROVE SATISFACTION OF MORTGAGE FOR DEBRA POTTS**
- G. APPROVE SHIP LOAN APPLICATIONS**
- H. APPROVE CHANGE ORDER IN THE AMOUNT OF \$3,110.00 FOR SHIP ROOF REPAIR**

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

PRESENTATION BY NORTH CENTRAL FLORIDA HEALTH PLANNING COUNCIL—JEFFERY FELLER: Mr. Feller, Resource Development Director, distributed informational packets regarding the Health Planning Council.

He gave a brief overview of the various services provided by the Health Planning Council and what the County Commission's role is and how the two work together for the residents of North Central Florida in Bradford County.

Mr. Feller said that every two years the State requires them to make a District Health Plan for all 16 counties. One copy was provided to the Commission back in the Fall, however, they have managed to secure some additional funding and all of the Commissioners have been provided a copy. A copy has also been provided to the Clerk for public use.

REQUEST PERMISSION TO ADVERTISE TO VACATE PORTIONS OF PLAT OF LITTLE HOLLYWOOD SUBDIVISION—COMM. HERSEY/PHYLLIS ROSIER: Ms. Rosier, on behalf of the Petitioners James and Joan Watson and Steve Whitehead, requesting permission to advertise and hold a public hearing at the May 3, 2004 meeting to vacate portions of Little Hollywood Subdivision.

Ms. Rosier distributed copies of the plat map and gave a brief history of the subdivision. Lot one is the only lot in the development that has ever been improved and there is a warehouse on it. The only other interest that she is aware of through a title search is that DOT has a right-of-way off of HWY301. In addition to the right-of-way, there is a drainage ditch that was deeded to the state off of lots 23 and 24. She has spoken to Mr. Waldron, who stated that he has never maintained that drainage ditch.

Comm. Cooper MOVED to authorize the advertisement as requested. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0.**

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APPROVE LOCAL HOUSING ASSISTANCE PLAN—CHAIRMAN JOHNSON/ANGELA MACEY: Ms. Macey explained the minor changes to the plan and presented it for approval.

Comm. Cooper MOVED to approve the Local Housing Assistance Plan for the years 2004 through 2007. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

APPROVE RESOLUTION ADOPTING LOCAL HOUSING ASSISTANCE PLAN—TERRY BROWN/ANGELA MACEY: Ms. Macey read the resolution by title:

“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CHAIRMAN TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.”

Comm. Cooper MOVED to adopt the Resolution as presented. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0.** (The Resolution was assigned No. 04-11.)

APPROVE BID RECOMMENDATION FOR CDBG/SHIP—CHAIRMAN JOHNSON/ANGELA MACEY: Ms. Macey reported that a bid opening was held on March 10, 2004 for housing rehabilitation. The low bidders are as follows:

Unit #01-12	-	Chad Willhite, Inc.	\$25,070
Unit #01-13	-	Chad Willhite, Inc.	\$24,330
Unit #01-14	-	Chad Willhite, Inc.	\$20,660
Unit #01-16	-	S&D Specialities, Inc.	\$32,400

Ms. Macey requested that the Commission award the bids to the low bidders.

Comm. Mann MOVED to award the bids to the low bidders as presented. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

PRESENTATION REGARDING LOCAL MITIGATION STRATEGY (LMS) GRANT PROGRESS—COMM. COOPER/BILL DAMPIER: Mr. Dampier explained the history, the process and the progress to date concerning the update of the Local Mitigation Strategy. The

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total project cost for this update is in excess of \$27,000.00. We have received \$20,000.00 from the Federal Government and we are providing \$6,893.00 worth of in-kind services to match the grant. The final Local Mitigation Strategy will be presented to the Commission for adoption later in this year or early next year.

Mr. Dampier then provided an update regarding the COOP and COG Terrorism Grant. The grant ends the middle of this month and they should be completed with the grant process at that time. The state has granted a 30-day extension to get all the paperwork in.

Mr. Dampier reported on the KBDI readings and the steps being taken to prepare for hurricane season.

MONTHLY ACTIVITY REPORTS OF THE SHERIFF'S OFFICE—CHAIRMAN JOHNSON/SHERIFF MILNER: Sheriff asked that this item be postponed until April 15 at which time he will present the quarterly report.

AT 10:08 A.M., CHAIRMAN JOHNSON CALLED A 5-MINUTE RECESS.

CHAIRMAN JOHNSON CALLED THE MEETING BACK TO ORDER AT 10:15 A.M.

DISCUSSION CONCERNING CYPRESS HAMMOCK MULTI-FAMILY DEVELOPMENT AND IMPACT ON CR229—CHAIRMAN JOHNSON: Chairman Johnson requested authorization to draft a letter to the City of Starke and the School Board and ask that they meet and come up with some recommendations regarding Cypress Hammock Development and report to their recommendations to the Commission.

Discussion ensued which was not limited to but included the concern about the additional traffic that will be generated by the development.

Sheriff Milner reported on the recommendations of the Community Traffic Safety Team. He requested that the Safety Team be allowed input for anything is finalized.

Chairman Johnson said that he would include the Safety Team in his request.

APPROVE AMENDMENT TO CONTRACT FOR LEGAL SERVICES BETWEEN BRADFORD COUNTY, FLORIDA AND TERENCE M. BROWN—TERRY BROWN: Clerk Norman explained that the per diem for mileage was amended and the requirement for a quarterly accounting was amended to be a monthly accounting. All other terms and conditions of the contract remained the same.

Comm. Mann MOVED to approve the amendment. **Comm. Cooper SECONDED** the motion.

Commissioner Thomas asked if the term of the contract is for one year. Clerk Norman indicated in the positive.

There being no further discussion, the **MOTION CARRIED 5-0.**

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APPROVE PAYMENT OF BILLS: Comm. Hersey MOVED to approve payment of the bills as reviewed. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

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 presented to Mr. Dampier a certificate of completion and a certificate of achievement for completion of the advanced professional series of the standards of excellence in emergency operations skills management produced by FEMA.

COUNTY ATTORNEY REPORTS: None.

CLERK REPORTS: None.

CHAIRMAN COMMENTS:

Chairman Johnson commented on the following:

--The Board previously approved the advertisement of a maintenance position. The position was advertised, however, Mr. Griffis has reported that there were no qualified applicants and has requested permission to re-advertise.

Comm. Hersey MOVED to re-advertise the position as requested. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

--It is his belief that the county's Solid Waste program is operating fine. At this point, he is not calling a workshop to work out problems that do not exist. Mr. Still is welcome to discuss the issue with him following the meeting. If he can show where there are problems, then he will consider a workshop.

Commissioner Thomas said that as liaison commissioner for the Solid Waste Department, the County has a good department, probably one of the best in the state.

Mr. Wise reported that the County did comply with the letter that was issued by DEP, and they are satisfied with the letter that was submitted to them. We are in the process of having the collection sites permitted for yard waste.

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COMMISSIONERS' COMMENTS:

Commissioner Cooper commented on the following:

--Submitted a list of items he proposes to be added to the time capsule. The deadline to get those items in was this meeting. If any other Commissioner has any other items to add, it needs to be done quickly.

--S.E. 161st Street has been made impassable by timber activities in the area. Mr. Waldron is aware and has cycled in the repair work, however, there is an issue regarding the provision of clay to build the base back up under the road. The County has clay in Keystone, but to haul from Keystone will be quite a trip. There is a citizen in the area that has offered clay off his private property at no charge to the County.

Commissioner Cooper requested authorization to speak with the citizen and if he is able to provide the clay at no charge, that Mr. Brown draw up whatever documents necessary to go on the property to retrieve the clay to expedite the repair.

Comm. Cooper MOVED to authorize Mr. Brown to enter into negotiations with Mr. Doug Green regarding the provision of clay and have the chairman execute any documents necessary to obtain the clay as long as there is no cost to the County. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0**.

Commissioner Mann commented on the following:

--Pursuant to discussion at the previous meeting concerning some additions onto the end of some of the streets in Lincoln City, he has measured them at 550', about 1222 square yards, which comes up to a cost of between 8 and \$9,000.00. These were not on the original list of roads approved to be paved, but are areas at the end of three of the approved roads where the road has a little 'L', and they are 200', 200' and 150'.

After brief discussion, **Comm. Mann MOVED** to approve the additions as presented. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0**.

Commissioner Hersey asked when the asphalt would be laid. Commissioner Mann said that if they do not have to leave to pull off the job to help with some repairs, it should be ready for asphalt by the end of April.

At 10:34 a.m., Chairman Johnson recessed the regular meeting.

WORKSHOP
(Addendum to Interlocal Agreement with the Sheriff)

At 10:45 a.m., Chairman Johnson called the workshop to order.

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At the instruction of Chairman Johnson, Mr. Farrell read the minutes from the August 29, 2003, budget workshop.

Sheriff Milner said that while doing the audit, Terry Kite advised that in order for him to expend monies from jail contract revenues for law enforcement or court services, there must be advance approval from the Commission, which is based on Florida Statute. Although the Commission can approve a year-end budget amendment, as has happened in the past, he has to have the permission in advance to expend these funds. Absent this contract, he does not have that permission. The Commission already gave that approval, as stated in the minutes just read.

Page two, paragraph 4.c., the third sentence of the addendum before the Commission today states: "The revenues received from contractual housing may be transferred within the law enforcement, jail and court services budgets as the Sheriff deems necessary subject to a year end budget amendment approved by the Board of County Commissioners." Mr. Kite says this language gives him the authority to expend the monies, which is reflected on a budget amendment at the end of the year.

The other issue he would like to address relates to the \$90,000.00 taken from the jail budget for inmate major medical and catastrophic insurance costs. Sheriff Milner asked that either this amount be reduced, or pay out of that fund a while before the other 1/3 is used.

Discussion ensued regarding the definition of inmate major medical costs and catastrophic insurance premiums and deductibles.

Commissioner Cooper said that a \$90,000.00 expense line item has been created that is called major medical health insurance and hospital bills. Every dollar spent in either insurance premiums or hospital bill is going to reduce that line item. The contract inmate revenue dollars are to fund that line item back up to \$90,000.00 before any funds are disbursed to anyone. Once the line item is brought back up to the \$90,000.00, then funds are disbursed.

For clarification purposes, Sheriff Milner said that he gets \$25.00 back first to recoup his housing costs for contract inmates, then the major medical health insurance and hospital bill line item is made whole, then whatever is remaining gets distributed within the Fine & Forfeiture Fund.

There was discussion regarding the budget that was based on a formula using 120 inmates per day, versus the current average daily population of 150 inmates. Sheriff Milner said that this would need to be addressed during the next budget process.

Discussion returned to the inmate major medical costs issue. Commissioner Cooper proposed the following language: "The Inmate Major Medical Fund shall then be used to pay the insurance premiums and deductibles payable under the Inmate Major Medical Insurance Policy and such other inmate major medical expenses *incurred at any out of jail hospital facility.*" This means if an inmate is taken to the ER, that bill will be paid out of this fund. If the inmate gets admitted, that bill gets paid out of this fund, up and to the \$20,000.00 deductible, at which time the catastrophic will kick in.

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There was brief discussion with regard to what is considered a “major” maintenance expense for the jail. Sheriff Milner said that under state law, the Board has the absolute obligation for repairs and maintenance for all facilities. However, he agreed to assume minor maintenance costs since the Board was allowing him to keep some of the revenues. Up to this point it has not been a problem and he can live with how it is currently being handled. Should he or Mr. Farrell have a question, it can be brought to the Board for resolve. Perhaps during the next budget process, there will be a better feel for the expenditures.

Commissioner Cooper said that the original contract reads: “The Sheriff, through his jail budget, shall be responsible for the normal maintenance on the property and equipment.” The question is what is normal maintenance and what is not? In fairness to both parties, this is something that should be addressed during the next budget process.

Chairman Johnson adjourned the workshop at 11:28 a.m. and called the Regular Scheduled Meeting back to order.

Comm. Cooper MOVED to approve the Addendum to Interlocal Agreement between Bradford County and the Sheriff as presented with the following change in the language: Page three, at the end of the first sentence, after the word expenses, strike the remainder of that sentence and add the language “...incurred at any out of jail hospital facility.”

For purposes of the record and for the public’s understanding, Commissioner Cooper said that this addendum puts into place the agreement that was made between the Sheriff and the Board back during the budget negotiations. This is not a new agreement, it is not a substantial change to that agreement, but does clarify one definition. It was important to him to honor what was agreed upon during the budget negotiations and not start the process over and everyone live by what was negotiated.

Comm. Mann SECONDED the motion and the **MOTION CARRIED 4-1**, with Commissioner Hersey dissenting.

There being no further business, the meeting adjourned at 11:30 a.m.

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

ATTEST: _____
RAY NORMAN
CLERK TO THE BOARD

HERMAN JOHNSON, CHAIRMAN

These minutes typed by:

Marlene K. Stafford, Deputy Clerk