

(8-19-04)

**BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
AUGUST 19, 2004  
BUDGET WORKSHOP                      6:00 P.M.  
REGULAR MEETING                      7:30 P.M.**

The Bradford County Board of County Commissioners met August 19, 2004, to conduct a fiscal year 2004-2005 budget workshop and their regular scheduled meeting.

**FISCAL YEAR 2004-2005 BUDGET WORKSHOP**

Attending the budget workshop were: Commissioner Mann, Commissioner Thomas, Chairman Johnson, Commissioner Hersey, Commissioner Cooper, Clerk Norman, Jim Farrell, Jim Farrell, Sheriff Milner, Nelson Green, Percy Sullivan, Phalbe Henriksen and Mark Crawford.

Chairman Johnson called the workshop to order at 6:06 p.m.

**Library Budget:**

Mr. Farrell said that the Library Budget is balanced. There was an increase of \$7,760.00 from last year, which is made up of the 3% raise.

**Transportation Trust Fund Budget:**

Mr. Farrell reported that the Road Department budget is balanced. This was accomplished by moving two OPS salaries and benefits into Department 27 in Fund 105, Special Projects, and two OPS salaries and benefits into Fund 302, Special Road Construction; and by increasing the revenue by approximately \$12,000.00.

Commissioner Cooper said that the \$12,000.00 increase in revenue is within guidelines and he feels comfortable with the increase.

This spurred discussion regarding the percentage of projected revenues used in the budget process.

**Emergency Medical Services Fund Budget:**

Mr. Farrell reviewed the adjustments that have been made. With the adjustments, it will take a \$149,692.00 transfer from the General Fund to balance the budget.

Mr. Green expounded on the adjustments. Additional projected revenues: \$25,000.00 generated by new billing employee and \$55,000.00 from proposed increase in rates, effective January 1, 2005. There is also \$75,756.00 of cash carry forward money. About \$42,000.00 of the increase on the expenditure side

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is a result of the additional shifts to help with call volume and response times. The additional shifts should help reduce overtime.

**Library Budget:**

Mr. Farrell said that although the Library budget is balanced, Ms. Henriksen would need to spend the state monies accumulated over the years. In order to spend that money, it has to be included in the budget. The source of revenue would be “balance forward from cash” and the expenditure will be for the new library. It will increase the two numbers, but it will still be balanced.

**Special Road Construction Fund Budget:**

Commissioner Cooper said the \$800,000.00 budget is a combination of \$300,000.00 of left over borrowed funds and \$500,000.00 of sales tax monies. Commissioner Mann said that the last estimate from Mr. Kelley to pave Meng Dairy Road was \$847,000.00.

At this time, Ms. Stephanie McKlevy with Episcopal Children’s Services addressed the Commission concerning their budget request. They are requesting assistance from the Commission to help them draw down funds for school readiness services for the working poor families of Bradford County. To fund the children for the current fiscal year, they will use at least \$15,000.00 in matching funds in Bradford County. They are requesting a pledge of at least \$10,000.00 in order to receive a match from the state that will bring \$156,600.00 for the Bradford community. The working poor program requires six percent in matching funds to be raised by the County in order to draw down 94% from the state. Over 90 working poor families living in Bradford County depend on these funds to insure that they have childcare, allowing them to continue working and strive for self-sufficiency.

Ms. McKlevy reviewed the services they provide and how the program works.

Chairman Johnson suggested investigating the program further before a decision is made. It can be addressed at the next budget workshop.

**Fine and Forfeiture Fund Budget:**

Commissioner Cooper said that the law enforcement side has been trimmed from \$1.668 million to \$1.628 million. This was accomplished by cutting \$90,000.00 in operating expenditures and giving back \$50,000.00 for capital outlay. He has told the Sheriff about the numbers, but they have not reviewed the specific line items that have been trimmed.

There has been no change to the jail side; it remains at \$1.514 million.

The \$203,000.00 that the overall budget is out of balance is the difference between the amount the Fine and Forfeiture Fund Budget is out and the excess in the General Fund.

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Commissioner Cooper steered the discussion toward the Health and Human Services Department and asked if there is any way it can be reduced.

Mr. Farrell explained the billing process, how the invoices are scrutinized and often reduced, and the need for additional software to assist with making the process more accurate. The cost for the needed software is approximately \$6,000.00.

Clerk Norman advised the Commission to be cautious in its consideration of how much to reduce this line item.

Discussion ensued.

**Volunteer Fire Department Budget:**

After some discussion, the Travel/Training line item was reduced from \$19,000.00 to \$10,000.00, and the Auto/Travel Allowance line item was cut from \$1,000.00 to \$0.00.

Mr. Sullivan reviewed the remaining line items and explained the reason for any increases. He reported that three of the grant applications submitted have been approved, which will require a \$12,000.00 match. If the fourth grant applied for is approved, then the total needed matching funds will be \$16,000.00.

After brief discussion, the next budget workshop was scheduled for Thursday, August 26, beginning at 1:30 p.m.

Chairman Johnson closed the workshop to leave time for a brief break prior to the regular meeting to begin at 7:30 p.m.

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**REGULAR SCHEDULED MEETING  
AUGUST 19, 2004 7:30 P.M.**

Attending the meeting were: Commissioner Mann, Commissioner Thomas, Chairman Johnson, Commissioner Hersey, Commissioner Cooper, Clerk Norman, Jim Farrell, Marlene Stafford, John Broling, Mark Crawford, Cheryl Brownlee, Angela Macey, Bill Dampier, Nora Thompson, Wilson Whidden, Terry Vaughan, Phalbe Henriksen and Sheriff Milner.

(A copy of all documentation presented at this meeting is located in Supplement File No. 08-19-04.)

Chairman Johnson called the meeting to order at 7:35 p.m. Commissioner Hersey led the invocation and the Pledge of Allegiance.

**PUBLIC HEARINGS ON ZONING MATTERS—WILSON WHIDDEN:**

**A. APPROVE ORDINANCE OF BRADFORD COUNTY CONCERNING AMENDING THE BRADFORD COUNTY COMPREHENSIVE PLAN; 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-R031208A—ROZBORA:**

Mr. Whidden said that this is the second reading of the proposed large-scale amendment.

Ms. Thompson read the title of the ordinance into the record as follows:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY COMPREHENSIVE PLAN; RELATING TO CHANGING THE LAND USE CLASSIFICATION OF MORE THAN TEN ACRES OF LAND, PURSUANT TO AN APPLICATION, R 031208 A, BY THE PROPERTY OWNER OF SAID ACREAGE TO AMEND THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED, AND IN RESPONSE TO AN OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT PREPARED BY THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; 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 FOR AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING POLICIES I.1.6 AND I.2.2 TO CHANGE THE INTENSITY FROM 1.0 FLOOR AREA RATIO TO .25 FLOOR AREA RATIO IN THE COMMERCIAL FUTURE LAND USE CLASSIFICATION; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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Chairman Johnson opened the public hearing.

Ms. Susan Green, representing the applicant, said that there is a recommendation from staff approving the ordinance. The Commission adopted the prior transmittal, and they are in agreement with what the DCA came back with. She requested that the Commission approve the land use amendment.

Mr. Samuel Mutch said the first time he saw the draft ordinances was a few minutes ago. He is not opposing the proposed amendments, however, there is a requirement under the Florida Constitution of a single subject on an ordinance or any item that comes before the public. He feels that the Regional Planning Council has made a mistake in that it has included more than one subject on all four ordinances before the Commission.

There was dispute between Mr. Mutch and Ms. Green.

Mr. Broling said that the ordinances appear to be in order, however, he does not want to say anything definitive until he has had a chance for further review.

After brief discussion, **Comm. Hersey MOVED** to table zoning items A, B, C & D until September 23, 2004. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0**.

**PUBLIC HEARING TO CONVEY THE PROPERTY LOCATED AT 105 EAST JACKSON STREET TO THE CITY OF STARKE—TERRY BROWN:**

**A. APPROVE A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, CONVEYING TO THE CITY OF STARKE A PARCEL OF LAND LOCATED AT 105 EAST JACKSON STREET IN STARKE:**

Mr. Broling advised that on Monday, the City Commission met and voted to enter into the local agreement regarding the land swap. They have to properly advertise and take public comment for their portion of the conveyance. The interlocal agreement provides all contingencies regarding the construction of the library on the new site, and the use of the land in the meantime so that the library can remain open at its present site and the recreational areas at the Pratt Street location may also remain in place. It also provides contingencies if the library is not constructed that the conveyances will be reversed without any other considerations.

Mr. Vaughan said that the City Commission recognized two concerns. First, during the interim there would be loss of some recreational facilities and opportunities for the citizens. As a result, the City Commission added a contingency that would afford them access to the Pratt Street recreation building for up to a two-year period or until such time as a new recreational facility is constructed on Edwards Road, whichever comes first.

Also, Ms. Henriksen wishes to have an environmental test performed on the property.

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Mr. Vaughan asked if the interlocal agreement provides protection if there is an issue resulting from the environmental test.

Mr. Broling said that he believes both the County and the City are covered by the interlocal agreement. A soil test result that would lead the County to not want to construct the library on that location would create a situation where the County and the City would convey the prospective properties back to one another.

Mr. Vaughan said that the interlocal agreement says that construction must begin within two years from the date of the agreement, which should be no problem.

There was discussion regarding the two-year time period for construction of the new library and the use of the recreational facility by the City for two years following entry of the interlocal agreement.

Commissioner Cooper said that he would be comfortable with the agreement if there were a clause added that states that the City can continue to use the recreational building for up to 24 months unless it becomes a safety issue for construction purposes or it impedes the construction process.

Following additional discussion, **Comm. Cooper MOVED** to table this item and direct the Clerk's Office to set up and advertise a workshop with the City to discuss terms of the interlocal agreement and a separate workshop to discuss the provisions of the request for proposals for design and construction. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0**.

#### **PUBLIC COMMENTS:**

**Ms. Jenny Harper** of 2213 SE 150<sup>th</sup> Street, Starke, commented on the following:

--Expressed concern regarding a right-of-way issue across from the Mimosa Trailer Park on CR230-A.

Chairman Johnson said that Mr. Welch, the County Surveyor would be asked to assess and advise, and a response will be provided to Ms. Harper.

As Chairman Johnson proceeded to the next agenda item, Mr. Paul Still announced that he provided a public comment card and requested to speak. Chairman Johnson denied his request.

#### **CONSENT AGENDA:**

- A. APPROVE RENEWAL AGREEMENT BETWEEN SANTA FE COMMUNITY COLLEGE AND BRADFORD COUNTY PUBLIC LIBRARY**
- B. APPROVE SATISFACTION OF MORTGAGE FOR CLARENCE SUMNER, JR.**

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

**APPROVE RESOLUTION DECLARING A STATE OF LOCAL EMERGENCY—  
CHAIRMAN JOHNSON:**

Chairman Johnson read the title of the resolution into the record as follows:

**“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
BRADFORD COUNTY, FLORIDA DECLARING A STATE OF LOCAL  
EMERGENCY RESULTING FROM HURRICANE CHARLEY EFFECTING  
THE BRADFORD COUNTY AREA.”**

**Comm. Thomas MOVED** to adopt the resolution as presented. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0**. (The Resolution was assigned No. 04-25.)

**APPROVE AMENDMENT TO PRESENT GRANT C3004—COMM. HERSEY/NELSON  
GREEN:** Mr. Green presented the amendment. This does not change the amount of the grant, it simply allows the County to use the money already received to retrofit one of the older units to pull the trailer we received from the regional hazardous materials team.

**Comm. Hersey MOVED** to approve the amendment as presented. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0**.

**REQUEST COUNTY REPRESENTATIVE BE APPOINTED TO THE DISPATCH  
COMBINING COMMITTEE—SHERIFF MILNER/NELSON GREEN:** Sheriff Milner said that for a number of years the issue of consolidating Starke Police Department’s dispatch center with that of Bradford County Sheriff’s Office has been discussed. Due to the 9-1-1 grant received by the County; there have been more in depth discussions. They feel that a committee consisting of himself, Mr. Green, the Chief, a representative of the County Commission, and a representative of the City Commission would be very beneficial. The City Commission has appointed Lee Vincent as their representative. They are asking that the County Commission appoint a representative.

Commissioner Thomas volunteered to serve.

Sheriff Milner said that he would contact Commissioner Thomas with the date of the next meeting.

**REQUEST PERMISSION TO PURCHASE EMS PATIENT REPORT SOFTWARE IN  
THE AMOUNT OF \$22,500.00 FROM EMS COUNTY AWARDS MONEY—  
COMM. HERSEY/NELSON GREEN:** Mr. Green explained that the software would provide better quality assurance and quality control. The State is also pushing the issue as they are

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requesting a lot of data elements from their department. It will be purchased with budgeted grant money, along with some rollover funds from the previous year.

**Comm. Cooper MOVED** to approve the request as presented. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0**.

**UPDATE AND DISCUSSION CONCERNING WORKERS' COMPENSATION EXEMPT CONTRACTORS AND THE SHIP PROGRAM—JOHN BROLING:** Mr. Brooling said that they have contacted the SHIP offices of every county that surrounds Bradford County, at least as far west as Columbia County and as far south as Alachua County. In every single instance, all contractors needed to at least demonstrate an exemption or were required to have Workers' Comp insurance. A minority of the counties contacted required Workers' Comp insurance for all subs, but not necessarily for the general contractor.

At the August 11 meeting of the SHIP Advisory Board, there was consensus to follow the direction of the County Commission, however, it is their recommendation that they maintain the current policy. There is no discriminatory effect in requiring all corporations or all general contractors, regardless of their exemption status, to have Workers' Comp insurance. Additionally, by doing so it levels the playing field. Therefore, those who do not have to carry the insurance do not have a leg up on those that do.

Discussion ensued, after which, **Comm. Cooper MOVED** to maintain the current policy of the SHIP Program. **Comm. Thomas SECONDED** and the **MOTION CARRIED 3-2**, with Commissioner Hersey and Chairman Johnson dissenting.

**REQUEST PERMISSION TO CLOSE PUBLIC LIBRARY SATURDAY, OCTOBER 16 FOR FALL FESTIVAL—CHAIRMAN JOHNSON:** Ms. Henriksen said that the Fall Festival has grown to the point where they are unable to get in and out of the building and no one can get to the building, except on foot.

**Comm. Mann MOVED** to close the Library on Saturday, October 16, as requested. **Comm. Cooper SECONDED** and the **MOTION CARRIED 5-0**.

**APPROVE BID RECOMMENDATION FOR MENG DAIRY ROAD—COMM. MANN:** Mr. Kelley approached the Commission and reported that five bids were received. The difference between this bid and the original bid back in June is that a deductive alternate bid was added that would allow the County to install the 72" pipes, to determine the savings, if any.

Mr. Kelley reviewed the bids. He advised that both low bidders provided letters of credit in lieu of a bid bond.

Following discussion, **Comm. Thomas MOVED** to award the bid to G&G Site Prep Inc., in the amount of \$79,775.00, which includes constructing four 72" RCP furnished by owner, concrete headwalls, earthwork, remove existing culverts, mitered ends only for other culverts, restoration, testing and safety measures.

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Commissioner Thomas asked if the Board is within legal parameters in accepting the letters of credit in lieu of a bid bond. Mr. Broling advised that the letters of credit are acceptable.

**Comm. Mann SECONDED** the motion.

Mr. Kelley said that he asked both low bidders for references from similar jobs. Apparently, G&G is a fairly new company and even though they did not show any experience similar to this project, they did provide good references for their organization, which were mainly character witnesses.

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

**DISCUSSION CONCERNING OFFICE SPACE AT THE ANNEX—**

**CHAIRMAN JOHNSON:** Chairman Johnson proposed the following for use of the courthouse annex building:

- Moving Solid Waste and the SHIP Office into the space currently being used by Mr. Triest.
- Leaving the next space vacant.
- Facility Maintenance in the next space.
- The last two spaces for the Guardian-Ad-Litem

Following some discussion, **Comm. Cooper MOVED** to approve the locations as presented by Chairman Johnson. **Comm. Mann SECONDED** the motion.

Commissioner Hersey asked how the storage space problem would be solved in the Building and Zoning Department. Chairman Johnson said that Building and Zoning would get the office vacated by the SHIP office. The vacated Solid Waste Office can be used for visiting entities.

There was brief discussion regarding the cost of the moving and renovations. Clerk Norman said that the renovations could be paid for out of the court renovation funds provided by the state.

There being no further discussion, the **MOTION CARRIED 4-1**, with Commissioner Hersey dissenting.

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

**PERSONNEL MATTERS:**

- A. **APPROVE PERSONNEL PERFORMANCE EVALUATION—PROBATIONARY REVIEW FOR DARLA CALCOTE, EXTENSION SERVICES—CHAIRMAN JOHNSON:**

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Chairman Johnson said that Mr. Dinkins has requested that Ms. Calcote's probation be extended for 60-days.

**Comm. Cooper MOVED** to extend Darla Calcote's probation period for 60-days, based on the recommendation of Mr. Dinkins. **Comm. Thomas SECONDED** and the **MOTION CARRIED 5-0.**

Commissioner Thomas said that the Solid Waste Department is losing part-time employees. He requested permission to advertise for part-timers to be placed into a pool to be drawn from as needed.

Commissioner Cooper asked if they are existing positions. Commissioner Thomas indicated in the positive.

**Comm. Thomas MOVED** to advertise for part-time positions for the Solid Waste Department to be placed into a pool to be drawn from on an as-needed basis. **Comm. Hersey SECONDED** and the **MOTION CARRIED 5-0.**

**COUNTY ATTORNEY REPORTS:** None.

Mr. Paul Still asked to be allowed to address the Board. Chairman Johnson asked Mr. Still to sit down. Mr. Still requested a legal opinion regarding not being allowed to address the Commission.

Chairman Johnson said that he is not going to allow any one to come to a County Commission meeting and make political speeches.

Mr. Broling said this is a meeting of the Commission and the Commission can run the meeting they way they want to run the meeting. He has no opinion with regards to parliamentary procedures.

**CLERK REPORTS:** None.

**COMMISSIONERS' COMMENTS:**

**Commissioner Cooper commented on the following:**

--Expressed his appreciation to the Emergency Management, Emergency Services and the Volunteer Fire Department for their readiness for what was thought to be a huge storm, hurricane Charley.

--Although we have not received a pay request yet, we are coming close to the completion of the resurfacing of 200B and Crawford Road. He urged the Commission to ride out and inspect the work.

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**CHAIRMAN COMMENTS: Chairman Johnson commented on the following:**

--The Workers' Comp bids are due August 31. The following people are appointed to review the bids: Clerk Norman, Jim Farrell, Terry Brown or his designee, and Nancy Bailey.

**AGENDA ADDENDUM**

**APPROVE FINAL PAY REQUEST FOR GENERAL MECHANICAL—**

**COMMISSIONER COOPER:** Commissioner Cooper presented the final pay request from General Mechanical. The amount that has been arrived at is a number that is based on negotiations primarily between Mr. Triest and the Contractor. There has been some give and take. The pay request is for \$156,332.41. Mr. Triest has communicated this amount with the various members of the Space Committee.

Commissioner Cooper made it clear that there is a legal issue concerning "extended general conditions" in the amount of approximately \$172,000.00. That issue has not yet been resolved. Mr. Brown has advised that the County does not owe it.

**Comm. Cooper MOVED** to approve the final pay request to General Mechanical in the amount of \$156,332.41. **Comm. Mann SECONDED** the motion.

Commissioner Thomas asked if there is a way to determine if all of the sub-contractors have been paid. Commissioner Cooper said that one of the conditions of this final payment is that the check will be cut, Mr. Triest will not release the monies until lien waivers are received from everyone who has filed any type of a notice to owner, which is the standard construction process.

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

There being no further business, the meeting adjourned at 9:07 p.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