

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING
THURSDAY, SEPTEMBER 21, 2006
6:30 P.M.**

The Bradford County Board of County Commissioners convened in regular session on Thursday, September 21, 2006, at 6:30 p.m. in the County Commission Meeting Room, 945 North Temple Avenue, Starke, Florida.

Present were: Commissioner Lewis, Commissioner Thomas, Chairman Hersey, Commissioner Cooper and Commissioner Chandler.

Also present were: Jim Crawford, County Manager; June Neats, Administrative Assistant; Marlene Stafford, Deputy Clerk; Nora Thompson, Zoning Director; Mark Crawford, Press; Jim Farrell, Finance Director; Winifred Holland, Health Department Director; Nelson Green, Emergency Services Director; Sheriff Milner; Enid Erhbar, North Central Florida Regional Planning Council; Ricky Thompson, Acting City Manager, City of Starke; John Broling, County Attorney;

(See Supplement File No. 09-21-06 for a copy of all documentation presented at this meeting.)

CALL TO ORDER

Chairman Hersey called the meeting to order at 6:30 p.m.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Cooper offered the Invocation and led the Pledge of Allegiance.

PUBLIC HEARINGS -- ORDINANCES – FIRST READINGS:

--LAND USE CLASSIFICATION AMENDMENT, APPLICATION NO. R 060629 A, ALVIN & TODD ELIXSON – NORA THOMPSON:

Ms. Thompson addressed the Commission. This is the first reading for a regular scale amendment. If approved by the Board, it will be submitted to DCA for objections, recommendations and comments.

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

“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 060629 A, BY THE PROPERTY OWNERS 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; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM AGRICULTURAL-1 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 15 ACRES) TO AGRICULTURAL-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.”

Chairman Hersey inquired about the flood zones and wetlands referred to in the Concurrency Management Report.

Ms. Thompson said that if the applicant gets to the development stage then the site plan will be reviewed and Suwannee River Water Management will get involved. You can build in a flood zone; you cannot build in the wetlands on this particular property. Ninety-five percent of this site is located in a wetland.

Chairman Hersey opened the public hearing. There being no response, the public hearing was closed.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously denied Land Use Classification Amendment Application No. R 060629 A, based on the recommendation of the Zoning Board and the fact that the majority of the property is located in wetlands.

PUBLIC HEARINGS -- ENACTMENT OF ORDINANCES

--AMENDMENT TO THE TEXT AND FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, APPLICATION NO. CPA 03-1 (EVALUATION AND APPRAISAL REPORT [E.A.R.]) (BOCC) – NORA THOMPSON:

Ms. Thompson read the title into the record:

“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, RELATING TO AN AMENDMENT TO THE TEXT AND FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN, PURSUANT TO APPLICATION, CPA 03-1, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; AMENDING THE TEXT AND FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN BASED UPON THE ADOPTED EVALUATION AND APPRAISAL REPORT OF THE BRADFORD COUNTY COMPREHENSIVE PLAN AND AN OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT PREPARED BY THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DATED JULY 24, 2006; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”

Ms. Thompson said that she did not receive the Objections, Recommendations and Comments Report until today and was unable to get it in the Commission packets. She distributed copies to the Board and requested that this public hearing be continued until November 16, 2006 at 6:30 p.m. (Later in the meeting, it was realized that the public hearing is to be continued to October 19, 2006 at 6:30 p.m.)

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously agreed to continue this public hearing to October 19, 2006 at 6:30 p.m.

--LAND USE CLASSIFICATION AMENDMENT, APPLICATION NO. R 051216 A (BOCC) -- NORA THOMPSON:

Ms. Thompson said that this is the second reading and approval will change Crystal Lake Home Sites from Agricultural-2 to Residential, Low Density.

Ms. Thompson read the title into the record:

“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 051216 A, BY THE BOARD OF COUNTY COMMISSIONERS, 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; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM AGRICULTURAL-2 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 5 ACRES) TO RESIDENTIAL, LOW DENSITY (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”

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Ms. Thompson requested that this public hearing also be continued. This is a regular scale amendment that needs to be submitted to DCA with the Evaluation and Appraisal Report.

Ms. Ehrbar explained the process, which spurred discussion.

Chairman Hersey opened the public hearing.

Mr. Fred Hodges, a resident of Crystal Lake Home Sites and Vice-President of B&F Building Contractors, Inc., expressed his objection to delaying this item. A delay will cost him the impact fee when they begin construction on new homes.

Commissioner Cooper explained that assuming the impact fee timeline is accomplished as quickly as possible, the County would not begin collecting impact fees until March 2007.

Ms. Thompson said that DCA would submit a response within 30 days from the day they receive the ordinance and will issue the Notice of Intent. Even if this is continued, it will be done prior to the March 2007 deadline.

Mr. Hodges addressed the \$500.00 fee for a setback variance in Crystal Lake Home Sites.

There was some discussion.

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously agreed to continue this item to October 19, 2006 at 6:30 p.m.

--LAND USE CLASSIFICATION AMENDMENT, APPLICATION NO. S 060721 A (BOCC) – NORA THOMPSON:

Ms. Thompson 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 060721 A, 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 AGRICULTURAL-2 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 5 ACRES OF LAND) TO INDUSTRIAL OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”

Ms. Thompson said that this is SMI Joist. If something were to happen to the mill, it could not be replaced. Once the zoning portion is complete, this will bring them into compliance.

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On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously adopted the Ordinance approving Land Use Classification Amendment Application No. S 060721A.

(Subsequent to approval, it was determined by the Zoning Office that this Ordinance should not have been adopted prior to adoption of the Evaluation and Appraisal Report. No number was assigned to the ordinance and it was not submitted to Tallahassee for filing.)

--REZONING APPLICATION NO. Z 06-8 (BROWN/HEATH) – NORA THOMPSON:

Ms. Thompson 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 06-8, BY THE PROPERTY OWNERS OF SAID ACREAGE, PROVIDING FOR REZONING FROM INDUSTRIAL (I) TO AGRICULTURAL-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.”

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Rezoning Application No. Z 06-8. (The Ordinance was assigned No. 06-33.)

CONSENT AGENDA

A. MINUTES FROM WORKSHOP AND REGULAR MEETING OF AUGUST 7, 2006

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the Consent Agenda.

RESOLUTIONS:

--PLANNING AND ZONING BOARD – NORA THOMPSON:

Ms. Thompson presented the resolution for consideration. The resolution will call for the designation of five members to serve as the Zoning Board and Board of Adjustment.

Ms. Thompson read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, DESIGNATING THE PLANNING AND ZONING BOARD TO PERFORM THE FUNCTIONS OF THE BOARD OF ADJUSTMENT.”

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On Motion of Commissioner Cooper, Seconded by Commissioner Lewis, the Board unanimously adopted the Resolution. (The [Resolution was assigned No. 06-19.](#))

Ms. Thompson said that at the last Commission meeting there was a decision to change subdivision regulations. With the Board's permission, she would like to leave the minor subdivision at nine lots instead of lowering it to five lots. Suwannee River must be involved with as little as a three-lot split. The language can be amended giving the Commission the right to require such things as the sharing of driveways. There will also be language that would prevent developers from doing minor subdivisions in several phases to get around the major subdivision regulations.

Following brief discussion there was a consensus for the proposed language to be drafted and brought back to the Commission for approval.

RESOLUTIONS CONTINUED:

--SUWANNEE RIVER WATER MANAGEMENT PERMIT FEES – JIM CRAWFORD:

Mr. Crawford read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, REQUEST TO THE SUWANNEE RIVER WATER MANAGEMENT DISTRICT TO REDUCE PERMIT APPLICATION FEES.”

On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously adopted the resolution. (The [Resolution was assigned No. 06-20.](#))

--ST. JOHNS RIVER WATER MANAGEMENT PERMIT FEES – JIM CRAWFORD:

Mr. Crawford read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, REQUEST TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT TO REDUCE PERMIT APPLICATION FEES.”

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the Resolution. (The [Resolution was assigned No. 06-21.](#))

CONTRACT BETWEEN BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS AND STATE OF FLORIDA DEPARTMENT OF HEALTH FOR OPERATION OF THE BRADFORD COUNTY HEALTH DEPARTMENT FOR THE YEAR 2006-2007 – WINIFRED HOLLAND:

Ms. Holland presented the contract for approval. There are no major changes to the contract other than the number of projected services was increased. On a quarterly basis the Board receives a Variance Report, if there is a major variation in the number of services or the expenditures.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved [the contract](#) as presented.

Commissioner Thomas expressed his appreciation to Ms. Holland for the work she is doing at the Health Department.

Commissioner Cooper inquired about the availability of flu shots and vaccines. Ms. Holland said that flu shots would begin in October.

ANNUAL INTERLOCAL AGREEMENT BETWEEN NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL AND BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS – JIM CRAWFORD:

Mr. Crawford presented the interlocal agreement for consideration.

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously approved [the Interlocal Agreement](#) as presented.

RESOLUTION – ADOPTING THE NORTH CENTRAL FLORIDA ECONOMIC DEVELOPMENT DISTRICT ANNUAL REPORT – JIM CRAWFORD:

Mr. Crawford read the title into the record:

“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS OF FLORIDA, ADOPTING THE NORTH CENTRAL FLORIDA ECONOMIC DEVELOPMENT DISTRICT COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY 2005-2006 ANNUAL REPORT, AS PREPARED BY THE NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL; PROVIDING AND EFFECTIVE DATE.”

On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously adopted the Resolution. (The [Resolution](#) was assigned No. 06-22.)

APPROVE FISCAL YEAR 2005-2006 BUDGET AMENDMENT ADVERTISEMENT – CLERK NORMAN:

Clerk Norman reported that the Tourist Development budget had to be set up with revenues and expenses. This requires a budget amendment, which must be advertised.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously approved the advertisement as presented.

Deputy Clerk Stafford announced that the public hearing for the budget amendment is set for Tuesday, October 3, 2006, at 5:15 p.m. Commissioner Chandler said that he would be unable to attend the public hearing.

APPROVE PAYMENT OF BILLS – COMMISSIONER COOPER:

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously approved payment of [the bills](#).

PUBLIC COMMENTS: None.

COUNTY ATTORNEY REPORTS –JOHN BROLING:

Mr. Broling reported on the following:

--The Impact Fee ordinance should be ready for Board review toward the end of October or the beginning of November for adoption in December. The recommended phased impact fee schedule will be incorporated into the ordinance.

--The final draft in resolution form of Board of County Commissioners procedures should be ready for circulation some time next week for adoption in October.

--The necessary documents to switch animal control services from the City back to the County have been drafted and copies supplied to the relative agencies.

COUNTY MANAGER REPORTS – JIM CRAWFORD:

a. Approval of Culvert Resolution

Mr. Crawford read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ESTABLISHING POLICIES AND PRICING FOR THE INSTALLATION OF DRAINAGE CULVERTS; AND ESTABLISHING AN EFFECTIVE DATE.”

(09-21-06 Regular Meeting)

There was brief discussion.

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 06-23.](#))

Mr. Crawford reported the following:

--He will be providing the Commissioners with a copy of the job description for a Planner for their review.

--The funds are available in this years' budget to purchase a mosquito sprayer. Two bids were received. Both bids came in at the same amount of \$7,500.00. With the Commissions' approval, he will select Clarke Mosquito Control's bid and purchase the sprayer for \$7,500.00 out of this years' budget.

On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously accepted the County Manager's recommendation to purchase the sprayer as presented.

-- In the fiscal year 2006-2007 Transportation Trust Fund budget are funds to purchase a truck/tractor and trailer to haul heavy equipment. After diligent search, they have located both items in Tampa at Arrow Truck Sales that they would like to look at. The funds will not be spent until October. Arrow Truck is requiring a refundable \$1,000.00 deposit each to hold the truck and trailer. If purchased, the \$1,000.00 will go toward the purchase. He would like to sign an agreement and pay the \$1,000.00 deposit.

There was consensus to move forward as requested.

Mr. Crawford said that he would come back to the Board for the actual purchase.

Commissioner Thomas said that since the funds are budgeted and if Mr. Crawford feels that it would be a good deal, he would like to grant him the authority to go ahead with the purchase without bringing it back to the Board.

Mr. Crawford said that he would go ahead and take some action to put a binder down and go look at the equipment to lock it in until October.

b. Impact Fee Implementation Schedule – Phase in Recommendations

Mr. Crawford presented and explained a “[Recommended Phased Impact Fee Schedule](#)”. The Board may wish to consider revising the commercial side of the schedule. He hopes to soon have a consensus from all the commissions, councils and boards so he can give the go ahead to move forward with developing the countywide ordinance.

This incited extensive discussion.

CLERK REPORTS – RAY NORMAN:

Clerk Norman reported the following:

--The Fiscal-Year 2006-2007 Spending Plan for court renovations has been submitted to the Eighth Judicial Circuit. The plan has been approved and the County should be receiving the funding.

COMMISSIONERS' COMMENTS:

Commissioner Cooper commented on the following:

--The Tourist Development Council has requested a joint workshop with the County Commission, possibly following the October 2, 2006 regular meeting at the Conference Center.

There was consensus to schedule the workshop.

Commissioner Chandler commented on the following:

--Expressed his appreciation to the Road Department for a job well done. He would like to see work at the Road Department quantified to better track progress. Also, he would like to receive a regular report on the progress of all road projects.

Mr. Crawford said that he could do so.

CHAIRMAN'S COMMENTS – JOHN WAYNE HERSEY: None.

ADJOURN

There being no further business, the meeting adjourned at 7:47 p.m.

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

JOHN WAYNE HERSEY, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK OF COURTS