

(10-19-06 Regular Meeting)

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
WORKSHOP (IMPACT FEES) 4:00 P.M.
REGULAR SCHEDULED MEETING 6:30 P.M.
THURSDAY, OCTOBER 19, 2006**

**WORKSHOP
IMPACT FEES
4:00 p.m.**

The Bradford County Board of County Commissioners convened in a workshop session on Thursday, October 19, 2006 at 4:00 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; Wendy Spierer, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Mark Crawford, Press; John Broling, County Attorney.

CALL TO ORDER

Chairman Hersey called the workshop to order at 4:05 p.m.

DISCUSSION – IMPACT FEES

Mr. Crawford said that after meeting with the City of Starke, they have reached the conclusion that it would be best to move forward with the public hearings using the full impact fee authorized by the study. Public input at the hearings will give the Commission a better feel as to how to implement the fees.

Extensive discussion ensued, which was not limited to but included: Reducing and/or deleting certain elements of the impact fee, using square footage to determine the fee, assistance for low or moderate income families, deferral of the fees, increasing gas tax to lower the road element, requirements for expenditure of impact fees, collection and accounting procedures, a phase-in process, a county-wide ordinance and public hearing requirements.

ADJOURN

There being no further business, the workshop adjourned at 5:46 p.m.

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**REGULAR MEETING
6:30 p.m.**

The Bradford County Board of County Commissioners convened in regular session on Thursday, October 19, 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; Wendy Spierer, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Sheriff Milner; Nora Thompson, Zoning Director; Enid Ehrbar, North Central Florida Regional Planning Council; Ron Lily, CEO Chamber of Commerce; Terry Brown, County Attorney; Jim DeValerio, Agricultural Extension Agent; Nelson Green, Emergency Services Director; Tommy Chastain, School Board; Jim Farrell, Finance Director; Jerome Johns and John Miller.

(See Supplemental File No. 10-19-06 for a copy of documentation presented at this meeting.)

CALL TO ORDER

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

INVOCATION / PLEDGE OF ALLEGIANCE

Sheriff Milner offered the Invocation and led the Pledge of Allegiance.

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--(BOCC):

Ms. Thompson said that this amendment is a result of the recent workshop. It will be submitted to DCA. They will probably find the County in non-compliance. However, this will not keep the County from being able to transmit amendments to the state. DCA will address their issues of concern and the Commission can work on those and re-submit.

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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.”

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

Brief discussion.

On Motion of Commissioner Cooper, Seconded by Commissioner Lewis, the Board unanimously adopted the ordinance, approving Application No. CPA 03-1. (The Ordinance was assigned [No. 06-34.](#))

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

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 AGRICULTURE-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.”

Chairman Hersey opened the public hearing. Mr. Fred Hodges spoke in favor of the amendment.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the ordinance approving Land Use Classification Amendment Application No. R051216 A. (The Ordinance was assigned [No. 06-35.](#))

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

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 AGRICULTURE-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.”

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

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously adopted the Ordinance approving Land Use Amendment Application No. S060721A. (The Ordinance was assigned [No. 06-36.](#))

MINOR SUBDIVISION PLAT APPROVAL FOR PECAN GROVE—APPLICATION NO. SD 06-00—NORA THOMPSON:

Ms. Thompson presented the plat for consideration. The plat has been approved by all required agencies.

The Commission briefly reviewed the plat.

On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously accepted the plat as presented.

CONSENT AGENDA

- A. 2007 Holiday List**
- B. 2007 Commission Meeting Schedule**
- C. 2007 Bill Review List**
- D. Zoning Board, Board of Adjustment and Construction Industry Licensing Board Re-appointments**
- E. Amended Interlocal Agreement between Bradford County and the City of Lawley for Animal Control Services**

On Motion of Commissioner Lewis, Seconded by Commissioner Chandler, the Board unanimously approved [the Consent Agenda](#) in its entirety.

INTEGRATED PEST MANAGEMENT GRANT APPLICATION—JIM DEVALERIO:

Mr. DeValerio reported that he has applied for a \$4,000.00 grant to enhance mosquito control monitoring system with the University of Florida Integrated Pest Management. Mr. DeValerio provided background concerning the grant and what the Integrated Pest Management Program does. The matching funds requirement will be met in-kind. He will be notified of an award within two to three weeks.

On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously approved the [grant application](#).

FUNDING APPROVAL FOR COMPLETION OF CONFERENCE CENTER REMODELING—COMMISSIONER COOPER:

Commissioner Cooper said that at the joint workshop with the TDC, it was pointed out that there are some final budget adjustments that need to be made to finalize the project, which total \$24,612.23.

Mr. Malcolm Hill said that he still questions the need for a conference center and asked the Board to be cautious regarding the expenses.

On Motion of Commissioner Cooper, Seconded by Commissioner Lewis the Board unanimously approved to authorize the increase in the budget; to authorize the allocation of the balance in the sinking fund of \$16,599.00 to pay toward the outstanding invoices, to authorize an additional \$8,025.00 to pay the difference. The funds are to be reimbursed to the County out of sinking funds either through the sale of property, or if the Board adopts an increased bed tax, those funds will rebuild the sinking fund.

BED TAX INCREASE (DISCUSSION)—RON LILY / JOHN MILLER:

Mr. John Miller said that Mr. Lily has done a good managing the funds to build out the conference center. They are not where they need to be, but have made some progress. There is so much future potential, but need to be cautious about how they spend the County's money and they will be. They welcome any suggestions or advice.

Mr. Lily said that this is the formal request to move ahead to increase the bed tax and to move forward with naming the center the Governor Charley E. Johns Conference Center, as discussed in the recent joint workshop. The increased bed tax will allow them to fulfill the second build-out of the conference center, to re-establish a fund for local events and to increase marketing to attract more people to Bradford County. The increase will mean an additional \$1.50 on the billable room rate to tourist passing through the community and not the local residents.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved to name the center the Governor Charley E. Johns Conference Center.

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On Motion of Commissioner Cooper, Seconded by Commissioner Lewis, the Board unanimously directed council and the County Manager to prepare an ordinance to be advertised and heard at a proper public hearing regarding the additional bed tax, from 2 to 4 cents.

EMS WRITE-OFFS—NELSON GREEN:

Mr. Green presented write-offs totaling \$17,934.42. This represents old accounts of those deceased with dates of service from January 1, 2000 and October 1, 2004.

On Motion of Commissioner Lewis, Seconded by Commissioner Chandler, the Board unanimously approved the [write-offs](#) as presented.

RESOLUTIONS:

--ESTABLISHING PERIOD OF TIME A SEIZED ANIMAL SHALL BE HELD PRIOR TO DISPOSAL—JIM CRAWFORD:

Mr. Brown read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ESTABLISHING THE PERIOD OF TIME DURING WHICH A SEIZED ANIMAL SHALL BE HELD PRIOR TO DISPOSAL PURSUANT TO SECTION 10-43 OF THE BRADFORD COUNTY CODE; AND ESTABLISHING AN EFFECTIVE DATE.”

Mr. Brown said that the resolution would require that animals be held at least seven days, which is the minimum length of time required.

Brief discussion.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the resolution as presented. (The Resolution was assigned [No. 2006-30.](#))

Mr. Brown said that he has two related matters concerning animal control:

--Requested permission to advertise an ordinance relating to animal adoption procedures to be considered at the next regular meeting.

There was consensus to move forward with the advertisement.

--Distributed to the Commission is a resolution that would establish various administrative fees relating to seized animals. This item is not on the agenda.

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Sheriff Milner said that he has not had the opportunity to confer with Mr. Brown concerning the resolution and he would prefer that this be handled at the next regular meeting.

REQUEST TO DESIGNATE FIRST COAST CRIME STOPPERS TO ACT AS AGENT FOR BRADFORD COUNTY FOR THE PURPOSE OF APPLYING FOR AND RECEIVING MONIES FROM CRIME STOPPERS TRUST FUND—SHERIFF MILNER:

Sheriff Milner referred to a [memorandum](#) provided to the commission in their packets. An official member of the Crime Stoppers Organization, which is required by statute, has not served Bradford County. First Coast Crime Stoppers out of Jacksonville has agreed to serve Bradford County in this capacity. By becoming an official part of First Coast Crime Stoppers, the funds collected will be submitted to the Attorney General but will come back to First Coast Crime Stoppers, with the exception of a small administrative fee. Those monies are then available for reward money and crime prevention programs.

There was brief discussion.

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously authorized First Coast Crime Stoppers to act as the agent for Bradford County for the purpose of receiving monies from the Crime Stoppers Trust Fund.

DISCUSS LEGISLATIVE CHANGES REGARDING ATVS ON UNPAVED COUNTY ROADS AND IMPACT—SHERIFF MILNER:

Sheriff Milner explained that the legislature amended Florida Statute 316, effective October 1, relating to the operation of all-terrain vehicles during daylight hours. It specifically states that during the daytime a license driver or a minor under the supervision of a license driver may drive on unpaved roadways where the posted speed limit is less than 35 miles per hour. This raises numerous questions and concerns regarding safety.

The new law contains a provision allowing a county to be exempt or to “opt out”, which restores that county to the previously existing statute that does not allow for the legal operation of ATVs on any county or public right-of-way. Almost all of the surrounding counties have opted out.

This incited discussion.

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board voted 4-1, with Commissioner Hersey dissenting, to move forward with the advertisement of an ordinance to opt out of the new legislation.

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GRANT EASEMENT TO BELL SOUTH—JIM CRAWFORD:

Mr. Crawford reported that BellSouth is requesting that the County grant them an easement just inside the gate of the solid waste landfill in Keystone for the placement of a telephone junction box. BellSouth will prepare the survey and prepare all necessary documents. There will be no liability on the part of the County.

Commissioner Cooper said that the easement as prepared is “forever and in perpetuity.” He asked if there should be a reverter clause within the easement where it would revert back to the County should BellSouth no longer use or need the easement.

Mr. Brown said that he would recommend that change.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the execution of the easement subject to the following amendment: “A 25-year easement or until such time as it is abandoned by BellSouth.”

**ANNUAL FUNDING AGREEMENT WITH MERIDIAN BEHAVIORAL HEALTHCARE, INC.—
JIM CRAWFORD:**

Mr. Crawford presented the funding agreement for consideration. The allocation was approved during the budget cycle.

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

APPROVE PAYMENT OF BILLS—CHAIRMAN HERSEY:

Chairman Hersey said that he reviewed the bills and recommended payment.

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously approved payment of the bills as reviewed. (A list of the bills approved is on file in the Finance Office.)

PUBLIC COMMENTS:

Patricia Green – 13712 SW 98th Ave., Starke – ATVs

--There is a problem with the riding of ATVs on the hard road and her dirt road at high rates of speed and at night.

Sheriff Milner said that they do get a lot of complaints from this area. He will get with Mrs. Green.

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Malcolm Hill - Impact Fees

--Expressed that he is in favor of impact fees.

Bob Mansfield - 5501 NW 213TH Terrace, Starke - Impact Fees

--Shared facts and figures for the Commission to take into consideration regarding impact fees.

Michael Outten - 1204 SE 46th Loop, Keystone Heights – Dust and Drainage, ATVs

Requested assistance with:

--Dust and drainage problems on 46th Loop

--ATV traffic

James Buehne - 1586 NE 153rd St., Starke - Impact Fees, Meeting Times

--Expressed his displeasure with the proposed impact fee.

--The Commission meeting times are too early for working people.

Larry Thornton - 5289 NW CR125, Lawtey - Impact Fees

--Expressed his opposition to impact fees.

Tom Tatum - Impact Fees

--Expressed his opposition to impact fees.

There was some discussion regarding the proposed impact fee.

Chairman Hersey announced that before the Board takes any action there would be two public hearings concerning impact fees. The dates will be advertised once they are established

Fred Hodges – 431 SE 71st St., Starke – Impact Fees

--As a contractor, he is in favor of an impact fee.

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COUNTY ATTORNEY REPORTS—TERRY BROWN:

--Requested permission to advertise the Construction Trade ordinance.

On Motion of Commissioner Chandler, Seconded by Commissioner Chandler, the Board unanimously approved the advertisement of the Construction Trade ordinance.

COUNTY MANAGER REPORTS—JIM CRAWFORD:

A. County Grant Improvement Program (CIGP) Request for Matching Funds

The grant is for the paving of SE 144th Street. The federal funds approved for this road are not enough to complete the job. D.O.T. recommended that the County apply for this grant. In order to meet the deadline, he has already submitted the application. The grant is for \$3,629,000.00+ and is a 50/50 matching grant. After conferring with the County Engineer, they feel that the match can be met with in-kind support. If for some reason the Commission does not wish for the application to be considered, it can be withdrawn.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously approved the submission of the [grant application](#).

B. Pratt Street Drainage Project

D.O.T., Suwannee River Water Management and the County have an agreement to work together to install a new drainage system at the library construction site.

Mr. Crawford referred to [drawings](#) provided to the Commission and explained how the system will work. A [letter](#) has been prepared for the Chairman's signature that needs to be sent to Suwannee River Water Management so they may move forward with submitting bids.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously authorized the Chairman to sign the letter and proceed.

C. Update on Purchase of Truck/Tractor and Trailer for Heavy Equipment

\$65,000.00 was budgeted in the 06-07 Transportation Trust Fund Budget. The tractor will cost \$33,210.00 and the trailer is priced at \$32,275.00. The tractor is in need of a new hydraulic system, which will cost \$3,475.00. This is a total of \$68,960.00, \$3,900.00 above what was budgeted.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the purchase of the tractor/trailer as presented.

Mr. Crawford reported the following:

--DuPont offered a grant to assist with some drainage problems. The grant will be used to clean out portions Water Oak Creek. The project was put out for bid, a bid has been accepted and the project is going well.

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Mr. Crawford requested payment of \$8,000.00 for the completed work, which is the contract amount. DuPont will reimburse the County.

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously approved payment of \$8,000.00 as requested.

--Some time ago, the Commission authorized him to put in a request to the Small County Technical Assistance for a grant to perform a study regarding a countywide fire department. He has received a notice from SCTAS that they have granted the County \$8,000.00 to spend on the study.

He requested permission to advertise an RFP.

On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously approved to advertise an RFP as requested.

CLERK REPORTS—RAY NORMAN: None.

COMMISSIONERS' COMMENTS:

Commissioner Lewis:

--Appreciates the public comments regarding impact fees. He assured everyone that their comments did not fall on deaf ears.

Commissioner Thomas:

--Echoed Commissioner Lewis' comment concerning impact fees.

--During budget meetings the Commission discussed placing an EMS unit in Lawtey. Last week he looked at the station at Lawtey and they have done an excellent job. It is a very nice facility. They are offering it to the County free of charge. All the County would have to do is to furnish and staff one unit.

He asked each Commissioner to make a trip to see the building.

Mr. Crawford said that during the budget process the Commission voted to add another unit, which was bringing a part-time truck up to a full-time truck and starting another part-time truck. He will be bringing a recommendation to the Board once the facility is complete.

Commissioner Lewis:

--Mr. Marvin Rosier is having heart surgery next week. He asked that everyone remember him in their thoughts and prayers.

Commissioner Chandler:

--The Board is committed to improving the emergency medical services in Lawtey. If putting a unit there will help, he feels the Board will do it.

--The Board has been working on the impact fee situation for months. Every concern the citizens have, the Board also has. He makes decisions with his heart, as well as his head. He loves Bradford County and tries to do what is best for the citizens of the entire county. This Board has been resourceful and pro-active in trying to create a better Bradford County, while trying to maintain the quality of life. To create this balance is difficult. The Commission works hard to make the best decisions that are fair and just for everyone.

Mr. Crawford announced that he is available to speak with anyone who has questions regarding impact fees.

This incited discussion.

Commissioner Cooper:

--It is not a question of "will" the County grow, it is a question of "when". He also is concerned about impact fees. However, the County has to find ways to pay for infrastructure the growth will bring. The Commission is very limited to what taxes can be imposed.

He encouraged everyone to attend the upcoming public hearings. The Board has not made a final decision because they want to hear from the public. He is confident that the Board will do what is right for Bradford County.

--Expressed appreciation to Mr. Crawford and the Road Department for NE 156th and NE 21st Avenue paving.

--Encouraged the Commissioners to attend the Small County Coalition meeting on November 15 and 16.

CHAIRMAN'S COMMENTS—JOHN WAYNE HERSEY:

--He is confident that each Commissioner has the interest of the citizens of this County at heart with any decisions that are made. It would be easy to sit back and do nothing and let it pass for someone else to deal with. This Board is trying to plan and work for the future of Bradford County.

--There is an item that requires Board attention that was received too late to be placed on the agenda. It is a proclamation submitted by Suwannee River Economic Council declaring October 30, 2006 as National Weatherization Day in Bradford County.

Chairman Hersey read portions of the proclamation.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously declared consideration of the proclamation an emergency.

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*On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously adopted the **Proclamation** Declaring October 30, 2006, as National Weatherization Day in Bradford County.*

--Mr. Charlie Justice retired from the North Central Florida Regional Planning Council. His successor, Mr. Scott Koons, has expressed his appreciation for the proclamation the Board approved to honor Mr. Justice. The proclamation was presented to him at his retirement celebration.

Mr. Justice himself has written a letter to the Board expressing his gratitude. (Chairman Hersey read the letter.)

ADJOURN

There being no further business, the meeting adjourned at 8:15 p.m.

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

EDDIE J. LEWIS, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK TO THE BOARD

Minutes prepared by Marlene Stafford, Deputy Clerk