

**MINUTES OF THE  
BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR SCHEDULED MEETING  
THURSDAY, NOVEMBER 16, 2006  
6:30 P.M.**

The Bradford County Board of County Commissioners convened in regular session on Thursday, November 16, 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; Winifred Holland, Health Director; Mark Crawford, Press; Sheriff Milner; Nelson Green, Emergency Services Director; Cheryl Brownlee, Security; Terry Brown, County Attorney; Brian Johns, Emergency Management Director; Johnny R. Hobbs, County Judge; Jim Farrell, Finance Director.

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(See Supplemental File No. 11-16-06 for a copy of all documentation presented at this meeting.)

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**CALL TO ORDER**

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

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**INVOCATION / PLEDGE OF ALLEGIANCE**

Chairman Hersey offered the Invocation and led the Pledge of Allegiance.

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**SWEARING IN OF NEW TERM COMMISSIONERS -- HONORABLE JOHNNY R. HOBBS:**

Honorable Johnny R. Hobbs performed the swearing in ceremony of Commissioners John Wayne Hersey and Doyle Thomas to their new terms of service.

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(11-16-06 Regular Meeting)

## **BOARD REORGANIZATION**

### **ELECTION OF CHAIRMAN**

Chairman Hersey called for nominations.

*Commissioner Thomas NOMINATED Commissioner Lewis to serve as Chairman. There being no further nominations, Commissioner Cooper MOVED that nominations cease. Commissioner Thomas SECONDED and the MOTION CARRIED 4-0.*

Chairman Hersey turned the gavel over to newly elected Chairman Lewis. Chairman Lewis thanked the Board for the opportunity to serve.

### **ELECTION OF VICE-CHAIRMAN**

Chairman Lewis called for nominations.

*Commissioner Cooper NOMINATED Commissioner Chandler to serve as Vice-Chairman. There being no further nominations, Commissioner Hersey MOVED that nominations cease. Commissioner Cooper SECONDED and the MOTION CARRIED 5-0.*

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## **ZONING - PUBLIC HEARINGS – ENACTMENT OF ORDINANCES:**

### **LAND USE CLASSIFICATION AMENDMENT APPLICATION NO. S 060825 A (DANIEL R. AND SOPHIE MASSEY):**

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, S060825A, BY THE PROPERTY OWNERS OF SAID ACREAGE, 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.”**

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

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Land Use Classification Amendment Application No. S060825A. (The [Ordinance was assigned No. 06-47.](#))*

(11-16-06 Regular Meeting)

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-10 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-10, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING A PORTION OF SECTION 2.1, ENTITLED DEFINITIONS, GENERAL, BY ALLOWING ONE (1) INTO TWO (2) LOT SPLITS TO ACCESS AN EASEMENT PROVIDED THE EASEMENT IS AT LEAST SIXTY (60) FEET WIDE; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

*On Motion of Commissioner Hersey, Seconded by Commissioner Thomas, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-10. (The [Ordinance as assigned No. 06-39.](#))*

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-11 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-11, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 16.2, ENTITLED PLANNING AND ZONING BOARD REPORT, BY ADDING LANGUAGE THAT REQUIRES STAFF TO MAKE A RECOMMENDATION ON COMPREHENSIVE PLAN AMENDMENTS AND REZONINGS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-11. (The [Ordinance was assigned No. 06-40.](#))*

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-12 (BOCC):**

Ms. Thompson read the title into the record:

**AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-12, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 5.26.3.3, ENTITLED ACCESS TO EXISTING STREETS, BY ADDING LANGUAGE THAT REQUIRES THE DEVELOPER TO PAVE THE ACCESS FROM A SUBDIVISION THAT CONTAINS TWENTY-FIVE (25) LOTS OR GREATER FROM THE SUBDIVISION TO THE NEAREST PAVED ROAD; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

(11-16-06 Regular Meeting)

*On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-12. (The [Ordinance was assigned No. 06-41.](#))*

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-13 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-13, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 14.9, ENTITLED SPECIAL FAMILY LOT PERMITS, BY MODIFYING LANGUAGE THAT ALLOWS FOR AN ACCESS TO PROPERTY SUBDIVIDED BASED ON THE FAMILY LOT PROVISION TO ACCESS LOTS BY A SIXTY (60) FOOT EASEMENT AND ADDING LANGUAGE FROM FLORIDA STATUTES CONCERNING THE DEFINITION OF A RELATIVE; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

*On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-13. (The [Ordinance was assigned No. 06-42.](#))*

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-14 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-14, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 5.26.2, ENTITLED STREET IMPROVEMENT SCHEDULE, BY MODIFYING LANGUAGE TO REQUIRE ALL LOTS LESS THAN ONE (1) ACRE IN SIZE IN RESIDENTIAL DISTRICTS TO HAVE SIDEWALKS ON BOTH SIDES OF THE STREET AND ALLOWING THE PLANNING AND ZONING BOARD TO WAIVE THE REQUIREMENT IF THERE ARE NO SAFETY ISSUES; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-14. (The [Ordinance was assigned No. 06-43.](#))*

(11-16-06 Regular Meeting)

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-15 (BOCC):**

Ms. Thompson announced that LDR 06-15 needs to be tabled until December 21.

*On Motion of Commissioner Hersey, Seconded by Commissioner Chandler, the Board unanimously tabled LDR 06-15 until December 21, 2006.*

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-16 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE TEXT OF THE LAND DEVELOPMENT REGULATIONS OF BRADFORD COUNTY, AS AMENDED; BY ADDING A NEW SECTION 14.15, ENTITLED PROPORTIONATE FAIR-SHARE TRANSPORTATION PROGRAM; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

*Commissioner Chandler MOVED to adopt the ordinance approving Land Development Regulations Amendment Application No. LDR 06-16. Commissioner Cooper SECONDED the motion.*

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

*The MOTION CARRIED 5-0. (The [Ordinance was assigned No. 06-44.](#))*

**--LAND DEVELOPMENT REGULATION AMENDMENT APPLICATION NO. LDR 06-17 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-17 BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 5.23.4, ENTITLED ACCESS, BY ADDING LANGUAGE THAT ALLOWS THE COUNTY TO RESTRICT ACCESS TO A STATE OR COUNTY ROAD FROM LOTS IN A MINOR SUBDIVISION FOR SAFETY REASONS; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

There was brief discussion.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Land Development Regulation Amendment Application No. LDR 06-17. (The [Ordinance was assigned No. 06-45.](#))*

(11-16-06 Regular Meeting)

**--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 06-18 (BOCC):**

Ms. Thompson read the title into the record:

**“AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PURSUANT TO AN APPLICATION, LDR 06-18, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING A PORTION OF SECTION 2.1, ENTITLED DEFINITIONS, BY AMENDING THE DEFINITION OF A MINOR SUBDIVISION TO PROHIBIT PROPERTY OWNERS FROM DEVELOPING A SERIES OF MINOR SUBDIVISIONS; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.”**

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

*On Motion of Commissioner Chandler, Seconded by Commissioner Hersey, the Board unanimously adopted the Ordinance approving Land Development Regulations Amendment Application No. LDR 06-18. (The [Ordinance was assigned No. 06-46.](#))*

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**PUBLIC HEARING – ADOPTION OF ORDINANCE--CREATING SECTION 78-2 OF THE CODE OF ORDINANCES RELATING TO ATV’S:**

Mr. Brown read the title into the record:

**“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, CREATING SECTION 78-2 OF THE CODE OF ORDINANCES OF BRADFORD COUNTY, FLORIDA, PROVIDING FOR THE INAPPLICABILITY OF SECTION 316.2123, FLORIDA STATUTES, IN BRADFORD COUNTY; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING FOR REPEAL OF CONFLICTING CODE PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.”**

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

*Commissioner Cooper MOVED to adopt the ordinance. Commissioner Chandler SECONDED the motion.*

Sheriff Milner expounded on the intent of the ordinance.

Following extensive discussion, the MOTION CARRIED 4-1, with Commissioner Hersey dissenting. (The [Ordinance was assigned No. 2006-48.](#))

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**RESOLUTIONS:**

**--ESTABLISHING USER FEES UNDER THE LAND DEVELOPMENT REGULATIONS – NORA THOMPSON:**

Chairman Lewis read the title into the record:

**“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ESTABLISHING USER FEES UNDER THE LAND DEVELOPMENT REGULATIONS OF THE BRADFORD COUNTY CODE; PURSUANT TO ARTICLE 1, SECTION 1-7 OF THE BRADFORD COUNTY CODE; AND ESTABLISHING AN EFFECTIVE DATE.”**

(11-16-06 Regular Meeting)

Ms. Thompson expounded on the context of the Resolution.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 2006-33.](#))*

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**FINAL PLAT REVIEW FOR PINE ACRES UNIT 2 – NORA THOMPSON:**

Ms. Thompson presented the plat. Due to earlier action by the Board, this will be prohibited in the future.

(Review and discussion)

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously approved the plat, subject to the requirement of joint driveways on parcels fronting CR229*

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**CONSENT AGENDA**

**A. S.H.I.P. LOANS**

*On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously approved the [Consent Agenda.](#)*

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**BUDGET AMENDMENT RESOLUTIONS – JIM FARRELL:**

**--GENERAL FUND**

Mr. Farrell said that adoption of the resolutions will clean-up the 2005-2006 Fiscal Year.

Mr. Farrell read the title into the record:

**“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A \$79,600.00 INCREASE IN REVENUE AND EXPENDITURES IN THE GENERAL FUND.”**

*On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 06-34.](#))*

**--GENERAL FUND**

Mr. Farrell read the title into the record:

**“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A \$11,365.00 INCREASE IN REVENUE AND EXPENDITURES IN THE GENERAL FUND.”**

(11-16-06 Regular Meeting)

*On Motion of Commissioner Hersey, Seconded by Commissioner Thomas, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 06-35.](#))*

**--FINE & FORFEITURE FUND**

Mr. Farrell read the title into the record:

**“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A \$403,271.00 INCREASE IN REVENUE AND EXPENDITURES IN THE FINE AND FORFEITURE FUND.”**

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 06-36.](#))*

**BUDGET AMENDMENTS – JIM FARRELL:**

Farrell presented the budget amendments. (These amendments do not require a resolution.)

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

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**KIWANIS ADOPTION OF LIBRARY READING ROOM – TERRY VAUGHAN:**

Commissioner Hersey announced that this item will be rescheduled for December 4.

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**APPROVE PAYMENT OF BILLS – COMMISSIONER LEWIS:**

Chairman Lewis said that he reviewed the bills and recommends payment.

*On Motion of Commissioner Hersey, Seconded by Commissioner Cooper, the Board unanimously approved payment of the bills as reviewed. (A copy of the bills is located in the Finance Department of the Clerk’s Office.)*

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**PUBLIC COMMENTS:**

**Larry Green of 4128 Townsend St., Kingsley Lake – Drainage Ditch Clean Out:**

--Owns property off of SR16, CR211. He has a 20'-25' right-of-way from the dirt road to the creek. He has cleaned out the ditches. However, the water is not draining properly because the drainage ditch to the creek has not been cleaned out. He would like permission to clean it out.

(11-16-06 Regular Meeting)

Mr. Crawford said that he would check on the easement issue and then schedule the work to be done. Mr. Green said that he would get Mr. Crawford a copy of the easements.

**Tommy Tatum-- Impact Fees**

--Expressed his opposition to a \$10,000.00 Impact Fee.

**Sheriff Milner – Watson Center, Animal Control**

--Security has been established at the Watson Center and it is doing well.

--Animal Control is making progress. They are working toward developing reasonable fees with veterinarians. The facility is being hardened and fencing is going up.

Sheriff Milner announced that this Saturday morning they will conduct an adoption starting at 10:00 a.m. and concluding at 2:00 p.m.

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**COUNTY ATTORNEY REPORTS – TERRY BROWN:**

None.

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**COUNTY MANAGER REPORTS – JIM CRAWFORD:**

Mr. Crawford announced that interviews are being conducted for the additional employee who will be shared between Bradford and Baker for Ag Extension Services.

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**CLERK REPORTS – RAY NORMAN:**

None.

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**COMMISSIONERS' COMMENTS:**

**Commissioner Chandler:**

--Expressed his appreciation for the privilege to serve as Vice-Chairman and to Commissioner Hersey for a job well done while Chairman. He is looking forward to Chairman Lewis' leadership.

**Commissioner Cooper:**

--The Small County Coalition met with new commissioners for the past two days in Tallahassee. The Coalition is working hard for Bradford County. He appreciates the opportunity to represent this Commission in that Coalition and hopes he is allowed to continued to do so.

(11-16-06 Regular Meeting)

--The City of Starke is conducting their first impact fee workshop on Monday, November 20, at City Hall beginning at 5:30 p.m.

**Commissioner Thomas:**

--Congratulated Chairman Lewis and thanked Commissioner Hersey for his leadership.

--Mr. And Mrs. Frank Mitchell, residents of Green Acres, need to be recognized for their efforts in helping keep the city clean. They do the City and County a wonderful service by picking up litter up and down SR 16 every morning.

Sheriff Milner said that since Mrs. Mitchell has fallen ill, Mr. Kenneth Grider has stepped up and started picking up litter as well.

Commissioner Chandler suggested a Citizen Appreciation Award of some type.

Mr. Brown said that Baker County each month recognizes an employee of the month. Perhaps Bradford County would like to do a citizen of the month. In Baker County, Wal-Mart gives the county a \$50.00 gift certificate to be presented to the employee of the month.

Mr. Crawford concurred that this is a great idea. He will work on a recognition program and a design for a certificate of appreciation. Commissioner Thomas said that he will check with Wal-Mart regarding gift certificates.

--Wished everyone a Happy and Safe Thanksgiving.

**Commissioner Hersey:**

--The members may have received a notice regarding the December 7 Administrative Hearing for the Buffkin/Patterson rezoning issue. The Commission is not to attend this hearing.

Mr. Brown said that eventually, something will come before the Board that will require action and it would not be appropriate to attend the hearing.

--Expressed his gratitude for the honor to have served as Chairman for the past year. He appreciates the efforts of the Board looking to the future and moving forward.

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**CHAIRMAN'S COMMENTS – EDDIE LEWIS:**

--Announced the Workshop with the Zoning Board scheduled for December 4, immediately following the regular meeting relating to LDR 06-15.

--Announced the public hearing dates for the proposed Impact Fees as follows: November 27 and December 14, both at 7:00 p.m., at the Governor Charley E. Johns Conference Center.

--Mr. Mark Olin is requesting that the roads in his mobile home park be placed on the paving list.

(11-16-06 Regular Meeting)

Commissioner Chandler explained to Mr. Olin that the Board develops a paving list based upon need. The County is limited in how many roads can be paved due to lack of funds. The list is reviewed every year and prioritized. He checks the mobile home park on a regular basis and is aware of the need.

Mr. Olin said that he would appreciate any consideration.

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**ADJOURN**

There being no further business, the meeting adjourned at 7:27 p.m.

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

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**JOHN WAYNE HERSEY, CHAIRMAN**

**ATTEST:** \_\_\_\_\_  
**RAY NORMAN, CLERK TO THE BOARD**

Minutes prepared by Marlene Stafford, Deputy Clerk