

(04-19-07 Regular Meeting)

**MINUTES OF THE
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING
THURSDAY, APRIL 19, 2007
6:30 P.M.**

The Bradford County Board of County Commissioners convened in regular session on Thursday, April 19, 2007, at 6:30 p.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

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

Also present were: Jim Crawford, County Manager; June Neats, Administrative Assistant; Marlene Stafford, Deputy Clerk; Jim Farrell, Finance Director; Alex Hinley, County Planner; Cheryl Brownlee, Security; Mark Crawford, Press; Terry Brown, County Attorney; Angela Macey, Community Development Director; Brian Johns, Emergency Management Director; and Major Pearson.

(See Supplement File No. 04-19-07 for a copy of documentation presented at this meeting.)

CALL TO ORDER

Chairman Lewis called the meeting to order at 6:34 p.m.

INVOCATION / PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS

(Mr. Hinley presented the zoning items in the absence of Ms. Thompson.)

--RESCISSION OF ORDINANCE NO. 2007-07—NORA THOMPSON:

Mr. Hinley explained that this ordinance was adopted too soon and needs to be rescinded. It is the next item on the agenda for adoption.

On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously rescinded Ordinance No. 2007-07.

ENACTMENT OF ORDINANCES:

--REZONING APPLICATION NO. Z 07-3 (BOCC / CRYSTAL LAKE HOMESITES)—NORA THOMPSON:

Chairman Lewis read a portion of 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 TEN OR MORE CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 07-3, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTUREAL-2 (A-2) TO RESIDENTIAL, SINGLE FAMILY-1 (RSF-1) 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 Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the Ordinance approving Rezoning Application No. Z 07-3. (The [Ordinance was assigned No. 07-08.](#))

--REZONING APPLICATION NO. Z 07-2 (BLAKE & REYNOLDS)—NORA THOMPSON:

Mr. Hinely read a portion of 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 07-2, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURAL-2 (A-2) TO COMMERCIAL INTENSIVE (CI) 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 Hersey, the Board unanimously adopted the Ordinance approving Rezoning Application No. Z 07-2. (The [Ordinance as assigned No. 07-09.](#))

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--LAND USE CLASSIFICATION AMENDMENT APPLICATION NO. R 060630A (BWD LAND TRUST, INC.)—NORA THOMPSON:

Mr. Hinely read a portion of 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 060630A, 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; PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM AGRICULTURE-1 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 15 ACRES) TO AGRICULTURE-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 Lewis opened the public hearing. There being no response, the public hearing was closed.

On Motion of Commissioner Thomas, Seconded by Commissioner Hersey, the Board unanimously adopted the Ordinance approving Land Use Classification Amendment Application No. R060630A. (The [Ordinance was assigned No. 07-10.](#))

--LAND USE CLASSIFICATION AMENDMENT APPLICATION NO. R 060721B (BOCC)—NORA THOMPSON:

Mr. Hinely read a portion of 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 060721B, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; RECOMMENDING TO THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, APPROVAL OF AN APPLICATION TO AMEND THE FUTURE LAND USE PLAN MAP OF THE BRADFORD COUNTY COMPREHENSIVE PLAN TO CHANGE THE LAND USE CLASSIFICATION FROM AGRICULTURE-1 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 15 ACRES) TO AGRICULTURE-2 (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 5 ACRES) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF BRADFORD COUNTY, FLORIDA; 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. R060721B. ([The Ordinance as assigned No. 07-11.](#))

**--LAND DEVELOPMENT REGULATION AMENDMENT APPLICATION NO. LDR 07-1 (BOCC)—
NORA THOMPSON:**

Mr. Hinely 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 07-1, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 4.6.2, ENTITLED PERMITTED PRINCIPAL USES AND STRUCTURES IN A RURAL RESIDENTIAL (RR) ZONING DISTRICT, DELETING CHURCHES AND OTHER HOUSES OF WORSHIP AS A PERMITTED PRINCIPAL USE, BY AMENDING SECTION 4.6.5, ENTITLED SPECIAL EXCEPTIONS IN A RURAL RESIDENTIAL (RR) ZONING DISTRICT, ADDING CHURCHES AND OTHER HOUSES OF WORSHIP, AS A USE PERMITTED BY SPECIAL EXCEPTION, BY AMENDING SECTION 4.13.2, ENTITLED PERMITTED PRINCIPAL USES AND STRUCTURES IN A COMMERCIAL, NEIGHBORHOOD (CN) ZONING DISTRICT, ADDING CHURCHES AND OTHER HOUSES OF WORSHIP, AS A PERMITTED PRINCIPAL USE, BY AMENDING SECTION 4.13.5, ENTITLED SPECIAL EXCEPTIONS IN A COMMERCIAL, NEIGHBORHOOD (CN) ZONING DISTRICT, DELETING CHURCHES AND OTHER HOUSES OR WORSHIP, AS A USE PERMITTED BY SPECIAL EXCEPTION, BY AMENDING SECTION 4.14.2, ENTITLED PERMITTED PRINCIPAL USES AND STRUCTURES IN A COMMERCIAL, GENERAL (CG) ZONING DISTRICT, ADDING CHURCHES AND OTHER HOUSES OF WORSHIP, AS A PERMITTED PRINCIPAL USE, BY AMENDING SECTION 4.14.5, ENTITLED SPECIAL EXCEPTIONS IN A COMMERCIAL, GENERAL (CG) ZONING DISTRICT, DELETING CHURCHES AND OTHER HOUSES OF WORSHIP, AS A USE PERMITTED BY SPECIAL EXCEPTION AND BY AMENDING SECTION 4.15.5, ENTITLED SPECIAL EXCEPTIONS IN A COMMERCIAL, INTENSIVE (CI) ZONING DISTRICT, DELETING CHURCHES AND OTHER HOUSES OF WORSHIP, AS A USE PERMITTED BY SPECIAL EXCEPTION; 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 Thomas, the Board unanimously adopted the Ordinance approving Land Development Regulation Amendment Application No. LDR 07-1. (The [Ordinance was assigned No. 07-12.](#))

AWARD OF S.H.I.P. REHAB BIDS – ANGELA MACEY:

Ms. Macey presented [bid recommendations](#) for SHIP Rehabilitation loans.

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously awarded the bids as recommended.

LOCAL HOUSING ASSISTANCE PLAN – ANGELA MACEY:

Ms. Macey presented the plan for approval. Some changes have been made, which have been reviewed by the Affordable Housing Board and the School Board.

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Ms. Macey reviewed the changes to the plan, which spurred discussion.

On Motion of Commissioner Thomas, Seconded by Commissioner Hersey, the Board unanimously approved the [Local Housing Assistance Plan](#) as presented.

Ms. Macey advised that approval of the Plan requires adoption of a resolution. She read the resolution title into record:

“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.”

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Resolution. (The [Resolution was assigned No. 2007-11.](#))

Ms. Macey said that she was contacted on [Monday regarding a Satisfaction of Mortgage](#) for Cherish Cornwall. Ms. Cornwall will be closing tomorrow on a new loan. The closing agent has requested a letter from her stating that a satisfaction of mortgage will be issued if the loan is paid off.

Ms. Macey asked that the Commission approve to issue a satisfaction of mortgage, contingent upon receipt of the payoff amount of \$1,150.00.

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously agreed to handle this item as an emergency.

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously agreed that the mortgage due is \$1,150.00 and authorized the recording of a satisfaction of mortgage upon its payment.

DISCUSS RENEWAL OF INTERLOCAL AGREEMENT WITH THE CITY OF STARKE – JIM CRAWFORD:

Mr. Crawford said that he has received the City’s concerns regarding the Interlocal Agreement and has provided a copy to the Commissioners. He has discussed a few of the concerns with the City’s Fire Marshall and Operations Manager. He recommended that the Board set a workshop to address the concerns before another meeting is scheduled with the City. He solicited comments from the Commissioners during the time he is working on the responses.

Following discussion, a workshop was scheduled for Monday, May 7, following the regular meeting.

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DISCUSS FIRE TRUCK FOR THE CITY OF BROOKER – JIM CRAWFORD:

Mr. Crawford said that the Brooker Volunteer Fire Department is in dire need of newer fire truck. Columbia County has accepted our bid of \$10,030.00 to purchase a F800 fire truck. He has received a check from the City of Brooker for \$5,000.00. They are asking the County to match the other half. Mr. Sullivan has indicated that the match can be met out of the VFD budget.

On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously approved the request.

APPROVE PAYMENT OF BILLS – COMMISSIONER THOMAS:

Commissioner Thomas said that he reviewed the bills and recommends payment.

On Motion of Commissioner Thomas, Seconded by Commissioner Chandler, the Board unanimously approved payment of the bills as reviewed.

(The list of bills is located in the Finance Department of the Office of the Clerk.)

PUBLIC COMMENTS:

Thomas Williams, 917 S.E. 56th Street, Keystone--Bedford Lake Access:

(Mr. Williams previously addressed the Commission at their 03-15-07 meeting regarding the same issue.)

Mr. Williams said that the Commission has advised that they need to hire an attorney to mitigate Salvation Army's refusal to allow them on the property. He asked the Commission to take measures to assure that this does not happen to others who live on lakes, or to develop some kind of plan to keep the lakes from going down.

Commissioner Lewis said that he and Mr. Crawford discussed this matter with Suwannee River Water Management District (SRWMD) and they too have advised that this would be a civil matter. Mr. Crawford said that SRWMD said that Bedford Lake is not classified as a sovereign submerged property of the state. Meaning, that they never recognized it as a state lake, nor took possession of the property. DEP and Water Management have no authority to make a decision.

Mr. Williams advised that they have also lost their fire protection on their side of the lake. He requested that one of the commissioners make an appointment to speak with the Salvation Army to try to keep this out of court.

Mr. Brown advised that a commissioner is allowed to meet with the Salvation Army to discuss the issue. However, the County cannot use public funds to referee, litigate or try to resolve a legal dispute between private property owners.

Commissioner Hersey said that he would make arrangements to meet with the Salvation Army.

Lee Mayfield, 1007 S.E. 56th Street, Keystone--Bedford Lake Access:

Mr. Mayfield said that their property values have decreased tremendously on Bedford Lake. He asked the Board for help.

Oral Tanner, 24275 North 301, Lawtey—Building Permit:

Mr. Tanner expressed his discontent with attempting to get a building permit. He has done some research and feels that others have not been required to do the things that the Building Department is requiring him to do.

Mr. Crawford addressed Mr. Tanner's concerns.

Commissioner Cooper and Commissioner Chandler said that the rules of the County Code must be followed. The issue of others not being required to follow that code is something that needs to be looked into.

Mr. Brown advised that the County Code must be followed. The fact that someone else got around that Code can be investigated and the Board can take action, if necessary.

This spurred some discussion.

Chairman Lewis and Mr. Crawford advised Mr. Tanner that the matter would be looked into.

COUNTY ATTORNEY REPORTS – TERRY BROWN:

None.

COUNTY MANAGER REPORTS – JIM CRAWFORD:

A. ROAD PAVING AND RESURFACING PLAN

Mr. Crawford referenced a [memo](#) provided to the Commissioners in their packets. The County has been following the Road Paving and Resurfacing Plan. Resolution No. 03-03 prioritizes roads to be paved. Mr. Crawford provided an update on the progress of the roads on the priority list. As funds become available, the next two roads that will be done are N.W. 180th Street in District II, and S.W. 161st Street in District V. After those are complete, which will be a year to a year and a half, based on the availability of funds, the Commission will then need to establish more priorities. The County is receiving a lot of requests from citizens to pave roads. There are just no funds available to pave dirt roads.

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Commissioner Chandler said that at the next meeting the Board can re-affirm the list, make changes and add new roads, if need be.

B. PERMISSION TO ACCEPT BIDS FOR SALE OF PARCEL #03944-0-00101

C. PERMISSION TO ACCEPT BIDS FOR SALE OF PARCEL #03944-0-00102

Mr. Crawford said that the County owns [two lots](#) that have been vacant for numerous years. He recommended that they been deemed excess to the County’s needs and offered for sale. The lots are located between Cypress Street and West Call Street, two blocks west of Orange Street.

On Motion of Commissioner Hersey, Seconded by Commissioner Cooper, the Board unanimously declared the two parcels as excess and granted the County Manager the authority to advertise them for sealed bids.

--Mr. Crawford reported that the County has received the 9-1-1 Grant for \$132,000.00 to assist with purchasing equipment to upgrade 911 and the consolidation of dispatch. The Sheriff will be providing an update at the next meeting regarding the progress of the consolidation project.

--Mr. Crawford said that the Road Department has two Caterpillar 12H motor graders that are on lease from Ringpower, with one more year remaining on the lease. This is the last year the 12H model will be available. The newer models will be computerized and about \$50,000.00 more. Ringpower has agreed to accept the graders back now and will replace them with brand new 12H motor grades through a new lease. The annual payments have not yet been made on the old graders, so you have that money, and it will cost another \$14,000.00 this year and an additional \$14,000.00 annually for the duration of a new lease.

This spurred discussion. (Mike Daughtery with Ringpower participated in the discussion.)

Mr. Brown said that he would like to see this item on an agenda. Normally such equipment is let for bids. There could be an amendment to the existing lease agreement, which would not require the bidding process.

Mr. Daughtery advised that these machines are on Sheriff’s Boy’s Ranch state contract, which does not require the bidding process.

Chairman Lewis asked that this item be placed on the next agenda for consideration.

CLERK REPORTS – RAY NORMAN: None.

COMMISSIONER’S COMMENTS:

Commissioner Thomas commented on the following:

--Announced the Appreciation banquet for the Volunteer Fire Departments on the 28th of this month at the fairgrounds at 6:30 p.m.

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Commissioner Hersey commented on the following:

--He has received notice concerning the deployment of the HC 927th Combat Sustainment Support Battalion. The deployment ceremony will be held on the 27th. He would like the Commission to honor them with a proclamation as has been done for other units.

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously agreed to honor the 927th with a [proclamation](#).

--Received a letter from Jones and Edmonds concerning the termination of their contract with Frank Darabi and Associates.

Chairman Lewis advised that that it is being addressed.

CHAIRMAN COMMENTS – EDDIE J. LEWIS: None.

ADJOURN

There being no further business, the meeting adjourned at 7:53 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