

(07-19-07 Regular Meeting)

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

The Bradford County Board of County Commissioners convened in regular session on Thursday, July 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: June Neats, Administrative Assistant; Alex Hinely, County Planner; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Jim Farrell, Finance Director; Angela Macey, Community Development Director; Winifred Holland, Health Department Director; Nelson Green, Emergency Services Director; Sheriff Milner; Terry Kite, County Auditor.

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

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**CALL TO ORDER**

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

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**INVOCATION / PLEDGE OF ALLEGIANCE**

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

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**PUBLIC HEARINGS**

**ENACTMENT OF ORDINANCES:**

**--REZONING APPLICATION NO. Z 07-8 (SINGLETERARY) – NORA THOMPSON:**

In Ms. Thompson's absence, Mr. Hinely 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 07-8, BY THE PROPERTY OWNERS OF SAID ACREAGE; PROVIDING FOR REZONING FROM RESIDENTIAL SINGLE FAMILY/MOBILE HOME-1 (RSF/MH-1) TO RURAL RESIDENTIAL (RR) 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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Chairman Lewis opened the public hearing.

Mr. William Trout, P.E., of 4237 Salsbury Road, Suite 409, Jacksonville, FL, representing the Applicant said that Planning and Zoning has approved the application. The project consists of a Recreational Vehicle Park, which will require a special exception.

There being no further comment; the public hearing was closed.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Rezoning Application No. Z 07-8. (The [Ordinance was assigned No. 07-30.](#))*

**--REZONING APPLICATION NO. Z 07-9 (MORGAN) – NORA THOMPSON:**

Mr. Hinely 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 07-9, BY THE PROPERTY OWNERS; 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.

The Applicant, Mr. Roy Morgan, P.O. Box 761, Lawtey, said that the Planning and Zoning Board has approved their application.

There being no further comment; the public hearing was closed.

Commissioner Chandler expressed concern regarding the fact that the Regional Planning Council did not approve the application. He appreciates the importance of the work performed by the County Zoning Board. However, the Zoning Board must have full understanding of the criteria by which they approve and/or disapprove applications.

This spurred discussion concerning the traffic volume study; which is the criteria by which the Planning Council recommended denial of the application.

Commissioner Cooper asked Mr. Hinely to review the data in the traffic study to confirm its accuracy.

Mr. Hinely said that Ms. Thompson has ideas to amend the text of the LDR to change how the usages are computed to result in more realistic data for Bradford County.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the Ordinance approving Rezoning Application No. Z 07-9. (The [Ordinance was assigned No. 07-31.](#))*

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**SITE PLAN APPROVAL FOR DAVIS EXPRESS – NORA THOMPSON:**

Mr. Hinely presented the site plan for review and approval.

The Commission reviewed the site plan map. Mr. Josh Davis of Davis Trucking was asked to approach the Commission to assist in explaining the site plan.

Mr. Hinely reported that the site plan meets all requirements.

*On Motion of Commissioner Chandler, Seconded by Commissioner Hersey, the Board unanimously approved the site plan as presented.*

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**PRESENTATION OF 2005-2006 AUDIT—TERRY KITE—PURVIS GRAY & CO.:**

Chairman Lewis requested a motion to declare the Presentation of the 2005-2006 Audit as an emergency item for Board consideration.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously declared Presentation of the 2005-2006 Audit by Terry Kite as an emergency item*

Mr. Kite gave a general review of the contents of the audit report.

*On Motion of Commissioner Chandler, Seconded by Commissioner Hersey, the Board unanimously accepted the 2005-2006 Audit as presented.*

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**CONSENT AGENDA**

- A. MINUTES FROM REGULAR MEETING OF MAY 17, 2007**
- B. SATISFACTION OF MORTGAGE – RODOLFO & MARY MATA**
- C. SATISFACTION OF MORTGAGE – ANNIE BELL MOSLEY**

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

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**REQUEST FORGIVENESS OF \$5,000.00 SHIP LOAN – (CHANDLER) – ANGELA MACEY:**

Ms. Macey explained the circumstances behind the request for forgiveness of a \$5,000.00 SHIP loan. (Refer to [letters attached](#).)

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Commissioner Cooper stated that he has been retained to represent the Chandlers. He has no financial interest in the case, but there is certainly an ethical conflict. He will abstain from discussion and vote. ( [Form 8B](#)—Voting Conflict, executed by Commissioner Cooper.)

Commissioner Chandler stated that he is related to the Chandlers and therefore, he must abstain. ( [Form 8B](#)-Voting Conflict, executed by Commissioner Chandler.)

*On Motion of Commissioner Hersey, Seconded by Commissioner Thomas, the Board voted 3-0 to forgive the Chandler SHIP loan in the amount of \$5,000.00, as requested.*

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Chairman Lewis declared a conflict for the next agenda item and turned the gavel over to Vice-Chairman Chandler. ( [Form 8B](#)-Voting Conflict, executed by Commissioner Lewis.)

## **RESOLUTIONS:**

### **--CLOSING AND ABANDONING A PORTION OF UNOPENED, UNUSED PLATTED STREETS – DUDLEY HARDY:**

Mr. Hardy said that a petition to close and abandon a portion of unopened, unused streets was filed on behalf of Eddie J. Lewis and D.W. and Barbara Oden. This public hearing was properly advertised and proof of publication has been filed with the Clerk. Gerald Ray Daugherty, Surveyor, has executed an [affidavit](#) demonstrating that he has inspected the property and finds that none of the streets have ever been opened or used by the public. No one will be affected by closing of the streets. If the Resolution is adopted, a Notice of Adoption will be advertised in the Telegraph. The Resolution and the Proof of Publications will be recorded in the public records, which transfers the ownership of the streets to the adjoining/adjacent property owners and placing the property back on the tax roll.

Vice-Chairman Chandler opened the public hearing. There being no response, the public hearing was closed.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board voted 4-0 to adopt the Resolution closing and abandoning unopened and unused platted streets. (The [Resolution was assigned No. 07-19.](#)) (The Proof of Publication for the Public Hearing, the Resolution and the Proof of Publication for the Notice of Adoption of Resolution are recorded in the Official Records at OR Book 1230, Pages 290 through 294.*

Vice-Chairman Chandler turned the meeting back to Chairman Lewis.

### **--ESTABLISHING FEES TO BE CHARGED BY THE BRADFORD COUNTY HEALTH DEPARTMENT – WINIFRED HOLLAND:**

Ms. Holland presented the resolution for consideration. Ms. Holland briefly reviewed the fee increases.

*On Motion of Commissioner Hersey, Seconded by Commissioner Chandler, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 07-20.](#))*

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**REQUEST TO PURCHASE NEW AMBULANCE WITH MATCHING COUNTY FUNDS -- \$45,108.00 – NELSON GREEN:**

Mr. Green requested permission to [purchase a new ALS Transport Unit](#). A \$123,500.00 grant was received to assist with the purchase. The unit cost came in at \$168,858.00 through the Florida Sheriff's Association/Florida Association of Counties bid program. There is a 180-day turn around for delivery. The balance will be paid out of the 2007-2008 budget.

This spurred discussion regarding the EMS fleet.

Commissioner Cooper advised Mr. Green to be cautious. The 2007-2008 budget process is just beginning and there may be a need for budget cuts.

*On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously approved the purchase of the new ALS unit as requested.*

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**REVIEW OF PRELIMINARY CAPITAL IMPROVEMENT PLAN – ALEX HINELY:**

Mr. Hinely said that this is just a review; there is no action required at this meeting. Mr. Hinely briefly reviewed the intent and purpose of the Capital Improvement Plan (CIP) and the Capital Improvement Element (CIE). HB 7203 signed last month extended the deadline for County's to adopt a financially feasible CIE to December 1, 2008. The County should make an effort to adopt a CIP by September 2007.

He asked the Commission to review it over the next month and bring it back for comment and discussion.

There was brief discussion.

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**APPOINT THREE MEMBERS AND ONE ALTERNATE TO SERVE ON THE 2007 VALUE ADJUSTMENT BOARD – CHAIRMAN LEWIS:**

Chairman Lewis appointed himself, Commissioner Cooper and Commissioner Thomas to serve on the 2007 VAB and Commissioner Chandler as an alternate.

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**SET PROPOSED MILLAGE RATE FOR FISCAL YEAR 2007–2008 – RAY NORMAN:**

Clerk Norman explained that due to legislative changes, the millage rate can not be set any higher than the current year rate, which is 9.3756.

Chairman Lewis recommended setting the rate at 9.3756. The Board may reduce the rate later on in the process.

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Commissioner Cooper said that he hopes the Board will be able to reduce the millage during the budget process.

*On the Motion of Commissioner Cooper, Seconded by Commissioner Hersey, the Board unanimously set the proposed millage rate at 9.3756, with understanding that it can be reduced during the budget process.*

Clerk Norman announced that the first public hearing date is set for September 5.

Following recommendation by Chairman Lewis, the first budget workshop was scheduled for immediately following the August 6 regular meeting.

Ms. Stafford advised the Commissioners who were appointed to serve on the 2007 VAB that the Organizational Meeting is scheduled for August 23 at 9:30 a.m.; the hearings are scheduled for October 16, with the alternate day being October 17, at 9:30 a.m.

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**APPROVE AGREEMENT FOR PLEASANT GROVE RECREATION PARK – CHAIRMAN LEWIS:**

Chairman Lewis commended Commissioner Thomas for his work in procuring the grant for the Pleasant Grove Recreational Park. Chairman Lewis presented Commissioner Thomas with a check for \$199,760.00.

Commissioner Thomas said that he would like to have the citizens of the Pleasant Grove Community in attendance to be included in any presentations.

*On Motion of Commissioner Chandler, Seconded by Commissioner Hersey, the Board unanimously authorized Chairman Lewis to execute the [grant agreement](#).*

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**PAYMENT OF BILLS – CHAIRMAN LEWIS:**

Chairman Lewis advised that he reviewed the bills and recommends them for 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 on file in the Finance Department of the Office of the Clerk.)

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**PUBLIC COMMENTS**

**Mr. Raymond Leopold – 8167 SE SR100 – Salvage Yard Fence Requirement:**

--He received a letter concerning new fencing requirements for his salvage yard. He is not sure whether he is being required to replace the fence or repair the fence. The letter says that he will be fined if he does not comply within 30 days.

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Mr. Neats advised that this is a Code Enforcement case. Mr. Hinely explained that the salvage yard is not in conformance with current regulations regarding fences. He will provide Mr. Leopold with a detailed description of the violation and specifications to correct it. The 30-day requirement will not begin until he is able to provide that information to Mr. Leopold, which could take as much as two weeks.

This spurred extensive discussion.

Chairman Lewis asked Mr. Hinely, Mr. Crawford and Mr. Broling to work with Mr. Leopold.

**Mr. Sam Loiacano of 2033 SE 144<sup>th</sup> Street – Dangerous Intersection at SE 17<sup>th</sup> Ave. and SE 150<sup>th</sup> St.:**

--The property owner at this intersection needs to clean up the property. The weeds are about 10-feet tall, which makes it hard to safely pull out into the intersection. There are also four mobile homes within twenty feet of each other on the property.

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**COUNTY ATTORNEY REPORTS – TERRY BROWN:** None.

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**COUNTY MANAGER REPORTS – JIM CRAWFORD:**

**A. ACCEPTANCE OF LANDFILL CLOSURE MONITORING CONTRACT WITH JONES EDMONDS & ASSOCIATES:**

Mr. Hinely gave historical costs related to the current agreement. An agreement with Jones Edmonds & Associates will result in an annual savings of approximately \$40,000.00.

Chairman Lewis said that Mr. Wise and Mr. Crawford recommend approval of an agreement with Jones Edmonds.

*On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously accepted the bid of and [agreement with Jones Edmunds and Associates](#).*

**B. ACCEPTANCE OF BID FOR EXPANSION OF STARKE SOLID WASTE SITE ON MARKET ROAD:**

Mr. Hinely said that [three bids were received](#) for the expansion of the Starke Solid Waste Site. Ellington Construction submitted the lowest bid at \$344,000.00. The current year budget includes \$150,000.00, and the 07-08 fiscal year budget will include the remaining \$194,000.00. All permits have been acquired.

*On Motion of Commissioner Chandler, Seconded by Commissioner Cooper, the Board unanimously approved the bid submitted by Ellington Construction and authorized the Chairman to execute the contract.*

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**CLERK REPORTS – RAY NORMAN:**

None.

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**COMMISSIONER'S COMMENTS:**

**Commissioner Chandler commented on the following:**

--Work has begun on Luke and Marklee Starling roads. Again, he would like to see how much more of Marklee Starling Road could be paved. There is prime development property on the end of the road and the majority of the residents reside on the end of road. It has been almost 11 years since a road has been paved in District I.

Chairman Lewis asked Mr. Hinely and Ms. Neats to relay this request to Mr. Crawford.

**Commissioner Cooper commented on the following:**

--The 2007-2008 proposed budget provided to the Commission is about 500 to \$600,000.00 out of balance. It does not include any one-cent sales tax monies to pave roads. Traditionally, the Board has budgeted about \$500,000.00 a year into road projects. Not all departments have, but most departments complied with the Board's request to submit budgets with a 6% reduction. With the legislative restrictions and the proposed constitutional amendments, there may come a time when the Board will have to chose between paving roads and gas taxes.

**Commissioner Chandler commented on the following:**

--Acorn Clinic has requested an increase in their 07-08 budget request. He would like to advise the Clinic, before they come to a budget workshop, that there would be no increases granted this year.

--He has informed the Transportation Disadvantaged Board that they can expect a cut in funding. It is his understanding that \$100,000.00 was granted to Bradford County through DOT. They will be asking the Commission to allow them to put those funds in a central pot with counties within the Suwannee River Water Management District. The local vendors do not want these funds to be placed in a pot; they want the monies to be spent in Bradford County. Commissioner Chandler asked for the Board's support, when and if that request comes before the Commission. Those funds will be needed in Bradford County to support the current level of service.

**Commissioner Thomas commented on the following:**

--He has received calls from the public and volunteer fire personnel who were disturbed by a recent article in the Telegraph concerning consolidation of the fire departments. He assured both the callers and the volunteers that this Board has not had a meeting concerning such a consolidation. If services can be consolidated without costing the taxpayers another nickel, he would support it.

Commissioner Cooper said that Mark Crawford interviewed him for the article and he stated what he believes. The County will come to the point where a broader fire service will need to be considered and the Commission has an obligation to begin looking towards that end. The volunteer fire personnel that he has spoken to agree with that statement. Although the subject of consolidation has been discussed by county staff, fire chiefs, rescue chiefs and public safety personnel, there is no reason to discuss it unless the City of Starke initiates the discussion.

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**Commissioner Hersey commented on the following:**

--Asked the Board to consider *amending* the County's resolution concerning per diem rates and reimbursement for travel to *include parking fees and other miscellaneous expenses*.

This spurred some discussion.

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**CHAIRMAN COMMENTS – EDDIE J. LEWIS:**

--At his request, Mr. Crawford has sent an invoice to the City of Starke for their share of the cost for the Impact Fee Study.

A member of the public asked the Commission when the 4/10 of a mile of his road would be repaired from the damage caused during the fires. He believes forestry is finished cutting the trees.

Chairman Lewis said that Mr. Crawford and Mr. Johns would have to address that.

Ms. Neats advised that she would call Mr. Funderburk in the morning to verify if it has been scheduled.

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**ADJOURN**

There being no further business, the meeting adjourned at 8:05 p.m.

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

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**EDDIE J. LEWIS, CHAIRMAN**

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

Minutes prepared by Marlene K. Stafford, Deputy Clerk