

(12-20-07 Workshop and Regular Meeting)

**MINUTES OF THE
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
THURSDAY, DECEMBER 20, 2007
WORKSHOP 5:00 P.M.
REGULAR MEETING 6:30 P.M.**

**WORKSHOP
5:00 P.M.**

The Bradford County Board of County Commissioners convened in a workshop session on Thursday, December 20, 2007, at 5:00 p.m. in the County Commission Meeting Room, 945 North Temple Avenue, Starke, Florida.

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

Also present were: Brad Carter, County Manager; Sandra Harrell, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Jim Crawford, County Planner; Paul Funderburk, Road Superintendent; Jim Farrell, Finance Director; Donny Wise, Solid Waste Director; Nora Thompson, Zoning Director; Percy Sullivan, Fire Chief; Mark Crawford, Press; Nelson Green, Emergency Services Director; Sheriff Milner; and Brian Johns, Emergency Management Director.

(See Supplement File No. 12-20-07 for a copy of documentation presented at this workshop.)

CALL TO ORDER

Chairman Chandler called the workshop to order at 5:02 p.m.

DISCUSSION

PROPOSED LAND DEVELOPMENT REGULATION AMENDMENT FOR MINOR SUBDIVISIONS:

Mr. Carter said that Ms. Thompson would be presenting some illustrations of the impact of the proposed land development amendment to ensure it reflects the Board's intent. Should it not, any desired changes will be made.

Commissioner Cooper said that what is before the Board is the proposed ordinance as drafted and advertised, and tabled at the last meeting.

With the assistance of a [Power Point presentation](#), Ms. Thompson explained the impact of the proposed land development amendment. The proposed amendment only requires the paving of interior roads within a minor subdivision; not the paving of a county maintained dirt road leading to the subdivision as long as not all the lots access on the dirt road. (Slide #4 and #5)

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Discussion ensued which was not limited to but included, limiting the number of minor subdivisions on one county maintained dirt road, the differences between a minor and a major subdivision, limiting the number of lots allowed on a county dirt road, doing away with minor subdivisions altogether, redefining a minor subdivision, requiring a developer to create an MTSU as a condition of a subdivision, and lot size requirements for a minor subdivision in Ag2 and Ag1 land classifications.

Commissioner Thomas suggested giving Ms. Thompson more time to research what other counties are doing and get the Planning Council's recommendations.

There was Board consensus to readdress the issue following additional research.

SOLID WASTE COLLECTION SITES:

Mr. Carter said that as the Board is aware, the Starke City Commission discontinued their contribution to operational costs of the County's solid waste collection sites. Therefore, in order to determine eligibility for use of the collection sites, it is their proposal to inspect the I.D. of persons accessing the sites to verify their physical address. If approved, this process could begin at all sites after the projected 45-day renovation closure of the Starke site, which is projected to be around the beginning of March. This would provide ample time to advertise and post signs.

Discussion ensued.

Commissioner Cooper said that the City has the right to make this decision. However, if it turns out to be the wrong decision and they want to come back and use the collection sites, they need to pay the \$75.00 assessment just like every other resident in the County.

There was discussion regarding the possibility of a "sticker" identification, and enforcement of and punishment for illegal dumping at the sites.

Commissioner Thomas asked Mr. Carter if the City Commission would be willing to meet again to try to reason another avenue or reach a compromise.

Mr. Carter said that he would contact the City to see if they are receptive to a meeting.

COUNTY ROAD PAVING PRIORITIES:

Mr. Carter referred to a [packet](#) provided to the Commission, which reflects a chronological record of priorities and expenditures relating to roads, dating back several years. There is roughly \$151,000.00 left this budget year to spend on roads. The recommendation would be to utilize the \$151,000.00 to engineer the remaining roads on the paving plan, which are NW 180th St. (Rising Road) and SW 161st St. (Wiley Kelley Road).

Discussion ensued which was not limited to but included, funding sources for road paving projects, the \$800,000.00 projected loss in ad valorem revenues with passage of the proposed constitutional amendment, and borrowing funds for road paving.

Commissioner Thomas said that there is no justification in spending \$151,000.00 to engineer these two roads when there is no way in the near future to pave them. When funds do become available to pave the roads, the engineering and surveying may have to be done again. He would rather take the \$151,000.00 to improve the two roads as much as possible.

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Mr. Crawford said that they could determine how much it would cost for 4" of limerock for the two roads to see how far the \$151,000.00 would go.

There was some discussion about paving portions of the roads.

Chairman Chandler said that Rising Road and Wiley Kelley Road are the next two on the priority list. Therefore, this Board needs to make it a priority to work toward getting them paved.

Mr. Crawford said that with the \$151,000.00 and the Road Department doing the work, you could possibly pave three-fourths of a mile.

Commissioner Cooper inquired as to the status of the gas tax ordinance.

Mr. Carter said that the attorney has indicated that it would be ready for presentation at a January meeting.

There was brief discussion regarding the increase in gas tax.

ADJOURN

There being no further business, the workshop adjourned at 6:17 p.m.

REGULAR SCHEDULED MEETING 6:30 P.M.

The Bradford County Board of County Commissioners convened in regular session on Thursday, December 20, 2007, at 6:30 p.m. in the County Commission Meeting Room, 945 North Temple Avenue, Starke, Florida.

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

Also present were: Brad Carter, County Manager; Sandra Harrell, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Jim Crawford, County Planner; Nora Thompson, Zoning Director; Sheriff Milner; Brian Johns, Emergency Management Director; Nelson Green, Emergency Services Director; Percy Sullivan, Fire Chief; Terry Brown, County Attorney; and Winifred Holland, Health Department Director.

(See Supplement File No. 12-20-07 for a copy of documentation presented at this meeting.)

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INVOCATION / PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Chandler called the meeting to order at 6:32 p.m.

PUBLIC HEARING

ENACTMENT OF ORDINANCE

--LAND USE PLAN AMENDMENT APPLICATION NO. S 070912A (RICHARDSON) – 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 070912A, 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 LOW DENSITY, RESIDENTIAL (LESS THAN OR EQUAL TO 2 DWELLING UNITS PER ACRE) 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 Chandler opened the public hearing. There being no response, the public hearing was closed.

Ms. Thompson advised that the Zoning Board’s recommendation was 5-0, to approve.

On Motion of Commissioner Hersey, Seconded by Commissioner Cooper, the Board unanimously adopted the ordinance approving Land Use Amendment Application No. S070912A. (The [Ordinance was assigned No. 07-49.](#))

CONSENT AGENDA

- A. MINUTES OF WORKSHOP AND REGULAR MEETING OF OCTOBER 18, 2007**
- B. APPROVE QUOTE FOR DANCE FLOOR AT CHARLEY E. JOHNS CONFERENCE CENTER FOR \$3,177.50**
- C. APPROVE CHANGES FOR MEMBER OVERSIGHT COMMITTEES**
- D. APPROVE SERVICE AGREEMENT WITH LIGHTHOUSE-EMSAR FOR QUARTERLY STRETCHER REPAIR/MAINTENANCE**

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

CAREER SERVICE BILL – SHERIFF MILNER

Sheriff Milner explained that the Bill has been advertised in the Telegraph for the last two consecutive weeks as required by statute. He presented the Bill last month to the Legislative Delegation and Representative Bean and Senator Oelrich have agreed to sponsor it. No action is required.

Sheriff Milner highlighted some aspects of the Bill of which the title appears as follows:

“A BILL TO BE ENTITLED AN ACT RELATING TO BRADFORD COUNTY; PROVIDING CAREER SERVICE STATUS FOR CERTAIN EMPLOYEES OF THE BRADFORD COUNTY SHERIFF’S OFFICE; PROVIDING DEFINITIONS; PROVIDING FOR TRANSITION BETWEEN ADMINISTRATIONS; PROVIDING FOR APPEALS PROCEDURES; PROVIDING FOR CAREER SERVICE APPEALS BOARDS; PROVIDING PROCEEDINGS AND PROVISIONS WITH RESPECT TO DISCIPLINARY SUSPENSION AND DISMISSAL; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.”

Sheriff Milner pointed out that nothing in the Bill shall in any way require the County Commission to spend additional monies or does it contain any negative ramifications to this Board or its successors, nor his successor as Sheriff.

There was brief discussion.

Chairman Chandler called for public comment. There was no response.

CONTRACT CHANGE ORDER NO. 4 – HIPP CONSTRUCTION – FOR PAVING PERSONNEL PARKING LOT AT SHANDS AT STARKE -- \$17,590.00 – JIM CRAWFORD:

Mr. Crawford explained that Shands Hospital would pay for the project. They are simply piggybacking on a current contract the County has with Hipp Construction.

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

CONTRACT CHANGE ORDER NO. 5 – HIPP CONSTRUCTION – FOR PAVING SE 25TH AVENUE -- \$8,877.20 – JIM CRAWFORD:

Mr. Crawford said that this Change Order is a piggyback on the NE 17th Ave. and NW 173rd St. contract, by adding SE 25th Avenue. This road has been on the priority list since 2003. By piggybacking on the current contract, the County is getting it done for about 1/3 of the cost.

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

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ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN BRADFORD COUNTY AND THE SHERIFF RELATING TO THE MANAGEMENT AND FUNDING OF THE BRADFORD COUNTY DETENTION FACILITY –

Mr. Crawford advised that the addendum amends Section 6(a) of the Interlocal Agreement wherein the Sheriff, when he does get more inmates, shall receive a 50% reimbursement from the County of revenues received from housing of inmates instead of 100% reimbursement. The Sheriff has agreed to the addendum.

Inced by a question posed by Commissioner Lewis, Mr. Crawford said that the 50% retained by the County would be the Board’s money.

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

BUILDING AND ZONING INTERLOCAL AGREEMENT WITH THE CITY OF STARKE –

Mr. Crawford presented the agreement. The main issue of contention concerning the agreement related to zoning. In past years, the City paid their advertising costs and paid an administrative fee to the County. Since the County is collecting the fees for building and zoning, the County can absorb these costs. If the City as a government applies for a zoning change, they should pay the advertisement since the County would receive no fees to offset the cost. After some time negotiating the terms, the City Commission approves the agreement.

Commissioner Cooper asked if the City Commission has actually approved the agreement. Mr. Crawford indicated in the positive and advised that they have executed the agreement.

On Motion of Commissioner Hersey, Seconded by Commissioner Lewis, the Board unanimously approved the agreement as presented.

PAYMENT OF BILLS – COMMISSIONER LEWIS:

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

(A list of the bills is on file in the Finance Office of the Office of the Clerk of Courts.)

PUBLIC COMMENTS: None.

COUNTY ATTORNEY REPORTS – TERRY BROWN: None.

COUNTY MANAGER REPORTS – BRAD CARTER:

A. EXTEND CONTRACT WITH GULF ATLANTIC CULVERT COMPANY FOR 2ND YEAR:

Mr. Carter requesting a one-year extension of the current contract with Gulf Atlantic Culvert Company at the current prices.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the extension as requested.

--Mr. Carter reported that a 4-H Instructor, Ms. Debbie Nistler, was interviewed and is being recommended for hire. Ms. Nistler is a very experienced 4-H Instructor currently employed in the Jacksonville area and has outstanding credentials.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously approved the hire of Debbie Nistler.

Mr. Carter advised that just today he learned that the volunteer fire department is in dire need of breathing apparatuses. Mr. Carter asked Mr. Sullivan to address the Commission.

Mr. Sullivan said that Brooker and Hampton still have the old type breathing apparatuses; some 30-years old. Due to the unavailability of parts, they are not repairable and it is very doubtful that they will pass the flow test this year. The City of Jacksonville is getting rid of all of their apparatuses, which are identical to the ones purchased with FEMA grants for the other stations. They would like to purchase 20 @ \$2,000.00, for a total cost of \$40,000.00, which will equip both stations with four spares. The cost of these apparatuses new is about \$7,600.00 a piece. The apparatuses themselves are approximately three years old. They will be getting new tanks and new masks to go with them.

Funds to purchase the equipment were in their budget request and subsequently cut during the budget process. They are expecting somewhere between 80 and \$100,000.00 reimbursement from FEMA for the use of the trucks. Those funds could be earmarked to pay back the County for purchasing the apparatuses, or it could come out of the VFD budget, but would have to be replaced by May or June.

In addition, there is a need for a building at Sampson City. Equipment has been stolen out of the trucks because they are not housed. The building is an estimated 60 to \$70,000.00.

Commissioner Cooper asked if the monies can be advanced out of the Board's revenue, fiscally constrained, or one of the other budgets.

Clerk Norman indicated in the positive. The FEMA funds should arrive around the first part of March.

Mr. Johns said that there is still uncertainty about the percentage the County will receive. It may not be 100%; it may be 75%, since the fire started in our County.

Mr. Sullivan said that the total amount applied for from the Road Department was \$167,000.00. The total expense of the fire was \$55,000.00, which leaves \$112,000.00.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously declared this item an emergency.

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On Motion of Commissioner Cooper, Seconded by Commissioner Lewis, the Board unanimously authorized the expenditure to purchase the breathing apparatuses, and directed the Clerk to advance those funds from Board's monies, to be reimbursed upon receipt of FEMA monies.

Mr. Sullivan asked the Board to give consideration for the rest of the money for the building and other expenses.

Commissioner Thomas reported that Heilbronn Springs has located a certified brush truck in Tampa that can be purchased for \$26,500.00. Heilbronn has raised \$8,000.00 they can put towards the purchase and would ask the Commission to consider matching the remaining \$18,500.00. The County would own the vehicle.

Mr. Sullivan referred to an [information packet](#), prepared by Chief McCarthy. He advised that Heilbronn would spend an additional \$7,900.00 on the truck, outlined on the cover sheet.

Commissioner Cooper asked if the Fire Counsel has addressed the purchase of the truck.

Mr. Sullivan said that he was able to get in touch with everyone except the Brooker chief. The consensus was that they have no problem with it, other than they would like to see the stations built first and other needs met before action is taken on this truck.

As a point of information, Mr. Sullivan reported that it looks very favorable that they will receive a \$58,973.00 grant from FEMA to equip Station #2 to be compatible with Keystone Fire Department. This is a result of the Tanker/Shuttle Study to get the ISO rating down.

There was some discussion concerning the truck itself.

Commissioner Hersey said that he would rather spend money on a building for Sampson, rather than a vehicle.

Commissioner Lewis said that he wants to help any way possible but does not see the need for a truck right now. He feels like money would be more wisely spent on a building.

Commissioner Cooper said that he does not want to buy a truck until the Fire Counsel has discussed it. The Commission depends on the Counsel to advise of their needs and to set priorities. He is not hearing that the Fire Counsel is recommending the purchase of the truck at this time.

There was brief discussion regarding the VFD budget.

Chairman Chandler asked Mr. Sullivan to meet with the Fire Counsel and bring a recommendation to the Board at the January 7 meeting.

Commissioner Thomas asked if the Fire Counsel approved the purchase of the breathing apparatuses. Mr. Sullivan said that it was discussed but not voted on. However, the breathing apparatuses are a safety issue. Commissioner Thomas said that he feels the truck is a safety issue also.

CLERK REPORTS – RAY NORMAN:

Clerk Norman requested approval to submit a \$100,000.00 [Community Budget Issue Request](#) (CBIRS) for the following projects: Upgrade security equipment, fencing around the generator, ADA

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improvements to the courthouse and the parking lot. Since the deadline date was changed and we had to wait on estimates, there was not enough time to get this item on the agenda.

On Motion of Commissioner Lewis, Seconded by Commissioner Hersey, the Board unanimously declared this item an emergency.

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously authorized the CBIRS request as presented.

COMMISSIONER'S COMMENTS:

Commissioner Lewis commented on the following:

--Requested that the public not be allowed to display signs at the public hearing scheduled for January 3, 2007 at 6:30 p.m.

Mr. Brown said that it is his belief that the signs can be disallowed in the same manner as the Commission can impose time limits to each speaker.

There was consensus to disallow the display of signs during the hearing.

CHAIRMAN COMMENTS – ROSS CHANDLER: None.

Chairman Chandler recognized the American Government students attending the meeting.

ADJOURN

There being no further business, the meeting adjourned at 7:14 p.m.

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

ROSS CHANDLER, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK OF COURTS