

**MINUTES OF THE
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING
MONDAY, FEBRUARY 4, 2008
9:30 A.M.**

The Bradford County Board of County Commissioners convened in regular session on Monday, February 4, 2008, at 9:30 a.m. in the County Commissioners' 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; Terry Brown, County Attorney; Donny Wise, Solid Waste Director; Nora Thompson, Zoning Director; Nelson Green, Emergency Services Director; Brian Johns, Emergency Management Director; Winifred Holland, Health Department Director; Jim Farrell, Finance Director; Mark Crawford, Press; Paul Funderburk, Road Department Superintendent; and Sheriff Milner.

(See Supplemental File No. 02-04-08 for a copy of documentation presented at this meeting.)

INVOCATION / PLEDGE OF ALLEGIANCE

Nelson Green offered the Invocation and led the Pledge of Allegiance.

CALL TO ORDER

Chairman Chandler called the meeting to order at 9:30 a.m.

RESOLUTIONS

--STRATEGIC NATIONAL STOCKPILE POINT OF DISTRIBUTION PLAN--BRIAN JOHNS:

Mr. Johns presented the resolution. The title reads as follows:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ADOPTING THE BRADFORD COUNTY STRATEGIC NATIONAL STOCKPILE POINT OF DISTRIBUTION PLAN.”

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-01.](#))

(02-04-08 Regular Meeting)

--POINT OF DISTRIBUTION PLAN—BRIAN JOHNS:

Mr. Johns presented the resolution. The title reads as follows:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ADOPTING THE BRADFORD COUNTY POINT OF DISTRIBUTION PLAN.”

On Motion of Commissioner Thomas, Seconded by Commissioner Hersey, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-02.](#))

--DISASTER HOUSING PLAN—BRIAN JOHNS:

Mr. Johns requested that this resolution be passed to next month’s day Commission meeting.

On Motion of Commissioner Hersey, Seconded by Commissioner Cooper, the Board unanimously tabled the item as requested.

--ESTABLISHING FEES TO BE CHARGED BY THE HEALTH DEPARTMENT—WINIFRED HOLLAND:

Ms. Holland presented the resolution and reviewed some minor changes. The title of the resolution reads as follows:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, ESTABLISHING FEES TO BE CHARGED BY THE BRADFORD COUNTY HEALTH DEPARTMENT.”

On Motion of Commissioner Thomas, Seconded by Commissioner Cooper, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-03.](#))

PUBLIC HEARINGS

ENACTMENT OF ORDINANCE

--IMPOSING ADDITIONAL COURT COST OF \$65.00 ON CRIMINAL OFFENSES—TERRY BROWN:

Mr. Brown read the title into the record:

“AN ORDINANCE IMPOSING AN ADDITIONAL COURT COST OF \$65.00 ON CRIMINAL OFFENSES; ESTABLISHING TRUST FUNDS; ACCOUNTING FOR AND ALLOCATING REVENUES; PROVIDING FOR REPORTS; PROVIDING FOR SEVERANCE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

There was brief discussion regarding the boundaries placed on the expenditure of the revenues, the programs that will benefit from the revenues and how the revenues will help alleviate the General Fund within the County budget.

On Motion of Commissioner Cooper, Seconded by Commissioner Hersey, the Board unanimously adopted the ordinance as presented. (The [Ordinance was assigned No. 2008-03.](#))

--CONSENT AGENDA

- A. MINUTES OF REGULAR SCHEDULED MEETING OF DECEMBER 20, 2007**
- B. MINUTES OF SPECIAL MEETING FOR APPEAL OF DENIAL OF SPECIAL EXCEPTION OF JANUARY 3, 2008**
- C. MINUTES OF REGULAR SCHEDULED MEETING OF JANUARY 7, 2008**
- D. WRITE-OFF EMS ACCOUNTS**
- E. INVENTORY SURPLUS LIST**
- F. EMS GRANT APPLICATIONS***
- G. BRADFORD COUNTY CENTRAL LANDFILL MAINTENANCE SERVICES AGREEMENT****
- H. BRADFORD COUNTY CENTRAL LANDFILL MOWING SERVICES AGREEMENT****
- I. APPOINTMENT OF CHARLES NABYWANIEC TO THE CODE ENFORCEMENT BOARD**
- J. PROCLAMATION – WOMEN’S HISTORY MONTH**
- K. PROCLAMATION – STEP UP FLORIDA**

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

*"F" on the Consent Agenda: The grant applications are on file in the Emergency Medical Services Department.

**"G" and "H" on the Consent Agenda were "draft" agreements only for approval as to form. Both services will be let for proposal and the agreements executed by the successful contractors.

--UPDATE ON STATUS OF SUPPORT TO COUNTY DURING FIRST 6 MONTHS OF CONTRACT – JONES EDMUNDS:

Ms. Terri Lowery with Jones Edmunds distributed and reviewed a Solid Waste and Environmental Engineering and Consulting Status Update report on the first six months of services provided to Bradford County by Jones Edmunds.

Incited by inquiry of Commissioner Thomas, there was discussion regarding the maintenance and mowing services not included within the contract with Jones Edmunds as was in the previous engineering firm’s contract.

--APPROVE PAYMENT OF BILLS – COMMISSIONER THOMAS:

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

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

(02-04-08 Regular Meeting)

--PUBLIC COMMENTS:

Mr. Bill Oliver – Noise Ordinance:

--After listening to a neighbor run a commercial wood chipper last week, he called the Sheriff's Office to complain. He was told that the County did not have a noise ordinance and did not have a noise decibel meter to measure noise. He now has a copy of the County's noise ordinance and the Sheriff's Office does in fact have a decibel meter. His problem can be resolved if an agency will respond to his complaint.

Sheriff Milner advised that he would get with his staff to clear up the confusion. The ordinance requires discretion. If this is not a commercial operation and as long as the chipper is not being run at night and it does not exceed the decibel limitations, there is no ordinance violation.

Mr. Malcolm Hill – SRWMD General Permit on Private Property and Code Enforcement Board Members Requirement to Attend Classes.

--Questioned why the County is paying for work being performed on private property under a general permit from the Suwannee River Water Management District and furnishing materials to fill in ditches.

Commissioner Cooper said that the County owns the ditch, and the Jennings family has spent nearly \$30,000.00 out of their pockets on engineering costs, not the County.

--Disputed what is in the minutes of the September 20, 2007 Commission meeting concerning a 3/2 vote requiring Code Enforcement Board members to attend classes. The Board took no action on this item; it was tabled and was to be amended to make the classes optional.

Ms. Stafford said that what is reflected in the minutes is what took place. She asked Mr. Hill to come to her office after the meeting to listen to the recording.

Mr. Hill said that he still disagrees with requiring volunteers to attend classes.

There was brief discussion.

Mr. Ed Bahme -- Jason Jennings Ditch:

--Expressed concern that the work being done on the Jason Jennings ditch could put his property into a flood zone.

Commissioner Cooper said that he has not seen the general permit. However, one of Water Management's critical issues is the affect on the adjacent property owners.

Mr. Bahme said that he spoke with a Water Management engineer and although he does not believe there will be a problem, he could not offer any guarantees.

Commissioner Cooper said that would contact Mr. Bahme after he has had time to look over the permit.

Commissioner Lewis asked for clarification of the status of the project.

Mr. Carter advised that Suwannee River has issued a permit. However, the Applicant's engineer is waiting on a permit from D.O.T and the core of engineers. Once those items are received, it is the County's plan to make an assessment and subsequent recommendation to the Commission.

(02-04-08 Regular Meeting)

Commissioner Thomas asked who is going to be responsible for digging the ditch or paying for it to be dug.

Mr. Carter said that staff recommendation would be based on who will be the main recipient of the benefit and/or the amount of elimination of responsibility.

--COUNTY ATTORNEY REPORTS – TERRY BROWN: None.

--COUNTY MANAGER REPORTS – BRAD CARTER:

--The County Engineer has submitted a [letter recommending](#) the low bidder for the Crosby Lake Boat Ramp. BNC, Inc. at \$59,942.00 was the low bidder.

Commissioner Cooper asked if funds are allocated in this years' budget. Clerk Norman indicated in the positive.

Commissioner Chandler said that to fully eliminate the problem at the boat ramp, there is a need for a floating dock. He would like to get some estimates for a floating dock system. This is also needed at other boat ramps in the County.

This incited some discussion.

Commissioner Cooper said that there would be no harm is asking staff to seek out some design specs and a cost estimate for the Commission's review.

Mr. Carter said that he would take steps in that direction.

Commissioner Lewis advised Mr. Brown that although it was not the bidder awarded the bid, he once was related to one of the contractors who bid on the project.

Mr. Brown said that is fine. BNC, Inc. was the low and best bid.

On Motion of Commissioner Lewis, Seconded by Commissioner Hersey, the Board unanimously awarded the bid to BNC, Inc.

--CLERK REPORTS – RAY NORMAN:

A. [CHANGE ORDER FOR SALLY PORT SECURITY UPGRADE \\$8,949.00](#)

Clerk Norman explained that the \$8,949.00 Change Order is for security system upgrades such as conduit, door locks, keypads, etc., that were not included in the initial price. Funds are in the budget to cover the change order.

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously approved Change Order No. 1, for \$8,949.00.

(02-04-08 Regular Meeting)

COMMISSIONER'S COMMENTS:

Commissioner Lewis commented on the following:

--The Commission needs to begin taking action on the affects of recently passed Amendment I on the County's budget.

Commissioner Lewis recognized citizens from his district.

Mr. Don DeWitt addressed the Commission. There is a natural drainage ditch coming from Butler Road that goes through his property that needs maintenance. When there is a good rain, it backs up into his pasture.

Commissioner Lewis said that he, Mr. Funderburk, Mr. Frees and Mr. Crawford went to the site to see what needed to be done about the ditch. He asked Mr. Funderburk what has happened since that visit.

Mr. Funderburk said that he is not heard anything since that visit. As far as natural drainage or water flow areas, the County cannot excavate or use heavy equipment; you may cut debris manually or with weed eaters.

A resident in the area, Ms. Vicki Cooper, said that in the past, there was a beaver dam that was causing a backup and once it was busted up, the problem was solved.

Commissioner Lewis asked Mr. Funderburk to check into the problem.

Commissioner Cooper commented on the following:

--He concurred with Commissioner Lewis. The Board needs to start early on the budget process. From the state's prospective, the passage of Amendment I means the County will lose \$830,000.00 out of the \$7.5 million of ad valorem tax. The Governor said that as a condition of putting this on an early ballot, he would agree to fund the impact to small fiscally constrained counties. However, the state budget came out last week and the Governor did not have a dime in the budget to fund the impact. His defense being, he did not think that applied until next year.

The people have spoken and they want less government. He does not want to run out and try to replace this revenue with different assessments and fees. We need to take a hard look at the budget and do exactly what we told the people we would do if the amendment passed, and that is to cut our government. When you start cutting government, especially in your general revenue fund, you start hitting the things that affect people the most, i.e. law enforcement, fire and rescue. Even if we went to 10 mills, it will not make up the ad valorem revenue and he is not willing to do that.

Commissioner Thomas commented on the following:

--He never has and still does not support any new assessments or taxes.

Commissioner Hersey commented on the following:

--Concurs that the budget process needs to begin earlier than normal this year.

(02-04-08 Regular Meeting)

CHAIRMAN COMMENTS – ROSS CHANDLER:

--He has scheduled a budget workshop beginning at 5:00 p.m., before the February 21 regular meeting.

--He has instructed staff not to advertise the gas tax ordinance at this time. He concurs with Commissioner Cooper. The taxpayers of Bradford County have spoken. If they want government cut, the Commission is obligated to cut government. He will not vote for anything to try to get around that.

--In a recent County Commission certification class, he learned of a program that offers free visioning to counties to help plan 20-30 years down the road. He also learned that FDOT would be out of money in 2009. Therefore, there may no longer be SCRAP or SCOP programs. If the Commission is interested, he would like to take steps to benefit from the free program.

Mr. Don DeWitt asked Commissioner Thomas if they could get some lime rock on 177th. Commissioner Thomas said that he would get with the Road Department to see what can be done.

ADJOURN

There being no further business, the meeting adjourned at 10:24 a.m.

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

ROSS CHANDLER, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK TO THE BOARD

Minutes prepared by Marlene Stafford, Deputy Clerk