

(09-08-08 Regular Meeting)

**MINUTES OF THE
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING 9:30 A.M.
MONDAY, SEPTEMBER 8, 2008**

The Bradford County Board of County Commissioners convened in regular session on Monday, September 8, 2008, at 9:30 a.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; Nora Thompson, Zoning Director; Donny Wise, Solid Waste Director; Jim Farrell, Finance Director; Angela Macey, Community Development Director; Paul Funderburk, Road Superintendent; D.Z. Griffis, Facility Maintenance Director; Library Director; Ed Rensberger, Health Department; Capt. Starling; Tim Wilson, CED; Will Sexton, County Attorney's Office; Alan Parrish Interim EMS Director; Jim DeValerio, Ag Dept.; Brian Johns, Emergency Management Director; Jim Farrell, Finance Director; Mark Crawford, Press; and Sheriff Milner.

(See Supplement File No. 09-08-08 for a copy of documentation presented at this meeting.)

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 9:00 a.m.

PUBLIC HEARINGS

ENACTMENT OF ORDINANCES – TERRY BROWN:

--AMENDING SCHEDULES 1 AND 2 OF SECTION 59-7 OF THE BRADFORD COUNTY CODE – (BOCC):

Ms. Thompson read the title into the record:

“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AMENDING SCHEDULES 1 AND 2 OF SECTION 59-7 OF THE BRADFORD COUNTY CODE TO ADJUST THE AMOUNT OF IMPACT FEES IMPOSED FOR CAPITAL IMPROVEMENTS TO ROADS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ARTICLE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

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

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously adopted the ordinance as presented. (The [Ordinance was assigned No. 08-23.](#))

--AMENDING SCHEDULES 1 AND 2 OF SECTION 59-97 OF THE BRADFORD COUNTY CODE – (BOCC):

Ms. Thompson read the title into the record:

“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AMENDING SCHEDULES 1 AND 2 OF SECTION 59-97 OF THE BRADFORD COUNTY CODE TO ADJUST THE AMOUNT OF IMPACT FEES IMPOSED FOR CAPITAL IMPROVEMENTS TO PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ARTICLE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

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

On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously adopted the ordinance as presented. (The [Ordinance was assigned No. 08-24.](#))

--AMENDING SCHEDULES 1 AND 2 OF SECTION 59-127 OF THE BRADFORD COUNTY CODE – (BOCC):

Ms. Thompson read the title into the record:

“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AMENDING SCHEDULES 1 AND 2 OF SECTION 59-127 OF THE BRADFORD COUNTY CODE TO ADJUST THE AMOUNT OF IMPACT FEES IMPOSED FOR CAPITAL IMPROVEMENTS TO PUBLIC BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ARTICLE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

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

On Motion of Commissioner Lewis, Seconded by Commissioner Cooper, the Board unanimously adopted the ordinance as presented. (The [Ordinance was assigned No. 08-25.](#))

--AMENDING SCHEDULES 1 AND 2 OF SECTION 59-157 OF THE BRADFORD COUNTY CODE – (BOCC):

Ms. Thompson read the title into the record:

“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AMENDING SCHEDULES 1 AND 2 OF SECTION 59-157 OF THE BRADFORD COUNTY CODE TO ADJUST THE AMOUNT OF IMPACT FEES IMPOSED FOR CAPITAL IMPROVEMENTS TO EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ARTICLE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

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Chairman Chandler 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 as presented. (The [Ordinance as assigned No. 08-26.](#))

--AMENDING SCHEDULES 1 AND 2 OF SECTION 59-187 OF THE BRADFORD COUNTY CODE – (BOCC):

Ms. Thompson read the title into the record:

“AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AMENDING SCHEDULES 1 AND 2 OF SECTION 59-187 OF THE BRADFORD COUNTY CODE TO ADJUST THE AMOUNT OF IMPACT FEES IMPOSED FOR CAPITAL IMPROVEMENTS TO LIBRARY FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES INCONSISTENT WITH THIS ARTICLE; PROVIDING DIRECTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.”

Chairman Chandler 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 as presented. (The [Ordinance was assigned No. 08-27.](#))

RESOLUTIONS

--BUDGET AMENDMENT – JIM FARRELL

Mr. Farrell read the title into the record:

“A RESOLUTION OF THE BRADFORD COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A \$90,111.00 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. 08-18.](#))

SECOND PUBLIC HEARING ON FISCAL YEAR 2008 CDBG APPLICATION

Ms. Macey announced the second public hearing on the Fiscal year 2008 CDBG application.

Ms. Orthoefer with the North Central Florida Regional Planning Council briefly reviewed the high points of the grant application.

On Motion of Commissioner Cooper, Seconded by Commissioner Thomas, the Board unanimously approved the fiscal year 2008 CDBG application.

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There was extensive discussion concerning the City of Starke CDBG application and the sharing of matching SHIP funds.

FAIR HOUSING WORKSHOP

With the assistance of a Power-Point presentation, Ms. Orthoefer conducted the Fair Housing Workshop.

RESOLUTIONS—Continued

--2008 CDBG APPLICATION—ANGELA MACEY:

Ms. Macey read the title into the record:

“A RESOLUTION AUTHORIZING THE FILING OF FISCAL YEAR 2008 FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION APPLICATION WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.”

Chairman Chandler asked for public input on the grant application. There was no response.

On Motion of Commissioner Cooper, Seconded by Commissioner Hersey, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-19.](#))

--COMMITTING MATCHING FUNDS—ANGELA MACEY:

Ms. Macey read the title into the record:

“A RESOLUTION COMMITTING MATCHING FUNDS FOR THE FISCAL YEAR 2008 FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING APPLICATION”

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-20.](#))

--2008 HOUSING ASSISTANCE PLAN—ANGELA MACEY:

“A RESOLUTION ADOPTING FISCAL YEAR 2008 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM HOUSING ASSISTANCE PLAN”

On Motion of Commissioner Thomas, Seconded by Commissioner Hersey, the Board unanimously adopted the resolution adopting the FY 2008 CDBG Program Housing Assistance Plan. (The [Resolution was assigned No. 08-21.](#))

--EXPENDITURE OF SHIP FUNDS FOR CITY OF STARKE CDBG APPLICATION—ANGELA MACEY:

As discussed earlier, Ms. Macey advised that the City of Starke has a full understanding that the people on the current SHIP waiting list should receive priority.

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Ms. Macey read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, REGARDING THE EXPENDITURE OF STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) FUNDS ON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE ACTIVITIES AS LEVERAGE FOR THE 2008 FLORIDA SMALL CITIES CDBG HOUSING REHABILITATION APPLICATION FOR THE CITY OF STARKE; PROVIDING AN EFFECTIVE DATE.”

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-22.](#))

--ACCEPTING A GRANT OF REAL PROPERTY—BRAD CARTER:

Mr. Carter read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA ACCEPTING A GRANT OF REAL PROPERTY IN THE LINCOLN CITY COMMUNITY FROM THE EBENEZER MISSIONARY BAPTIST CHURCH; EXPRESSING THE GRATITUDE OF BRADFORD COUNTY FOR SAID GRANT; AND PLEDGING TO UTILIZE SAID REAL PROPERTY FOR THE RECREATION NEEDS OF BRADFORD COUNTY.”

Chairman Chandler said that the County is applying for a FRDAP grant for a recreational park in the Lincoln City area. The Ebenezer Missionary Baptist Church as donated the land for that purpose.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 08-23.](#)) (The [Warranty Deed](#) was recorded at OR Book 1286, Page 389.)

CONSENT AGENDA

- A. MINUTES OF REGULAR SCHEDULED MEETING OF JUNE 10, 2008**
- B. MINUTES OF WORKSHOP AND REGULAR SCHEDULED MEETING OF JULY 8, 2008**
- C. MINUTES OF BUDGET WORKSHOP AND REGULAR SCHEDULED MEETING OF JULY 17, 2008**
- D. BID PROPOSALS FOR S.H.I.P. REHABILITATION LOANS**
- E. SATISFACTION OF MORTGAGE**
- F. WRITE-OFFS FOR EMS**
- G. RENEWAL OF PHYSIO-CONTROL, INC. TECHNICAL SERVICE SUPPORT AGREEMENT**
- H. AMENDMENT TO DIVISION OF FORESTRY CONTRACT #1899**
- I. RENEWAL OF MOTOROLA SERVICE AGREEMENT FOR RADIO CONSOLES IN CDC – IGCF APPROVED –7-30-08**

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

AGREEMENT WITH TONEYS TIRE AND TOWING FOR REMOVAL OF YARD TRASH AND VEGETATIVE WASTE FOR TWELVE (12) MONTHS AT \$39.00 PER TON – DONNY WISE:

Mr. Wise said that Toney's Tire and Towing was the low bidder on the request for bids for removal of yard trash and vegetative waste. Toney Todd has been providing the service for the last four years and has done a good job. This is a 12-month contract and he recommends approval.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the [agreement](#) as presented.

PAYMENT OF BILLS – COMMISSIONER HERSEY:

Commissioner Hersey said he reviewed the bills and recommends them for payment.

On Motion of Commissioner Hersey, 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.)

PUBLIC COMMENTS:

--Ms. Joyce Mitchell of Hampton – Water Lines in Hampton:

Ms. Mitchell asked if the Commission has learned anything about the water lines in Hampton.

Commissioner Hersey said that he has not been successful in finding anything out. He will keep working on it.

COUNTY ATTORNEY REPORTS – WILL SEXTON: None.

COUNTY MANAGER REPORTS – BRAD CARTER:

- Announced that Nelson Green has resigned as EMS Director, effective this past Friday. Mr. Alan Parrish, who holds this position in Union County, will continue to serve as acting director as long as necessary. Mr. Carter expressed his appreciation to the Union County Commissioners and Mr. Parrish for their gracious assistance during this time.

Mr. Carter asked for authority to negotiate with Union County an arrangement to share directors between the two counties on a trial basis.

Commissioner Thomas MOVED to authorize Mr. Carter to move forward with negotiations as requested. Commissioner Hersey SECONDED the MOTION.

Incited by a question of Commissioner Hersey, Mr. Carter advised that this is the recommendation of Dr. Gianas, who will be involved in every step of the negotiations.

Commissioner Cooper said that he has no objection with negotiations with Union County. However, he is skeptical that the proposal can work on a long-term basis. He sees some management issues; one being which county will get priority during a natural disaster involving both counties. Half a director's salary is a small price to pay for a well-run service. Also, if it can be accomplished without this Board delegating its authority or responsibility to Union County and likewise Union County delegating its authority or responsibility to Bradford County, then it may be a workable plan.

Commissioner Lewis and Chairman Chandler said that they too had some concerns, but had no problem with the proposal on an interim basis.

There being no further discussion, the *MOTION CARRIED 5-0*.

- Mr. Carter expressed appreciation to all the emergency responders and volunteers who performed with excellence during Tropical Storm Faye.
- At the request of Mr. Carter, Mr. Jim DeValerio provided an update on the mosquito outbreak and the steps being taken to get it under control and to educate the public.

There was some discussion.

- Mr. Carter asked Brian Johns to address the Commission.

Mr. Johns said that a local state of emergency was declared during Tropical Storm Faye, which needs to be ratified by the Commission by a resolution.

Mr. Johns read the title into the record:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA DECLARING A STATE OF LOCAL EMERGENCY RESULTING FROM TROPICAL STORM FAY.”

On Motion of Commissioner Cooper, Seconded by Commissioner Hersey, the Board unanimously adopted the resolution ratifying the local state of emergency. (The [Resolution was assigned No. 08-24.](#))

Mr. Johns reported on the status of public and individual assistance applied for through FEMA. He announced an “Applicant’s Briefing” to be held tomorrow at 10:00 a.m. in the Commission Room to help educate staff on the FEMA funding/reimbursement process.

Mr. Johns then introduced Ms. Tracy Buzby of Management Experts.

Ms. Buzby addressed the Commission. Management Experts provide training, planning and exercises to keep you prepared for disasters, whether natural or manmade. When a County has been faced with a disaster, it is their role to assist with the reimbursement process, which can be a difficult one.

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Mr. Johns reported an estimate of expenses attributable to Tropical Storm Faye of \$700,000.00, which was mostly spent on roads.

This led to discussion concerning the eligibility of private roads for FEMA reimbursement.

- Library Director Robert Perone is [requesting](#) a “Library Amnesty Month” for the month of September and approval of the [State Aid to Libraries Grant Agreement](#).

On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously approved the Library Amnesty Month and the State Aid to Libraries Grant Agreement.

- Requested authority to send a letter to invoke the termination clause in the agreement with the maintenance contractor for security equipment in the courthouse, which will coincide with the one sent by the Sheriff. A new vendor is being sought through an RFP. Based on proposals that have already been submitted to the Sheriff, it appears the cost will be less.

On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously granted the request.

CLERK COMMENTS – RAY NORMAN:

- Reminded the Commission of the First Public Hearing on the 2008-2009 Tentative Millage Rate and Budget at 5:30 prior to the Regular Scheduled Meeting of September 18th.

COMMISSIONER’S COMMENTS:

(All of the commissioners expressed their appreciation to everyone who was involved for their efforts and hard work during Tropical Storm Faye.)

Commissioner Lewis commented on the following:

- He, Mr. Carter and Mr. Johns are scheduled to inspect a private road today that may fall within the FEMA reimbursement parameters. He appreciates the Commission’s support for whatever needs to be done to get the problem resolved.

Commissioner Cooper commented on the following:

- Encouraged Mr. Carter to remember that price is not the only criteria when considering agreements/contracts for maintenance of security equipment. Given the difficulties that have been experienced with the courthouse security, he would like a 60 to 90 day probationary termination clause.
- Suggested researching the possibility of amending the building codes to require mosquito control systems in retention ponds.

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Jim DeValerio advised that they have stocked a couple of the holding ponds with mosquito eating minnows.

Commissioner Thomas commented on the following:

- Would like to support Mr. Funderburk and the Road Department any way possible to get the County road right-of-way mowing under control.
- In light of Tropical Storm Faye, would like the permit fees waived for roof repair for damages caused by the storm, which has been done in the past.

Ms. Thompson advised that there is a resolution in place to take care of that.

Commissioner Lewis asked if New River would waive the dumping fees for shingles. Mr. Wise advised that tipping fees are not charged for those who have permits.

Commissioner Hersey commented on the following:

- Thanked Terry Vaughan for his comments to Senator Nelson supporting the much-needed overpass.

CHAIRMAN COMMENTS – ROSS CHANDLER:

- At the last New River Solid Waste Association meeting, a policy was adopted that New River will no longer receive waste for free from individuals whose homes have burned; whose homeowners insurance covers the cost for waste removal. The insurance verification will need to come from the local level. Chairman Chandler asked Mr. Carter to determine which local agency can take on that responsibility.
- Is having a difficult time getting Ellington Construction to perform repair work. Mr. Carter needs to get involved with this process. A more thorough job needs to be done inspecting roads before the last draw is released to the contractor.

There was brief discussion.

- Loggers are creating problems on County roads. The Commission needs to consider a policy to protect the roads.

There was brief discussion. Commissioner Thomas said that he believes there is a policy already in place. Commissioner Cooper asked that someone research to see if there is a policy and bring it to the Board.

Incited by a question posed by Commissioner Lewis, there was additional discussion regarding the new policy adopted by New River Solid Waste Association on waste from house fires.

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ADJOURN

There being no further business, the meeting adjourned at 10:54 a.m.

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

ROSS CHANDLER, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK OF COURTS

Minutes prepared by Marlene Stafford, Deputy Clerk