

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR MEETING 9:30 A.M.
MONDAY, NOVEMBER 2, 2009**

The Bradford County Board of County Commissioners convened in regular session on Monday, November 2, 2009, at 9:30 a.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

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

Also present were: Brad Carter, County Manager; Sandra Harrell, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Will Sexton, County Attorney; Jerome Kelley, County Engineer; Nora Thompson, Zoning Director; Paul Funderburk, Road Superintendent; Tim Wilson, CED; Allen Parrish, Emergency Medical Services Director; Angela Macey, Community Development Director; D.Z. Griffis, Facility Maintenance Director; Jim Farrell, Finance Director; Brian Johns, Emergency Management Director; Mark Crawford, Press; Donny Wise, Solid Waste Director; Robert Perone, Library Director; Winifred Holland, Health Department Director; Capt. Starling; Capt. Boatwright and Sheriff Smith.

CALL TO ORDER

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

INVOCATION / PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA

**A. MINUTES OF WORKSHOP OF AUGUST 24, 2009 WITH THE CITY OF STARKE
COMMISSION**

On Motion of Commissioner Lewis, Seconded by Commissioner Sellars, the Board unanimously approved the Consent Agenda.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT – KEVIN WRIGHT:

(Rick Johnston and Vanessa Foltz with Suwannee River Water Management District were present.)

Due to a scheduling conflict, Mr. Wright was unable to attend. Pete Hubbell, with Water Resource Associates, an Environmental Engineering Firm addressed the Commission. His firm is one of three firms that have been assisting the Water Management District in the update of Bradford County’s flood maps. Mr. Hubbell gave a Power-Point presentation to assist with his explanation of the FEMA Map Modernization (MapMod) Process, the impacts and benefits to Bradford County. Mr. Hubbell’s presentation was not limited to but included:

- Purpose
- Goals
- Why Update Flood Maps
- Changes and their affect on Bradford County
- Bradford County MapMod Activities
- Development Schedule
- Appeal Process

Mr. Hubbell announced a series of meetings to be held on Thursday, November 5: An internal meeting with department heads at 4:00 p.m., a public meeting from 5:00 to 7:00 p.m., and a meeting with lake residents from 7:00 to 9:00 p.m., both at the library.

This incited questions and discussion, which was not limited to but included flood insurance requirements, property values, appeal process and timeline, flood elevations and construction limitations.

PRESENTATION FOR “EXPERIENCE WORKS” – EILEEN HENDRIX AND SHIRLEY MOXLEY:

Ms. Hendrix, Employment and Training Coordinator for the Experience Works Program, addressed the Commission. Experience Works is a national, charitable community-based organization that helps senior citizens get the training they need to find good jobs in their local communities. Ms. Hendrix gave a [brief overview](#) of the history, mission statement, and statistical data for Experience Works.

Ms. Hendrix asked the Commission to consider approving a “Host Agency Agreement” with Experience Works so they can begin operating with some of the County offices to provide training to seniors. The Agreement is at no cost to the County. Experience Works pays all wages and benefits. In exchange, they request that County staff provide training to the seniors to enable them to become employable.

CONSIDER APPROVAL OF AGREEMENT WITH EXPERIENCE WORKS:

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously approved the [Agreement](#).

Mr. Carter said that Mr. Sexton has approved the agreement. He will meet with the department heads following this meeting.

(11-02-09 Regular Meeting)

BID RECOMMENDATION FOR S.H.I.P. HOUSING REHAB PROJECTS – ANGELA COOPER:

Ms. Cooper asked that item “C” be pulled for discussion. Ms. Cooper presented bid recommendations for the remaining items.

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

Ms. Cooper then addressed item “C”. Four bids were received and were more than double the per-unit limit of \$19,000.00. The only portion of the home that came in under the per-unit limit was the rough in plumbing, which would leave the house very unsafe and unfinished. The consensus of the Advisory Board is to uphold the policy not to do anything on the home since repairs exceed the per-unit limit. In conferring with Mr. Carter, he suggested just doing one story of the home, if this would be acceptable to the homeowner.

Incited by inquiry of Chairman Thomas, the homeowner explained the conditions under which the home was purchased. She and her family relocated from New Orleans after hurricane Katrina. There are 15 people living in the home and they have nowhere else to go. Having the rough-in plumbing done would be a great help. Her husband and two sons remodel houses for a living, but they have no money for the supplies to finish remodeling the house.

Discussion ensued.

Mr. Sexton said that performing some work on the home without bringing it up to a level of safety is not something that Mr. Brown is comfortable advising the Commission to do. That is one of the reasons there was discussion about making part of the house safe and habitable. However, given the amount of work it would take to just complete one floor of the home, that does not sound feasible.

There was consensus for Ms. Cooper to do further research in an attempt to find other programs that would be available and beneficial to the homeowner.

CONSIDER APPROVAL OF PURCHASE ASSISTANCE LOANS NOT TO EXCEED \$30,000 – ANGELA COOPER:

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

RESOLUTIONS

--SUPPORTING ELIMINATION OF THE CAP ON THE STATE AND LOCAL HOUSING TRUST FUNDS AND APPROPRIATION OF THE HOUSING TRUST FUNDS FOR HOUSING PROGRAMS— ANGELA COOPER:

Ms. Cooper read title into record.

On Motion of Commissioner Chandler, Seconded by Commissioner Sellars, the Board unanimously adopted the Resolution as presented. (The [Resolution was assigned No. 09-21](#).)

APPROVE IGCf REIMBURSEMENT TO SHERIFF FOR \$3,250 FOR SOFTWARE (Approved by IGCf Committee on 07-28-09)—BRIAN JOHNS:

Mr. Johns reported that the new fire truck came in last week. It should be placed in service for Sampson City next week. Mr. Parrish also received the new unit for EMS, which was placed in service a couple of weeks ago. Both vehicles will be in the parking lot following the meeting. During the new grant cycle, they will be applying for more vehicles.

Mr. Johns requested approval to reimburse the Sheriff's Office for \$3,250.00 for the purchase of spy ware software. The spy ware will not only benefit the Sheriff's Department, but will benefit EMS, fire, and other law enforcement agencies in other parts of the County.

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously approved the [reimbursement](#) as requested.

PAYMENT OF BILLS – COMMISSIONER HERSEY:

On Motion of Commissioner Hersey, Seconded by Commissioner Chandler, 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:

Mr. George Roberts – Fair Tax:

--Requested that the Commission consider a letter of support for the Fair Tax. He has provided Mr. Carter with a list of representatives and senators to whom the letter can be sent.

There was brief discussion.

On Motion of Commissioner Chandler, Seconded by Commissioner Lewis, the Board unanimously directed staff to send the letter of support as requested.

COUNTY ATTORNEY REPORTS – WILL SEXTON:

A. RESOLUTION – (EMINENT DOMAIN) ACQUISITION OF REAL PROPERTY LOCATED ON SE 144TH:

Mr. Sexton read the title into the record.

On Motion of Commissioner Lewis, Seconded by Commissioner Chandler, the Board unanimously adopted the resolution as presented. (The [Resolution was assigned No. 09-22.](#))

COUNTY MANAGER REPORTS – BRAD CARTER:

A. CONSIDER ELIMINATING BUILDING INSPECTOR POSITION EFFECTIVE NOVEMBER 3, 2009

Mr. Carter requested the Commission to approve temporarily suspending the Building Inspector position effective November 3. This is tied to item "B" to temporarily enter into a contract with Page Dixon Chandler Smith, (PDCS), LLC, for building code services. The salary for the Building Inspector is needed to fund the contract. Basically leaving the position vacant during the duration of the contract.

Mr. Sexton said that there is the added element of the fact that some of the money that funds the inspector salary comes directly from the fees collected by the department. The contract is structured such that PDCS gets 80% of the fees collected from building permits. If you commit 80% to PDCS, you cannot also commit to contributing the fees to a County employee salary.

Beginning tomorrow, the County will not be able to provide building inspection services, thus the need for the temporary agreement. The agreement provides a 30-day notice out clause. At some point in the future if the County is able to locate a person who can be employed full-time, the agreement can be cancelled, reverting back to the employee salary being funded by the fees collected.

Chairman Thomas opened the floor for public comments and discussion.

Several contractors expressed their concerns and points of view.

Representatives from PDCS, LLC, were given the opportunity to speak and were questioned by the Commission and the public.

This incited extensive discussion, which was not limited to but included Mr. Mundorff's assistance in emergency situations, using officials from surrounding counties, individual inspector's interpretation of building codes, proposed work schedule and plan review schedule based on permit volume, daily operations of the Building Department, time limit on and termination clause in the agreement with PDCS, hiring an in-house official, the Building Department budget, and percentage versus hourly rate for consultant work.

Mr. Carter said that he could fast track hiring an in-house Certified Building Official to meet all of the County's needs. In the interim, if the Commission approves the agreement with PDCS, who at this time have committed to two days a week and two counties have committed to fill in the other two days, he is certain he could find a third county to fill in the third day, which would provide five-day coverage.

There was additional discussion.

Commissioner Hersey said that the manner in which the agreement is written, PDCS, LLC would receive 80% of all permit fees collected whether or not they are actually the ones doing the inspections. He does not agree with this concept.

COMM. HERSEY MOVED to table any action on the agreement until the mid-month meeting of November 19. In the meantime, confirm the feasibility of using inspectors from Baker, Clay and Union Counties, in addition to Mr. Mundorff.

This incited additional discussion.

The **MOTION DIED** for lack of a second.

COMM. CHANDLER MOVED to suspend the Building Inspector position, to [hire Page Dixon Chandler Smith, LLC](#) for 30 days, to be extended if needed for 30-day intervals, to negotiate either an hourly rate or percentage rate, to fill in the gaps with inspectors from other counties, and as soon as possible to advertise to hire a full-time Building Official.

Mr. Kraftsow, the Managing Partner for Page Dixon Chandler Smith, said they have a Building Official who could come to the County Monday, Wednesday and Friday. This is what they have available for immediate placement. This person could be used as many hours as needed, with a minimum of six hours, at \$89.50 per hour. If there are days when he is not needed, he does not have to come. The County would not be charged for travel time to and from the County.

Following additional discussion, **COMM. SELLARS SECONDED the MOTION.**

There was further discussion regarding an hourly rate versus a percentage rate.

Mr. Carter said that he would make every effort to find a Building Official within the 30 days. However, for what the County is able to offer in terms of salary, it may not be possible to find someone within 30 days.

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

B. PIGGYBACK CONTRACT WITH PAGE DIXON CHANDLER SMITH, LLC FOR BUILDING CODE SERVICES: Handled above.

C. AGREEMENT BETWEEN BRADFORD COUNTY AND NORTH FLORIDA LANDSCAPE MANAGEMENT, INC. FOR REMOVAL OF YARD TRASH

Mr. Carter presented the [agreement](#). North Florida Landscape Management was the low bid with the local vendor advantage.

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

D. ENERGY AUDIT CONTRACT WITH TRANE BUILDING SERVICES

Mr. Carter said that the contract is for \$20,000.00 and has been reviewed by Mr. Sexton. The \$20,000.00 will be paid through savings if a performance contract is eventually signed.

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

E. AGREEMENT BETWEEN BRADFORD COUNTY AND ELLINGTON CONSTRUCTION FOR PAVING PARKING LOT FOR PIZZA HUT AND COUNTY ANNEX (PIGGYBACK ON EXISTING AGREEMENT FOR RESURFACING OF SE 8TH AVE.)

Mr. Carter presented an agreement with Harlis R. Ellington Construction to piggyback on an existing agreement (resurfacing of SE 8th Avenue) for the paving of the Pizza Hut parking lot, for \$33,500. The County is receiving the same unit amount in one category. Striping and paving are different for parking lots. Mr. Kelley and Mr. Sexton have reviewed the agreement and the difference is justified based on the fact that linear measurement is not used when paving parking lots.

(11-02-09 Regular Meeting)

Commissioner Chandler asked Mr. Kelley if the County could get a better price by bidding the project. Mr. Kelley said to bidding the project requires formal plans and bid documents, which might eat up any savings.

Commissioner Hersey asked if all sub-contractors have been paid and satisfied from the previous paving project. Mr. Sexton reported that he spoke with both the representative of the contractor and representatives of the contractor's bonding company. The sub-contractor who had made a claim against the bond has now issued a release and waiver of lien. There is still one issue outstanding that the contractor and sub-contractor are working out. Once the work on SE 8th Avenue has been complete and certified as complete by Mr. Kelley, then the County has been authorized to make whatever final payments need to be made. As long as the County makes the final payment to the contractor and the sub-contractor jointly, then both the sub-contractor and the bonding company are satisfied and all issues between Ellington Construction and any of their sub-contractors will have been resolved.

Commissioner Chandler expressed a concern about the Pizza Hut parking lot project being finished in a timely manner, especially since this is a place of business. Mr. Kelley said that delays would cost the contractor money so it is in their best interest to get the job finished as quickly as possible.

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

Mr. Carter presented two emergency items.

--CONSIDER APPROVAL OF THE REPAIR OF A 1998 CATERPILLAR 120H MOTORGRADER:

This equipment is very critical to the operation of the Road Department. The cost of the repairs is \$13,745.76.

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

Mr. Carter said that this is one of the rare cases when he would recommend the next to the low bid because of the warranty terms. The [\\$13,745.76 bid](#) was submitted by Ring Power, which included three-years parts and labor. The next closes bid was \$12,365.10 with a five-year warranty on parts but only six months on labor.

On Motion of Commissioner Lewis, Seconded by Commissioner Hersey, the Board unanimously approved the repair by Ring Power.

--BID AWARD FOR CONSTRUCTION OF CONCRETE DITCH ON SW 161st STREET:

The emergency is constituted by the erosion factor.

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

Mr. Carter asked the Commissioner to award to the low bid submitted by Covenant Contracting Group for \$14,760.

On Motion of Commissioner Lewis, Seconded by Commissioner Hersey, the Board unanimously awarded the bid to [Covenant Contracting Group](#) as presented.

SHERIFF'S REPORTS—SHERIFF SMITH:

Commissioner Sellars said that there are residents of the Starke Golf and Country Club that are interested in establishing a golf cart community. Sheriff Smith said that he would organize a meeting with the residents.

CLERK REPORTS—RAY NORMAN: None.

COMMISSIONER'S COMMENTS:

Commissioner Lewis said expressed his appreciation to Christa Pusateri for all her help. She is moving to Ft. Myers and will be greatly missed.

CHAIRMAN COMMENTS: None.

ADJOURN

There being no further business, the meeting adjourned at 12:30 p.m.

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

JOHN WAYNE HERSEY, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK OF COURTS