

(12-07-09 Regular Meeting)

**MINUTES OF  
BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR MEETING 9:30 A.M.  
MONDAY, DECEMBER 7, 2009**

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The Bradford County Board of County Commissioners convened in regular session on Monday, December 7, 2009, at 9:30 a.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

Present were: Chairman Hersey, Commissioner Lewis, Commissioner 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; Jim Farrell, Finance Director; Terry Brown, County Attorney; Paul Funderburk, Road Superintendent; Brian Johns, Emergency Management Director; Pam Whittle, Chamber President; D.Z. Griffis, Facility Maintenance Director; Tim Wilson, CED; Scott Koons, North Central Florida Regional Planning Council; Robert Perone, Library Director; Angela Cooper, Community Development Director; Winifred Holland, Health Department Director; Donny Wise, Solid Waste Director; Brian Johns, Emergency Management Director; Nora Thompson, Zoning Director; and Linda Carpenter, VA Officer.

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**INVOCATION / PLEDGE OF ALLEGIANCE**

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

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**CALL TO ORDER**

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

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Chairman Hersey asked everyone to remember the sacrifice of all Service members on this Pearl Harbor Day.

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**EVALUATION APPRAISAL REPORT (EAR)—GAIL EASLEY:**

Ms. Easley advised that a University of Florida Planning Practicum Class of second-year graduate students has prepared the [first draft of the Evaluation and Appraisal Report](#).

Four of the students presented a brief overview of the document:

- Greg Jennings--The purpose of the EAR
- Lan Feng—Significant Recommendations
- Russell Provost—Floor Area Ratio Recommendation
- Katie White—Next Steps

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Ms. Easley recognized the class for an outstanding job and asked the Commission for any questions. There were no questions.

On behalf of the Commission, Chairman Hersey expressed appreciation to the students for a job well done.

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**RESOLUTION OPPOSING THE PROPOSED HOMETOWN DEMOCRACY CONSTITUTIONAL AMENDMENT NO. 4—SCOTT KOONS:**

Mr. Koons said that it is not his intent to advise the Commission on how to vote on this issue or to encourage citizens to vote in favor of or in opposition to Constitutional Amendment No. 4. His purpose today is to inform the Commission as a member of the Regional Planning Council and to answer questions.

Back in 2004, citizens put together an initiative to collect petitions to place on the ballot a referendum to be added to the Florida Constitution to require that all comprehensive plan amendments, before being finally enacted by a Board of County Commissioners or City Commission, be put up to a binding referendum of the electorate. The amendment will be on the ballot in November 2010. If the amendment were successful, the Commission would go through the normal public hearing process for comprehensive plan amendments and vote to approve or deny, subject to the referendum. Then, either at the next scheduled election or at a special called election, a summary of the proposal would be placed on the ballot and the citizens would vote and their vote would be binding.

The Council's concerns are that the comprehensive planning process is a very thoughtful and deliberative process involving citizen participation and a series of public hearings. Many of the issues can be very complicated and technical in nature. To summarize that into a 25-word caption to be placed on a ballot does not seem to be an appropriate way to conduct public policy making. In Council's opinion, it would also potentially have a deleterious affect on economic development issues to improve job opportunities throughout the North Central Florida area.

Several months ago, the Council adopted a resolution in opposition to Constitutional Amendment No. 4. The Council does recognize the importance of citizen participation in the comprehensive planning process and does support amendments to state legislation to provide a greater opportunity for citizen involvement through the public hearing process. The resolution before the Commission would state that the Commission is of the opinion that this process is not the appropriate way to amend comprehensive plans and conduct public policy and states that the existing process is the appropriate means for change of comprehensive plans.

At the request of Chairman Hersey, Mr. Koons addressed the water use issue.

The issue of the inner-basin transfer of water from one region of the state to another has resurfaced. An organization known as the Florida Council of 100 issued a report on the future of Florida's water. One of the recommendations in that report was the establishment of a single statewide water board or water authority that would make decisions on the transfer of water from one part of the state to another and have the ability to override the decisions of the five individual water management districts. The Senate Committee on Environmental Preservation and Conservation recently issued a report and recommended to either establish a single statewide authority for water use or to re-evaluate the Department of Environmental Protection's current oversight authority over the five water management districts concerning water use permits. If this were to become law, obviously it would have a significant effect on the North and North central Florida area.

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In 2003, the Council adopted a resolution opposing the establishment of a statewide water authority and to reinforce the current policy in state law—"Local Sources First". This is a significant issue. The president of senate has appointed a Select Committee on Florida's Inland Waters. The three senators from North Florida appointed to the committee are Senator Oelrich, Dean and Lawson, which is the good news. The bad news is that the committee has nine committee members and they are the only three members from north of I-4, the other six members are from large metropolitan areas in Tampa Bay, Orlando and Miami Dade. During the next two months, this committee will be conducting a series of hearings and Senator Dean has requested that several be conducted in North Florida. The Council will advise the Commission of the location and times as they are scheduled and would encourage both the Commission members and citizens to attend the hearings.

Chairman Hersey called for a motion on the proposed resolution opposing Amendment No. 4.

Commissioner Chandler said that in his years of service he has realized that comprehensive planning issues are difficult for the Board, even with all the pertinent data. To then allow the citizens to vote without a full understanding of all that goes into comprehensive planning and land use development would create problems. The proposed amendment would worsen the already long and tedious comprehensive planning process.

*On Motion of Commissioner Thomas, Seconded by Commissioner Chandler, the Board voted unanimously to adopt the resolution. (The [Resolution was assigned No. 09-29.](#))*

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## **CONSENT AGENDA**

- A. MINUTES OF FIRST PUBLIC HEARING TO SET FISCAL YEAR 2009-2010 TENTATIVE MILLAGE AND ADOPT TENTATIVE BUDGET, WORKSHOP FOR EVALUATION & APPRAISAL REPORT AND REGULAR SCHEDULED MEETING OF SEPTEMBER 17, 2009**
- B. MINUTES OF FINAL PUBLIC HEARING TO ADOPT FISCAL YEAR MILLAGE RATE AND BUDGET (SEPTEMBER 28, 2009)**
- C. MINUTES OF REGULAR SCHEDULED MEETING OF OCTOBER 5, 2009**
- D. APPROVE REVIEW OF BILLS LIST FOR 2010**

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

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## **CONSIDER TWO-YEAR LEASE FOR ROAD DEPARTMENT BULLDOZER—PAUL FUNDERBURK:**

Mr. Funderburk advised that the rental agreement on the D5N dozer expires this month. There are a couple of options:

- Purchase the dozer for \$50,000.00
- Extend the lease for a two-year period, at two annual payments of approximately \$15,975.95 and a \$24,000.00 buy-back, which would include a two-year powertrain only warranty or 3,000 hours, whichever occurs first.

Mr. Funderburk recommended extending the lease for two years.

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

**CONSIDER APPROVAL OF EXPENDITURES FOR MAINTENANCE PSAP GRANTS—BRIAN JOHNS:**

Mr. Johns advised that out of the six grants applied for the County received five. Two of the grants will be used for [maintenance contracts and three for warranty work](#) for a total of \$42,858.00. Mr. Johns requested approval for the expenditure of these funds.

*On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously approved the expenditure of the grant funds as requested.*

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**CONSIDER APPROVAL OF COMMUNITY GRANT REQUEST FOR SANTA FE COLLEGE (\$5,000.00—Approved 7-0 by TDC 11-09)—PAM WHITTLE:**

Ms. Whittle presented the application for a \$5,000.00 TDC community grant for Santa Fe College for promotion of the Bradford Fest Boots-N-BBQ Cook Off & Family Festival. The request has been approved by the TDC.

There was brief discussion.

*On Motion of Commissioner Lewis, Seconded by Commissioner Sellars, the Board unanimously approved the request.*

Chairman Hersey congratulated Ms. Whittle for her appointment as President of the Chamber of Commerce.

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**PAYMENT OF BILLS—COMMISSIONER SELLARS:**

*On Motion of Commissioner Sellars, Seconded by Commissioner Chandler, the Board voted unanimously to approve payment of the bills as reviewed. (A list of the bills is on file in the Finance Department of the Office of the Clerk.)*

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**PUBLIC COMMENTS:** None.

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

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**COUNTY MANAGER REPORTS—BRAD CARTER:**

**Building Official Update:**

Mr. Carter advised that the County is going into the second month under the contract arrangement. To date, there are 15 qualified and certified applicants who have applied for the building official position, which does not close until December 15. He and Clerk Norman will be conducting interviews beginning December 16.

This spurred some discussion regarding the contract termination clause and an anticipated date of hire for the successful applicant. Mr. Carter said that he would confirm it with the firm, but feels they will be understanding and receptive to the County's position and needs.

Commissioner Lewis and Commissioner Thomas said that if there were one who is qualified, they would like to fill the position with someone who is local.

Mr. Carter yielded the floor to Mr. Wise.

Mr. Wise requested permission to close the collection sites Thursday, Christmas Eve and Friday, Christmas Day. They would reopen on Saturday.

*On Motion of Commissioner Lewis, Seconded by Commissioner Sellars, the Board unanimously approved the request.*

There was brief discussion concerning the 2009 County approved Christmas holiday schedule.

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**SHERIFF'S REPORTS--GORDON SMITH: None.**

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**CLERK REPORTS—RAY NORMAN: None.**

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**COMMISSIONER'S COMMENTS:**

**Commissioner Chandler commented on the following:**

--Asked Mr. Carter to check with Angela Pate at Workforce concerning Bradford County's chances of being included in the anticipated \$30 million in grant funds becoming available. Mr. Carter advised that he would attempt to contact her today.

--There is a construction program available for students, ages 17-24, who have dropped out of school. The program is through Workforce and Santa Fe Community College. If the students apply and are qualified, they will assist the student in obtaining their GED and then place them in the construction program. Upon completion of the program, the students will be licensed to work in construction.

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**Commissioner Sellars commented on the following:**

--A meeting has been scheduled for tomorrow night at the Starke Golf and Country Club beginning at 6:00 p.m. regarding establishing a golf cart community and traffic controlling devices (speed bumps).

Mr. Carter said that there are actually three meetings scheduled for tomorrow night. The one at the Country Club, one at DOT headquarters at 5:30 regarding the Five-Year Workplan, and Mr. Thompson is having a safety meeting at the County's EOC concerning natural gas.

--Mr. Carter advised that Ms. Katie White, one of the students who assisted with the EAR, has volunteered to provide further assistance to the Zoning Office as an intern at no charge to the County.

The Commission expressed their appreciation to Ms. White.

*On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved the Internship of Ms. White, in the Zoning Office, under the direction of Ms. Thompson.*

**Commissioner Lewis commented on the following:**

--Inquired about the delay in the cement work on 161<sup>st</sup>. Mr. Funderburk said that the weather has slowed down the project.

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**CHAIRMAN COMMENTS—JOHN WAYNE HERSEY: None.**

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**ADJOURN**

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

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

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**JOHN WAYNE HERSEY, CHAIRMAN**

**ATTEST:** \_\_\_\_\_  
**RAY NORMAN, CLERK OF COURTS**

Minutes prepared by Marlene Stafford, Deputy Clerk