

**MINUTES OF  
BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR MEETING 6:30 P.M.  
THURSDAY, DECEMBER 17, 2009**

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The Bradford County Board of County Commissioners convened in regular session on Thursday, December 17, 2009, at 6:30 p.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

Present were: Commissioner Thomas, Commissioner Lewis, Chairman Hersey, 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; Pete Eberlin, Road Department; Paul Funderburk, Road Superintendent; Nora Thompson, Zoning Director; Allen Parrish, Emergency Services Director; Brian Johns, Emergency Management Director; Jerome Kelley, County Engineer; Terry Vaughan, Supervisor of Elections; Terry Brown, County Attorney; Jim Farrell, Finance Director; Sheriff Milner; and Mark Crawford, Press;

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**INVOCATION / PLEDGE OF ALLEGIANCE**

Chairman Hersey offered the Invocation and led the Pledge of Allegiance.

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**CALL TO ORDER**

Chairman Hersey called the meeting to order at 6:30 p.m.

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**PUBLIC HEARINGS**

**ADOPTION OF ORDINANCES**

**--REZONING APPLICATION NO. Z 09-4 (GOWENS)—NORA THOMPSON:**

Ms. Thompson read the title into the record.

Chairman Hersey 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 approving Rezoning Application No. Z 09-4. (The [Ordinance was assigned No. 09-17.](#))*

(12-17-09 Regular Meeting)

**--IMPLEMENTING PROVISIONS OF SECTION 106.07(2)(a)2, FLORIDA STATUTES PERTAINING TO ELECTRONIC FILING REQUIREMENTS FOR THE CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES—TERRY VAUGHAN:**

Mr. Vaughan read the title into the record.

Chairman Hersey 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. 09-18.](#))*

There was brief discussion.

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**PRESENTATION REGARDING 2010 CENSUS—KAREN KAGALIS, PARTNERSHIP SPECIALIST:**

Chairman Hersey advised that Ms. Kagalis was sick and unable to attend. If scheduling permits, the item will be placed on a January agenda.

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**SITE PLAN APPROVAL FOR IMMANUEL ANGLICAN CHURCH—NORA THOMPSON:**

Ms. Thompson presented the site plan for Board review. The site plan has been reviewed and approved by the County Engineer. The St. Johns River Water Management and the Department of Transportation permits have been issued.

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

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**CONSENT AGENDA**

- A. MINUTES OF REGULAR MEETING OF OCTOBER 15, 2009**
- B. MEMBER OVERSIGHT LIST**
- C. INVENTORY SURPLUS LIST**

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

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**PAYMENT OF BILLS—COMMISSIONER SELLARS:**

*On Motion of Commissioner Sellars, Seconded by Commissioner Chandler, the Board unanimously approved 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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(12-17-09 Regular Meeting)

**PUBLIC COMMENTS:**

**Mr. Harold Mitchell – Pulling of ditches and maintenance/paving of SE 46<sup>th</sup> Ave/SE 101st Ave in Hampton:**

Mr. Mitchell said that he came before the Commission several weeks ago attempting to get assistance with road and ditch work and was told that Mr. Funderburk would contact him. However, he has not heard from anyone.

Chairman Hersey said that he and Mr. Funderburk would visit the area and see what can be done.

Mr. Mitchell then inquired about the possibility of getting the roads on a paving schedule. Chairman Hersey said that currently there are no funds available for any additional road paving projects.

Mrs. Tara Mitchell added that they have been to the Commission several times and nothing has been done. She stressed to the Commission that the problem has now become a health hazard with standing water producing snakes and mosquitoes.

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**COUNTY ATTORNEY REPORTS—TERRY BROWN:**

Mr. Brown reported the following:

--Distributed copies of a [one page written update](#) on the three parcels of property holding up the commencement of the SE 144<sup>th</sup> Street (Mullins Grade) project. They hope to have all three resolved by mid-January.

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**COUNTY MANAGER REPORTS—BRAD CARTER:**

**A. APPROVE CANDIDATE FOR BUILDING OFFICIAL POSITION**

Mr. Carter said that the position was advertised for 30 days, 22 applicants were interviewed. Out of the 22 applicants, [three have been ranked in order of preference](#):

1. Dale Manning
2. James W. Copeland
3. Harvey M. Smith

**Comm. Lewis *MOVED* to approve the rankings as submitted. To offer the position to the No. 1 ranked applicant (Dale Manning). Should that fall through, move down the ranking. Comm. Chandler *SECONDED* the *MOTION*.**

Brief discussion ensued, which was not limited to but included termination of the current contract, the successful applicant relocating to the area, hire dates and transition from part-time to full-time, and pre-employment personnel requirements.

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

**B. CHANGE ORDER TO CONTRACT WITH BCI ENGINEERS & SCIENTISTS FOR STORMWATER MODIFICATIONS AT PUBLIC LIBRARY (INCREASE OF \$18,949.34)**

Mr. Carter presented Change Order No. BCI-1, for an increase to the contract of \$18,949.34. He has a commitment from Suwannee River Water Management District that this should satisfy the drainage issue and their concerns at the library for the County to get a drainage-operating permit. Mr. Kelley has reviewed the plans and at his request, a couple of changes have been made. The funds were set-aside in the budget to complete this project.

Mr. Kelley recommended that the County have something in writing that guarantees that the proposed plans will be sufficient to satisfy SRWMD requirements.

At the suggestion of Mr. Carter, Mr. Brown said that although SRWMD is not required to respond, the Commission may submit a request asking them to confirm in writing that this will satisfy their concerns provided it is built according to the specs as engineered.

Chairman Hersey said that FDOT has approved the sidewalk project for Pratt Street. Mr. Carter said that he has requested a copy of the plans to make sure it is not going to interfere with the drainage project.

There was brief discussion regarding the amount of the change order.

*On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved [Change Order No. BCI-1](#), for \$18,949.34, contingent upon written approval from SRWMD that the proposed plans will satisfy their permit requirements.*

Mr. Kelley said that before a letter is sent to SRWMD, he recommended checking with Ms. Lighthouse to see if she has secured their approval of the plans.

**Mr. Carter presented the following Emergency Matters:**

**--Change Order#1—Pizza Hut Parking (Ellington Construction Contract):**

*On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously declared an emergency to consider approving the change order.*

Mr. Carter advised that Ellington Construction discovered that there is very little limerock under the pavement, which has been confirmed by Mr. Kelley, Mr. Funderburk and himself. To create the base necessary for re-pavement, there is a need to excavate and haul off unsuitable materials and placement of 6" of limerock. The change order increases the project cost by \$8,647.10.

*On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously approved [Change Order #1 for \\$8,647.10](#) as presented.*

**--Bid Award for Widening and Resurfacing of CR100A (Griffis Loop):**

*On Motion of Commissioner Lewis, Seconded by Commissioner Thomas, the Board unanimously declared an emergency to consider awarding the contract bid.*

Mr. Carter said that the bid opening took place this afternoon. The [low bidder was Ellington Construction at \\$560,475.28.](#)

(12-17-09 Regular Meeting)

*On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously awarded the contract to Ellington Construction in the amount of \$560,475.28.*

**--Repair of truck assigned to Solid Waste that is critical to the operation of the department:**

*On Motion of Commissioner Chandler, Seconded by Commissioner Thomas, the Board unanimously declared an emergency to consider approval of the repair of the truck.*

Mr. Carter said that the truck in need of repair is critical to the operation of the department. The cost to repair the truck is estimated at \$11,531.71.

At the request of Mr. Carter, Mr. Eberlin explained the nature of the repairs.

*On Motion of Commissioner Thomas, Seconded by Commissioner Lewis, the Board unanimously accepted Mr. Eberlin's recommendation to repair the truck at \$11,531.71.*

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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:**

--He understands the nature of emergencies. However, he does not like as many as were brought to the Commission. Although the emergencies may be legitimate, they bring about a negative public perception. A better job needs to be done to cut down on emergency items.

--He visited the Mitchell property in Hampton and they have justifiable problems. As does everyone in the County, the Mitchell's deserve the best road and drainage the County is able to provide. The Road Department does an excellent job, but needs to continue to improve on regular maintenance of graded roads.

**Commissioner Sellars commented on the following:**

--Asked the County Attorney to elaborate on what constitutes emergency action of an item not on the agenda.

Mr. Brown advised that there is not that strict of a standard for county government. It is really a matter of opinion of the Commission as to whether an item is truly an emergency or something that can wait until the next regular meeting.

(12-17-09 Regular Meeting)

**Commissioner Thomas commented on the following:**

--Through the Member Oversight list, he has been assigned to serve on the Transportation Disadvantage Board. The meetings will create a personal conflict for him for the next couple of months. He asked if someone would mind covering the meetings for him for the next couple of months.

Commissioner Chandler volunteered to fill in for Commissioner Thomas.

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

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**ADJOURN**

There being no further business, the meeting adjourned at 7:33 p.m.

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

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**JOHN WAYNE HERSEY, CHAIRMAN**

**ATTEST:** \_\_\_\_\_  
**RAY NORMAN, CLERK TO THE BOARD**

Minutes prepared by Marlene Stafford, Deputy Clerk