

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR MEETING 6:30 P.M.
THURSDAY, MARCH 18, 2010**

The Bradford County Board of County Commissioners convened in regular session on Thursday, March 18, 2010, at 6:30 p.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

PRESENT: Chairman Hersey, Commissioner Lewis, Commissioner Thomas, Commissioner Sellars and Commissioner Chandler.

ALSO PRESENT: Brad Carter, County Manager; Sandra Harrell, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Jim Farrell, Finance Director; Paul Funderburk, Road Superintendent; Nora Thompson, Zoning Director; Robert Perone, Library Director; Allen Parrish, Emergency Services Director; Scott Koons, North Central Florida Regional Planning Council; Brian Johns, Emergency Management Director; Mark Crawford, Press; Angela Cooper, Community Development Director; Pam Whittle, Chamber President; Capt. Starling and Capt. Brad Smith.

INVOCATION and PLEDGE OF ALLEGIANCE: Chairman Hersey.

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

PUBLIC HEARINGS

ADOPTION OF ORDINANCES

--PROVIDING FOR THE CONTINUED IMPOSITION OF AN ADDITIONAL, TEMPORARY 365-DAY MORATORIUM ON IMPACT FEES—NORA THOMPSON:

Ms. Thompson read the title of the ordinance into the record.

*Commissioner Thomas **Moved to adopt the Ordinance as presented.** Seconded by Commissioner Lewis.*

Chairman Hersey opened the public hearing. There being no response, the public hearing was closed and *the Motion Carried 5-0.* ([Ordinance No. 2010-01—Attached](#))

--LAND DEVELOPMENT REGULATION AMENDMENT APPLICATION NO. LDR 09-4 (BOCC)—NORA THOMPSON:

Ms. Thompson read the title of the ordinance into the record.

Brief comments.

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

Commissioner Lewis moved, seconded by Commissioner Sellars, and carried 5-0, to adopt the ordinance approving Land Development Regulation Amendment Application No. LDR 09-4. ([Ordinance No. 10-02—Attached](#))

--LAND DEVELOPMENT REGULATION AMENDMENT APPLICATION NO. LDR 09-5 (BOCC)(Road Maintenance Agreements as Requirement for Borrow Pit Permits)—NORA THOMPSON:

Ms. Thompson read the title of the ordinance into the record.

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

Commissioner Chandler moved to adopt the ordinance approving Land Development Amendment Application No. LDR 09-5. Seconded by Commissioner Thomas.

There was some discussion concerning the maintenance and repair of County roads being used by contractors as ingress and egress to borrow pits and other commercial businesses.

The motion carried 5-0. ([Ordinance No. 10-03—Attached](#))

--REZONING APPLICATION NO. Z 09-6 (BOCC)—NORA THOMPSON:

Ms. Thompson read the title of the ordinance into the record.

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

Commissioner Thomas moved, seconded by Commissioner Lewis, and carried 5-0, to adopt the ordinance approving Rezoning Application No. Z 09-6. ([Ordinance No. 10-04—Attached](#))

PRESENTATION BY MERIDIAN BEHAVIORAL HEALTH SERVICES—MAGGIE LABARTA, PhD:

Dr. Labarta, President/CEO of Meridian Behavioral Health Services, gave a report to the County Commission, via Power Point.



During Dr. Labarta's presentation, she informed the Commission that the state legislature is looking at an \$83 million statewide cut in mental health treatment dollars, which may be the largest unfunded mandate local governments will receive. Dr. Labarta implored the Commission to:

- Continue funding Meridian at the current level
- To support a proposed bill that will allow counties to be exempted from "managing entities", which is a new form of administration that the Department of Children and Families wants to impose on the Community Mental Health and Substance Abuse System that will add administration and take money out of services to do so.
- To oppose any changes to Medipass in rural counties until it has been tested other places

Comments and discussion followed.

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**SITE PLAN APPROVAL FOR PARCEL #00201-0-00000 (Florida Gas Transmission Co.)—
BROOKER—NORA THOMPSON:**

Ms. Thompson presented the site plan for consideration.

*Commissioner Chandler moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the site plan as presented.***

**DISCUSSION ON REZONING PROPERTY TO BE COMPATIBLE WITH REDUCING AND
EXPANDING URBAN DEVELOPMENT AREAS—NORA THOMPSON:**

Chairman Hersey recognized Ms. Thompson who presented the site plan to the Board.

Discussion ensued.

By consensus, the Board agreed to proceed with the rezoning process for reducing and expanding the urban development areas.

**APPROVE FLORIDA HOMEBUYER OPPORTUNITY PROGRAM LOAN IN AN AMOUNT NOT TO
EXCEED \$8,000—ANGELA COOPER:**

Chairman Hersey recognized Ms. Cooper, who presented the Florida Homebuyer Opportunity Program loan request for consideration.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the loan request as presented.*** ([Loan request attached](#))

REVISIONS TO LOCAL HOUSING ASSISTANCE PLAN (LHAP)—ANGELA COOPER:

(Ms. Cooper first addressed an issue not on the agenda.)

Ms. Cooper announced that her request for \$753,500.00 in additional SHIP funds from the State Housing Trust Fund to help those affected by the tornado has been approved. There will be a public meeting Monday, March 22 at 6:00 p.m. in the County Commission Meeting Room. The purpose of the meeting is to explain how to apply for the funds and how the funds can be used. Ms. Cooper briefly reviewed the requirements for the use of these funds, which prompted the proposed revisions to the LHAP.

Ms. Cooper then presented the revisions to the Local Housing Assistance Plan.

Questions, comments and discussion followed.

*Commissioner Chandler moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the revisions to the Local Housing Assistance Plan as presented.*** ([Revisions attached](#))

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(Ms. Cooper then addressed an issue not on the agenda.)

On March 11, 2008, she approached the Board with a request to approve an LHAP revision that increased purchase assistance amounts and that the change apply to the applicant being approved that night. These items were both approved, as evidenced by minutes of the County Commission. The State Monitor is now questioning whether the Board intended for the changes to be effective immediately.

Commissioner Chandler said that he is of the understanding that whenever items are brought to the Commission and there is no "date certain" for commencement, and the Board approves the item, it is approved effective immediately, as would have been the case in this instance.

Mr. Brown said that it is his interpretation that if the motion were made so it would be pertinent to the applicant who had the application pending; then implicit in that, it became effective when it passed.

By consensus, the Board agreed with Mr. Brown's interpretation.

CONSENT AGENDA

- A. MINUTES OF REGULAR SCHEDULED MEETING OF FEBRUARY 1, 2010
- B. MINUTES OF EMERGENCY MEETING OF FEBRUARY 3, 2010

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the Consent Agenda in its entirety.***

CONSIDER APPROVAL OF I.G.C.F. INVOICES FOR HASTY'S COMMUNICATIONS (Approved by I.G.C.F. 03-10-10)—BRIAN JOHNS:

- A. INV. #23608 MOBILE RADIO, MOUNT, CABLE, ANTENNA -- \$736.00
- B. INV. #23609 MOBILE RADIO, MOUNT, CABLE DISGUISED ANTENNA -- \$1060.00
- C. INV. #23615 MOBILE RADIO, ANTENNA KIT -- \$586.00
- D. INV. #22616 MOBILE RADIO, ANTENNA KIT -- \$586.00

Chairman Hersey recognized Mr. Johns who presented the expenditure requests.

*Commissioner Thomas moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the I.G.C.F. expenditure requests as presented.** ([Invoices attached](#))*

TDC REQUEST FOR MAIN STREET STARKE, INC. -- 12TH ANNUAL BRADFORD COUNTY STRAWBERRY FESTIVAL APRIL 17 & 18, 2010 (\$5,000.00)—PAM WHITTLE:

Chairman Hersey recognized Ms. Whittle who presented the funding request.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the request as presented.** ([Request attached](#))*

CONSIDER APPROVAL OF AGREEMENT BETWEEN BRADFORD COUNTY TOURIST DEVELOPMENT COUNCIL AND NORTH FLORIDA REGIONAL CHAMBER OF COMMERCE FOR TWO (2) ADDITIONAL YEARS—PAM WHITTLE:

Ms. Whittle presented the agreement for renewal.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the Agreement as presented.** ([Agreement attached](#))*

Ms. Whittle expressed her appreciation to the Board for their cooperation with the TDC and to County staff for their knowledge and assistance. A recent audit went very well and the Conference Center is paying its own bills.

REQUEST FOR D.O.C. WRITE-OFFS OF \$3,469.83—ALLEN PARRISH:

Chairman Hersey recognized Mr. Parrish who presented the request.

Clerk Norman expressed his appreciation to Mr. Parrish and his staff for their efforts and accomplishments in handling the write-offs in a timely manner, which has been an issue in the County audit for some time.

*Commissioner Lewis moved, Seconded by Commissioner Thomas, and **carried 5-0, to approve the D.O.C. write-offs as requested.** ([Request attached](#))*

REQUEST FOR COPCN RENEWALS—ALLEN PARRISH:

Mr. Parrish presented Certificates of Public Convenience and Necessity (COPCN) renewals for both Century Ambulance Service and Bradford County Emergency Medical Services.

*Commissioner Chandler moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the COPCN renewals as presented.** ([Request and certificates attached](#))*

CRYSTAL LAKE HOME SITES GOLF CART COMMUNITY—CHAIRMAN HERSEY:

Chairman Hersey recognized Mr. Charlie Nabywaniec, President of the Homeowner's Association for Crystal Lake Home Sites, who requested consideration for the designation of a golf cart community.

*Commissioner Thomas moved, seconded by Commissioner Lewis, and **carried 5-0, to designate Crystal Lake Home Sites as a golf cart community.***

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DISCUSS APPROVAL PROCESS FOR GRANTS REQUIRING NO COUNTY MATCH—CHAIRMAN HERSEY:

Chairman Hersey said that currently department heads come to the Board to get permission to apply for a grant, and then back for approval of the grant agreement (if awarded), then back again for permission to spend the grant funds. He suggested cutting out some of the steps and streamlining the process for grants with no County match requirements.

Discussion ensued.

By consensus, the Board agreed with Chairman Hersey’s suggestion as long as the Commissioners and the Clerk are notified in writing of the grant activity for non-matching grants.

For budgeting purposes, Chairman Hersey suggested that a system be developed to better track grant revenues; especially grants with County match requirements and those that carry over from one year to another.

This incited discussion.

By consensus, the Board agreed to develop a tracking system for grant revenues. Chairman Hersey asked Mr. Carter to relay the Board’s wishes at the next Department Head meeting.

APPROVE PAYMENT OF BILLS—COMMISSIONER THOMAS:

*Commissioner Thomas moved, seconded by Commissioner Lewis, and **carried 5-0, 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.)

PUBLIC COMMENTS: None.

COUNTY ATTORNEY REPORTS – TERRY BROWN: None.

COUNTY MANAGER REPORTS – BRAD CARTER:

A. BRADFORD COUNTY PERSONNEL POLICIES AND PROCEDURES

Mr. Carter presented the revised Personnel Policies and Procedures Manual for consideration.

*Commissioner Lewis moved, seconded by Commissioner Chandler, and **carried 5-0, to approve the Revised Personnel Polices and Procedures Manual.***

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SHERIFF'S REPORTS – GORDON SMITH:

Capt. Smith announced that Sheriff Smith is to graduate from FBI School tomorrow.

CLERK REPORTS – RAY NORMAN: None.

COMMISSIONER'S COMMENTS:

Commissioner Chandler commented on the following:

- Received e-mail from a resident of Griffis Loop concerning safety issues relating to the resurfacing project.

Mr. Carter reported that Mr. Kelley has been spot-checking the contractor for safety compliance. Each time, the contractor was found to be in compliance. The reported instances appear to be isolated and were quickly resolved. Mr. Kelley will continue to perform safety compliance assessments.

- Thanked the Road Department for assisting the City of Lawtey with the sewage project and would appreciate the Board's willingness to continue the support.
- Has been made aware of a local business that has not responded to numerous phone calls from a customer who paid up-front for parts to repair an appliance and the appliance has not been repaired.

Capt. Smith advised that the individual should come the Sheriff's Office to fill out a complaint. It could be a civil issue and not a criminal one.

Commissioner Sellars commented on the following:

- Thanked Mr. Carter for handling the safety compliance issue on Griffis Loop.
- Inquired of Mr. Carter of the intentions regarding the vacant secretarial position at the Road Department.

Mr. Carter said that with most positions of this nature it has been his practice to leave them unfilled, unless they are proved to be critical in need.

Discussion ensued.

By consensus, the Board approved to advertise for and to hire a full-time secretary for the Road Department. Mr. Carter said that he would move forward with the advertisement.

Chairman Hersey said that Mr. Funderburk should be involved in the hiring process.

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Commissioner Chandler also commented on the following:

- Inquired of Mr. Brown concerning a letter received from his office regarding the February 18 hearing. (Appeal on Special Exception Application to locate a C&D Landfill on tax parcel no. 01151-0-00000.)

Mr. Brown advised that the County has checked and double-checked. His office is comfortable with everything that has been produced and the County has fully complied with the public records request.

Commissioner Lewis commented on the following:

- Expressed his appreciation to Ms. Cooper and Mr. Johns for all their efforts to assist the tornado victims. However, he is very dissatisfied with the state's process regarding assistance.
- If funding is available and everyone is agreeable, he would like the Road Department to purchase milling from Whitehurst Construction for \$200.00 a truckload, which is half the normal price. He feels that they would give the County even a better price. A load of lime rock cost the County about \$300.00 delivered.

By consensus, the Board approved for Commissioner Lewis to look into it.

CHAIRMAN COMMENTS—JOHN WAYNE HERSEY:

- Reminded the Board of Legislative Day on the 24th in Tallahassee. The Small County Coalition is staying on top of the legislative issues, with one of the largest issues being libraries.
- He has received a request asking the Board to adopt a "Save Space" resolution supporting the state's space program.

By consensus, the Board approved to proceed with drafting the resolution. Mr. Carter advised that the resolution can be ready for April 5 meeting.

- Reported on the drainage problem in Hampton brought to the Board's attention by the Mitchell's. Research has revealed that there are water lines on County right-of-way where a ditch needs to be dug. The City has indicated that they have personnel to move the lines but would need help with equipment.

Mr. Funderburk advised that they are scheduled for 8:00 a.m. Monday morning to begin the work.

- The workshop with the City of Starke scheduled for 30th has been canceled. The City wants to reschedule for April 13 @ 5:00 p.m. and have the agenda by April 1.

Discussion ensued.

The items for the agenda from the County Commission will be:

- Interlocal agreement
- Animal Control

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Following additional discussion, Mr. Brown recommended that Mr. Carter draft a letter requesting the City's agenda items before April 1, in order to create a master agenda. The deadline for both Commissions to add items to that proposed agenda would be no later than April 9th.

ADJOURN

There being no further business, the meeting adjourned at 8:55 p.m.

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

JOHN WAYNE HERSEY, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK TO THE BOARD

Minutes prepared by Marlene Stafford, Deputy Clerk