

(07-15-10 Regular Meeting)

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR MEETING 6:30 P.M.
THURSDAY, JULY 15, 2010**

The Bradford County Board of County Commissioners convened in regular session on Thursday, July 15, 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; Will Sexton, County Attorney; Nora Thompson, Zoning Director; Donny Wise, Solid Waste Director; Kelly Canady, Community Development Director; Jerome Kelley, County Engineer; Sheriff Smith; Capt. Boatwright; Capt. Smith; Capt. Starling, Allen Parrish, Emergency Services Director; Paul Funderburk, Road Superintendent; Brian Johns, Emergency Management Services Director; Robert Perone, Library Director; Benny Jackson, Mosquito Control Director; Derek Alvarez, Mapping/Code Enforcement.

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

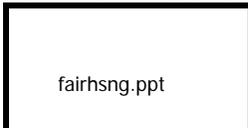
SECOND PUBLIC HEARING

2009 CDBG HOUSING APPLICATION

FAIR HOUSING WORKSHOP PRESENTATION—MARTHA ORTHOEFER:

Chairman Hersey recognized Ms. Orthoefer, who briefly reviewed the Fair Housing Program via Power-Point Presentation.

Power-Point Presentation



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Ms. Orthoefer presented the following resolutions for consideration:

RESOLUTIONS:

--ADOPTING FISCAL YEAR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM HOUSING ASSISTANCE PLAN—([Resolution No. 10-21](#))

--AUTHORIZING THE FILING OF A FISCAL YEAR 2009 FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION APPLICATION—([Resolution No. 10-20.](#))

*Commissioner Thomas moved, seconded by Commissioner Sellars, and **carried 5-0, to adopt the resolutions as presented.*** (The Resolutions were assigned numbers as listed above.)

CONSIDER APPROVAL OF S.H.I.P. PURCHASE ASSISTANCE LOAN (Not to Exceed \$30,000.)—KELLY CANADY:

Chairman Hersey recognized Ms. Canady, who presented a home repair loan and purchase assistance loan for approval.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the loans as presented.***

RENEWAL OF JONES EDMUNDS ANNUAL SERVICES—WORK ORDER #4 AND STORMWATER REPAIR—WORK ORDER #5—TIM CULLY & TERRI LOWERY:

Chairman Hersey recognized Ms. Lowery and Mr. Cully.

Ms. Lowery expressed her appreciation to the Commission for the opportunity to continue working with Bradford County.

Via Power-Power, Mr. Cully, presented Work Order #4 and Work Order #5 for consideration.

WO No.4 and WO
No. 5 BOCC Presentation

*Commissioner Chandler moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the work orders as presented.*** ([Work Order No. 4](#)) ([Work Order No. 5](#))

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SITE PLAN APPROVAL—AFFORDABLE HOMES—PARCEL #04721-0-00600—NORA THOMPSON:

Chairman Hersey recognized Ms. Thompson, who presented the site plan for consideration.

*Commissioner Thomas **MOVED to approve the site plan as presented. SECONDED** by Commissioner Lewis.*

Mr. Sexton said that the site plan before the Commission indicates parking requirements the applicant needs to meet, which were added to the plan by the County Engineer. At the applicant's request, he, Mr. Carter and Mr. Kelley visited the site. There are two issues the Board should be apprised of. First, the existing parking lot that was used by the prior business is not paved and does not comply with the County's Land Development Regulations (LDR). Second and more important, is that the paving requirement in the LDR is the same for the very smallest business and the very largest business. This very small business has to meet the same paving requirements as large businesses such as Wal-Mart.

Recommendation: The Board direct Mr. Kelley, together with the County Attorney, to develop standard paving requirements based on the number of vehicle trips a business generates. The Commission could approve this site plan and give the applicant sixty (60) days to comply with the LDR. This would give staff adequate time to present recommended LDR amendments to the Commission for consideration.

Discussion.

*Commissioner Thomas **AMENDED HIS MOTION to approve the site plan as presented; giving the applicant six (6) months to comply with the County's LDR. Commissioner Lewis AMENDED HIS SECOND and the MOTION CARRIED 5-0.***

There was Board consensus to direct Mr. Sexton and Mr. Kelley to prepare recommended amendments to the County's LDR concerning paving requirements.

CONSIDER APPOINTMENT OF BETTY KEITH HODGES TO SERVE AS BOCC CITIZEN REPRESENTATIVE ON THE VALUE ADJUSTMENT BOARD TO REPLACE BARRY CARLTON:

Chairman Hersey recommended the appointment.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to appoint Betty Keith Hodges to serve as BOCC citizen representative on the Value Adjustment Board.***

CONSENT AGENDA

A. MINUTES OF REGULAR SCHEDULED MEETING OF JUNE 7, 2010

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

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CONSIDER APPROVAL TO EXTEND AUDIT SERVICES AGREEMENT WITH PURVIS, GRAY AND COMPANY FOR TWO ADDITIONAL YEARS

Commissioner Sellars inquired about the two-year term of the agreement.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the [Audit Services Agreement](#)**.*

REQUEST APPROVAL TO ADVERTISE FOR BID/PROPOSALS FOR DEBRIS MANAGEMENT PLAN—BRIAN JOHNS:

Chairman Hersey recognized Mr. Johns who presented the [advertisement for bids](#) for consideration.

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

PAYMENT OF BILLS—COMMISSIONER LEWIS:

*Commissioner Lewis moved, seconded by Commissioner Thomas, 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:

The following individuals addressed the Commission with comments and concerns relating to the County's Land Development Regulations and Code Enforcement issues involving travel/camper trailers being used as dwellings on private property:

Ron Newman, of 7320 NE CR227, Starke
Tom Tatum, of 200A, Lawtey

Mr. Sexton advised that as the County's LDR is currently written; you cannot use a travel trailer as a dwelling unit. Subsequent to a meeting he had with Mr. Carter, Commissioner Thomas and Ms. Thompson, he and Ms. Thompson are crafting a minor language change to the LDR that would provide for a temporary use permit for cases of hardship, permitting a travel trailer to be used as a dwelling.

There was Board consensus to hold off taking action on any outstanding Code Enforcement issues regarding travel trailers until the LDR can be worked out, and to direct staff to draft amendments to the LDR to be considered for approval by the Commission.

PUBLIC COMMENTS continued on the same subject:

Tommy Tatum of 2556 216th Street, Lawtey
Nelson Carter of 5045 SE 73rd St. Hampton
Malcolm Hill of 4226 NW CR233, Starke
Sylvia Tatum of 22512 CR200A, Lawtey

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At 8:00 p.m., Chairman Hersey called a 10-minute recess.

Chairman Hersey called the meeting back to order at 8:10 p.m.

COUNTY ATTORNEY REPORTS—WILL SEXTON: None.

COUNTY MANAGER REPORTS—BRAD CARTER:

A. CONSIDER APPROVAL TO REQUEST BIDS FOR RESTRIPIING OF DESIGNATED ROADS

After conferring with the Clerk, funds have been identified in the Road Department. To lessen the impact on a particular budget year, he would propose spreading the projects over two years.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve to request for bids for restriping designated roads.***

B. CONSIDER APPROVAL TO REBUILD NW 71ST AVENUE WITH LIMEROCK \$30,000

The funds are in the Road Department limerock budget. Mr. Funderburk has been vigilant all year to save limerock funds for such a project. Mr. Funderburk has indicated that this road is in critical need of repair and is a constant battle to maintain. Work will also be done to improve the drainage.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the request.***

C. CONSIDER BOCC SPONSORSHIP OF LAND USE PLANNING AMENDMENT APPLICATIONS

Mr. Carter said that since the window of opportunity for citizens to request Board sponsorship of land use/zoning amendments closed a few years ago, others have come forward that would like to be afforded the same opportunity.

Recommendation: Offering Board sponsorship of land use/zoning amendments for the applicant/citizen who can prove that their land use/zoning was changed with the adoption of the Land Use Plan Map in 1996. That the window of opportunity be: July 22 through August 31, with two advertisements.

Discussion.

*Commissioner Thomas moved, seconded by Commissioner Chandler, and **carried 5-0 to approve Board sponsorship of applications through the end of September, to advertise for the first two weeks consecutively and bi-weekly thereafter.***

This incited discussion regarding the need for an annual review of the County's Land Development Regulations. Mr. Sexton concurred and said that it has been 14 years since anyone has made a wholesale review of the LDR, much less an annual review.

D. CONSIDER EXTENSION OF LIMEROCK HAULING AGREEMENT WITH PRITCHETT TRUCKING, INC., AT REDUCED RATE FROM \$11.95/TON TO \$11.25 TON

*Commissioner Chandler moved, seconded by Commissioner Lewis, and **carried 5-0, to extend the [Limerock Hauling Agreement](#) as presented.***

E. CONSIDER APPROVAL OF INTER-LOCAL AGREEMENT WITH THE CITY OF HAMPTON FOR COMMUNITY DEVELOPMENT BLOCK GRANT

Mr. Carter presented the agreement for consideration.

*Commissioner Lewis moved, Seconded by Commissioner Thomas, and **carried 5-0, to approve the agreement as presented.*** (Copy on file in the County Manager's Office.)

F. CONSIDER APPROVAL OF INTER-LOCAL AGREEMENT WITH CLAY COUNTY FOR TEMPORARY BUILDING OFFICIAL SERVICES

Mr. Carter said that he has not received a proposed interlocal from Clay County. Clay County has agreed to provide inspections and plans review services during Mr. Manning's illness, which they have been doing and will continue to do. He will bring an interlocal agreement to the Commission at the next meeting.

Mr. Manning is recovering well, and hopes to be back to work next week, at least in an office capacity to review plans.

G. PROPOSAL FOR EXPANSION OF THE COUNTY MEDICAL DIRECTOR POSITION

Recommendation: Expanding the Medical Director position to include the duties of a County Physician at an annual salary of \$75,000.00, plus benefits.

Brief discussion.

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve the expansion of the position of Medical Director to include County Physician.*** ([Position Outline and Description for Medical Director and Physician.](#))

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to approve an [Employment Agreement](#) between Bradford County and Dr. Peter J. Gianas, M.D., to fill the Medical Director and County Physician position.***

H. BID RECOMMENDATION FOR CR200A

Recommendation: Continue to next meeting, August 2, to give the committee more time to thoroughly evaluate the bids.

Mr. Carter yielded the floor to Mr. Sexton to address a Code Enforcement issue that was prompted by earlier discussion.

Mr. Sexton said that there are currently open Code Enforcement cases involving travel trailers and although there was a consensus of the Board, out of the abundance of caution, there should be a motion to suspend enforcement of the County's LDR in terms of travel trailers until staff has an opportunity to evaluate the LDR.

*Commissioner Thomas moved, seconded by Commissioner Sellars, and **carried 5-0 to suspend enforcement of the County's LDR in terms of travel trailers until further notice.***

SHERIFF'S REPORTS—GORDON SMITH:

Sheriff Smith reviewed the [quarterly report](#) for the period of April 1 through June 30.

CLERK REPORTS—RAY NORMAN

A. PRESENTATION OF FISCAL YEAR 2010-2011 TENTATIVE BUDGET

Clerk Norman presented the Fiscal year 2010-2011 Tentative Budget. The budget is balanced and is based on the same millage rate as the current year and for the last three years, @ 9.1769 mills. Revenues for the last three years have decreased. The budget was balanced using fund balance. Adopting the 9.1769 millage rate will generate about \$84,000.00 less than the current year. There are no raises in the tentative budget, which makes three years of no raises. There are (5) vacant positions that have not been filled.

Clerk Norman cautioned the Board about staying within the budget. This year the State attempted to take several revenues sources away, and the upcoming year is unpredictable as well.

B. BOARD TO SET FISCAL YEAR 2010-2011 PROPOSED MILLAGE RATE

*Commissioner Lewis moved, seconded by Commissioner Thomas, and **carried 5-0, to adopt the Fiscal-Year 2010-2011 Millage Rate of 9.1769 mills.***

Clerk Norman reminded the Commission of the two public hearing dates: Tentative Hearing on September 7, 2010 at 5:30 p.m. and Final Hearing on September 21, 2010 at 5:30 p.m.

COMMISSIONER'S COMMENTS:

Commissioner Chandler commented on the following:

--The Alachua/Bradford Workforce Board is being sued. The insurance company is handling the suit. For informational purposes only, he has asked that the documentation be forwarded to the County Manager's Office. They do not anticipate any County involvement.

Commissioner Lewis commented on the following:

--Expressed appreciation to all those involved with the Lincoln City clean-up project, it was a great success.

--Due to lack of funding, the FRDP grant applications for Speedville and Lincoln City were not approved. He would like the County to re-apply for those grants. There was consensus to re-apply for the grants.

Mr. Carter added that the County was commended on the applications, but that the legislature only funded a total of approximately \$300,000 statewide and Bradford County alone applied for more than that.

CHAIRMAN COMMENTS—JOHN WAYNE HERSEY:

--Reminded the Commission that the mid-month meeting in August would take place in Courtroom II.

--Informed of the speed limit change on SR16.

ADJOURN: There being no further business, the meeting adjourned at 9:05 p.m.

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

JOHN WAYNE HERSEY, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK TO THE BOARD