

**MINUTES OF  
BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR SCHEDULED MEETING      9:30 A.M.  
MONDAY, DECEMBER 6, 2010**

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The Bradford County Board of County Commissioners convened in regular session on Monday, December 6, 2010, at 9:30 a.m. in the County Commissioners' Meeting Room, 945 North Temple Avenue, Starke, Florida.

**PRESENT:** Chairman Lewis, Commissioner Thomas, Commissioner Riddick, Commissioner Sellars and Commissioner Chandler.

**ALSO PRESENT:** Brad Carter, County Manager; Sandra Harrell, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Terry Brown, County Attorney; Brian Johns, Emergency Management Director; Allen Parrish, Emergency Services Director; D.Z. Griffis, Facility Maintenance Director; Jerome Kelley, County Engineer; Mark Crawford, Press; Derek Alvarez, 911 Mapping; Robert Perone, Library Director; Jim Farrell, Finance Director; Sheriff Smith; and Capt. Boatwright.

**CALL TO ORDER:** Chairman Lewis called the meeting to order at 9:30 a.m.

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Chairman Lewis deviated from the agenda to address item 7E, under County Manager's Reports.

**7.E. BOCC SPONSORSHIP OF APPLICATIONS TO CHANGE LAND USE MAP ADOPTED IN 1996:**

Mr. Carter proposed that during the open ended window for Board sponsored applications for land use amendments, that a detailed informational article be advertised in the Telegraph to help educate the citizens of the process. Additionally, he has instructed the Zoning Director to identify all potential zoning discrepancies that may cause future complaints so those issues can also be corrected during the window.

Commissioner Thomas asked that the Building and Zoning fee schedules be revised to exempt churches of any faith.

Commissioner Chandler said that he has no problem with Commissioner Thomas' request, but that provisions are made to quantify the validity of a "church". He would be willing to assist the County Attorney in this process.

*Commissioner Thomas moved, seconded by Commissioner Chandler, and **carried 5-0, to direct Mr. Brown to draft the necessary documents to exempt churches from building and zoning permit/application fees.***

Discussion returned to the Board sponsorship of Land Use Amendment Applications.

*Commissioner Thomas moved, seconded by Commissioner Chandler, and **carried 5-0, to begin the Board Sponsored Land Use Amendment Application process as presented by Mr. Carter.***

**CONSENT AGENDA**

- A. MINUTES OF ECONOMIC DEVELOPMENT WORKSHOP AND REGULAR MEETING OF OCTOBER 21, 2010**
- B. MINUTES OF REGULAR MEETING OF NOVEMBER 1, 2010**
- C. LIST FOR MONTHLY REVIEW OF BILLS**
- D. INVENTORY SURPLUS LIST**
- E. OVERSIGHT COMMITTEE APPOINTMENTS**

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

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**PAYMENT OF BILLS—CHAIRMAN LEWIS:** Chairman Lewis recommended payment of the bills as reviewed.

*Commissioner Sellars 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 of Courts.)

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**PUBLIC COMMENTS:**

**Ronnie Newman of Starke – Permit Fee and Zoning of Seventh Day Adventist Church**

Mr. Newman said that while applying for a permit to install a storage building, the church learned that the property is zoned residential and were instructed to apply for a variance or a special exception, which without, they cannot get a building permit. Instead of a variance, his recommendation was to ask the County to refund the money paid for the permit and to rezone the churches property consistent with its use, at no cost to the church.

Mr. Carter said that based on the earlier actions of the Board, once the attorney has prepared the necessary documents, the permit fee exemption could be retroactive to this particular case and the permit fee could be refunded. Concerning the rezoning issue, as best as can be determined, the church as always been zoned residential, was ever zoned commercial and was not changed by the Amendments to the LDR. Therefore, he is not sure that the rezoning process would qualify under the Board sponsored application process. However, a Special Exception would cost nothing.

Discussion ensued.

Mr. Brown said that it is often correct that if there is a non-conforming land use, a building could not be replaced if destroyed by fire, etc. However, the manner in which churches are being handled by Special Exception in any zoning classification, this would not be the case, and it is his understanding that a building could be replaced, under the current rules

Discussion continued.

Mr. Brown advised that if one does not already exist, a zoning classification can be created for religious institutions. For this particular case, Ms. Thompson should be consulted to determine the quickest way to resolve the problem so the church can move forward with its plans. It is his guess that a Special Exception can be moved through much quicker than the rezoning process. Once there is a zoning classification for churches, then a rezoning application can be made for the Seventh Day Adventist Church. This way, the land use will be consistent with the actual use.

(12-06-10 Regular Meeting)

Following additional discussion, there was a general consensus to refund the church their money, grant the Special Exception and move forward on correcting the zoning classification to be consistent with the actual use.

Inced by inquiry by Mr. Newman, the Board indicated that once they leave the meeting, there is no reason why they should not be issued a building permit.

**Curtis Johnson of 312 Island View Circle, Orange Park, Lay Pastor of the Seventh Day Adventist Church, commented on the following:**

Mr. Johnson said that without the correct zoning, he still has a concern about the inability to rebuild their church should they ever be faced with that need.

Mr. Johnson was assured that the church would have no problem replacing their building should there ever be a need to do so.

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

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**SHERIFF REPORTS—GORDON SMITH:** Sheriff Smith reported the following:

--Capt. Smith is at the High School today performing a texting and rollover simulator to help educate the students of the importance of driver safety. He invited the Commission to attend.

--Sheriff Smith distributed copies of a memo entitled: "[Return of 2009/2010 Funds](#)", and explained why the funds are being returned. The total return amount is \$224,616.74, and is broken down as follows:

Fine & Forfeiture	\$ 68,334.71
Corrections Set Aside	49,247.25
FY 2009 Fees	11,736.70
FY 2010 Budget Return	<u>95,298.08</u>
Total Return	\$224,616.74

*Commissioner Chandler moved, seconded by Commissioner Sellars, and **carried 5-0, to accept the \$49,247.25 in Corrections Set Aside Fees.***

--Reminder: Keeping the holiday season in mind, safety updates are available on their Facebook and website. There will be increased law enforcement during this time. He encouraged everyone to keep their homes and automobile locked.

--Invited the Commission to attend the Law Enforcement Dinner on December 14<sup>th</sup> at 7:00 p.m. at the Woman's Club.

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**CLERK REPORTS—RAY NORMAN:** None.

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**COUNTY MANAGER REPORTS—BRAD CARTER:**

**A. RESOLUTION ENDORSING THE WOMAN'S CLUB OF STARKE, INC. APPLICATION FOR GRANT TO THE BUREAU OF HISTORIC PRESERVATION, FLORIDA DEPARTMENT OF STATE, FOR THE PURPOSE OF RESTORATION OF CLUB HOUSE FACILITY**

Mr. Carter presented the resolution for consideration.

*Commissioner Thomas moved, seconded by Commissioner Chandler, and **carried 5-0, to adopt the Resolution as presented.*** (The [Resolution was assigned No. 2010-38.](#))

Chairman Lewis asked Mr. Carter to let him know if and when there is any debris that needs to be hauled to the landfill. As an in-kind service to the project, he would hope the Commission would agree to waive any landfill fees, and would be glad to take that request to the New River Solid Waste Association Board.

**B. RESOLUTION FOR BRADFORD COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

Mr. Carter presented the resolution.

*Commissioner Chandler moved, seconded by Commissioner Thomas, and **carried 5-0, to adopt the Resolution as presented.*** (The [Resolution was assigned No. 2010-39.](#))

**C. WRITE-OFFS FOR EMS FOR 01-01-09 TO 03-31-09--\$96,674.42:** Mr. Carter presented the write-offs for consideration.

*Commissioner Thomas moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the write-offs as presented.***

**D. SENIOR CENTER UPDATE**

Mr. Carter advised that all bids have been rejected and the project will be re-bid, in hopes of receiving bids within the budget by scaling back the project. The architect has estimated a maximum amount of \$4,000.00 to handle the re-bid.

Incited by inquiry of Clerk Norman, Mr. Brown advised that the Board should formally reject the bids and authorize to re-bid the project with a scaled-down version.

*Commissioner Chandler moved, seconded by Commissioner Thomas, and **carried 5-0, to reject all bids, re-bid and scale down the project to stay within budget.***

Mr. Carter advised that the Economic Development Committee has requested that the Commission reschedule the Economic Development Workshop originally set for December 9 to some time in January. There was consensus to schedule the workshop for Thursday, January 27 at 7:00 p.m. Mr. Carter will advise the Committee of the change.

Mr. Carter said that based on a Commission request from the last meeting, all future Commission Meeting agendas, with major attachments (back-up documentation) will be available on the County's website.

After some discussion regarding what attachments should be included, there was consensus to include "all" attachments.

(12-06-10 Regular Meeting)

**COMMISSIONER’S COMMENTS:**

**Commissioner Chandler commented on the following:**

- **Santa Fe Lake Boat Ramp:** The County does not maintain the ramp. However, there is a group who does. This group may be willing to repair the fishing dock and possibly install some floating docks. He asked Mr. Carter to contact the group to see if they would be willing to handle this project.
- **Santa Fe Lake Boat Ramp:** Requested additional garbage receptacles to be placed at the ramp.
- **Damage at Crosby Lake Boat Ramp:** The damage is being addressed. However, signage is needed to direct people to use caution. (Mr. Carter was directed to take care of the signage.) There was some discussion concerning the scope of the damage.

There was discussion regarding **Sampson Lake** boat ramp and canal at Cypress Run. Mr. Johns is scheduled to meet with the Game Commission, at which time all three boat ramps can be addressed.

**Commissioner Thomas commented on the following:**

- **SR16:** Asked Mr. Carter to contact DOC concerning assisting with cleaning up some debris. It appears that one of the transport trucks from Alachua County has lost a lot of paper, creating an eye sore.

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**CHAIRMAN COMMENTS:** None.

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**ADJOURN**

There being no further business, the meeting adjourned at 10:28 a.m.

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

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**EDDIE J. LEWIS, CHAIRMAN**

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

Minutes prepared by Marlene Stafford, Deputy Clerk