

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING 9:30 A.M.
MONDAY, FEBRUARY 4, 2013**

The Bradford County Board of County Commissioners convened in a regular meeting on Monday, February 4, 2013 at 9:30 a.m. in the Commission Chambers, North Wing of the Bradford County Courthouse, at 945 North Temple Avenue, Starke, Florida.

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

ALSO PRESENT: Brad Carter, County Manager; Rachel Rhoden, Administrative Assistant; Ray Norman, Clerk of Courts; Marlene Stafford, Deputy Clerk; Terry Brown, County Attorney; Capt. Boatwright; Robert Perone, Library Director; Paul Funderburk, Road Superintendent; Allen Parrish, Emergency Services Director; Brian Johns, Emergency Management Director; Donny Wise, Solid Waste Director; Kelly Canady, Community Development Director; Mark Crawford, Press; Ronnie Harper, Facility Maintenance Director; Jim Farrell, Finance Director; Capt. Smith; Sheriff Smith; Capt. Starling and Tim Wilson, CED.

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

PUBLIC COMMENTS:

Paul Still—Update on water issues. ([Handout](#))

Mr. Still commented on the following:

--St. Johns River Water Management District permits for a well at Camp Blanding that will pump 1.4 million gallons of water out on the ground. The MPDES permit has been issued and the consumptive use permit has gone to Tallahassee for signature and should be issued this week. He is personally going to challenge both permits. The Bradford Soil and Water Conservation District may also challenge the permits.

--St. Johns River Water Management District has developed a committee to review proposals to put water into the lakes in Keystone. Bradford County does not have a representative on the committee.

Mr. Still addressed some of the committee's proposals and his concerns with them. (See handout above.)

Discussion ensued. During the discussion, Mr. Still was asked if he would be willing to serve on the committee, if the Commission could get him appointed. Mr. Still indicated in the positive.

Following discussion, there was Board consensus for the attorney and Mr. Carter to draft a resolution to parrot that of the Bradford Soil and Water Conservation District to include the appointment of Mr. Still to the Board as a representative of Bradford County.

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Mark Williams of M&R Construction—Approval of Robert Taylor for a Design/Build Contract for the EMS Building

Mr. Williams commented on the following:

--As spokesperson for the Bradford County Construction Industry Trade Board, he asked the Commission to make a commitment to add verbiage to the contract with Mr. Taylor to guarantee that Bradford County contractors and subcontractors are given every opportunity to perform the work. There is nothing on the scope sheet that cannot be done by a local contractor, subcontractor or provided by a local vendor.

Incited by inquiry of Commissioner Sellars, Mr. Brown advised that the County could not dictate who Mr. Taylor hires, but legal permissible language can be included in the contract that provides locals the opportunity to match prices the general contractor may get from subcontractors or material men.

There was Board consensus for Mr. Brown to draft language to be included in the contract.

CONSENT AGENDA

A. INVENTORY SURPLUS LIST

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

PAYMENT OF BILLS—COMMISSIONER LEWIS:

*Commissioner Lewis moved, seconded by Commissioner Chandler, 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.)

PRESENTATION OF YOUTH PROGRAMS THROUGH THE BRADFORD PARENT'S ATHLETIC ASSOCIATION—REPRESENTATIVE REGINA GAINNEY:

Chairman Thomas recognized Ms. Gainey, who distributed packets to the Board, which included a proposed budget. Ms. Gainey gave a brief history of the development of the Bradford Parent's Athletic Association, the programs and activities offered and the goals of the Association.

On behalf of the Association, Ms. Gainey requested a \$5,870.00 commitment from the Board to cover "start-up" costs.

Discussion ensued.

Sheriff Smith said that he has met with the Association and they are very responsible. They have gone above and beyond to try to improve the program. Although he will need legal counsel regarding the legality of the expenditure, he recommended that the Crime Prevention monies in the Fine and Forfeiture Fund pay the \$5,870.

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Incited by inquiry of Commissioner Sellars, Clerk Norman advised that if the Board were in agreement to support the Association, he would look into the available funding options.

There was brief discussion regarding recreation funding and FRDAP grants.

Following additional discussion concerning a funding source, *Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0 to approve the \$5,870.00, contingent on available funding.***

CONSIDER APPROVAL OF THE BRADFORD COUNTY TOURIST DEVELOPMENT COUNCIL REQUEST OF \$5,000 TO SUPPORT THE CONSTRUCTION OF A PERMANENT STAGE LOCATED AT THE CORNER OF SR100 AND WATER STREET—MAIN STREET REPRESENTATIVE:

Chairman Thomas recognized Ms. Pam Whittle, who presented the funding request. The TDC approved \$5,000.00 in the 1st year and \$5,000.00 in second year. The project is complete and paid in full. Main Street Starke, Inc. is requesting approval for the 2nd year draw.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the TDC funding request as presented.***

Ms. Whittle expressed her appreciation to everyone who supported the Chamber by attending the Annual Membership Banquet.

COUNTY ATTORNEY REPORTS—TERRY BROWN:

A. REQUEST PRIVATE ATTORNEY-CLIENT SESSION FOR MARCH 4, 2013 WITH THE COUNTY ATTORNEY TO DISCUSS PENDING LITIGATION, PURSUANT TO SECTION 286.011, F.S.

Mr. Brown requested a confidential attorney-client session for March 4, 2013 to discuss pending litigation, pursuant to 286.011 F.S..

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0 to conduct a confidential attorney-client session on March 4, 2013, as requested.***

Concerning the issue brought to the Commission earlier by Mr. Still, the Board needs to consider how big an issue it is to the County and to the Board. Mr. Still's plan is to file a complaint and request an Administrative Hearing in connection with the Consumptive Use Permit. Mr. Brown explained how difficult the Administrative Hearing process is for a layperson to handle, no matter how much technical information he/she may have. Does the Board want an individual to carry on the fight, or does Bradford County want to officially take it on; is it worth the investment to fight?

Following discussion, there was consensus for Mr. Still to proceed as planned.

Mr. Still concurred with Mr. Brown in that the Administrative Hearing process is difficult. He will aim for a reasonable settlement and conditions on the permit to protect the County.

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Mr. Brown advised that it would be appropriate to send a message to the Water Management District (either by letter or resolution or both) that either they need to voluntarily include the County in the decision/recommendation process or we will oppose it. If their actions are going to impact Bradford County, then Bradford County is entitled to representation. The County cannot make the District do anything, but an Administrative Hearing Officer can.

Following additional discussion, there was Board consensus to draft a resolution with a cover letter.

SHERIFF REPORTS—GORDON SMITH: None.

CLERK REPORTS—RAY NORMAN: None.

COUNTY MANAGER REPORTS—BRAD CARTER:

(Mr. Johns addressed “B” first.)

A. CONSIDER APPROVAL OF PIGGYBACK AGREEMENT FROM JEFFERSON COUNTY FOR PLANNING, TRAINING AND EXERCISE SERVICES--\$10,923. (NO COUNTY MATCH)—BRIAN JOHNS

Mr. Johns presented the agreement for consideration.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the agreement as presented.** (A copy of the agreement is on file in the Office of Emergency Management.)*

B. CONSIDER APPROVAL OF PIGGYBACK AGREEMENT FROM JEFFERSON COUNTY FOR PLANNING, TRAINING AND EXERCISE SERVICES--\$20,000. (NO COUNTY MATCH)—BRIAN JOHNS

Mr. Johns presented the agreement for consideration.

Commissioner Chandler asked if it is possible to purchase equipment for security out of this grant. Mr. Johns indicated in the positive.

*Commissioner Lewis moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the agreement as presented.** (A copy of the agreement is on file in the Office of Emergency Management.)*

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C. CONSIDER APPROVAL OF TASK AUTHORIZATION FOR HAZARD MITIGATION GRANT PROGRAM FUNDING—5% FEE OF THE TOTAL PROJECT FUNDED—BRIAN JOHNS

Mr. Johns advised that the County is eligible for \$239,507.58, with no match requirement. The grant application is above the County's scope of capability. The 5% fee will compensate the individual hired to administer the grant and comes out of the grant funds received.

*Commissioner Chandler moved, seconded by Commissioner Sellars, and **carried 5-0, to approve the Task Authorization with a 5% fee as presented.** (A copy of the Task Authorization Agreement is on file in the Office of Emergency Management.)*

COMMISSIONER'S COMMENTS: None.

CHAIRMAN COMMENTS—DOYLE THOMAS: None.

ADJOURN

There being no further business, the meeting adjourned at 10:38 a.m.

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

DOYLE THOMAS, CHAIRMAN

ATTEST: _____
RAY NORMAN, CLERK OF COURTS

Minutes prepared by Marlene Stafford, Deputy Clerk