

**MINUTES OF  
BOARD OF COUNTY COMMISSIONERS  
BRADFORD COUNTY, FLORIDA  
REGULAR SCHEDULED MEETING                      6:30 P.M.  
THURSDAY, FEBRUARY 18, 2016**

---

The Bradford County Board of County Commissioners convened in a regular meeting on Thursday, February 18, 2016, at 6:30 p.m., in the County Commission Chambers at 945 North Temple Avenue, Starke, Florida.

**PRESENT:** Chairman Lewis, Commissioner Thompson, Commissioner Riddick and Commissioner Sellars. (Commissioner Chandler was absent and listened to the meeting via phone conference.)

**ALSO PRESENT:** Brad Carter, County Manager; Rachel Rhoden, Deputy County Manager, Will Sexton, County Attorney; Jim Farrell, Finance Director; Marlene Stafford, Deputy Clerk; Steve Jackson, Press; Jerome Kelley, County Engineer; Bennie Jackson, Solid Waste Director; Paul Funderburk, Road Superintendent; Dean Bennett, Facility Maintenance Director; Brian Johns, Emergency Management Director; Allen Parrish, Emergency Medical Services Director; Joe Peitrangelo, Health Department Director; Kelly Canady, Community Development Director; Chip Ware, Fire Marshal; Tyler Roddenberry, I.T.; Capt. Starling; Teresa Phillips, Tax Collector; Randy Andrews, Zoning Director; Sheriff Smith; and Capt. Smith.

\_\_\_\_\_

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

\_\_\_\_\_

**PUBLIC COMMENTS:**

**JOE PIETRANGELO, HEALTH DEPARTMENT DIRECTOR:**

--Presented the Commission with a Certificate of Appreciation from the State Surgeon General and Secretary of Health, in recognition of the County's efforts to promote healthy weight in Bradford County.

(The next segment of Public Comments was taken up by a group of people opposing phosphate mining in Bradford and Union County.)

Prior to the public comments, Mr. Sexton read the following statement into the record:

"It is our understanding that the issue of phosphate mining in Bradford County will be a topic of comment at tonight's meeting. To be clear, at this time, Bradford County has not received any application or proposal regarding phosphate mining.

Any proposed phosphate mining in Bradford County would require this Board to issue a permit in compliance with our Land Development Regulations and other local and Florida laws.

In the event that we do receive a mining application, this Board will be required to consider that application and hold public hearings while acting in a quasi-judicial capacity.

When a Board of County Commissioners acts in its quasi-judicial capacity, it is in many ways, behaving more like a court than a legislative body. To that end, there is a heightened importance for fairness and openness about what communication has occurred outside of public meetings like this one. There is an expectation that Board members refrain from what we call ex parte communications – meaning communication about the issues being considered by the Board – outside of the public hearings.

While not engaging with constituents may seem counterintuitive for elected officials, it is important to ensure that decisions rendered by the Board are valid, justified and not subject to being overturned on appeal.

Anticipating the aforementioned quasi-judicial process, it is my recommendation tonight that this Board refrain from engaging in discussion about the issue of phosphate mining and also refrain from commenting or answering questions about this issue – which may come before this Board for its consideration in the near future.

I repeat: there are no pending applications or proposals for phosphate mining which have been submitted to Bradford County and no decisions will be made on this issue tonight or outside of the procedures outlined in Bradford County's Land Development Regulations and Florida law.

With respect to tonight's public comments:

The Board of County Commissioners of Bradford County, Florida continues to and has always encouraged participation by the public at our meetings.

In order to maximize the ability of the public to contribute to tonight's meeting, please remember the following guidelines, which are imposed upon all public participation at our meetings:

1. Please fill-out a Public Comment Card and submit it to staff prior to speaking;
2. At the beginning of any comment, please state your name and physical address for the record;
3. Direct all comments to the Board and not to any other member of the public or any other participant at the meeting;
4. The Board will not tolerate disorderly conduct, profanity, personal attacks or name-calling so please refrain from this sort of conduct;
5. The Board will not answer questions, so please limit your remarks to comments only;
6. Please limit public comment to three minutes per person;

(02-18-16 Regular Meeting)

7. If you are present with a large group which desires to address the Board regarding a single topic, please consider selecting one member of the group to address the Board on that topic; and
8. Please refrain from making repetitive or duplicative comments."

The following individuals spoke in opposition of phosphate mining. Each speaker expressed their concerns regarding the dangers and negative impacts of phosphate mining, and offered suggestions to the Board in moving forward with the process:

**Kate Ellison of 857 SE 32nd Way, Melrose, FL 32666**

**Merrilee Malwitz-Jipson of 460 SW Riverland Ct., (2070 SW CR 138), Fort White, FL**

**Jim Tatum of 914 SW Riverland Ct., Fort White, FL**

**Brenda Thornton of Starke, FL (P.O. Box 554 - 1397 S. Water St.)**

**Rebecca Parker of 8106 SW CR 796, Lake Butler, FL (Citizens Against Phosphate Mining in Union and Bradford County)([Presented an on-line Petition with over 1500 signatures.](#))**

**Mark Lyons of 7788 Klein Rd, Glen St. Mary, FL**

During the public comments, there was some confusion regarding the statement given by Mr. Sexton and the fact that the mining interests have met with each commissioner in private meetings but citizens are not allowed to engage with the commissioners.

Chairman Lewis advised that the mining interests did meet with each commissioner individually. The same information shared in those meetings was in the Telegraph the following day. The public can say whatever it wishes and the Board will listen. The public may provide information to the commissioners via email. However, the Commission cannot return any comments or opinions.

Chairman Lewis thanked everyone for addressing the Commission.

---

## **CONSENT AGENDA**

- A. MINUTES OF REGULAR SCHEDULED MEETING OF 01-21-16**
- B. FDOT CERTIFICATE OF COMPLETION ON CR100A/SE 144th AVE. (From Hayes Ave. to SR200)**
- C. CONSIDER APPROVAL OF A RENEWAL MAINTENANCE CONTRACT WITH KONE FOR THE BRADFORD COUNTY COURTHOUSE ELEVATOR. ANNUAL TOTAL-\$3,945.83 (Increase of \$153.59)**
- D. CONSIDER APPROVAL OF A RENEWAL FIRE ALARM SYSTEM INSPECTION CONTRACT WITH CENTRAL FIRE & COMMUNICATIONS, INC. FOR THE BRADFORD COUNTY LIBRARY. ANNUAL TOTAL-\$305.00 (No Increase)**
- E. CONSIDER APPROVAL OF A COPIER/PRINTER LEASE AGREEMENT WITH XEROX (Low Quote) FOR THE AG/EXTENSION OFFICE. QUOTED PRICE: \$240.50/Mo - 39 Mo. LEASE**
- F. REQUEST PERMISSION TO APPOINT WILL SEXTON, COUNTY ATTORNEY, TO SERVE ON THE NCFRPC (North Central Florida Regional Planning Council) ORIGINAL FLORIDA TOURISM TASK FORCE BOARD**

- G. CONSIDER ACCEPTANCE OF ALLSTATE INSURANCE SETTLEMENT FOR TOTALED MACK DUMP TRUCK OF \$83,250.00 (\$83,500.00 less \$500.00 Deductible)**
- H. REQUEST PERMISSION TO SURPLUS 2007 MACK DUMP TRUCK, VIN#1M2AL02C27M004536, COUNTY ASSET NO. 8580**
- I. CONSIDER ACCEPTANCE OF FARM BUREAU INSURANCE SETTLEMENT FOR A CDBG FILE NO. 11DB-C5-03-14-01-H17, IN THE AMOUNT OF \$84,500.00 (\$53,389.00 Released to CDBG Client Immediately, while \$31,111.00 is Retained by the County Until Procurement of Contractor is Established)**

*Commissioner Thompson moved, seconded by Commissioner Sellars, and carried 4-0, to approve the [Consent Agenda](#) in its entirety.*

---

**PAYMENT OF BILLS--CHAIRMAN LEWIS:**

Chairman Lewis advised that he reviewed the bills and recommends payment.

*Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to approve payment of the bills as reviewed.*

(The Distribution List is on file in the Finance Department of the Office of the Clerk of Courts.)

---

**COUNTY ATTORNEY REPORTS--WILL SEXTON:**

**RESOLUTIONS--CONSIDER ADOPTION OF:**

Mr. Sexton presented the following resolutions for consideration. Each resolution approves a separate agreement with the Florida Department of Transportation for Small County Road Assistance Projects for repaving four roads surrounding the courthouse, for which FDOT has located funding in this fiscal year.

Mr. Sexton read each title into the record:

- A. AUTHORIZING EXECUTION OF A SMALL COUNTY ROAD ASSISTANCE AGREEMENT WITH FDOT FOR RESURFACING OR ROAD CONSTRUCTION PROJECT OF MCMAHON ST. (From SR16 to Courthouse)--GRANT AWARD TOTAL - \$200,000.00**

*Commissioner Sellars moved, seconded by Commissioner Thompson, and carried 4-0, to adopt the resolution as presented. (The [Resolution](#) was assigned No. 2016-04.)*

**B. AUTHORIZING EXECUTION OF A SMALL COUNTY ROAD ASSISTANCE AGREEMENT WITH FDOT FOR RESURFACING OR ROAD CONSTRUCTION PROJECT OF WELDON ST (From SR16 to US301)--GRANT AWARD TOTAL-\$375,000.00**

*Commissioner Thompson moved, seconded by Commissioner Sellars, and carried 4-0, to adopt the resolution as presented. (The [Resolution was assigned No. 2016-05.](#))*

**C. AUTHORIZING EXECUTION OF A SMALL COUNTY ROAD ASSISTANCE AGREEMENT WITH FDOT FOR RESURFACING OR ROAD CONSTRUCTION PROJECT OF GRAND STREET (From SR16 to Georgia St.)--GRANT AWARD TOTAL-\$265,000.00**

*Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to adopt the resolution as presented. (The [Resolution was assigned No. 2016-06.](#))*

**D. AUTHORIZING EXECUTION OF A SMALL COUNTY ROAD ASSISTANCE AGREEMENT WITH FDOT FOR RESURFACING OR ROAD CONSTRUCTION PROJECT OF GEORGIA STREET (From Grand St. to US301)--GRANT AWARD TOTAL--\$300,000.00**

*Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to adopt the resolution as presented. (The [Resolution was assigned No. 2016-07.](#))*

\_\_\_\_\_

**SHERIFF REPORTS--GORDON SMITH: None.**

\_\_\_\_\_

**CLERK REPORTS--RAY NORMAN: None.**

\_\_\_\_\_

**COUNTY MANAGER REPORTS--BRAD CATER:**

**A. CONSIDER APPROVAL OF A PROPOSAL FROM NEXTRAN TRUCK CENTER (STATE CONTRACT NO. 15-13-0904/Preferred Proposal) FOR A NEW 2017 MACK DUMP TRUCK (Not to Exceed \$50,000.00--Fiscally Constrained)--\$128,777.30 LESS APPROXIMATELY \$83,250.00 FROM ALLSTATE INSURANCE FOR SETTLEMENT OF TOTALED MACK TRUCK**

Mr. Carter presented the proposed purchase of a 2017 Mack Dump Truck as outlined above. ([Quotes](#))

*Commissioner Thompson moved, seconded by Commissioner Sellars, and carried 4-0, to approve to purchase a 2017 Mack Dump Truck as presented.*

(02-18-16 Regular Meeting)

(The following items were addressed out of sequence as follows: Item D, E, B, C, F, G & H.)

**B. AWARD BID TO CURT'S CONSTRUCTION, INC. (Low Bidder-\$1,131,971.35) FOR FDOT SCOP WIDENING AND RESURFACING ROAD PROJECT ON SW 104th AVE. (From SW CR18 to End of Section)--JEROME KELLEY, County Engineer**

Mr. Kelly recommended awarding the bid to the low bidder, [Curt's Construction, Inc., for \\$1,131,971.35.](#)

*Commissioner Thompson moved, seconded by Commissioner Riddick, and carried 4-0, to award the bid to Curt's Construction as recommended.*

**C. CONSIDER APPROVAL OF A CONSTRUCTION AGREEMENT WITH CURT'S CONSTRUCTION, INC., FOR THE WIDENING AND RESURFACING OF SW 104th AVE FOR A TOTAL OF \$1,131,971.35--JEROME KELLEY, County Engineer**

Mr. Kelley presented the Construction Agreement with Curt's Construction for consideration.

*Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to approve the [Construction Agreement](#) as presented.*

Mr. Kelley explained that he would be preparing a deductive change order to bring this project within the FDOT funding allotment. Since the Commission is not meeting until mid-March, he asked the Board to authorize the Chairman to execute the change order once it is complete.

Following brief discussion and instruction from Mr. Sexton that if considered this evening the item requires an emergency declaration: *Commissioner Sellars moved, seconded by Commissioner Thompson, and carried 4-0, to declare an emergency to consider the item.*

*Commissioner Sellars moved, seconded by Commissioner Thompson, and carried 4-0, to authorize Chairman Lewis to execute a Deductive Change Order for an amount necessary to bring the total contract price within the FDOT funding allotment for this project.*

**D. AWARD BID ON A SHIP REHAB PROJECT FOR STELLA'S PLACE GROUP HOME--KELLY CANADY, Community Development Director**

Mr. Sexton advised that one bid was received, which exceeded the County Architect's cost estimate by greater than 10%. Therefore, it is the recommendation of staff, as well as Mr. Taylor, that the Board reject all bids and authorize staff to re-bid the project as soon as is practicable.

*Commissioner Sellars moved to approve the recommendation as stated. Commissioner Riddick seconded the motion.*

Incited by inquiry of Commissioner Thompson, Mr. Sexton advised that the contractor who submitted the one bid would be able to re-bid on the project. The architect has reviewed that bid and is going to work out any discrepancies between the cost estimate and provide more details so all future bids are more specific.

There being no further discussion, the *MOTION CARRIED 4-0.*

(02-18-16 Regular Meeting)

**E. CONSIDER APPROVAL OF AN AGREEMENT WITH LOW BIDDER FOR STELLA'S PLACE GROUP HOME--KELLY CANADY, Community Development Director**

Mr. Sexton advised that as a result of the action taken in D. above, this item is unnecessary.

**F. REQUEST PERMISSION TO APPLY FOR A STATE EMS MATCHING GRANT FOR THE PURCHASE OF ONE (1) ALS AMBULANCE. GRANT TOTAL-\$175,000.00 (25% County Match of \$43,750.00 or 10% County Match of \$17,500.00, Depending on State Approved County Match Award)--ALLEN PARRISH, Emergency Medical Services Director**

Mr. Parrish requested permission to apply for a State EMS Matching Grant as outlined above.

*Commissioner Riddick moved, seconded by Commissioner Sellars, and carried 4-0, to approve the grant application as presented.*

**G. REQUEST PERMISSION TO APPLY FOR A STATE EMS MATCHING GRANT FOR THE PURCHASE OF NINE (9) MOBILE 800 MHZ RADIOS, 19 PORTABLE 800 MHZ RADIOS AND ONE (1) MULTI-PORT BANK CHARGER. GRANT TOTAL-\$110,000.00 (25% County Match of \$27,500.00 or 10% County Match of \$11,000.00, Depending on State Approved County Match Award)--ALLEN PARRISH, Emergency Medical Services Director**

Mr. Parrish requested permission to apply for a State EMS Matching Grant as outlined above.

*Commissioner Sellars moved, seconded by Commissioner Thompson, and carried 4-0, to approve the grant application as presented.*

**H. REQUEST PERMISSION TO APPLY FOR A STATE EMS MATCHING GRANT FOR THE PURCHASE OF SIX (6) MECHANICAL CPR DEVICES. GRANT TOTAL-\$90,000.00 (25% County Match of \$22,500.00 or 10% County Match of \$9,000.00, Depending on State Approved County Match Award)--ALLEN PARRISH, Emergency Medical Services Director**

Mr. Parrish requested permission to apply for a State EMS Matching Grant as outlined above.

*Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to approve the grant application as presented.*

---

**COMMISSIONERS' COMMENTS:**

Commissioner Sellars thanked the citizens who addressed the Board and expressed her appreciation for their understanding.

---

(02-18-16 Regular Meeting)

**CHAIRMAN COMMENTS--EDDIE J. LEWIS:** Chairman Lewis echoed Commissioner Sellars.

Chairman Lewis announced that the March 7th Commission Meeting has been canceled, as early voting is being conducted in the Commission Chambers.

---

**ADJOURN:** There being no further business, the meeting adjourned at 7:15 p.m.

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

---

**EDDIE J. LEWIS, CHAIRMAN**

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

Minutes prepared by Marlene Stafford, Deputy Clerk

Minutes approved by BOCC at the Regular Scheduled Meeting of \_\_\_\_\_