

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING 6:30 P.M.
THURSDAY, JULY 21, 2016**

The Bradford County Board of County Commissioners convened in a regular meeting on Thursday, July 21, 2016, at 6:30 p.m., in the County Commission Chambers at 945 North Temple Avenue, Starke, Florida.

PRESENT: Chairman Lewis, Commissioner Riddick, Commissioner Sellars and Commissioner Chandler. (Commissioner Thompson was unable to attend.)

ALSO PRESENT: Brad Carter, County Manager; Rachel Rhoden, Deputy County Manager; Will Sexton, County Attorney; Ray Norman, Clerk of Courts; Jim Farrell, Finance Director; Marlene Stafford, Deputy Clerk; Dean Bennett, Facilities Maintenance Director; Jerome Kelley, County Engineer; Randy Andrews, Zoning Director; Allen Parrish, Emergency Medical Services Director; Kelly Canady, Community Development Director; Bennie Jackson, Solid Waste Director; Teresa Gaskins, Tax Collector; Brian Johns, Emergency Management Director; Sheriff Smith; and Dottie Hansen, Administrative Assistant.

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

PUBLIC HEARING

ENACTMENT OF ORDINANCE

--LAND DEVELOPMENT REGULATIONS AMENDMENT APPLICATION NO. LDR 16-01 (BOCC)(Mud Bogging)--RANDY ANDREWS, Zoning Director:

Mr. Andrews announced that this is the second reading of the proposed land use amendment ordinance concerning mud bogging. Mr. Andrews read the title into the record.

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

Commissioner Chandler moved, seconded by Commissioner Riddick, and carried 4-0, to adopt the Ordinance as presented. (The [Ordinance was assigned No. 2016-05.](#))

(07-21-16 Regular Meeting)

PUBLIC COMMENTS:

Mr. Larry Ford--Abandoned Pool: Mr. Ford asked the Board to consider filling in a pool at an abandoned house in Speedville. The pool is a health and safety hazard. The concrete that was broken up for the new basketball courts is available to help fill in the pool.

Sheriff Smith advised that the pool is a safety hazard and encouraged the Board to take action. Mr. Sexton could advise on the legalities.

Incited by inquiry of Chairman Lewis, Mr. Sexton advised that he does have some concerns that he would like to make sure are clear before anything is done. The Board could delegate authority to staff to review and then take care of it based on the findings.

Based on "public safety", Commissioner Riddick moved, seconded by Commissioner Sellars, and carried 4-0, to declare an emergency to consider the item.

Commissioner Riddick moved, seconded by Commissioner Sellars, and carried 4-0, that the Board finds that this is an emergency and delegates authority to Mr. Carter (based on advice of Counsel) to resolve the matter as soon as possible.

Eldridge Hayes--Agenda and Meeting Notice Requirements: Mr. Hayes commented on the following:

- Requirement Notices: F.S. 286.011(1) and 120.525(1) – calls for seven days.
- Agenda Requirements: F.S. 120.525(2) - calls for seven days and published on the agency's website.
- Adding Agenda Items (Emergency Items): AGO 2003-53 and F.S. 120.525(3)
- Public Notices for Zoning Meetings: Where are public notices for Zoning Board meetings placed?
- Zoning Board Meeting Minutes: No approved minutes on the website for the meeting held on 05-19-16.
- No audio recording for BOCC meeting of 03-17-16 on the website. (Requested that this audio recording be placed on the website.)
- Confusion regarding notices of meetings on the County website versus floridapublicnotices.com
- Sunshine Law Requests: Mr. Hayes posed numerous questions regarding the County phone system and call logs. He requested an answer within 30 days.
- ABC's of Local Land use and Zoning issues. ([Handout](#))
- County grant writing and recommendations for managing grants.

Ms. Kate Ellison—Phosphate Mine: Ms. Ellison asked the following questions regarding the phosphate mine application filed in April:

- What is the process for evaluating the mining permit application?
- Is the county under a deadline to finish the evaluation? If so, what is that deadline?

Ms. Ellison then spoke in opposition to the proposed phosphate mine application. She asked the Commission to deny the permit so the County's Comp plan and LDR's can be updated and to use the help of the neighboring counties who have volunteered to help.

Mr. Jim Tatum--Phosphate Mine--Spoke in opposition to the proposed mine.

CONSENT AGENDA:

- A. MINUTES OF REGULAR SCHEDULED MEETING OF 06-16-16**
- B. MINUTES OF REGULAR SCHEDULED MEETING OF 07-05-16**
- C. NORTH FLORIDA ECONOMIC DEVELOPMENT PARTNERSHIP (NFEDP) AGREEMENT FOR PROFESSIONAL SERVICES FROM 07-01-16 to 06-30-17 (Total \$10,000.00)**
- D. RENEW AGREEMENT WITH RAYONIER OPERATING COMPANY, LLC FOR PURCHASE AND SALE OF DIRT IN PLACE (No Price Increase)**
- E. 2016 FLORIDA RURAL ECONOMIC DEVELOPMENT (FREDA) LEGISLATIVE PRIORITIES**
- F. PROCLAMATION DECLARING MONDAY, SEPTEMBER 12, 2016--MISSING CHILDREN'S DAY IN BRADFORD COUNTY**
- G. CONSIDER RETROACTIVE APPROVAL OF CERTIFICATE OF PARTICIPATION THAT THE BRADFORD COUNTY BOCC WILL SERVE AS THE COORDINATING UNIT OF GOVERNMENT FOR THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT'S EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM (Approved by Chairman Lewis on 07-11-16)**
- H. CONSIDER APPROVAL OF A STATE-FUNDED SUBGRANT AGREEMENT (Contract #17-CP-11-03-14-01-xxx) IN THE AMOUNT OF \$1,562.00 (No County Match)**
- I. SMALL COUNTY CONSOLIDATED SOLID WASTE MANAGEMENT GRANT APPLICATION FOR ANNUAL SOLID WASTE MANAGEMENT PROGRAM OPERATING COSTS. BUDGET REQUEST NOT TO EXCEED \$90,909.00 (No County Match)**
- J. SHIP HOME REPAIR LOAN ON FILE NO. 2014-40-S, NOT TO EXCEED \$25,000**
- K. SHIP HOME REPAIR LOAN ON FILE NO. 2014-41-S, NOT TO EXCEED \$25,000**
- L. SHIP HOME REPAIR LOAN ON FILE NO. 2014-42-S, NOT TO EXCEED \$25,000**
- M. SHIP HOME REPAIR LOAN ON FILE NO. 2014-43-S, NOT TO EXCEED \$25,000**
- N. SHIP DEMO/REPLACEMENT LOAN ON FILE NO. 2016-03-S (\$84,500.00)**
- O. SHIP DEMO/REPLACEMENT LOAN ON FILE NO. 2016-04-S (\$84,500.00)**
- P. CONSIDER REFUSAL TO ACT UPON NOTICE OF APPLICATION FOR TAX DEED FOR CERTIFICATE NUMBER 931 FOR PARCEL NO. 03481-0-00100--FILE NO. 2016-0001. (This decision is in keeping with previous BOCC decisions not to acquire property through the Tax Deed Application procedures.)**
- Q. CONSIDER APPROVAL OF STANDARD LEASE AGREEMENT WITH OFFICE OF CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSEL, FIRST REGION, FOR APPROXIMATELY 1,290 SQUARE FEET OF OFFICE SPACE IN THE COURTHOUSE ANNEX BUILDING WITH LEASE PAYMENTS OF \$22,248.00 PER YEAR FOR 2016-2018 AND \$22,915.44 PER YEAR FOR 2018-2020 WITH NO EARLY TERMINATION AVAILABLE**

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

APPROVE PAYMENT OF BILLS--CHAIRMAN LEWIS:

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

Commissioner Sellars moved, seconded by Commissioner Chandler, 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.)

CONSIDER A REQUEST MADE ON BEHALF OF THE TDC TO RENEW A CONTRACT WITH CLEAR CHANNEL OUTDOOR FOR BILLBOARD ADVERTISING - TOTAL \$3,000.00--PAM WHITTLE, Chamber President:

Chairman Lewis recognized Mr. John Miller, who made a request to renew the contract with Clear Channel Outdoor for billboard advertising. There are plans to move the advertisement to another location, as the HWY301 Truck Route makes progress.

Mr. Miller provided an update regarding the **Conference Center**. The FEMA map for wetlands came back and the Conference Center did not get a good report. The County Engineer has provided a proposal to perform a study to determine what can and cannot be done with the property. Before moving forward with that, he would like to coordinate with the Sheriff and the County Manager to use inmate labor to cut the underbrush on the property. This will give the County Engineer a better prospective to perform a study.

Commissioner Sellars moved, seconded by Commissioner Chandler, and carried 4-0, to renew the contract with Clear Channel Outdoor as presented.

ROAD MEMORIAL DEDICATION--COMM. CHANDLER:

N.E. 17th Avenue - Dedicated to Rebecca Hamilton

Commissioner Chandler made the request to dedicate N.E. 17th Avenue to Rebecca Hamilton.

Commissioner Chandler moved, seconded by Commissioner Sellars, and carried 4-0, to approve the Road Memorial Dedication as presented.

ROAD MEMORIAL DEDICATION--COMM. THOMPSON:

43rd Ave. & N.W. 216th St. - Dedicated as Lois Lane

Mr. Carter presented the Road Memorial for consideration.

Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to approve the Road Memorial Dedication as presented.

COUNTY ATTORNEY REPORTS--WILL SEXTON:

A. DISCUSS ESTABLISHING ZONING REGULATIONS FOR THE LOCATION AND PERMITTED OF ESTABLISHMENTS THAT DISPENSE LOW-THC CANNABIS OR MEDICAL CANNABIS IN BRADFORD COUNTY (Miami-Dade County Ordinance Attached for Review)

Mr. Sexton advised that the legislature has adopted some statewide regulations for the distribution of low THC cannabis or medical cannabis. However, in the last legislative session, they failed to regulate locations where it can be dispensed. Meaning that any regulation falls to the local governments, if they so choose. The Florida Association of Counties (FAC) has provided some [sample regulations](#). In the absence of any regulation, it could potentially present a situation where such establishments would open in places where the Board did not want them to be.

If the Board were interested, he would like permission to work with other counties and maybe the planning council and bring back some options for the Board's consideration.

After brief discussion, there was a consensus to authorize staff to research and make a recommendation.

B. RESOLUTION--AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT WITH FDOT FOR SIDEWALK PROJECT 433991-2-38-02

Mr. Sexton presented the resolution for consideration. He read the title into the record.

Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to adopt the Resolution as presented. (The [Resolution was assigned No. 2016-35.](#))

SHERIFF REPORTS--SHERIFF SMITH: Sheriff Smith reported the following:

- He would like to offer his assistance with developing the low-THC medical cannabis regulations.
- Reported that a national recognized company out of Utah recently performed a free audit on the medical side of jail. They were convinced that they could do things better. The company reported that they had never seen a facility run as well as ours and that they could not come close to providing the services at the cost it is being done.
- They are working with Meridian to improve mental health services in the jail. He expressed appreciation to Commissioner Chandler for his work on the Meridian Board.
- Hopefully, within the next three weeks the radio system approved by the Commission will be complete. Since EMS received a grant, the City of Starke and the City of Lawtey received a grant, the cost is much less than what was approved.

CLERK REPORTS--RAY NORMAN: None.

COUNTY MANAGER REPORTS--BRAD CARTER:

A. JONES EDMUNDS RECOMMENDATION TO RE-BID PROJECT NO. 02620-013-01 - BRADFORD COUNTY CENTRAL LANDFILL POND S-2 STORM WATER SYSTEM REPAIR--WALT NICKEL, PE Department Manager

Mr. Bennie Jackson introduced Tim Culley and Walt Nickel to present [the recommendation](#).

Mr. Nickel presented the recommendation to re-bid the project. The repair was estimated to be in the \$50-60,000 range. Two bids were submitted: \$135,972.35 and \$196,964.00, both way above the estimate. After reviewing the estimated cost in relation to the bids submitted, their estimate may have been conservative on the low side, but nowhere near to the bids submitted. There only being two bids and such a disparity in the bids, it is their recommendation to reject all bids and re-bid the project. There are some options available that could encourage more bidders the second time around, with the potential to reduce the cost. This is not an emergency, nor an urgent item that needs to be done, so the time frame for the contractors to complete the contract could be extended.

Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to reject all bids and to re-bid the project.

B. FDOT PROJECT UPDATES--JEROME KELLEY, County Engineer

Mr. Kelley provided an update regarding FDOT projects currently on the 5-Year Plan. For the past two to three years, the road projects have been under-funded. FDOT has been working with the County in a concerted effort to develop a way to make each project a viable project.

- CR325 (From CR18 to the County line in Hampton) was originally funded at \$660,000.00, over \$300,000 short. FDOT has agreed to add \$440,000 and would be complete in next years' schedule.
- SE 49th Ave. (Between Meng Dairy road and CR18) is on the schedule to be funded in 2020 at \$475,000.00 which should be enough for that project. Rails to Trails crosses SE 49th Ave. FDOT is looking into the possibility of developing a separate project to go ahead and pave from CR 18 down to the Rails to Trails, including the large drainage structure at the old railroad trestle. SE 49th Ave. from CR18 to the Rails to Trails is a restricted right-of-way. Mr. Welch is in the process of determining how much right-of-way the County actually has. Normally, you want a 60' right-of-way to pave a road to meet design standards. There is less than 60', but they are working toward getting this a funded project through FDOT.
- SE 104th Ave.: Limerock should be finished soon and asphalt going down in a couple of weeks (depending on the weather).
- SE 144th (last phase, between Griffis Loop and Wilson Road) a bid date should be set soon.
- The roads surrounding the courthouse: The survey is almost complete, and then they will be moving forward with design and bidding those roads.
- 150th (from 230A to the dead end): Will work on after the courthouse roads, which will tie into the SE 144th project.

(07-21-16 Regular Meeting)

C. CONSIDER APPROVAL OF A RECOMMENDATION FROM FDOT TO DEFER PROJECT 436451-1: N.W. 53rd Ave/N.W. 219th St./N.W. 41st Ave. (From CR225 to CR225) UNTIL FY2020 WHEN THE PROJECT CAN BE FULLY FUNDED AT \$3.7 MILLION--JEROME KELLEY, County Engineer

Mr. Kelley recommended deferring this project as it is under-funded. This project is 3.5 miles long, with a major drainage structure. The total originally FDOT funding for this project was \$1.2 million and the estimated cost is \$3.5 million. FDOT has recommended delaying the project until 2020, do one project, and FDOT will fund it at \$3.7 million.

Mr. Carter advised that this is FDOT's recommendation, Mr. Kelley concurs, and they have consulted with Commissioner Thompson, who also concurs with the recommendation.

Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to defer Project #436451-1 until 2020, as recommended.

D. REQUEST PERMISSION TO PURCHASE A 2016 FORD F-550 4X4 C&C (Dual Rear Wheel) F5H FOR THE PURPOSE OF BUILDING A BRUSH TRUCK FOR SAMPSON CITY VFD. TOTAL PURCHASE-\$44,911.00 ([State Contract No. 15-13-0904](#))--BRIAN JOHNS, Emergency Management Director

Mr. Johns advised that the brush truck this truck would replace is the oldest one in the department. Mechanics have advised that after this year they will not be able to find parts for it and they would not be able to get the truck DOT inspected. Mr. Johns requested permission to purchase a new truck as outlined above. The new truck will be purchased and then built into a brush truck. Funds are in his budget.

Commissioner Riddick moved, seconded by Commissioner Chandler, and carried 4-0, to approve the purchase as requested.

E. CONSIDER APPROVAL OF CHANGE ORDER NO. 1 IN THE AMOUNT OF \$12,140.00 FOR A NEW SEPTIC SYSTEM ON DEMO/REPLACEMENT FILE NO. 2016-01-S--KELLY CANADY--Community Development Director: Ms. Canady presented the Change Order for consideration. The cost includes a septic system, well and drain field

Commissioner Sellars moved, seconded by Commissioner Riddick, and carried 4-0, to approve [Change Order No. 1](#) on SHIP DEMO/Replacement Project File No. 2016-01-S, as presented.

COMMISSIONERS COMMENTS:

Commissioner Chandler commented on the following:

- The County needs to be more proactive in procuring grants. Maybe even consider a grant writer.

Commissioner Riddick recommended having staff look into a grant writer.

(07-21-16 Regular Meeting)

Commissioner Riddick commented on the following:

- Expressed his appreciation to Mr. Kelley for his efforts and working with FODT on SE 49th Ave.

CHAIRMAN COMMENTS--CHAIRMAN LEWIS:

Incited by inquiry of Chairman Lewis, Mr. Sexton reported that he contacted the attorney for Chemours, who provided five dates that they are available to meet. Once established, he will meet with them and have more information to provide to the Commission.

Mr. Carter reported that Mr. Koons, with the Planning Council, has advised that he and his staff are in the process of reviewing the County's LDR's in comparison to surrounding areas. Once complete, they will come to the Board with recommendations.

ADJOURN: There being no further business, the meeting adjourned at 7:30 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 _____