

**MINUTES OF
BOARD OF COUNTY COMMISSIONERS
BRADFORD COUNTY, FLORIDA
REGULAR SCHEDULED MEETING 9:30 A.M.
MONDAY, MARCH 4, 2019**

The Bradford County Board of County Commissioners convened in a regular meeting on Monday, March 4, 2019, at 9:30 a.m., in the County Commission Chambers, 945 N. Temple Avenue, Starke, Florida.

PRESENT: Chairman Durrance, Commissioner Riddick, Commissioner Chandler, and Commissioner Thompson.

ABSENT: Vice-Chairman Dougherty.

ALSO PRESENT: Brad Carter, County Manager; Rachel Rhoden, Deputy County Manager; Will Sexton, County Attorney; Ray Norman, Clerk of Courts; County Attorney; Jim Farrell, Finance Director; Marlene Stafford, Deputy Clerk; Dean Bennett, Facility Maintenance Director; Gary Wise, City of Starke Fire Chief; Chip Ware, County Fire Chief; Allen Parrish, Emergency Medical Services Director; Bennie Jackson, Solid Waste and Mosquito Control Director; Kelly Canady, Community Development Director; Mark Crawford, Press; Randy Andrews, Zoning Director; Jason Dodds, Road Department Superintendent; Robert Perone, Library Director; Pam Whittle, Chamber President; Robert E. Taylor, County Architect; Jerome Kelley, County Engineer; Sheriff Smith, Major Smith, Lt. Shuford, and Bob Milner, City Manager.

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

PUBLIC COMMENTS (FORM):

Carol Mosley (Read from written statement):

- OEC invoices.
 - Unfilled request for documents from OEC.
- _____

CONSENT AGENDA:

- A. MINUTES OF 02-07-19 JOINT WORKSHOP WITH SCHOOL DISTRICT**
- B. CONSIDER REAPPOINTMENT OF JANICE JOHNSON TO THE SUWANNEE RIVER ECONOMIC COUNCIL BOARD OF DIRECTORS**

Commissioner Riddick moved, seconded by Commissioner Thompson, and carried 4-0, to approve the Consent Agenda.

APPROVE PAYMENT OF BILLS—Chairman Durrance:

Chairman Durrance advised that he reviewed the bills and recommended payment.

Commissioner Chandler moved, seconded by Commissioner Thompson, and carried 4-0, to approve payment of the bills. (The Distribution List is on file in the Finance Department of the Office of the Clerk of Courts.)



NORTH FLORIDA ECONOMIC DEVELOPMENT PARTNERSHIP (NFEDP) PRESENTATION OF PATRICIA EVANS AS VOLUNTEER OF THE YEAR—Jeff Hendry, Executive Director:

Chairman Durrance recognized Mr. Hendry, who presented Ms. Patricia Evans with the 2018 Florida Economic Development Council “Richard L. McLaughlin Volunteer of the Year” award.

Chairman Durrance expressed his appreciation to Ms. Evans.



CONSIDER APPROVAL OF A TOURIST DEVELOPMENT COUNCIL GRANT APPLICATION MADE BY THE NORTH FLORIDA REGIONAL CHAMBER OF COMMERCE TO SUPPORT THE BRADFORD COUNTY STRAWBERRY FESTIVAL IN THE AMOUNT OF \$7,500.00 FOR ADVERTISEMENT AND PROMOTION—Pam Whittle, Chamber President/CEO:

ASSOCIATED COST: \$7,500.00

RECOMMENDED MOTION: If the Board desires to approve this TDC Grant Application, please make the following motion:

“To approve the TDC Grant Application made by North Florida Regional Chamber of Commerce to support the Bradford County Strawberry Festival in the amount of \$7,500.00 for advertisement and promotion.”

Chairman Durrance recognized Ms. Whittle, who presented the TDC grant application for consideration. Ms. Whittle announced the relocation of the Festival this year to the Fairgrounds, April 6 and 7.

Commissioner Riddick moved, seconded by Commissioner Chandler, and carried 4-0, to approve \$7,500.00 for the Bradford County Strawberry Festival.

In response to a comment presented by Chairman Durrance, Clerk Norman advised that it could take 60-90 days before the demolition of the fair buildings begins.



PROVIDE DIRECTION TO NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ON DRAFT COMMERCIAL HIGHWAY INTERCHANGE (CHI) PRELIMINARY MAP AMENDMENTS AT THE FOLLOWING LOCATIONS—Scott Koons, AICP, Executive Director:

- **North intersection of S.R. 223 Truck Route (text amendment workshop help on 02-15-18);**
- **North interchange of S.R. 223 Truck Route and S.R. 16 (text amendment workshop held on 04-19-18; and**
- **S.R. 223 Truck Route and S.R. 100 (text amendment workshop help on 05-17-18)**

At the request of Chairman Durrance, Commissioner Riddick introduced Mr. Koons, citing his work experience and accomplishments.

Mr. Koons gave a PowerPoint presentation in review of the work performed for the County by NCFRPC related to the construction of the US301 Truck Route. The presentation was not limited to but included:

- Brief description of the roadway.
- Traffic flow patterns.
- Existing land use patterns.
- Future land use and current zoning for the area.
- Wetlands and flood prone areas.
- Amendments to the Comprehensive Plan Map and Land Development Regulations made by the BoCC.
- Possible future amendments to the Future Land Use Map and Zoning Atlas.

With the construction of the new roadway, the Board has an opportunity to designate areas around the two new interchanges at SR16 and SR100 for Commercial Highway Interchange (CHI) uses to assure that these areas develop in a pattern that is suited for the new roadway. Mr. Koons requested direction from the Board in this regard.

Discussed ensued. Specific reference was made to the property owners having an “option” to seek CHI designation versus Board imposed CHI designation.

Based on the discussion, Mr. Sexton recommended the Board authorize the Planning Council to develop a draft map designating all properties within the radius as CHI, with the exception of those property owners who have expressed a strong opposition to the CHI designation.

Commissioner Riddick moved, seconded by Commissioner Chandler, and carried 4-0, to direct the Planning Council to develop a draft map amendment moving in the direction of CHI, withholding parcels that have expressed an opposition.

Mr. Koons stated that the Council would proceed as directed and return with a draft for workshop and discussion.

COUNTY ATTORNEY REPORTS—Will Sexton:

(Mr. Sexton handled Item “B” first.)

B. PROVIDE DIRECTION TO STAFF ON THE HANDLING OF APPLICATIONS FOR SPECIAL PERMITS MADE PURSUANT TO SECTION 14.6, LAND DEVELOPMENT REGULATIONS FOR BRADFORD COUNTY, FLORIDA, DURING THE REVIEW AND AMENDMENT PROCESS BY THE NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL—Will Sexton, County Attorney

Mr. Sexton asked for direction from the Board as outlined above relating to special permits for mining.

Options:

- Direct staff to accept any 14.6 applications that are ready to be submitted under the existing Section 14.6; or
- Direct staff to refuse to accept 14.6 applications until such time as the Planning Council has completed proposed revisions to Section 14.6.

Commissioner Riddick moved, seconded by Commissioner Thompson, and carried 4-0, to have the Planning Council update the LDR relating to Section 14.6, for any mining, and not accept any more applications until completed.

Mr. Koons advised that the Council should have the amendment completed within the next 90 days.

A. PRESENTATION ON FIRE AND EMS ASSESSMENTS—Christopher Roe, Bryant Miller Olive, and Erick Van Malssen, Stantec Consulting Services

Mr. Sexton introduced Erick Van Malssen, who gave a detailed PowerPoint presentation in review of the preliminary results of the Fire Protection & EMS Assessment study.



Mr. Van Malssen reviewed the next steps (time line and deadlines) required moving forward.

Chairman Durrance suggested a workshop for further review of the Assessment Study. An assessment is not what he would like to see as a primary source of funding, but rather an increase in the tax base through economic development. However, in the meantime there is a need for a subsidiary funding source.

Chairman Durrance asked Ms. Rhoden to assure that each Commissioner receives a copy of the Assessment Study.

There was a consensus to conduct a workshop.

SHERIFF REPORTS—Sheriff Smith:

**A. RESOLUTION CONFIRMING PROCLAMATION OF LOCAL STATE OF EMERGENCY
(Feb. 27-Mar. 5)**

Lt. Shuford read the resolution by title and presented it for consideration.

Commissioner Riddick moved, seconded by Commissioner Chandler, and carried 4-0, to adopt the resolution. (Resolution No. 2019-14.)

Lt. Shuford then gave an update on the sediment removal portion of the river clean out project.

CLERK REPORTS—Clerk Norman:

A. STATE APPROPRIATIONS REQUEST FOR FIBER INFRASTRUCTURE IN THE AMOUNT OF \$610,000.00—Christopher Thurow, Director of Information Technology:

ASSOCIATED COST: \$610,000.00

RECOMMENDED MOTION: If the Board approves this request, staff recommends the following motion:

“To allow Information Technology to submit a State Appropriations Request for fiber infrastructure in the amount of \$610,000.00.”

Chairman Durrance announced that this item was pulled from the agenda.

COUNTY MANAGER REPORTS—Brad Carter:

A. CONSIDER APPROVAL OF A REQUEST FROM ROBERT E. TAYLOR, AIA, ARCHITECT PA FOR ADDITIONAL COMPENSATION IN THE AMOUNT OF \$23,055.58 FOR ADDITIONAL WORK PERFORMED ON THE BRADFORD COUNTY FIRE STATION 2-B/COURTHOUSE ANNEX, AS IT RELATES TO SEVERAL CHANGE ORDERS WHICH HAVE INCREASED AND/OR MODIFIED THE PROJECT SCOPE OF WORK AND ADDITIONAL CONSTRUCTION TIME (Approximately 200 days over)—Robert Taylor, AIA Architect, PA:

ASSOCIATED COST: \$23,055.58

RECOMMENDED MOTION: “To compensate County Architect Robert E. Taylor in the amount of \$23,055.58 for additional work performed on the Bradford County Fire Station 2-B/ Courthouse Annex

Mr. Taylor reported the following:

- Announced substantial completion of the Theresa Substation II Fire Station was reached on February 28th.
- Change Order No. 6 (Item “B” below), should be reduced to \$34,742.

- Pay Request submitted by M&R Construction, signed by him authorizing payment of \$120,876.30 includes Change Order No. 6 at the corrected amount.
- The balance remaining on the construction contract (after payment of the pay request above) is \$79,217.00.

Mr. Taylor then presented Agenda Item “A” for consideration. The additional \$23,055.58 request is compensation for additional work performed during the approximate 200-day delay in completion of the project. The reduction in Change Order No. 6 also reduces his request by approximately \$150.00.

Prompted by inquiry by Chairman Durrance, Mr. Taylor addressed the cause of the delay citing delays in the production of shop drawings, the fabrication of the metal building and administration of change orders.

Commissioner Riddick presented comments challenging Mr. Taylor’s Pay Request for additional work performed emphasizing that the project was dormant for at least two to three months.

An exchange began between Mr. Taylor and Commissioner Riddick where Mr. Taylor presented comments defending the Pay Request and Commissioner Riddick challenging the Pay Request. Mr. Taylor added that when a contractor does not perform, it is available to the owner, in this case the County, to assess liquidated damages for lack of performance according to the contract time.

Chairman Durrance stated that based on the cause of the delay cited by Mr. Taylor (delays in the production of shop drawings, fabrication of the metal building and administration of change orders), the contractor or the building manufacturer should be held responsible, not the citizens of the County. Commissioner Thompson concurred.

Commissioner Thompson moved, seconded by Commissioner Riddick, and carried 4-0, to deny the payment request.

- B. CONSIDER APPROVAL OF M&R CONSTRUCTION CHANGE ORDER NO. 6 TO ADD FUNDS IN THE AMOUNT OF \$37,871.00 TO THE CONTRACT AGREEMENT ON BRADFORD COUNTY FIRE STATION 2-B/COURTHOUSE ANNEX**
- ASSOCIATED COST: \$37,871.00**
- RECOMMENDED MOTION: Based on Board approval to increase project funds on 12-3-18, staff recommends the following motion:**

“To approve Change Order No. 6 to increase construction funds in the amount of \$37,871.00 on the Bradford County Fire Station 2-B/Courthouse Annex.”

Chairman Durrance stated that the Change Order **was reduced to \$34,742.00** and is for the Tax Collector portion of the building.

Commissioner Thompson moved, seconded by Commissioner Riddick, and carried 4-0, to approve Change Order No. 6.

C. PROVIDE DIRECTION TO STAFF ON THE SITE PLAN REVIEW ASSOCIATED WITH THE HOLIDAY INN EXPRESS PROJECT—Jerome Kelley, County Engineer

- i. Interpretation of Sec. 4.2.25, Land Development Regulations for Bradford County, Florida:** *Use of land in a residential district for access. No land in a residential or residential/office district shall be used for driveway, walkway, or access purposes to any land which is in a commercial or industrial district, or used for any purpose not permitted in a residential district except for ingress and egress to an existing use which does not abut on a street. And;*
- ii. Safety and Drainage Concerns associated with S.E. 145th Terrace Access**

Mr. Sexton stated that in order to provide the developer with the direction they need to continue moving the project forward, staff is seeking interpretation from the Board on the two issues listed above based on the most current site plan presented by the developer.

Based on interpretation of the County's LDR's, Mr. Kelley made the following recommendations regarding items i. and ii. above:

- The driveway connection should be located on US301, not S.E. 145th Terrace as is proposed in the site plan, which is also a safety concern.
- *Drainage should discharge into the US301 ditch and match the post-development with the pre-development discharge rate. (The site plan has the entire site draining down to S.E. 145th Terrace.)

Mr. Sexton concurred with Mr. Kelley's recommendations.

Chairman Durrance recognized Mr. Christopher Gmuer, P.E. and Mr. Forrest Eddleton, Planning Director, with Gmuer Engineering (the engineering firm for the project), who presented comments addressing the issues raised by Mr. Sexton and Mr. Kelley.

- Disputed Mr. Kelley and Mr. Sexton's interpretation of Sec. 4.2.25.
- Drainage: They provided a complete analysis (computer modeling) of pre-development versus post-development for water retainage through an underground storm water system.
- Supported their proposed driveway connection for ingress and egress, being S.E. 145th Terrace, which in their opinion is the safest option.

Mr. Sexton and Mr. Kelley rebutted Mr. Gmuer and Mr. Eddleton's comments and stood by their recommendations.

Discussion ensued which was not limited to but included:

- Willingness of the developer to make improvements to S.E. 145th Terrace. Mr. Gmuer stated he believes his client would agree to repave S.E. 145th Terrace with the current limits to offset the increase in the usage.
- The driveway entrance from US301 versus 145th Terrace and DOT's opinion regarding it.
- Drainage options.

*Commissioner Chandler moved, seconded by Commissioner Riddick, and carried 4-0, to 1) Approve Mr. Kelley's *recommendation for drainage to discharge into the US301 ditch and match the post-development with the pre-development discharge rate; 2) The driveway connection to be on S.E. 145th Terrace; and 3) The developer to repave S.E. 145th Terrace.*

- D. PROVIDE DIRECTION TO STAFF REGARDING A POTENTIAL TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS FOR BRADFORD COUNTY, FLORIDA WHICH WOULD (A) PROVIDE A DEFINITION FOR “FISH CAMP” AND (B) ALLOW “FISH CAMP(S)” IN APPLICABLE ZONING DESIGNATIONS AS A USE PERMITTED BY SPECIAL EXCEPTION—Randy Andrews, Zoning Director:
(If direction is provided to proceed with these LDR revisions, staff will confer with the North Central Florida Regional Planning council for further action and the necessary ordinance(s) will come before the Board for final approval in the near future.)**

Mr. Andrews advised that there is currently no language in the County’s LDR’s defining “Fish Camps”. There is one fish camp on Big Lake Santa Fe that has been there for 50+ years. An individual stands to inherit the property. The LDR’s require a property be brought into conformity when it changes hands. Mr. Andrews requested permission to have the Planning Council draft a text amendment to the LDR’s, adding the definition of “Fish Camp”, and allowing “Fish Camps” as a Special Exception to the Residential/Estate Zoning Designation.

Commissioner Thompson moved, seconded by Commissioner Riddick, and carried 4-0, to have the Planning Council draft the text amendment as requested.

- E. PROVIDE DIRECTION TO STAFF REGARDING A POTENTIAL TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS FOR BRADFORD COUNTY, FLORIDA, WHICH WOULD CREATE A NEW, “RESIDENTIAL OFFICE” ZONING DESIGNATION—
Randy Andrews, Director
(If direction is provided to proceed with these LDR revisions, staff will confer with the North Central Florida Regional Planning Council for further action and the necessary ordinances(s) will come before the Board for final approval in the near future.**

Mr. Andrews requested permission to have the Planning Council draft a text amendment to the LDR’s creating a new “Residential Office” Zoning Designation. A Residential Office Zoning Designation would allow medical, dental, professional-type offices in a residential setting. Restaurants, gas stations, etc. (commercial uses) would not be allowed.

Commissioner Thompson moved, seconded by Commissioner Chandler, and carried 4-0, to have the Planning Council draft the text amendment as requested.

- F. PRESENTATION OF DRAFT EMERGENCY MEDICAL SERVICES COUNTY LOGO FOR BOARD CONSIDERATION AND APPROVAL
ASSOCIATED COST: N/A
RECOMMENDED MOTION: If the Board approves the presented EMS logo design, staff recommends the following motion:**

“To approve the Emergency Medical Services logo design presented to the Board.”

Mr. Parrish presented the logo for his department for consideration.

Commissioner Riddick moved, seconded by Commissioner Thompson, and carried 4-0, to approve the logo.

G. CONSIDER APPROVAL OF A PROPOSAL FROM PALMETTO PRIME (sole source) TO PLACE TACK SEAL AND MILLINGS ON S.W. 101st AVE. (test road)—TOTAL = \$19,305.00—

Jason Dodds, Road Superintendent

ASSOCIATED COST: \$19,305.00

RECOMMENDED MOTION: If the Board approves this proposal, staff recommends the following motion:

“To approve a proposal from Palmetto Prime to place tack seal and millings on S.W. 101st Ave. in an amount not to exceed \$19,305.00.”

Mr. Dodds presented the proposal for consideration. The prime will cover and preserve the milling surface, contain and stop the dust

Mr. Carter added that if the prime process is successful it could help improve other roads.

Commissioner Riddick presented comments regarding using the Ninth-Cent Fuel Tax as the funding source.

There was brief discussion regarding allowable uses for the 1-5 Cents Gas Tax, and Tack Seal on millings versus Chip Seal.

Clerk Norman suggested the \$19,305.00 come out of Road Department budget. It may be 60-90 days after the gas/fuel tax is collected by the State before the County receives the revenue.

Commissioner Thompson moved, seconded by Commissioner Riddick, and carried 4-0, to approve the proposal.

H. CONSIDER APPROVAL OF A PROPOSAL FROM KEN AND CAROL BLACKBURN (private individual – sole source) TO PURCHASE A USED 1983 F700 WATER TRUCK FOR THE PURPOSE OF APPLYING MILLINGS – \$8,000.00—Jason Dodds, Road Superintendent

ASSOCIATED COST: \$8,000.00

RECOMMENDED MOTION: If the Board approves this proposal, staff recommends the following motion:

“To approve a proposal from Ken and Carol Blackburn to purchase used 1983 F700 Water Truck in the amount of \$8,000.00.”

Mr. Dodds presented the proposal for consideration. The truck would be used to apply the proper amount of water on milled roads to get the compaction needed and to control the dust in the process. The truck has 24,000 miles on it.

In response to inquiry by Commissioner Thompson, Mr. Dodds advised that he drove the truck and it appears to be in good mechanical condition.

Commissioner Chandler moved, seconded by Commissioner Thompson, and carried 4-0, to approve the proposal.

(03-04-19 Regular Meeting and Workshop)

COMMISSIONERS' COMMENTS: None.

CHAIRMAN COMMENTS—Chairman Durrance: None.

ADJOURN:

There being no further business, the meeting adjourned at 11:48 a.m. (The Workshop following the Regular Meeting was cancelled.)

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



FRANK DURRANCE, 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 4-1-19