

**REGULAR MEETING  
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
FEBRUARY 4, 2014**

The Regular Meeting of the Board of Levy County Commissioners was held on February 4, 2014 at 9:00 AM in Courtroom A of the Levy County Courthouse with the following Commissioners present:

Chairman Ryan Bell  
Comm. John Meeks  
Comm. Mike Joyner  
Comm. Danny Stevens  
Comm. Chad Johnson

Also present were:

County Attorney – Anne Bast Brown  
County Coordinator – Fred Moody  
Clerk of Court – Danny Shipp

Comm. Bell called the Meeting to order at 9:00 A.M. Comm. Joyner gave the invocation, followed by the Pledge of Allegiance led by Comm. Meeks.

**EXPENDITURES**

Comm. Joyner made a motion to approve the following expenditures presented for payment. Second was made by Comm. Meeks and the MOTION CARRIES.

| <b>CHECK NUMBER</b> | <b>114342-114512</b> |
|---------------------|----------------------|
| <b>FUND</b>         | <b>AMOUNT</b>        |
| GENERAL REVENUE     | 506,132.99           |
| ROAD                | 106,351.02           |
| SHIP                | 26,283.87            |
| PAL LIBRARY         | 16,742.81            |
| TRANSPORTATION      | 8,153.05             |
| COURT FACILITIES    | 1,329.95             |
| PROGRESS ENERGY     | 1,712.43             |
| EMS                 | 28,289.18            |
| FIRE                | 130,668.52           |
| TOURIST DEVELOPMENT | 3,995.73             |
| CDBG                | 1.32                 |
| UTILITIES           | 210.92               |
| COMMUNICATION       | 15,923.34            |
| ADD COURT COSTS     | 1,259.29             |
| CAPITAL PROJECTS    | 10,864.55            |
| LANDFILL            | 31,578.71            |
| <b>TOTAL</b>        | <b>\$ 889,497.68</b> |

**MINUTES**

The minutes for the Regular Board meeting held on January 21, 2014 were presented for approval.

Comm. Johnson made a motion to approve the minutes for the Regular Board Meeting held on January 21, 2014 with corrections. Second was made by Comm. Joyner and the MOTION CARRIES.

## PUBLIC HEARING

Development Department  
Bill Hammond, Building Director

Swearing in of audience members wishing to speak for or against the items listed below was administered by Atty. Brown.

A. SE 3-13: Melba Tillis, petitioning the Board for a Special Exception to allow a Private Family Cemetery.

Comm. Bell asked if any of the Commissioners had any ex-parte communication with the petitioner for SE 3-13.  
Comm. Johnson and Comm. Joyner stated they had ex-parte communication with the petitioner for SE 3-13.

Mr. Hammond presented the staff report to the Board regarding SE 3-13, a petition by Melba Tillis for a Special Exception to allow a Private Family Cemetery.

Comm. Bell asked if there was anyone wishing to speak for or against Petition SE 3-13. There were none.

Comm. Johnson made a motion to adopt Order to Approve SE 3-13, a Special Exception to allow a Private Family Cemetery as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

B. SEA 1-13: Joseph Florentine, petitioning the Board for a Special Exception Amendment to SE 1-06, to allow an additional 16 RV spaces to Cedar Key RV Resort Phase 2.

Comm. Bell asked if any of the Commissioners had any ex-parte communication with the petitioner for SEA 1-13.  
Comm. Joyner and Comm. Meeks stated they had ex-parte communication with the petitioner for SEA 1-13.

Mr. Hammond presented the staff report to the Board regarding SEA 1-13.

Comm. Bell asked if there was anyone wishing to speak for or against Petition SEA 1-13. There were none.

Comm. Joyner made a motion to adopt Order to Approve SEA 1-13, a Special Exception Amendment to SE 1-06 as requested. Second was made by Comm. Stevens and the MOTION CARRIES.

C. Ordinance 2014-01: Request approval for a rezoning for a rezoning for David G. Myler, Blue Grotto Property LLC. Rezoning two acres more or less located in Williston Highlands Subdivisions from Moderately Intensive Commercial (C-3) to Single-Family Residential Rural.

Mr. Hammond presented the staff report to the Board regarding the request for rezoning by David G. Myler, Blue Grotto Property, LLC.

Atty. Brown read the title of Ordinance 2014-01 into the record.

Comm. Bell asked if any of the Commissioners had any ex-parte communication with the applicant.  
Comm. Bell stated he had visited the site.

Comm. Bell asked if there was anyone wishing to speak for or against the application.

Comm. Joyner made a motion to adopt Order to Approve Ordinance 2014-01 as requested. Second was made by Comm. Stevens and the MOTION CARRIES.

D. CU 1-13: Ken Schwiebert, Devil's Den, LC, petitioning the Board for a Conditional Use Permit to allow Outdoor Commercial Recreation.

Comm. Bell asked if any of the Commissioners had any ex-parte communication with the petitioner.  
Comm. Stevens stated he had ex-parte communication regarding the application.

Mr. Hammond presented the staff report to the Board regarding CU 1-13, a Conditional Use Permit application.

Comm. Bell asked if there was anyone wishing to speak for or against CU 1-13. There were none.

Comm. Stevens made a motion to adopt Order to Approve CU 1-13, a Conditional Use Permit application. Second was made by Comm. Meeks and the MOTION CARRIES.

**ROAD DEPARTMENT**

Bruce Greenlee, Administrative Road Superintendent  
Present quote to replace culvert in Lake Johnson Estates.

Casey Duquette, on behalf of Mr. Greenlee presented the estimated cost to replace a 48” x 30’ culvert in Lake Johnson Estates to alleviate potential flooding. The estimated cost to replace the culvert will be \$3,192.66, including labor.

Comm. Bell stated the Board is waiting on information from the Town of Bronson regarding this item and will make a decision at a later date.

**Non-Agenda Item**

Mr. Duquette requested Board approval to present a non-agenda item.

Comm. Joyner made a motion to hear a non-agenda item. Second was made by Comm. Meeks and the MOTION CARRIES. Comm. Johnson votes NO.

Mr. Duquette presented a quote received from EJM Road Products for road stabilization of LCR 119 in the amount of \$76,000 for one mile of stabilization.

Mr. Greenlee stated the road could be paved with asphalt for less than this amount.

No action was taken by the Board.

**LEVY COUNTY JOURNAL**

Andy Andrews, Publisher

Request approval for the Levy County Journal to be recognized by the Board as the official paper of record for Levy County.

Mr. Andrews asked the Board to withdraw his Agenda item from this Board meeting and reschedule at a later date.

Tom TenBroeck, General Manager of the Chiefland Citizen spoke to the Board stating he is prepared to present any information they may need today, but is also willing to come back at a later date if the Board decides to hear the item later.

Comm. Bell responded the item will be rescheduled for a later date.

**WILLISTON ATHEISTS**

C. Ray Sparrow, Organizer

Request Board approval for Monument Placement.

Mr. Sparrow, speaking for the Williston Atheists group presented for Board approval a request to place a monument in the area between the courthouse and the State Attorney/Public Defender Building.

Comm. Bell pointed out several items from the staff report regarding this request which did not comply with the County’s Monument Placement Guidelines.

Comm. Bell asked if there was anyone wishing to speak for or against the item presented. Those who spoke are listed below:

**For**

Ray Sparrow  
Frances Porgal

**Against**

Gordon Keller  
Anneliese Fleming  
Sylvia McCullar  
Robert Jordan

Sam Norris  
Jack Schofield  
Frank Schuler

Comm. Bell closed the floor to public comments.

Comm. Joyner made a motion to deny the monument application as presented. Second was made by Comm. Stevens and the MOTION CARRIES UNANIMOUSLY.

Mr. Moody stated the monument placement guidelines are available online at levycounty.org and the staff report will be available in the Commissioners’ office.

The meeting recessed at 9:58 A.M.

The meeting reconvened at 10:13 A.M.

## **JORDAN AND ASSOCIATES**

Ronald Vanzant, President

A. Request Board consideration of a motion to afford Robert and Deborah Tarafa, residences of 11811 SE 197th Place, Dunnellon, FL, rights to access and utilize County owned right of way for purpose of installing a non-mound drainfield system.

Mr. Vanzant provided information concerning the results of the required field tests and modeling processes done by GSE Engineering & Consulting, Inc. GSE Engineering provided two potential drainfield solutions:

1. Non-mounded system
2. Vertical drain system

After speaking with Tommy McQueen at the Health Department, Mr. Vanzant stated option 2 would not be possible. The non-mounded system of about 1,400 sq. ft. is recommended. This option would require an easement of the county roadway to the property owners.

Atty. Brown stated she could have the easement documents for the Board at the next meeting.

Comm. Meeks made a motion to grant the property owners, Robert and Deborah Tarafa, access to the county's right-of-way in order to complete the drainfield as recommended by GSE Engineering. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Request Board consideration of a motion to allow Jordan and Associates the ability to move forward with the procurement process in accordance with the County's CDBG Purchasing Policy and adopted Housing Assistance Plan for Client #LC-02, Robert and Deborah Tarafa.

Comm. Meeks made a motion to amend the existing agreement authorizing GSE Engineering to design plans for a non-mounded drainfield system. Second was made by Comm. Johnson and the MOTION CARRIES.

Atty. Brown stated she could have the easement documents for the Board at the next meeting and upon receiving the scope of work will draft the amendment to the agreement with GSG Engineering.

## **CLERK OF COURT**

Danny Shipp, Clerk of Court

A. Presenting Value Adjustment Board Member List for the 2013-2014 Value Adjustment Board and to include Commissioner John Meeks as an alternate.

Mr. Shipp stated for information purposes the VAB members for 2013-2014:

|                               |   |
|-------------------------------|---|
| Ron Stevens – VAB Attorney    | Skipper Henderson – Homestead Representative          |
| Ryan Bell – VAB Chairman      | Robert Philpot – School Board Representative          |
| Mike Joyner – Member          | Chris Cowart – Alternate School Board Representative  |
| John Meeks – Alternate Member | Natalie Thomas – School Board Business Representative |

A Co-Chairman will be selected at the next VAB meeting and this information will be reported to the Board.

B. Discuss the need to select new members for the 2014 Value Adjustment Board year at the February 18, 2014 regular Board Meeting.

Atty. Brown spoke to the Board regarding a proposal before the Legislature which would create a new position, State appointed by the DOR. This would be a magistrate sitting in on VAB meetings. A special magistrate would also be created and is required at all VAB meetings. The county would be responsible to pay these individuals.

## **DEPARTMENT REPORTS COUNTY COORDINATOR**

Fred Moody

A. Request approval to donate dump truck to the Town of Bronson.

Mr. Moody stated the Town of Bronson has requested donation of a flat bed truck with the ability to dump in exchange for a City garbage truck which they were going to sell at the auction. The Road Department will convert the garbage truck into a fifth-wheel truck to haul an equipment trailer.

Comm. Meeks made a motion to allow the exchange of a County owned flat bed truck for a City owned garbage truck as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Announce County auction Saturday, March 1, 2014, gates open at 8:00 A.M.

Mr. Moody stated the County auction has been scheduled for Saturday, March 1, 2014 at the Levy County Road Department. The gates will open at 8:00 A.M. and the auction will begin at 9:00 A.M. The items to be auctioned can be viewed on Friday, February 28<sup>th</sup> with an accompanying Road Department employee. There will be items from the Sheriff's Department and the Town of Bronson as well as County items for sale.

## **LEVY COUNTY TRANSIT**

Connie Conley, General Manager

Request approval of Amendment #6 for Medicaid funding being reduced by \$39,029.00 for current contract, effects May and June.

Mrs. Conley requested Board approval of Amendment #6 for Medicaid funding which is being reduced by \$39,029 for the current contract. This affects May and June.

Comm. Johnson made a motion to approve Amendment #6 for Medicaid funding as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

## **LIBRARY**

Lisa Brasher, Director

Request approval to appoint David Kendall to the PAL Board for the period of two years.

Ms. Brasher requested the Board appoint David Kendall to the PAL Board for two years (December, 2013 – December, 2015).

Comm. Meeks made a motion to appoint David Kendall to the PAL Board for two years as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

## **PUBLIC SAFETY**

David Knowles, Director

Request approval to advertise an "Invitation to Bid" for the Inglis Tower Site-Communication Shelter Replacement.

Mr. Knowles requested Board approval to advertise an "Invitation to Bid" for the Inglis Tower Site-Communication Shelter Replacement.

Comm. Stevens made a motion allowing an "Invitation to Bid" to be advertised as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

## **SOLID WASTE**

Benny Jerrels, Director

A. Request approval and Chair signature for the 2013-2014 Small County Consolidated Grant Agreement for State Assistance. The grant is in the amount of \$90,909.00

Mr. Jerrels requested Board approval with the Chairman's signature for the 2013-2014 Small County Consolidated Grant Agreement for State Assistance in the amount of \$90,909.

Comm. Johnson made a motion to approve with the Chairman's signature the 2013-2014 Small County Consolidated Grant Agreement for State Assistance as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

B. Request permission to purchase one ton truck for Recycling, a Caterpillar Generator for Transfer Station, and a Hydraulic Baler for Recycling Building.

Mr. Jerrels requested Board approval to purchase a one ton truck for Recycling. He stated he had obtained price quotes from White Ford in Chiefland in the amount of \$33,620, and Alan Jay in Sarasota, which is the State Contract price of

\$33,889. The modification of the bed of the truck will be done by Shep's Welding in Chiefland and the price is included in the White Ford total.

Comm. Stevens made a motion to approve the purchase of a one ton truck from White Ford in the amount of \$33,620 as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

Mr. Shipp pointed out the Board has a policy in place requiring three (3) sealed bids for items costing over \$10,000 and requested this information from Mr. Jerrels. The bid information would also be required when the Purchase Order is submitted to Finance.

Mr. Jerrels stated he would provide quote information as requested.

Mr. Jerrels requested Board approval to purchase a Caterpillar generator on State Contract in the amount of \$49,020.

Atty. Brown stated the Board adopted a purchasing policy by motion and vote, not by Ordinance or Resolution. Only a motion and vote would be required to change the policy for any particular purchase.

Comm. Stevens made a motion to approve the purchase of a Caterpillar generator in the amount of \$49,020 as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

Hydraulic Baler for Recycling Building – TABLED –

## COUNTY ATTORNEY

Anne Bast Brown

Discussion and direction on response from County Attorney to Board of County Commissioners' questions regarding uses at Big Dock.

Atty. Brown provided information which she had researched in regard to Commissioners questions of whether there were any allowable income generating uses for the County at the Big Dock in Cedar Key. She also provided information on the possibility of a floating dock. In order to use the Big Dock to generate income, there would need to be a new State Submerged Lands Lease which the County would apply for. Also, depending on what funds are taken in, the State may take a portion. If all the income taken in is used strictly for upkeep of the dock, this should prevent the State taking any of it.

Comm. Bell spoke regarding a floating dock.

The Board agreed by consensus to move forward by having the Parks Department contact the County Engineer for information on the possibility of building a floating dock.

## COMMISSIONERS' REPORTS

Comm. Johnson reported the Education Foundation Gala was a huge success with record attendance.

The Stop Hunger Fundraising Auction held at the Methodist Church in Chiefland was also a success.

There will be a cake auction on February 14<sup>th</sup> at 6:00 P.M. at Chiefland FFA.

Also, on February 28<sup>th</sup> there will be a cake auction and Beast Feast sponsored by Bronson High School FFA held at the Bronson First Baptist Church.

Comm. Joyner announced there will be a PRCA Rodeo this Friday and Saturday night in Williston at the Horsemen's Park.

Comm. Meeks announced the North Florida Broadband will meet on Wednesday, February 12<sup>th</sup> at 10:00 A.M at the City Hall in Lake City.

Comm. Bell announced there will be a RESTORE Act meeting next Tuesday at 3:00 P.M. in the Board Meeting Room.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:24 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
LEVY COUNTY, FL

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Clerk of Court, Danny J. Shipp

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Chairman, Ryan Bell