

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
APRIL 6, 2010**

The Regular Meeting of the Board of Levy County Commissioners was held on April 6, 2010, at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairperson Nancy Bell
Vice Chairperson Danny Stevens
Comm. Marsha Drew
Comm. Lilly Rooks
Comm. Chad Johnson

Also present were:

Clerk of Court – Danny J. Shipp
County Attorney – Anne Bast Brown
County Coordinator – Fred Moody
Assistant to the County Coordinator – Dick Tummond

Chairperson Bell called the meeting to order at 9:00 AM. Comm. Bell gave the invocation, followed by the Pledge of Allegiance.

EXPENDITURES

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

CHECK NUMBER	100756-100931
FUND	AMOUNT
GENERAL REVENUE	1,170,114.51
ROAD	237,120.80
SHIP	6,303.00
LIBRARY	995.70
PERMANENT MOSQUITO	2,563.64
TRANSPORTATION	3,867.20
911	16,583.33
COURT FACILITIES	4,808.07
PROGRESS ENERGY	464.97
EMS	43,242.72
FIRE	87,004.94
TOURIST DEVELOPMENT	6,811.59
UTILITIES	1,774.12
COMMUNICATION	2,750.00
LANDFILL	8,404.48
TOTAL	\$ 1,592,809.07

MINUTES

The minutes for the Regular Board Meeting held on February 16, 2010 were presented for approval. Comm. Rooks made a motion to approve the minutes as presented. Second was made by Comm. Drew and the MOTION CARRIES.

The minutes for the Regular Board Meeting held on March 2, 2010 were presented for approval. Comm. Drew made a motion to approve the minutes as presented. Second was made by Comm. Rooks and the MOTION CARRIES.

The minutes for the Regular Board Meeting held on March 16, 2010 were presented for approval. Comm. Drew made a motion to approve the minutes as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

LARC PRESENTATION

Commissioner Lilly Rooks

Sean Mullins, President of LARC Board of Directors Betty Walker, Executive Director of LARC

A. Presentation to LARC Student, Danny Rose.

Comm. Rooks introduced individuals in attendance from the LARC and presented an award to Daniel Rose, a client at LARC. She explained Mr. Rose had recently gone to Tallahassee and made a presentation to Legislators about the concerns LARC clients are facing regarding the economic dilemmas. Mr. Rose read to the Board the same letter he had presented in Tallahassee. Comm. Rooks then presented Mr. Rose with a plaque to recognize him for his efforts. Sean Mullins then presented an award to the Board for their support of the LARC and thanked Comm. Rooks for her help when they went to Tallahassee.

Comm. Bell reminded everyone the Wild Hog Canoe Race will be April 17th.

LEVY COUNTY FAIR

Debra Jones, President

Levy County Fair

A. Levy County Fair Week Proclamation.

Ms. Jones introduced Tommy Dunkard, Senior Vice-President and Jim Smith, Executive Director and requested approval of the Levy County Fair Week Proclamation, which she then read into public record.

Comm. Johnson made a motion to approve the Levy County Fair Week Proclamation, 2010-17. Second was made by Comm. Drew and the MOTION CARRIES.

Ms. Jones informed everyone the Fair is held at the Horseman's Park in Williston and opening ceremonies will be on Thursday at 4:00 P.M. Gates will open Thursday and Friday at 2:00 P.M. Gates will open Saturday and Sunday at 11:00 A.M.

EARTH DAY PROCLAMATION

Comm. Nancy Bell

A. Earth Day Proclamation.

Comm. Bell requested approval of the Earth Day Proclamation on behalf of Ms. Roberta Pickard.

Comm. Rooks made a motion to approve the Earth Day Proclamation, 2010-16. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Bell read the Proclamation into public record.

ZONING

Rob Corbitt, Director

A. Ha.Va. 2-10, Hardship Variance.

Mr. Corbitt requested approval of Hardship Variance, Ha.Va. 2-10 for Ms. Joy Smith to allow a second dwelling on her property.

Comm. Drew made a motion to approve Hardship Variance, Ha.Va. 2-10. Second was made by Comm. Johnson.

Comm. Bell asked if there was anyone to speak for or against and there was none.

Comm. Bell called for a vote and the MOTION CARRIES.

PLANNING COMMISSION APPOINTMENT

Comm. Marsha Drew

A. Proposed Planning Commission Appointment.

Comm. Drew makes a recommendation and motion to appoint Cathleen Burke to the Planning Commission. Comm. Bell passes the gavel to Vice Chair. Stevens and seconds the motion.

The votes were cast as follows:

<u>FOR</u>	<u>AGAINST</u>
Comm. Drew	Comm. Stevens
Comm. Bell	Comm. Rooks
	Comm. Johnson

Bob Weis spoke and had no objection to the Board not appointing Ms. Burke to the Planning Commission

Comm. Stevens returns the gavel back to Comm. Bell and makes a motion to re-appoint Thadus Barber to the Planning Commission. Second is made by Comm. Rooks and the MOTION CARRIES.

The votes were cast as follows:

<u>FOR</u>	<u>AGAINST</u>
Comm. Stevens	Comm. Drew
Comm. Rooks	Comm. Bell
Comm. Johnson	

Listed below are members of the audience who spoke expressing their disapproval of the Board not appointing Ms. Burke to the Planning Commission.

- Larry Feldhusen
- Paul Tobergte
- Edward Michaels
- Carol Ross
- Edith McCrimmon

Bob Weiser spoke in favor of the Board’s decision to re-appoint Mr. Barber to the Planning Commission.

LEVY COUNTY HEALTH DEPARTMENT

Fred Moody, County Coordinator

A. Request for vehicle acquisition.

Mr. Moody spoke on behalf of Barbara Locke to request a surplus vehicle in the Levy County Transit Department, a 2004 E-350 Turtle-Top van. The vehicle is wheel-chair accessible and they currently have a need for such a vehicle in their health programs.

Comm. Stevens made a motion to transfer the vehicle to the Health Department from the Levy County Transit Department. Second was made by Comm. Rooks and the MOTION CARRIES.

TOWN OF YANKEETOWN

Jack Schofield

A. Presentation of letter regarding Special Exception Use Permit.

Mr. Schofield spoke on behalf of Dawn Clary, Yankeetown Mayor and read a letter to the Board from the Yankeetown Town Council. They would like to know why no action was taken to enforce the development conditions of King Road Mine? The letter requests the Board to reconsider its decision to take no action and

invites Atty. Brown and Development Department Director, Rob Corbitt to attend a Yankeetown Council Meeting at 7:00 P.M. on April 19, 2010 at the Yankeetown Lions Club to discuss this matter.

Comm. Stevens states the issue has already been addressed and is not in favor of sending county employees to a meeting.

Comm. Drew stated she is in favor of listening to the concerned citizens.

Comm. Rooks questioned Mr. Schofield on the dates of Town meetings and correspondence sent to the Board and letters the Town of Yankeetown received from Atty. Brown regarding this matter.

PUBLIC COMMENT

Ivan Chubb informed everyone there will be a Memorial Day celebration on Sunday, May 30th at 1:00 P.M. in Cedar Key with the Marine Corps League, another will be in Bronson on May 31st at 1:00 P.M. at Rosemary Hill with the AmVets.

Daryl Diamond spoke on behalf of the residents of Rest Haven Shores regarding having deed restrictions upheld. He states an individual is intending to move a mobile home into their deed restricted subdivision. Atty. Brown responds to the deed restriction question and states the county is not a party to deed restrictions and cannot enforce private contracts.

Listed below are other residents of Rest Haven Shores who spoke regarding their disapproval of the county not getting involved to enforce deed restrictions.

Donna Lanier

April Miller

Mrs. Renate Cannon spoke regarding the Sunshine Law.

Ed Candela spoke regarding his disapproval of the Board not doing anything about the King Road Mine in comparison to the Proclamation for Earth Day.

The meeting recessed at 10:12 A.M.

The meeting reconvened at 10:26 A.M.

Bruce Greenlee introduced Felicia Carnegie Days who has written memoirs of her journey of addiction and how she has overcome it. Ms. Days spoke concerning her book and introduced her mother, Alice Carnegie. She stated she has copies of the book with her today if anyone is interested in a copy.

COUNTY COORDINATOR

Fred Moody, County Coordinator

A. Proposed Interlocal Agreement with the Town of Inglis for Building Inspection Services.

Mr. Moody requested approval of the proposed Interlocal Agreement with the Town of Inglis for building inspection services.

Comm. Drew made a motion to approve the proposed Interlocal Agreement with the Town of Inglis. Second was made by Comm. Stevens and the MOTION CARRIES.

B. Final Surplus Auction Results.

Mr. Moody gave the results from the final surplus auction. The total amount taken in was \$28,551. After a 4.89% commission to the auctioneers, the net amount for the County was \$27,154.86.

C. Proposed budget amendments to the Levy County Sheriff's Office budget for inmate medical expenses.

Mr. Moody requested on behalf of Sheriff Smith an amendment to increase the inmate medical line item by \$150,000 due to medical expenses of one inmate. Mr. Moody stated the amount would come from Reserve.

Comm. Drew made a motion to approve the increase of \$150,000 to the Sheriff's inmate medical line item. Second was made by Comm. Johnson.

Before voting, there was discussion among the commissioners about how to identify this money specifically for the one inmate's medical expenses as this one patient has incurred the bulk of what has been expended this year. Comm. Drew rescinds her motion

Comm. Johnson made a motion to approve the increase of \$150,000 to the Sheriff's inmate medical line item on the condition the County Board Office staff would follow and track expenses until the end of the year. If any funds from this amendment are remaining at the end of the year they will be returned back to the Board. Second was made by Comm. Drew and the MOTION CARRIES. Comm. Bell votes NO.

D. Interlocal Agreement with the City of Cedar Key for EMS Impact Fees.

Mr. Moody requested approval of Interlocal Agreement with the City of Cedar Key for the collection of EMS Impact Fees. The impact fee on new dwellings inside the City Limits will be \$53.08 on new dwelling construction.

Comm. Rooks made a motion to approve the Interlocal Agreement with the City of Cedar Key for the collection of EMS Impact Fees. Second was made by Comm. Stevens and the MOTION CARRIES. Comm. Bell votes NO.

EMERGENCY MANAGEMENT

Mark Johnson, Director

A. Request approval to accept the State Homeland Security Grant Program Agreement Modification #1.

Mr. Johnson requested approval of the Board to accept the State Homeland Security Grant Program Agreement Modification #1. The original Agreement amount was \$26,500 and they are extending the agreement period until June 30, 2010.

Comm. Stevens made a motion to approve and accept the State Homeland Security Grant Program Agreement Modification #1. Second was made by Comm. Rooks and the MOTION CARRIES.

B. Request approval to accept the Emergency Management Preparedness & Assistance (EMPA) Base Grant Modification #2.

Mr. Johnson requested approval of the Board to accept the Emergency Management Preparedness & Assistance Base Grant Modification #2. The Agreement is amended to increase the maximum amount payable under the Agreement by \$2,154 which will bring the total to \$138,130.99.

Comm. Drew made a motion to approve and accept the Emergency Management Preparedness & Assistance Base Grant Modification #2. Second was made by Comm. Stevens and the MOTION CARRIES.

EMERGENCY MEDICAL SERVICES

Royce Barber

A. Request approval of purchase on new Medic Five Station.

Mr. Barber requests approval for the purchase of a new mobile home for the Medic Five Station from Prestige Home Centers, Inc. in Chiefland. After requesting quotes from four different mobile home businesses in the Chiefland area, one responded with an amount. Prestige Home Centers, Inc. gave an estimated cost of \$73,000 -\$76,000. This includes the removal of the existing unit.

Comm. Drew made a motion to approve the purchase of a new mobile home for the Medic Five Station. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Discuss the need for a bariatric ambulance. – TABLED

LEVY COUNTY TRANSIT

Heather Lombardo

A. Proposed changes to the Levy County Transportation Disadvantaged Coordinating Board.

Mrs. Lombardo spoke on behalf of Desiree Painter and requested approval of proposed changes to the Levy County Transportation Disadvantaged Coordinating Board. The proposed changes are as follows:

On the School Board Category *remove* Jeff Davis as the Alternate Voting Member and *replace* with Jeff Edison.

On the Regional Workforce Development Board *add* Kathleen Woodring (primary voting member) and Margaret Spontak (alternate voting member).

On the Local Medical Community *add* Elizabeth Powers, R.N. (primary voting member) and Barbara Locke (alternate voting member).

Comm. Rooks made a motion to approve the above listed proposed changes to the Levy County Transportation Disadvantaged Coordinating Board. Second was made by Comm. Drew and the MOTION CARRIES.

SHIP

Dick Tummond,

A. Satisfaction of Mortgage.

Mr. Tummond requested approval from the Board of the Satisfaction of Mortgage for Frank Williams in the amount of \$33,341 – CDBG and \$26,500 – HHRP for a total amount of \$59,591.

Comm. Drew made a motion to approve the Satisfaction of Mortgage for Frank Williams as presented by Mr. Tummond. Second was made by Comm. Johnson and the MOTION CARRIES.

COUNTY ATTORNEY

Anne Bast Brown, County Attorney

A. Approval of Satisfaction of Mortgage for Nicole Godin, a settlement of foreclosure litigation, BAC Home Loans Servicing, L.P. vs. Nicole Godin, et al.

Atty. Brown requested approval from the Board for the Satisfaction of Mortgage for Nicole Godin. Atty. Brown explained this is a SHIP loan and the County was the second mortgage holder. It had gone into foreclosure and the County has been offered \$2,000 to satisfy its SHIP mortgage.

Comm. Rook made a motion to approve the Satisfaction of Mortgage for Nicole Godin. Second was made by Comm. Stevens and the MOTION CARRIES.

COMMISSIONERS' REPORTS

Comm. Johnson gave information regarding a meeting he attended on the Tri-County Hospital and reported the time extension was given until June 2nd. Ameris is still working on funding and moving forward with "Stage 2" (Construction and Development) of their CON.

Comm. Johnson also wanted to let everyone know there will be a "Trash Art" auction at the Levy County Fair Thursday night to raise money for the Levy County Fair and local Civic groups. He explained 55 gallon drums are painted by youth groups with help from local artists in the County and are auctioned to be used as trash cans or decorative art. He gave information on some of the other events taking place during the fair.

Comm. Johnson stated he had spoken with the Commission on Ethics and apologized for his participation regarding his position as Commissioner at the Livestock Fair. He was not aware of the public's perception.

Comm. Drew stated this Saturday is the 25 mile bike ride fundraiser for the Levy County School Foundation which she is participating in. It will begin in Chiefland from 7:00 A.M. to 9:00 P.M. at the shopping center near Bubba Que's.

Comm. Rooks thanked the individuals who went to Tallahassee and expressed concerns to the Legislators. She stated she had lobbied for our Library funding.

Comm. Stevens

A. Letter of Support for the American Cancer Society.

Comm. Stevens made a motion to have Atty. Brown prepare a Proclamation in support of the American Cancer Society Relay For Life to present at the next Board meeting. Second was made by Comm. Rooks and the MOTION CARRIES.

Comm. Stevens also reminded everyone about the Rhino Outdoors Tri-County Pregnancy Center fundraiser clay shoot on April 24th.

The meeting recessed at 11:22
The meeting reconvened at 11:35

PERSONNEL POLICIES AND PROCEDURES WORKSHOP

NON-AGENDA ITEM

Comm. Rooks made a motion to hear a non-agenda item. Second was made by Comm. Stevens and the MOTION CARRIES. Comm. Bell votes NO.

Comm. Rooks presented a request from Rep. Debbie Boyd for the Board to prepare a Resolution in support of House Bill 843 which will allow the Governor's office to designate the catalyst sites in Suwannee and Columbia County as enterprise zones. This designation would provide our partnership with tools to help in the efforts to attract target industries capable of producing high-paying jobs throughout the North Central Florida rural area of critical economic concern.

Comm. Rooks made a motion to have Atty. Brown prepare a Resolution supporting House Bill 843. Second was made by Comm. Johnson and the MOTION CARRIES. Comm. Stevens votes NO.

PERSONNEL POLICIES AND PROCEDURES

Comm. Bell questioned #7 in Section 101 as to why the Attorney and her employees were excluded from this. She is in favor of amending the employee contract with the Attorney.

Mrs. Martin stated it was adopted in 2004 and had never been changed.

Comm. Drew and Comm. Johnson requested a copy of the employment contract.

Comm. Rooks questioned where does the Board come in under the employee conditions, such as random drug testing? Does this not apply to Commissioners as well? Mr. Moody gave information on the County's drug testing policy.

Bell asked about item 3(c) under Employee Supervision regarding performance evaluation. Mrs. Martin answers as to how often and when this is done on a new hire.

Mrs. Martin provided copies of proposed amendments & policy changes to Board.

Comm. Drew questions about #801, the behavior of employees. She asked are there things that would warrant immediate dismissal? Mrs. Martin answers each instance is addressed individually.

The Commissioners are in favor of reviewing the material given and will wait to vote until next workshop.

Mrs. Martin stated she will have a "general" harassment policy prepared for the Commissioners to review at the next workshop.

Comm. Bell asked a question about why there is not any language in the manual about hiring department heads. Comm. Stevens responds usually department heads are hired from within.

Comm. Bell and Comm. Drew are in favor of all department heads coming to the Board for interview.

Comm. Bell stated she is in favor of creating a policy for hiring department heads and would like to see how other counties do it.

Comm. Drew asked if employees working second jobs are required to report this to the Board. Mr. Moody answered employees are required advise their employer if they work a second job.

Comm. Drew asked a question about lay-offs. Mr. Moody answered the last person hired may not always be the first to be laid-off. The determination to lay-off someone is determined more by the need for the position.

Comm. Drew commented on the Commissioners keeping up and placing all of their public records/travel in a central location and would be in favor of a written policy addressing this.

Mr. Moody asked if the Commissioners would like to interview the library applicants. The interviewing is scheduled to take place right after the next Board meeting and move the next Policy and Procedures Workshop to the following Board meeting date.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 12:29 PM.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Vice-Chairman, Danny Stevens