

**REGULAR MEETING  
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
MAY 17, 2011**

The Regular Meeting of the Board of Levy County Commissioners was held on May 17, 2011 at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairman Danny Stevens  
Comm. Ryan Bell  
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

Chairman Stevens called the meeting to order at 9:00 AM. Mr. Greenlee gave the invocation, followed by the Pledge of Allegiance.

**EXPENDITURES**

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

<b>CHECK NUMBER</b>	<b>104795-104938</b>
<b>FUND</b>	<b>AMOUNT</b>
GENERAL REVENUE	186,690.65
ROAD	44,148.15
COURT TECH/CRIM PREV	70.62
TRANSPORTATION	3,838.77
911	32,000.00
COURT FACILITIES	1,347.80
PROGRESS ENERGY	557.27
EMS	31,206.87
FIRE	10,388.53
TOURIST DEVELOPMENT	4,446.19
UTILITIES	1,687.21
ADD COURT COSTS	461.90
CAPITAL PROJECTS	265.68
LANDFILL	27,751.93
<b>TOTAL</b>	<b>\$ 344,861.57</b>

**MINUTES**

Approval of minutes for the Regular Board Meeting held May 3, 2011. - TABLED -

**ROAD DEPARTMENT**

**PUBLIC HEARING**

Bruce Greenlee, Administrative Superintendent

- A. Requesting adoption of Resolution 2011-17 approving the petition to vacate, abandon and close a portion of SE 216<sup>th</sup> Terrace as requested by petitioners, Mike and Diane Joyner.

Mr. Greenlee requested approval of Resolution 2011-17 approving the petition to vacate, abandon and close a portion of SE 216<sup>th</sup> Terrace.

Comm. Stevens asked if there was anyone in the audience wishing to speak for or against the petition.

Petitioner Mike Joyner spoke to the Board and explained why the petition was submitted to close the road. Mr. Joyner stated the land on which the road runs through is his and has never been dedicated to the county.

Atty. Charlotte Weidner spoke to the Board and stated the property was never deeded or dedicated to the county. There is no easement given by other landowners on record.

The members of the audience listed below spoke against the petition:

- Robert Mishler
- Steve Price
- Mark Pompio
- Marie Alexander
- Rickie Edmonds
- Steven Folts
- Andy Kilbasa
- Debbie Lucinetta
- Sandy Britt
- Jessica Griffin
- Kelly Long
- Helen Beineke
- Linda Wiggin
- Amanda Gaunce
- Thomas Eckly
- Lois Nygard
- Shirley Dykes
- Gail Caputo
- Steve Killen
- John Geahagan
- David Mantooth

Concerns expressed by residents affected by the road closure were:

Having to use an alternate route around the property adding mileage to commute to and from their homes.

Concern for emergency vehicle and school bus access.

Concerns of Marion county closing road land-locking their property.

After discussion by the Commissioners, Comm. Bell made a motion to approve Resolution 2011-17 approving the petition to vacate, abandon and close a portion of SE 216<sup>th</sup> Terrace as presented. Second was made by Comm. Johnson and the votes were cast as follows:

<u>Yes</u>	<u>No</u>
Comm. Bell	Comm. Johnson
Comm. Stevens	

The MOTION CARRIES.

The meeting recessed at 10:21 A.M.

The meeting reconvened at 10:33 A.M.

**LEVY COUNTY HEALTH DEPARTMENT**

Swain Strickland

- A. Appoint members to the Health Care Citizens Advisory Board.

Swain Strickland presented the following individuals recommended for appointment to the Levy County Health Care Advisory Board:

Barbara Locke, Levy County Health Department  
Anita Riels, Palms Medical Group  
Beth Hicks, Nature Coast Rehabilitation  
Ronald Stevens, Attorney  
Jerry Gillman, Tri-County Hospital, Williston  
Sharon Battles, Consumer

Comm. Bell made a motion to approve the above listed appointments to the Levy County Health Care Advisory Board. Second was made by Comm. Johnson and the MOTION CARRIES.

### **LEVY COUNTY SHERIFF'S DEPARTMENT**

Lt. Scott Finnen

- A. Requesting approval for the Paul Coverdale Grant (\$45,000) to link, Levy, Gilchrist and Dixie Counties with fingerprints to automate and streamline process of field fingerprint collection.

Lt. Finnen requested Board approval for the Paul Coverdale Grant to link Levy, Gilchrist and Dixie Counties with fingerprints to automate and streamline the process of field fingerprint collection. Lt. Finnen stated this is a non-matching grant and the exact amount would be \$45,920.

Comm. Johnson made a motion to approve the Paul Coverdale Grant as presented. Second was made by Comm. Bell and the MOTION CARRIES.

### **WORLD RISK MANAGEMENT LLC**

Andy Cooper, Vice-President

- A. Present Property, Casualty and Workers' Compensation renewal proposal on behalf of Public Risk Management of Florida.

Mr. Cooper with World Risk Management, LLC, the brokers for Public Risk Management of Florida spoke to the Board regarding the renewal of the County's property, casualty and workers' compensation insurance renewable October 1, 2011. Mr. Cooper stated the cost for renewal for Levy County would be \$694,653, but this proposal would only be valid until June 17<sup>th</sup>.

Comm. Johnson made a motion to accept the Public Risk Management renewal proposal for Property, Casualty and Workers' Compensation as presented. Second was made by Comm. Bell and the MOTION CARRIES.

### **ASSISTANT TO COUNTY COORDINATOR**

Dick Tummond

- A. Request Ratification of FFY-2010 Sub-Grant Agreement for CDBG Housing Rehabilitation.

Mr. Tummond requested Board approval to ratify FFY-2010 Sub-Grant Agreement for CDBG Housing Rehabilitation.

Comm. Bell made a motion to ratify the FFY-2010 Sub-Grant Agreement for CDBG Housing Rehabilitation as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Request approval of Ranking Committee's recommendation regarding Administrative Services for 2010 CDBG Housing Rehabilitation Grant and authorize Chairman to execute contract for services.

Mr. Tummond requested Board approval of Ranking Committee's recommendation regarding Administrative Services for 2010 CDBG Housing Rehabilitation Grant and authorize Chairman to execute contract for services. The following two proposals were received:

Guardian Community Resource Management, Inc.  
Jordan and Associates

After reviewing the two proposals received for Administrative Services, the Ranking Committee recommended Jordan and Associates.

Comm. Bell made a motion to approve Ranking Committee's recommendation as presented and authorize Chairman to execute contract for services. Second was made by Comm. Johnson and the MOTION CARRIES.

- C. Request approval for Resolution 2011-23 authorization submission of NSP-3 (Neighborhood Stabilization Program) Grant application.

Before acting on the Resolution, Mr. Tummond requested the Board to review the language in the NSP-3 application, Part V, Assurances, Certifications and Signature, Item (11) Excessive force. The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its demonstration.

Comm. Johnson made a motion to adopt a policy prohibiting the use of excessive force in non-violent civil matters and not to block entrance or exits from venues where non-violent civil demonstrations are held. Second was made by Comm. Bell and the MOTION CARRIES.

Mr. Tummond then requested Board approval of Resolution 2011-23.

Comm. Johnson made a motion to approve Resolution 2011-23. Second was made by Comm. Bell and the MOTION CARRIES.

- D. Request approval of Ranking Committee's recommendation regarding Administrative Services for NSP-3 (Neighborhood Stabilization Program) and initiate contract for services.

Mr. Tummond requested Board approval of Ranking Committee's recommendation regarding Administrative Services for NSP-3 (Neighborhood Stabilization Program) and initiate contract for services with Roumelis Planning and Development Services, Inc. The four proposals received are listed below:

Guardian Comm. Resources, Inc.  
 Clark Communities, Inc.  
 Roumelis Planning and Development Services, Inc.  
 Fred Fox Enterprise, Inc.

Comm. Bell made a motion to approve the Ranking Committee's recommendation as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

## **COMMISSIONERS' REPORTS**

Comm. Johnson spoke of the previously tabled item regarding the proposed committees of the departments. He suggested grouping like departments for each Commissioner to work with.

Comm. Johnson stated he had talked with a Marion county commissioner regarding copper thefts as this is also a problem here in Levy County.

Comm. Johnson gave a report of the progress of the North Florida Broadband and stated it is about 30 days from construction.

Comm. Johnson stated the Suwannee River Water Management District has offered to meet with the Commissioners at a workshop to discuss opening up some of the Water Management for outdoor recreation. It was agreed by the Commissioners to invite them to the next Board meeting.

Comm. Bell stated due to a lack of business, the Withlacoochee Regional Planning Council has cancelled this month's meeting.

Comm. Bell stated he had visited the Shell Mound Park this weekend and brought to the attention of the Board the road leading to the Park is in need of repair. Mr. Greenlee stated they had applied for a Small County Outreach Grant for the Shell Mound road and have not yet heard if this has been approved by the State.

Comm. Bell had also visited the County limerock mine and asked for the other Commissioners to start thinking about acquiring new lands as this would be needed within the next five to seven years.

Comm. Stevens stated Jack Foley had contacted him and offered his truck for the Commissioners to ride in during the Chiefland Watermelon Parade this year. The Commissioners agreed to let Mr. Foley know they would ride in his truck.

**ATTORNEY’S REPORT**

Atty. Brown corrected information regarding a case she had spoken of at the May 3<sup>rd</sup> meeting involving impact fees. She stated this case was actually involving growth management issues, not impact fees.

Atty. Brown then requested the Board to hear a non-agenda item.

Comm. Johnson made a motion to hear a non-agenda item. Second was made by Comm. Bell and the MOTION CARRIES.

Atty. Brown recommended the Board retain the services of Brickleyer, Smolker & Bolves, P.A. to provide legal services or defend any litigation which may be filed against the County as a result of the County’s activities and approval connected with SE 3-10. She stated in order to properly and adequately protect the County and defend any claims, outside counsel is necessary. Atty. Brown requested Board approval of the proposed agreement with a cap amount of \$10,000 in legal fees, at \$225 per hour, plus expenses.

Comm. Bell made a motion to approve the agreement to retain the services of Brickleyer, Smolker & Bolves, P.A. as recommended by Atty. Brown. Second was made by Comm. Johnson and the MOTION CARRIES.

**CLERK OF COURT**

Danny J. Shipp, Clerk of Court

Mr. Shipp presented a report of the second quarter revenues and expenditures to the Board and stated the revenues were less than the expenditures for the second quarter by \$640,387. Mr. Shipp stated this report involves the General Fund only.

Mr. Shipp requested Mr. Moody send notice to all departments and constitutional officers for estimates for next years budget. This was agreed upon by the Commissioners.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:38 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, Danny Stevens