

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
JUNE 7, 2011**

The Regular Meeting of the Board of Levy County Commissioners was held on June 7, 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
Comm. Marsha Drew

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.

CHECK NUMBER	104939-105099
FUND	AMOUNT
GENERAL REVENUE	1,376,070.06
ROAD	76,467.43
SHIP	14,607.20
COURT TECH/CRIM PREV	10,209.79
TRANSPORTATION	32,742.50
911	16,250.00
COURT FACILITIES	348.00
PROGRESS ENERGY	171.87
EMS	15,754.20
FIRE	6,696.11
TOURIST DEVELOPMENT	1,586.85
UTILITIES	3,060.09
DRUG TASK FORCE	2,069.00
ADD COURT COSTS	1,472.39
CAPITAL PROJECTS	60.75
LANDFILL	68,839.10
TOTAL	\$ 1,626,405.34

MINUTES

Approval of minutes for the Regular Board Meeting and Public Hearing held May 3, 2011; Regular Board Meeting held May 17, 2011.

Comm. Drew made a motion to approve the minutes for the Regular Board Meeting and Public Hearing held May 3, 2011. Second was made by Comm. Bell and the MOTION CARRIES.

Comm. Bell made a motion to approve the minutes for the Regular Board Meeting held May 17, 2011. Second was made by Comm. Johnson and the MOTION CARRIES.

NATURE COAST BUSINESS DEVELOPMENT COUNCIL

Doug King, Nature Coast Business Development Council

- A. Appointment of new Board member; Sharon Battles
- B. Re-appointment of Board members

Mr. King requested the Board appoint Sharon Battles as a new member to the Nature Coast Business Development Council Board and re-appoint the current Board members as listed below:

- 1. Doug King
- 2. Bob Hastings
- 3. Carol McQueen
- 4. Walt McJordan

Comm. Drew made a motion to appoint Sharon Battles as new Board member to the Nature Coast Business Development Council and to re-appoint the current Board members listed above. Second was made by Comm. Bell and the MOTION CARRIES.

PUBLIC HEARING

Rob Corbitt, Development Department Director

- A. Rob Corbitt, Development Department Director, SE1-11 Mark Swain/Beef O'Brady's Special Exception.

Atty. Brown swore in audience members and Commissioners to speak for or against the Special Exception. ¹Comm. Johnson, ²Comm. Drew, ³Comm. Bell and ⁴Comm. Stevens announced they had ex-parte communication with individuals and staff.

Mr. Corbitt presented SE 1-11, Special Exception for Beef O'Brady's for Board approval. He stated the purpose of this application is to obtain Board approval for on-premise consumption of alcoholic beverages.

Comm. Drew questions the code section relating to Board of Adjustment not granting a variance to permit a use not permitted generally or by special exception. Atty. Brown explained the language means the Board of Adjustment does not grant variances related to use. It does not grant use variances, it hears variances from things like distance requirements. The Special Exception is for an approval of a use.

Mark Swain spoke to the Board and answered questions.

Comm. Stevens asked if anyone would like to speak for or against. Members of the audience who spoke are listed below:

<u>For</u> Dana Sheffield Barney Cannon Teresa Barron Charlie Green	<u>Against</u> Marie Strange Renate Cannon
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Comm. Bell made a motion to approve Special Exception 1-11 as presented. Second was made by Comm. Johnson and the MOTION CARRIES. Comm. Drew votes NO.

¹ Comm. Johnson ex-parte communication

² Comm. Drew ex-parte communication

³ Comm. Bell ex-parte communication

⁴ Comm. Stevens ex-parte communication

PLANNING

Shenley Neely, Director

A. Adopt Ordinance Number 2011-02; regarding a small scale amendment to the Future Land Use Map of the Comprehensive Plan by petitioner, Darryl Diamond.

Ms. Neely requested Board approval of Ordinance 2011-02, regarding a small scale amendment to the Future Land Use Map of the Comprehensive Plan by the petitioner, Darryl Diamond. The applicant is requesting to change the Future Land Use designation on approximately four acres of land from Urban Low Density Residential (LDR) to Commercial (C) on land within the Inglis Municipal Services District. Darryl Diamond spoke to the Board and advised them urban sprawl would not be promoted. Comm. Stevens asked if there was anyone to speak for or against the Ordinance. Bill Machiverte spoke in favor of the Ordinance.

Comm. Bell made a motion to approve Ordinance 2011-02 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

LEVY COUNTY SHERIFF’S DEPARTMENT

Joseph Summerill, Greenberg Traurig, LLP

A. Interested in assisting the County in seeking a new per diem rate for housing federal prisoners in the County Jail.

Joseph Summerill spoke to the Board stating he had been in contact with Sheriff Smith and was instructed to come before the Board to request approval to seek a new per diem rate for housing federal prisoners in the County’s jail.

Comm. Stevens states Sheriff Smith has not indicated he was in agreement with this to the Board and suggested they get in contact with Sheriff Smith and then come back before the Board.

LEVY COUNTY EZDA

Pat O’Neal

A. Appoint Board Members

Mr. O’Neal requested the following re-appointments to the EZDA Board by the Commissioners:

- Ted Parada
- Sharon Battles
- Skipper Henderson
- Andy Lott – appointment up in September
- Sean Mullins
- Carol McQueen

For the new appointments, Mr. O’Neal recommended the following as they have stated they would like to be on the EZDA Board:

- John Meeks, Bronson
- Cheryl Nicola, Fanning Springs
- Drinda Merritt, Inglis
- Cindy Babione
- Janice Fugate
- Karen Smith, Bronson
- Jack Schofield, Yankeetown

Comm. Bell made a motion to re-appoint the existing members to the EZDA Board and appoint the new members as listed above. Second was made by Comm. Drew and the MOTION CARRIES.

After discussion, Comm. Bell made a motion to rescind his original motion. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Bell made a motion to re-appoint the existing members to the EZDA Board. Second was made by Comm. Drew and the MOTION CARRIES.

911 ADDRESSING

Mike West, 911 Coordinator

A. Budget Amendment.

Mr. West requested Board approval of a budget amendment to reduce their budget by \$17,000 due to less funding coming in from landline phones.

Comm. Johnson made a motion to approve the budget amendment to reduce the 911 Addressing budget by \$17,000 as requested. Second was made by Comm. Bell and the MOTION CARRIES.

TOURIST DEVELOPMENT COUNCIL

Carol McQueen

A. Appointment of Norm Fugate as City of Williston's representative to the Tourist Development Council

Mrs. McQueen requested the Board appoint Norm Fugate as the City of Williston's representative to the Tourist Development Council. He would replace the vacant seat formerly held by Debra Jones.

Comm. Drew made a motion to appoint Norm Fugate as the City of Williston's representative to the Tourist Development Council. Second was made by Comm. Johnson and the MOTION CARRIES.

Recess at 11:05

Reconvene at 11:21

HUMAN RESOURCES

Jacqueline Martin

A. Report on Public Safety Director applications and request direction for interviews.

Mrs. Martin provided the Board with information on the 21 applications received for the Public Safety Director position. The following eight candidates met the minimum requirements:

Scott Cooper
Francis Ennist
Raymond Fishback
Ralph Franklin, Jr.
Trevor Hicks
Michael Kane
David Knowles
Stephen Smith

Mrs. Martin requested direction for interviews. After discussion, the Board agreed to conduct interviews on the above listed candidates on July 19th beginning at 1:00 P.M. after the Regular Board meeting.

COUNTY ATTORNEY

Anne Bast Brown, County Attorney

A. Discussion of issues related to County Attorney budget and in-house employee or outside private counsel.

Atty. Brown discussed information provided for the Commissioners regarding what other counties do for legal services.

Comm. Drew suggested looking at the Attorney's contract to see if any changes were needed as it had not been updated since 2005.

Atty. Brown also gave an update on the lawsuits related to the decision made by the Board regarding Tarmac.

COUNTY COORDINATOR

Fred Moody

- A. Withlacoochee Regional Planning Council reduced dues rate to \$.35 per capita for fiscal year 2011-2012; requests \$14,508 from Levy County for fiscal year ending September 30, 2012.

Mr. Moody advised the Board of a meeting of the Withlacoochee Regional Planning Council in which the Board of Directors voted for its dues rate to be reduced to \$.35 per capita for fiscal year 2011-2012. This rate results in a maximum dues request of \$14,508 from Levy County for the fiscal year ending September 30, 2012.

- B. Dates available for Budget Workshops.

Mr. Moody stated the Departments had submitted proposed budgets and requested the Board set a date for a beginning Budget Workshop. The Commissioners agreed to hold a Budget Workshop on June 27th at 9:00 A.M.

COUNTY EXTENSION

Albert Fuller, Director

- A. Proposed Agreement between Central Florida Community Action Agency, Inc. and University of Florida/IFAS Extension, Levy County.

Mr. Fuller requested Board approval of the proposed Agreement between Central Florida Community Action Agency, Inc. and the University of Florida/IFAS Extension, Levy County. This will provide a Summer Camp Counselor position for his office at no cost to the Board.

Comm. Drew made a motion to approve the Proposed Agreement as presented. Second was made by Comm. Bell and the MOTION CARRIES.

CORRESPONDENCE

Karen Blackburn

- A. Proclamation declaring June 15, 2011 as "World Elder Abuse Awareness Day."

Mrs. Blackburn introduces Mrs. Vachon who read the Proclamation into record.

Comm. Drew made a motion to approve Proclamation 2011-27 declaring June 15, 2011 as World Elder Abuse Awareness Day as presented. Second was made by Comm. Bell and the MOTION CARRIES.

- B. Request from Mt. Olive Church for a donation of a copy machine that has been listed as surplus equipment.

Mrs. Blackburn stated the Mt. Olive African Methodist Episcopal Church had requested donation of a copy machine listed as surplus equipment.

Comm. Drew made a motion to approve donating the surplus copier to the Mt. Olive AME Church as requested. Second was made by Comm. Bell and the MOTION CARRIES.

EMERGENCY MEDICAL SERVICES

Trish Seibold, Director

- A. Sign contract for TriTech; formerly Sweet Billing. The agreement and addendum will allow for annual renewal that is accomplished simply by TriTech sending an annual invoice and the department processing and paying the invoice.

Ms. Seibold requested Board approval for the updated contract with TriTech, formerly Sweet Billing.

Comm. Drew made a motion to approve the TriTech Emergency Medical Systems Service Agreement for Technical Support for this year with the language change to not automatically renew upon payment of the bill every year. Second was made by Comm. Bell and the MOTION CARRIES.

PRESIDENTIAL CANDIDATE, JOHN DAVIS

Presidential Candidate, John Davis spoke to the Board and the audience stating his roots and foundation is Pro-God, Pro-Family, Pro-Country, Pro-Military, Pro-Second Amendment, Pro-Life, Pro-Balanced Budget, Pro-doing the right thing for the right reason, and Pro-American.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Road Superintendent

- A. Requests approval of Supplemental Agreement No. 2 (SCOP LCR 207) to install a storm inlet, cross drain, endwall and other necessary work on LCR 207 near the Whispering Winds Charter School.

Mr. Greenlee requested Board approval of the Supplemental Agreement No. 2 with the Small County Outreach Program Grant for LCR 207, also known as Old Fanning Road. This will allow the Road Department to install a storm inlet, cross drain, endwall and other necessary work near the Whispering Winds Charter School.

Comm. Bell made a motion to approve Supplemental Agreement No. 2 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

- B. Request permission to move money from Reserve to equipment and fuel line items.

Mr. Greenlee requested Board approval of a budget amendment to move money from Contingency to offset a Fuel line item shortfall in the amount of \$350,000 and also to place money in the Equipment line item in the amount of \$75,000 for the purchase of a new track hoe.

Comm. Bell made a motion to approve the budget amendment to move money from Contingency to the Fuel line item and to the Equipment line item as requested. Second was made by Comm. Drew and the MOTION CARRIES.

- C. Request permission to advertise for purchase of a hydraulic excavator (track hoe) for the Gulf Hammock Rock Pit.

Mr. Greenlee requested Board approval to advertise for the purchase of a hydraulic excavator (track hoe) by sealed bid for the Gulf Hammock Rock Pit.

Comm. Bell made a motion to approve advertising by sealed bid for the purchase of a track hoe as requested. Second was made by Comm. Johnson and the MOTION CARRIES

It was agreed by the Commissioners to have Mr. Greenlee read bids into public record when they have been received.

- D. Request permission to raise speed limit on LCR 369 also known as Northeast 128 Terrace and Northeast 126 Avenue in Forest Park from 25 to 35 mph.

Mr. Greenlee requested Board approval to raise the speed limit on LCR 369, also known as NE 128th Terrace and NE 126 Avenue in Forest Park from 25 to 35 mph.

Comm. Bell made a motion to approve raising the speed limit on LCR 369 from 25 to 35 mph as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

COMMISSIONERS' REPORTS

Comm. Drew stated this is Heather's last week and wanted to thank her for her years of service.

Comm. Bell presented information for the Commissioners to review and discussed the losses with Manatee and University Oaks water systems. After discussion, it was agreed by the Commissioners to place this item on the agenda for the first Board meeting in July for further discussion.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING
ADJOURNED AT 12:35 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens