

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
JUNE 21, 2011**

The Regular Meeting of the Board of Levy County Commissioners was held on June 21, 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:

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	105100-105230
FUND	AMOUNT
GENERAL REVENUE	129,401.89
ROAD	212,028.15
COURT TECH/CRIM PREV	35.31
TRANSPORTATION	76,260.52
PROGRESS ENERGY	539.32
EMS	32,246.93
FIRE	3,812.52
TOURIST DEVELOPMENT	58.96
UTILITIES	12,631.62
DRUG TASK FORCE	1,956.12
COMMUNICATION	3,554.45
ADD COURT COSTS	461.90
CAPITAL PROJECTS	9,574.23
LANDFILL	69,686.26
TOTAL	\$ 552,248.18

MINUTES

Approval of minutes for the Regular Board Meeting held, June 7, 2011. – TABLED -

STATE REPRESENTATIVE LEONARD BEMBRY

Teresa Watson

- A. Requesting permission to put informational books, brochures and pamphlets in the libraries.

Mrs. Watson requested Board permission to place informational books, brochures and pamphlets in the libraries from the various State Departments.

Comm. Drew made a motion to approve placing informational books, brochures and pamphlets provided by the various State Departments in the libraries in Levy County. Second was made by Comm. Bell and the MOTION CARRIES.

ROAD DEPARTMENT

MILLS ENGINEERING

Lee Mills

- A. Presenting bid award of County Incentive Project C316, ID #424358-1-58-01 – bids opened on June 20, 2011.

Mr. Mills presented the following bids received for County Incentive Project C316, ID #424358-1-58-01:

V.E. Whitehurst & Sons, Inc.	\$576,071.74
Oldcastle Southern Group, Inc. d/b/a APAC-Southeast, Inc.	\$588,601.18
John C Hipp Construction Equipment Co.	\$640,632.34
Anderson Columbia Co., Inc.	\$670,000.00
Pave-Rite, Inc.	\$682,690.49
Art Walker Construction, Inc.	\$731,719.25

Mr. Mills requested Board approval of the low bid from V.E. Whitehurst & Sons, Inc., to issue a contract and to authorize the Chairman to sign the contract.

Comm. Johnson made a motion to approve and issue a contract with the low bidder V.E. Whitehurst & Sons, Inc. and to authorize the Chairman to sign. Second was made by Comm. Drew and the MOTION CARRIES.

PUBLIC COMMENT

Claude Blackburn presented the Kentucky Colonel award to Fred Moody and read the award into record.

PLANNING

Vaughn Lee, Levy County Planning Board Member

- A. Correct an error from June 7th County Commission regular meeting regarding vote on Planning Commission.

Mr. Lee stated he wished to correct what was printed in the newspaper from the June 7th meeting regarding the Planning Commission vote on the Beef O'Brady's petition. He read in the paper the Planning Commission vote was 4-1 and he was the No vote. Mr. Lee wanted to state for the record this was not correct, he was not the No vote.

COUNTY ATTORNEY

Anne Bast Brown, County Attorney

- A. Ratification of Emergency Declaration 2011-28

Atty. Brown requested Board approval to ratify Emergency Declaration 2011-28 enacted June 14, 2011, declaring a local state of emergency regarding open burning during the forest and brush fire declared emergency.

Comm. Drew made a motion to approve ratification of Emergency Declaration 2011-28 enacted June 14, 2011, declaring a local state of emergency regarding open burning during the forest and brush fire declared emergency. Second was made by Comm. Bell and the MOTION CARRIES.

- B. Adoption of Emergency Declaration 2011-30 extending the Local State of Emergency and the Emergency Order (burn ban) seven (7) days.

Atty. Brown requested Board approval to adopt Emergency Declaration 2011-30, extending the local state of emergency and the Emergency Order seven days. Mark Johnson reported to the Board there are 11 counties throughout the state which have declared local States of Emergency and there are burn bans in 29 different counties. The amount of land burned by wildfires in the State of Florida is up to 196,452 acres.

Comm. Bell made a motion to adopt Emergency 2011-30, extending the local State of Emergency and the Emergency Order seven (7) days. Second was made by Comm. Johnson and the MOTION CARRIES.

EMERGENCY MANAGEMENT

Mark Johnson, Director

- A. Request to accept the Local Mitigation Strategy (LMS) Plan by Resolution.

Mr. Johnson requested Board approval of the new 2011 Local Mitigation Strategy Plan Update which has been cleared by the Federal Emergency Management Agency pending adoption by the Levy County Board of County Commissioners.

Comm. Bell made a motion to approve the 2011 Local Mitigation Strategy Plan Update by Resolution. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Request to purchase a portable radiation detection monitor.

Mr. Johnson requested Board approval to purchase a portable radiation detection monitor using Progress Energy funding already budgeted for the Emergency Management REP Program.

Comm. Drew made a motion to approve the purchase of a portable radiation detection monitor as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

PUBLIC HEARING

PLANNING

Shenley Neely, Planning Director

- A. Request the Board proceed to adopt Ordinance 2011-03, amending the future land use map of the County's Comprehensive Plan on approximately 14 acres of land. The proposal is to change the land use designation from Commercial (C) to Urban Low Density Residential (LDR).

Ms. Neely requested Board approval to adopt Ordinance 2011-03 amending the future land use map of the County's Comprehensive Plan and read the Ordinance into record.

Chairman Stevens asked if there was anyone to speak for or against. There were none.

Comm. Bell made a motion to approve Ordinance 2011-03 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

LEVY COUNTY SHERIFF'S DEPARTMENT

Major Sullivan, Levy County Sheriff's Department

- A. Present Memorandum of Understanding from Veterans Affairs, Levy County Sheriff's Office and Levy County Board of County Commissioners.

Major Sullivan requested Board approval of the Memorandum of Understanding between the Department of Veterans Affairs, the Levy County Sheriff and Levy County Board of County Commissioners regarding the use of the Firing Range for training officers employed by the VA.

Comm. Drew made a motion to approve the Memorandum of Understanding as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

PUBLIC COMMENTS

Renate Cannon stated the minutes from May 3, 2011 incorrectly reported she approved of the Tarmac Application. She neither approved nor disapproved, but had asked questions.

Jack Schofield of Yankeetown spoke regarding a Resolution coming up for approval dealing with numeric nutrient merit criteria. He pointed out the Federal Government had asked the State of Florida to come up with numeric nutrient levels, but did not dictate the levels. They allowed the State to develop those numbers. Mr. Schofield asked if the County is going to request on behalf of the State they not be required to have nutrient criteria, what plan does the Board have to monitor nutrient levels in these bodies of water?

COUNTY COORDINATOR

Fred Moody

A. Preliminary Rate Resolutions for the four Annual Assessment Programs

Mr. Moody requested Board approval of the Preliminary Rate Resolutions for the four Annual Assessment Programs.

After discussion, Comm. Johnson made a motion to set a preliminary rate of \$76 for the EMS Assessment, increase the Fire Assessment rate to \$9 for a total of \$41 and approve Solid Waste and Road Assessments as they stand. Second was made by Comm. Bell and the MOTION CARRIES.

B. North Florida Economic Development Partnership requesting participation and to request appointment for the 2011-12 Fiscal Year.

Mr. Moody stated he had received a request from the North Florida Development Partnership for Board appointments for the 2011-2012 Fiscal Year. The current representatives are:

Elected Representative	Comm. Ryan Bell
Economic Developer Representative	Pat O'Neal

Mr. Moody also requested Board approval of continued participation and dues in the amount of \$2,040.05. Comm. Drew made a motion to approve participation, dues and to re-appoint Comm. Bell and Pat O'Neal to the North Florida Economic Development Partnership as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

LEVY COUNTY TRANSIT

Desiree Painter, General Manager

A. Requesting Board approval of Amendment #2 of Contract #BDM80 extending the provision of Medicaid Non-Emergency Transportation Services.

Ms. Painter requested Board approval of the State of Florida Medicaid Non-Emergency Transportation Program Provider Agreement, Amendment No. 2 in the amount of \$430,508.

Comm. Drew made a motion to approve the Medicaid Non-Emergency Transportation Services Agreement as presented. Second was made by Comm. Bell and the MOTION CARRIES.

B. Request vote; approval to submit with authorization US Section 5309 in the amount of \$67,716 at 100% for the purchase of (2) mini-vans.

Ms. Painter requested Board approval to submit with authorization US Section 5309 and Resolution 2011-35 in the amount of \$67,716 for the purchase of two (2) 30 ft. vans.

Comm. Bell made a motion to approve with authorization US Section 5309 and Resolution 2011-35 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Superintendent

- A. Request permission to advertise for bid the yearly supply items for Road/Bridge Department.

Mr. Greenlee requested Board approval to advertise for bid the yearly supply items for Road/Bridge Department as listed below:

Asphalt/Colmix	Emulsion Prime-tar
Motor Oils	Galvanized Culvert Pipes
Porta Potty	Safety Items
Sign Materials	Sod
Stripping	

Comm. Drew made a motion to approve the Road/Bridge Department to advertise for bid the yearly supply items as listed above. Second was made by Comm. Bell and the MOTION CARRIES.

SOLID WASTE

Benny Jerrels, Director

- A. Request approval of Resolution 2011-26, authorizing Chair to sign application for “Consolidated Small County Solid Waste Management Grant” and appointing the Director of Solid Waste as authorized representative under the grant.

Mr. Jerrels requested Board approval of Resolution 2011-26, authorizing the Chair to sign the application for Consolidated Small County Solid Waste Management Grant and appointing the Director of Solid Waste Department as authorized representative under the grant to apply for and sign quarterly reimbursement documents. The amount of this grant is \$70,588.

Comm. Drew made a motion to approve Resolution 2011-26, authorizing the Chair to sign the application for Consolidated Small County Solid Waste Management Grant and appoint Mr. Jerrels as authorized representative as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

COMMISSIONERS' REPORTS

Comm. Johnson

- A. Adoption of Resolution 2011-31 requesting the United States Environmental Protection Agency (EPA) consider and grant the Florida Department of Environmental Protection's (DEP) petition that the EPA withdraw its determination that numeric nutrient criteria are needed in Florida.

Comm. Johnson requested Board approval of Resolution 2011-31, requesting the US Environmental Protection Agency consider and grant the Florida DEP petition for the EPA to withdraw its determination of numeric nutrient criteria needed in Florida.

Renate cannon spoke to the Board and asked for the Commissioners not to approve the Resolution.

Stanley Sheffield of Fanning Springs stated he is in favor of the Resolution.

Jack Schofield also spoke against the Resolution.

Comm. Johnson made a motion to adopt Resolution 2011-31 as presented. Second was made by Comm. Bell and the MOTION CARRIES. Comm. Drew votes No.

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

Comm. Drew questioned the advertisement of the Safety Director position and its requirements. She stated they may miss out on some people willing to apply who do not meeting all the requirements and would like to re-advertise.

Comm. Drew made a motion to re-advertise the Position for Safety Director, using “preferred” language for the qualifications.

The motion dies for lack of a second. The interviews will proceed as scheduled and the Commissioners will address the qualification language for the position if no suitable candidate is found from the pool currently selected.

Comm. Bell reported of the Withlacoochee Regional Planning Council having to reduce staff as a result of loss of revenue and the effects this may have on Levy County.

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

Comm. Bell made a motion to remove Toni Collins from the Planning Commission. Second was made by Comm. Drew and the MOTION CARRIES. Comm. Stevens votes No.

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

Comm. Bell requested Board approval to appoint Phil Parker of Cedar Key to the Planning Commission to represent District 4. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Stevens presented the Commissioners with a list of Committees for 2011 for their review. The Commissioners briefly discussed the use of Department liaisons and their purpose for budgetary concerns. Department heads are not restricted to any one single Commissioner for questions.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 10:53 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens