

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
JULY 17, 2012**

The Regular Meeting of the Board of Levy County Commissioners was held on July 17, 2012 at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairman Danny Stevens
Comm. Marsha Drew
Comm. Ryan Bell
Comm. Chad Johnson
Comm. Mike Joyner

Also present were:

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

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

EXPENDITURES

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

CHECK NUMBER	108566-108690
FUND	AMOUNT
GENERAL REVENUE	473,399.58
ROAD	38,657.31
SHIP	8,555.00
TRANSPORTATION	30,532.42
COURT FACILITIES	19.00
PROGRESS ENERGY	672.48
EMS	27,472.74
FIRE	2,097.42
TOURIST DEVELOPMENT	1,375.19
UTILITIES	1,487.06
DRUG TASK FORCE	1,079.00
ADD COURT COSTS	1,733.24
LANDFILL	4,772.05
MSBU'S	172,289.08
TOTAL	\$ 764,141.57

MINUTES

The minutes for the Regular Board meetings held on July 3, 2012 were presented for Board approval.

Comm. Bell made a motion to approve the minutes from the Regular Board meeting on July 3, 2012 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

COMMISSIONER MIKE JOYNER

Introducing Roger Morgan, Request approval of Resolution 2012-43 dedicating a portion of County Road 326 between US Highway 19 and the Waccasassa River in memory of U.S. Army Specialist Four Michael S. Osteen.

Comm. Joyner introduces Roger Morgan who spoke to the Board requesting approval of Resolution 2012-43 dedicating a portion of CR 326 between US 19 and the Waccasassa River in memory of U.S. Army Specialist Four Michael S. Osteen.

Comm. Joyner made a motion to approve Resolution 2012-43 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

SUWANNEE RIVER FAIR

Loran Brookins, President, Suwannee River Youth Fair
Requests funds to pay building fees for the new fair building.

Mr. Brookins requested from the Board a contribution of \$3,000 toward the cost of building fees for the construction of the new Suwannee River Fair building. Gilchrist County and Dixie County have agreed to each pay the same amount as Levy County.

After discussion, Comm. Bell made a motion to approve \$3,100 from the Commissioners Recreation Fund for building fees associated with construction of the Suwannee River Fair building as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

GOETHE STATE FOREST

Bobby Cahal
Presenting a Public Notice for a Public Meeting on the 10 Year Management Plan for Goethe State Forest.

Mr. Cahal announced the dates of an upcoming public meeting and a public hearing on the 10 year management plan for Goethe State Forest. The first Public Meeting and Public Hearing will be held at the Levy County School Board Office on Wednesday, August 8th at 6:30 P.M. and on August 9th at 1:00 P.M. there will be a Public Meeting at Goethe State Forest Headquarters. The purpose of the first meeting is to solicit comments on the future management of Goethe State Forest over the next 10 years. The meeting on the second day is to allow the Management Plan Advisory Group to review the comments from the public.

LEVY COUNTY SHERIFF'S DEPARTMENT

Johnny Smith, Sheriff
Request ratification of the grant application for Byrne Memorial JAG Grant Program, Drug Task Force Unit. (\$48,644)

Sheriff Smith requested Board approval to ratify the grant application for the Byrne Memorial JAG Grant Program, Drug Task Force Unit in the amount of \$48,644.

Comm. Drew made a motion to ratify the grant application for the Byrne Memorial JAG Grant Program, Drug Task Force Unit as requested. Second was made by Comm. Bell and the MOTION CARRIES.

NATURE COAST BUSINESS DEVELOPMENT COUNCIL

David Pieklik, Executive Director
Presenting regular scheduled progress report.

Mr. Pieklik gave a progress report to the Board of the Nature Coast Business Development Council.

Renate Cannon and Chuck Tillman both asked questions and were answered by Mr. Pieklik.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Fred Moody

- A. Request permission to close the street on election night; request from Supervisor of Elections, Connie Asbell.

Mr. Moody requested on behalf of Connie Asbell, Supervisor of Elections Board approval to close Court Street on election night.

Comm. Johnson made a motion to approve the closure of Court Street on election night as requested. Second was made by Comm. Drew and the MOTION CARRIES.

- B. Request approval of Resolution 2012-40, a Resolution of the BOCC of Levy County, Florida providing verification of election to withdraw from the Public Risk Management of Florida – Health Trust.

Mr. Moody requested Board approval of Resolution 2012-40 which would provide verification of election to withdraw from the Public Risk Management of Florida – Health Trust.

Comm. Bell made a motion to approve Resolution 2012-40 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

- C. Request approval of Proposed Agreement with Brown & Brown AND Risk Management Associates, Inc., d/b/a Public Risk Insurance Agency for Agent of Record/Broker Services for Employee Benefits/Placement and Administration of Employee Group Health, Vision, Dental and Life Insurance Benefits.

Mr. Moody requested Board approval of the proposed Agreement with Brown & Brown and Risk Management Associates, Inc. d/b/a Public Risk Insurance Agency for Agent of Record/Broker Services.

Comm. Drew made a motion to approve the proposed Agreement with Brown & Brown and Risk Management Associates, Inc. d/b/a Public Risk Insurance Agency for Agent of Record/Broker Services as requested. Second was made by Comm. Johnson and the MOTION CARRIES. Comm. Bell votes NO.

EMERGENCY MANAGEMENT

Mark S. Johnson, Director

- A. Request to accept the Emergency Management Preparedness & Assistance (EMPA) Agreement.

Mr. Johnson requested Board acceptance of the Emergency Preparedness & Assistance Agreement in the amount of \$105,806. The agreement period runs from July 1, 2012 to June 30, 2013.

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

- B. Request to accept the Emergency Management Performance Grant (EMPG) Agreement.

Mr. Johnson requested Board acceptance of the Emergency Management Performance Grant (EMPG) Agreement in the amount of \$58,348. The agreement period runs from July 1, 2012 to June 30, 2013.

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

- C. Request to accept the Modification #1 to the State Homeland Security Grant Program (SHSGP) Agreement.

Mr. Johnson requested Board acceptance of Modification #1 to the State Homeland Security Grant Program (SHSGP) Agreement which will extend the ending date to July 31, 2012.

Comm. Drew made a motion to accept Modification #1 to the SHSGP Agreement as presented. Second was made by Comm. Bell and the MOTION CARRIES.

PUBLIC SAFETY

David Knowles, Director

Request authorization for the Director to electronically sign for submission of the Safer Grant application.

Mr. Knowles requested Board authorization to electronically sign for submission of the Safer Act Grant application through the Department of Homeland Security. This Grant will help the Volunteer Fire Departments within the county.

Comm. Drew made a motion to authorize Mr. Knowles to electronically sign for submission of the Safer Act Grant application as requested. Second was made by Comm. Bell and the MOTION CARRIES.

Mr. Knowles requested Tommy Sholes to come to the podium and announced the merger of the Yankeetown Volunteer Fire Department with the Department of Public Safety.

SOLID WASTE

Benny Jerrels, Director

- A. Request approval for an Amendment to the Consolidated Small County Solid Waste Management Grant Agreement.

Mr. Jerrels requested Board approval for an Amendment to the Consolidated Small County Solid Waste Management Grant Agreement. After completion of the re-roofing project for the Recycling Building, Grant funds in the amount of \$1,280 were left over from the amount allocated. An amendment is necessary in order to utilize the remaining funds from the Grant for the purchase of the Skid Steer.

Comm. Bell made a motion to approve the Amendment to the Consolidated Small County Solid Waste Management Grant Agreement as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Request approval for Solid Waste Contract with New River, extending the contract an additional five (5) years.

Mr. Jerrels requested Board approval of the Solid Waste Contract with New River, extending the contract an additional five (5) years.

Comm. Drew made a motion to approve the Solid Waste Contract with New River as presented. Second was made by Comm. Bell and the MOTION CARRIES.

COUNTY ATTORNEY

Anne Bast Brown, County Attorney

- A. Request to approve Emergency Declaration 2012-39 rescinding Emergency Declarations 2012-36 and 2012-38 discontinuing the Local State of Emergency for ensuing damages resulting from Tropical Storm Debby.

Atty. Brown requested Board approval of Emergency Declaration 2012-39 rescinding Emergency Declarations 2012-36 and 2012-38 discontinuing the Local State of Emergency for ensuing damages resulting from Tropical Storm Debby.

Comm. Johnson made a motion to approve Emergency Declaration 2012-39 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

- B. Consider and act on desired version of Resolution 2012-44, adopting local preference purchasing policy, and determine an effective date for the Resolution.

Atty. Brown requested the Board consider and act on a desired version of Resolution 2-12-44, adopting a local preference Purchasing Policy and determine an effective date for the Resolution.

The board agreed by consensus to wait until after budget discussions to made a decision on this item. Comments from individuals in the audience were made by Mrs. Cannon and Teresa Barron.

NABORS, GIBLIN & NICKERSON

Heather Encinosa, Nabors, Giblin & Nickerson

Request approval of Preliminary Rate Resolutions for the four Annual Assessment Programs;

A. Resolution 2012-48, Preliminary Resolution for Fire Protection Services.

Ms. Encinosa presented and requested Board approval of Resolution 2012-48, Preliminary Resolution for Fire Protection Services. Changing from last year are the fire assessments for residential property which were previously assessed in square foot tiers. They are now calculated per square foot. This Resolution also sets a final Public Hearing for September 11th at 6:30 P.M. The rates in the Resolution will be included on trim notices sent out to the public and are as follows:

\$110 per dwelling unit
 \$.33 per square foot for commercial
 \$.05 per square foot for industrial
 \$.37 per square foot for institutional
 \$9.00 per parcel for land up to 160 acres and
 \$.02 per acre over 160 acres

Questions were asked from the audience by Mrs. Cannon.

Atty. Norm Fugate questioned the methodology of the assessments and asked why the report is not available for the public yet.

Ms. Encinosa answered the report is not yet completed.

Ronnie McQueen asked at the maximum rate established, how much would be generated?

Comm. Stevens answered if everything was completely paid in full, the amount would be \$2,319,378.

Comm. Drew made a motion to approve Resolution 2012-48 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

B. Resolution 2012-45, Preliminary Resolution for EMS Tax Assessment.

Ms. Encinosa presented and requested Board approval of Resolution 2012-45, Preliminary Resolution for EMS Tax Assessment. This Resolution sets a final Public Hearing for September 11th at 6:30 P.M. The rates in the Resolution will be included on trim notices sent out to the public and are as follows:

\$119 per dwelling unit
 \$.07 per square foot for commercial
 \$.18 per square foot for institutional
 \$.01 per square foot for industrial/warehouse property

Mrs. Cannon stated she strongly protests not having access to the report before the Board votes and asked what the current residential rate is.

Comm. Stevens answered the current residential rate is \$76.

Comm. Drew made a motion to approve Resolution 2012-45 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

C. Resolution 2012-46, Preliminary Resolution for Roadway Maintenance Services Assessments.

Ms. Encinosa presented and requested Board approval of Resolution 2012-46, Preliminary Resolution for Roadway Maintenance Services Assessments. This Resolution sets a final Public Hearing for September 11th at 6:30 P.M.

Comm. Bell made a motion to approve Resolution 2012-46 and Resolution 2012-47 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

D. Resolution 2012-47, Preliminary Resolution for Solid Waste Assessment.

Ms. Encinosa presented and requested Board approval of Resolution 2012-47, Preliminary Resolution for Solid Waste Assessment. She stated the rate is \$25 per parcel, the same as last year.

PUBLIC COMMENT

Teresa Barron apologized to Comm. Bell for how things went in the previous meeting in Chiefland regarding Fire Services.

Atty. Norm Fugate spoke regarding the merging of Fire Departments with the County and requested a public forum for the public to give input on this topic.

Comm. Stevens responded stating this issue has been dealt with in the past with everyone in favor of streamlining services until it comes time to actually do it.

Comm. Drew stated Mr. Knowles is doing a good job working with the Fire Departments and the smaller Fire Departments have approached him about joining in with the county.

Jason Kennedy asked who Mr. Fugate is representing and stated he is not representing the Town of Bronson.

Atty. Fugate stated he is representing the Municipal Fire Departments for the cities he serves.

The Commissioners were in agreement to not hold a forum regarding the Fire Departments.

Susan Haines commented to the Board regarding the "Pledge of Allegiance".

COMMISSIONERS' REPORTS

Comm. Bell stated the issue of debris from the Suwannee River Fair demolition project may need to be addressed regarding tipping fees.

Comm. Stevens stated Max Agiree from the Bronson Youth League had contacted him and stated there is a Soccer Team from Bronson going to a tournament at Disney World in Orlando and they are asking for financial assistance.

The Commissioners agreed they would check into their Recreation Funds to see how much could be given.

There will be a bake sale fundraiser this Thursday at the Baptist church in Bronson.

The meeting recessed at 10:42 A.M.

The meeting reconvened at 10:55 A.M.

Commissioners agreed to give the same as, but not to exceed what was given last time. Mr. Shipp stated the amounts of what each commissioner had left as follows:

Comm. Joyner	\$3,979.25
Comm. Johnson	\$2,174.20
Comm. Drew	\$2,217.76
Comm. Bell	\$1,203.33
Comm. Stevens	\$ 611.84

The meeting recessed at 10:58 A.M.

The meeting reconvened at 1:07 P.M.

PUBLIC HEARING

Impasse and vote on resolution of impasse between County and LIUNA Local 630.

Comm. Stevens called the Public Hearing to order at 1:07 P.M.

Atty. Brown stated this Hearing is regarding the impasse on the 2010-2011 Collective Bargaining Agreement between the County and LIUNA Local 630.

Andy Bemis, representing the Local 630 spoke to the Board stating the following issues are at impasse:

1. Article 8, Section 1 (Union's proposal to sell back up to eighty (80) hours of accrued leave)
2. Article 12, Section 3 (County's proposal to eliminate daily overtime)
3. Article 12, Section 3 (Union's proposal to allow accrual of compensatory to eighty (80) hours)
4. Article 14, Section 5 (Union's proposal to increase reporting time from a minimum of 3 hours to a minimum of 5 hours)
5. Article 15 (Union's proposal for a 3% wage increase)
6. Article 22 (Union's proposal for a multi-year agreement: County's proposal for a one year agreement)

Wayne Helsby of the Law Offices of Allen, Norton & Blue, representing the County Coordinator spoke to the Board. He stated the position of the County Coordinator is in these economic times afford these kinds of increases in benefits.

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

Terry Padgett spoke in favor of the proposal given by Mr. Bemis.

Comm. Stevens then asked if the Board members had any comments.

Comm. Bell made a motion to resolve the issue concerning Article 8, Section 1 (Union's proposal to sell back up to eighty (80) hours of accrued leave) in favor of the County Coordinator. Second was made by Comm. Drew and the MOTION CARRIES.

Atty. Brown stated the issue concerning Article 12, Section 3 (County's proposal to eliminate daily overtime) was resolved and a vote would not be necessary.

Comm. Drew made a motion to resolve the issue concerning Article 12, Section 3 (Union's proposal to allow accrual of compensatory to eighty (80) hours) in favor of the County Coordinator. Second was made by Comm. Bell and the MOTION CARRIES.

Comm. Drew made a motion to resolve the issue concerning Article 14, Section 5 (Union's proposal to increase reporting time from a minimum of 3 hours to a minimum of 5 hours) in favor of the County Coordinator. Second was made by Comm. Johnson and the MOTION CARRIES.

Comm. Joyner made a motion to resolve the issue concerning Article 15, Section 1 (Union's proposal for a 3% wage increase) in favor of the County Coordinator. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Joyner made a motion to resolve the issue concerning Article 15, Section 4 (Union's proposal for a call-out guarantee increase from 3 to 4 hours) in favor of the Union. Second was made by Comm. Johnson and the votes were cast as follows:

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

The MOTION CARRIES.

Comm. Johnson made a motion to resolve the issue concerning Article 22 (Union's proposal for a multi-year agreement: County's proposal for a one year agreement). Second was made by Comm. Bell and the MOTION CARRIES.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 3:00 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens