

**REGULAR MEETING  
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
OCTOBER 16, 2012**

The Regular Meeting of the Board of Levy County Commissioners was held on October 16, 2012 at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

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

Also present were:

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

Comm. Stevens called the Meeting to order at 9:03 A.M. Osborn Barker gave the invocation, followed by the Pledge of Allegiance.

**EXPENDITURES**

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

<b>CHECK NUMBER</b>	<b>109401-109529</b>
<b>FUND</b>	<b>AMOUNT</b>
GENERAL REVENUE	688,192.74
ROAD	122,229.53
SHIP	7,680.00
NSP	10.34
TRANSPORTATION	4,133.37
COURT FACILITIES	75.00
PROGRESS ENERGY	20.51
EMS	49,548.57
FIRE	65,686.40
TOURIST DEVELOPMENT	5,615.51
CDBG	4,500.00
UTILITIES	2,117.53
ADD COURT COSTS	1,850.80
<b>TOTAL</b>	<b>\$ 991,660.30</b>

**MINUTES**

The minutes for the Special Board Meeting held on September 29, 2012 and the Regular Meeting held on October 2, 2012 were presented for Board approval.

Comm. Bell made a motion to approve the minutes for the Special Meeting held on September 29, 2012 and the Regular Meeting held on October 2, 2012 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

## **SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

Ann Shortelle, Ph.D., Executive Director  
Presentation of payment in lieu of taxes.

Ms. Shortelle gave a State of the Resource and Payment in Lieu of Taxes Presentation. The amount of the check was \$30,401.84.

## **DEVELOPMENT DEPARTMENT – PUBLIC HEARING**

Rob Corbitt, Development Department Director  
Ordinance No. 2012-04, Flood Prevention

Atty. Brown informed the Board a second hearing would not be necessary, as previously informed. A decision could be made at the Public Hearing today.

Mr. Corbitt read into record the title of Ordinance No. 2012-04.

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

Dana Sheffield asked what agency is requiring the changes for this Ordinance?

Mr. Corbitt answered the changes came from the Florida Building Commission and the Federal Emergency Management Agency.

Comm. Stevens then closed the Public Comment portion of the Hearing.

Comm. Drew made a motion to approve Ordinance No. 2012-04 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

## **WILLIAMS COMMUNICATIONS, INC.**

A.J. Smith  
Radio communications issues.

Mr. Smith spoke to the Board, introducing Brian Coker, Vice President and Ray Russell. He spoke regarding the State Law Enforcement System, which Levy County is a part of and the dependability of their radios.

## **NON-AGENDA ITEM**

Mr. Moody requested the Board hear a non-agenda item regarding the Property Appraiser and the Tax Collector.

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

Linda Fugate, Levy County Tax Collector spoke to the Board informing them of the need to have the Tax Roll out by the first of November. The Value Adjustment Board Hearings have been altered this year, making them later than usual. Mrs. Fugate states Chapter 197.323 allows the Tax Collector to come to the Board and ask the Board to “order” the Property Appraiser to certify the tax roll. Osborn Barker, Levy County Property Appraiser is also in favor of this in order to get the tax roll out.

Comm. Joyner made a motion to have the Property Appraiser send out the tax roll. Second was made by Comm. Drew and the MOTION CARRIES.

## COUNTY COORDINATOR

Fred Moody

- A. Ratification of Union Contract, LIUNA Local 630 for fiscal year 2010/2011.

Mr. Moody requested Board ratification of the Union Contract, LIUNA Local 630 for fiscal year 2010/2011.

Comm. Drew made a motion to ratify the Union Contract, LIUNA Local 630 for fiscal year 2010/2011 as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Requesting Board direction on our continued participation with North Florida Economic Development Partnership, membership dues of \$2,038.35 (requested by 11/15/2012) and North Florida Economic Development Partnership Board of Directors appointments. (requested by 10/23/2012).

Mr. Moody requested Board direction regarding continued participation with North Florida Economic Development Partnership. Current membership dues are \$2,038.35, requested by 11/15/12. Mr. Moody stated Board of Directors appointments are requested by 10/23/12.

Comm. Johnson made a motion to continue with the appointed member, Comm. Bell, until the regular Board meeting on December 4<sup>th</sup> and appoint new members at this time. Second was made by Comm. Bell and the MOTION CARRIES.

Comm. Bell discussed the possibility of giving a “one-time, \$600 incentive bonus” to all full-time employees, including those employed by the Constitutional Officers. The estimated total amount is \$311,414 calculated on 386 total employees.

Atty. Brown stated she would need to research and return with information to the Board at the November 6<sup>th</sup> meeting before a vote was made.

## CORRESPONDENCE

Karen Blackburn

- A. Presenting a request from Swain Strickland with the Levy County Health Department suggesting a workshop after the next regular meeting on November 6<sup>th</sup>, 2012 with this Board and the Health Care Advisory Board.

Mrs. Blackburn presented a requested from Swain Strickland regarding scheduling a Workshop after the next regular meeting on November 6<sup>th</sup> with the Health Care Advisory Board.

The Commissioners discussed holding the requested Workshop during the second meeting in November or the first meeting in December, rather than on November 6<sup>th</sup>, as requested.

- B. Withlacoochee Regional Planning Council is requesting approval of a re-appointment to the Levy County Transportation Disadvantage Local Coordinating Board. The current voting member is Arthur Maruna from Chiefland.

Mrs. Blackburn requested Board approval to re-appoint Arthur Maruna to the Levy County Transportation Disadvantage Local Coordinating Board.

Comm. Bell made a motion to re-appoint Arthur Maruna to the Levy County Transportation Disadvantage Local Coordinating Board. Second was made by Comm. Drew and the MOTION CARRIES.

- C. Presenting a Proclamation of the Board of County Commissioners, Levy County, Florida proclaiming November, 2012 as “Pancreatic Cancer Awareness Month.”

Mrs. Blackburn requested Board approval of the Proclamation for Pancreatic Cancer Awareness Month for November, 2012.

Comm. Drew made a motion to approve the Pancreatic Cancer Awareness Month Proclamation for November, 2012 as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

## PLANNING

Shenley Neely, Planning Director

- A. Recommend approval of renewal of the Levy County Service Agreement with the Withlacoochee Regional Planning Council (WRPC) for services needed through September 30, 2013.

Ms. Neely requested Board approval to renew the Levy County Service Agreement with the Withlacoochee Regional Planning Council (WRPC) for services needed through September 30, 2013.

Comm. Bell made a motion to approve renewal of the Levy County Service Agreement with the WRPC as requested. Second was made by Comm. Drew and the MOTION CARRIES.

- B. Recommend Board approve Notice of Intent to Terminate Contract for NSP 3 Administration and Activity Delivery Service with Roumelis Planning and Development Services, Inc. and approve letter providing Notice of Intent to Terminate Agreement/Contract.

Ms. Neely requested Board approval of the Notice of Intent to Terminate Contract for NSP 3 Administration and Activity Delivery Service with Roumelis Planning and Development Services, Inc. as well as a letter providing Notice of Intent to Terminate Agreement/Contract. Ms. Neely explained Levy County has worked with the State of Florida and the Levy/Gilchrist/Suwannee County Housing Authority to successfully execute a Subrecipient Agreement with the Housing Authority to assist with the administration of the NSP 3 Program for Levy County. A County contract with Roumelis Planning and Development Services, Inc. is no longer needed at this time.

Comm. Drew made a motion to approve the Notice of Intent to Terminate Contract for NSP 3 Administration and Activity Delivery Service with Roumelis Planning and Development Services, Inc. as well as a letter providing Notice of Intent to Terminate Agreement/Contract. Second was made by Comm. Bell and the MOTION CARRIES.

## PUBLIC SAFETY

David Knowles, Director

- A. Department of Public Safety is requesting Board approval to piggyback off of the Lake County Fire Rescue Equipment Agreement with Bennett Fire Products.

Mr. Knowles requested Board approval to piggyback off of the Lake County Fire Rescue Equipment Agreement with Bennett Fire Products. Approval of this would allow Levy County to make purchases from Bennett Fire Products at a reduced rate. (See item C for approval)

- B. Department is requesting the Board to issue a Certificate of Public Convenience and Necessity to provide Basic Life Support and Advanced Life Support services to the citizens of Levy County.

Mr. Knowles requested the Board issue a Certificate of Public Convenience and Necessity to provide Basic Life Support and Advanced Life Support services to the citizens of Levy County.

Comm. Drew made a motion to approve the Certificate of Public Convenience and Necessity as requested. Second was made by Comm. Bell and the MOTION CARRIES.

- C. Department is requesting Board approval to piggyback off of Lake County Fire Rescue Equipment agreement with Municipal Equipment Company.

Mr. Knowles requested Board approval to piggyback off of the Lake County Fire Rescue Equipment Agreement with Municipal Equipment Company. Approval of this would allow Levy County to make purchases Municipal Equipment Company at a reduced rate.

Comm. Bell made a motion to approve the Public Safety Department piggybacking off of the Lake County Fire Rescue Equipment Agreement with Bennett Fire Products and Bennett Fire Products with a cap of \$40,000 each. Second was made by Comm. Drew and the MOTION CARRIES.

## **SOLID WASTE**

Benny Jerrels, Director

Request Board approve the renewal of Levy County's Service agreement with the Withlacoochee Regional Planning Council for the new fiscal year 2013.

Rod Hastings requested on behalf of Mr. Jerrels Board approval to renew the Service Agreement between Levy County and the Withlacoochee Regional Planning Council for the new fiscal year 2013.

Comm. Drew made a motion to approve the renewal of the Service Agreement between Levy County and the Withlacoochee Regional Planning Council as requested. Second was made by Comm. Bell and the MOTION CARRIES.

Mr. Hastings stated the Solid Waste Department would like to purchase tires for a loader at the Transfer Station by using funds from the Small County Grant. He estimated the bids will run around \$28,000 for the four tires. Mr. Hastings also stated the Solid Waste Department is in need of purchasing a vehicle lift for the shop and requested approval from the Board to obtain bids for these items.

The Board agreed to allow the Solid Waste Department request bids for the items stated and bring them back for approval.

## **TOURIST DEVELOPMENT**

Carol McQueen, Director

Request to increase for funds amount for the Gulf Tourism and Seafood Promotional Fund Application.

Mrs. McQueen requested Board approval for an increase in the amount requested for the Gulf Tourism and Seafood Promotional Fund Application. The increased amount is now \$433,400.

Comm. Drew made a motion to approve the request to increase the amount requested for the Gulf Tourism and Seafood Promotional Fund Application to the total amount of \$433,400 as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

## **COUNTY ATTORNEY**

Anne Bast Brown

- A. Approve agreement with Nabors, Giblin & Nickerson, P.A. ("NGN"), to provide legal services to challenge contested Medicaid Billings on contingency plus cost basis; and
- B. Authorize County Attorney to initiate and pursue Department of Administrative Hearings ("DOAH") actions on behalf of the Board of County Commissioners on contested Medicaid billings if the total amount for the billings to be contested in any one action is less than \$5,000, either through outside counsel or through Office of County Attorney resources.

Atty. Brown requested Board Approval of the Agreement with Nabors, Giblin & Nickerson, P.A. to represent the Board on a contingency basis (30% of amounts recovered plus costs) for at least the first two administrative challenges of Medicaid billings to DOAH and to authorize the County Attorney to file separate administrative actions with DOAH or any given month where the amount in dispute is less than \$5,000, either through the use of NGN's services or through the Office of the County Attorney.

Comm. Bell made a motion to approve the Agreement with "NGN" and to authorize Atty. Brown to file administrative actions with "DOAH" as requested. Second was made by Comm. Drew and the MOTION CARRIES.

## COMMISSIONERS' REPORTS

Comm. Joyner announced the Veterans Day Parade will be on November 12<sup>th</sup> at 11:00 and asked if any of the Commissioners would like to ride together.

Comm. Joyner also announced there will be a Fall Festival at the Morriston Baptist Church on November 20<sup>th</sup>.

Comm. Drew announced the Yankeetown Seafood Festival will be on November 17<sup>th</sup> and 18<sup>th</sup>.

Comm. Bell announced the Cedar Key Seafood Festival will be this weekend, October 20<sup>th</sup> & 21<sup>st</sup>. The LARC Ride to Provide event is also this Saturday.

The Haven Hospice event this past weekend was a success and Comm. Bell thanked all who attended.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING  
ADJOURNED AT 10:44 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