

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 16, 2010**

The Regular Meeting of the Board of Levy County Commissioners was held on November 16, 2010, at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairman Danny Stevens
Vice Chairman Chad Johnson
Comm. Marsha Drew
Comm. Ryan Bell

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

SWEARING IN OF NEW COMMISSIONERS

At 8:45 A.M. Honorable Judge James T. Browning swore in newly elected County Commissioners, Ryan Bell and Chad Johnson.

Vice-Chairman Stevens called the meeting to order at 9:02 AM. Bruce Greenlee gave the invocation, followed by the Pledge of Allegiance.

SELECTION OF CHAIR AND VICE-CHAIR

Comm. Drew made a motion to elect Comm. Stevens as Chairman for the rest of this year and through next year. Second was made by Comm. Johnson and the MOTION CARRIES.

Comm. Ryan Bell made a motion to elect Comm. Johnson as Vice-Chairman. Second was made by Comm. Drew and the MOTION CARRIES.

EXPENDITURES

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

CHECK NUMBER	103072-103211
FUND	AMOUNT
GENERAL REVENUE	260,439.36
ROAD	60,321.84
COURT TECH/CRIM PREV	79.45
TRANSPORTATION	2,190.19
COURT FACILITIES	48,025.00
PROGRESS ENERGY	227.68
EMS	160,076.33
FIRE	37,262.98
TOURIST DEVELOPMENT	9,250.04
UTILITIES	1,513.49
ADD COURT COSTS	439.90
CAPITAL PROJECTS	2,795.34
LANDFILL	16,763.66
TOTAL	\$ 599,385.26

MINUTES

The following minutes were presented to the Board for approval:

September 30, 2010
October 19, 2010

October 5, 2010
November 2, 2010

Comm. Drew made a motion to approve the minutes for September 30th, October 5th, October 19th, and November 2nd, 2010 with corrections as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

VETERANS AFFAIRS

Robert Lowyns, Veterans Affairs

- A. Request approval of Proclamation of 2010-64 recognizing Sgt. Karl Andrew Campbell for services to this Country and to Levy County and all its citizens.

Mr. Lowyns requested Board approval of Proclamation 2010-64 recognizing Sgt. Karl Andrew Campbell and read the Proclamation into public record.

Comm. Drew made a motion to approve Proclamation 2010-64 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

BETTY BERGER

Betty Berger

- A. Consider information regarding Progress Energy.

Ms. Berger expressed her concerns to the Board regarding the two nuclear power plants Progress Energy plans to construct in Levy County. She asked the Board to consider sending a letter to the Board of Trustees of the Internal Improvement Fund to deny PEF a permit to build the nuclear power plants.

Norman Hopkins explained how the accumulation of tritium, a radioactive by product of a nuclear power plant can affect groundwater supplies and cause cancer. Mr. Hopkins gave information on an alternative, less expensive renewable energy source called Renewable Electrolysis.

Comm. Stevens stated the Board would take the information presented under advisement.

MARVIN DUNN – ROSEWOOD ARTIFACTS

Marvin Dunn

- A. Request help with artifacts found on Rosewood property.

Dr. Marvin Dunn, a retired professor from Florida International University in Miami spoke to the Board requesting financial help with artifacts found on Rosewood property.

He brought with him a few artifacts found at Rosewood for the Board members to view.

Dr. Dunn requested \$5,000 from the Board to help with the cost of digging. The fee will go to the archeologist.

Dr. Dunn stated he would like to establish a historical park in Rosewood for history of Levy County as well as Rosewood. On January 2nd, 2011 from 2:00 P.M. to 4:00 P.M. he will be holding an event at his property in Rosewood by invitation and invited the Board to attend. Senator Tony Hill will give the keynote address.

Comm. Drew and Comm. Johnson advised Dr. Dunn of budget cuts already made within the County and stated they would not be able to help him financially at this time.

Comm. Stevens stated he is not in favor of putting Levy County employees and equipment in a position of liability. If this site is, in fact of historical significance, professionals would be needed instead of locals getting in the way or disturbing historical artifacts.

Comm. Bell made a motion to deny funding at this time. Second was made by Comm. Johnson and the MOTION CARRIES.

PUBLIC COMMENTS

Lizzie Robinson Jenkins, Executive Director of the Real Rosewood Foundation spoke to the Board regarding an event planned on April 16, 2011 called the First Annual Return to Rosewood Celebration and brought a press release for the Board members. The event is free to the public. She also gave information on an Autism 5K/1 mile run/walk to be held the same day.

Mrs. Jenkins does not encourage anyone disturbing and misrepresenting the history of Rosewood.

Toni Collins requested the Board to deny any digs on property in Rosewood as requested by Mr. Dunn and pointed out there had already been public grants awarded for this.

LEVY COUNTY CONSTITUTIONAL & COURT FACILITY COMMITTEE

Linda Fugate, Levy County Tax Collector

A. Notification of old Bronson High School building available for purchase. Request Board direction.

Mrs. Fugate brought to the Board's attention the old Bronson High School building located behind the Courthouse is available for purchase and asked them to research and consider at a later date to either accept or eliminate this as a possible purchase.

The Commissioners agreed to research and consider the purchase, then address the issue at a later date.

LEVY COUNTY TAX COLLECTOR

Linda Fugate, Levy County Tax Collector

A. Request approval of Resolution 2010-67 instructing the Tax Collector not to mail tax notices for amount of taxes less than \$5.00 and instructing the Property Appraiser not to extend taxes on any parcel for which the amount is less than \$5.00.

Mrs. Fugate requested Board approval of Resolution 2010-67 allowing the Tax Collector to not mail tax notices for taxes owed less than \$5.00.

Comm. Drew made a motion to approve Resolution 2010-67 as presented. Second was made by Comm. Bell and the MOTION CARRIES. Comm. Johnson votes NO.

CLERK OF COURT

Danny J. Shipp, Clerk of Court

A. Resolution Amending the Final 2009/2010 Budget.

Sheila Rees requested Board approval of Resolution 2010-68, amending the final 2009/2010 budget. Mrs. Rees stated there were seven different funds affected in the amendment and there is an overall decrease of budget of \$1,184,294. The final budget figure is \$60,394,959.

Comm. Drew made a motion to approve Resolution 2010-68 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Fred Moody

A. Proposed correction to the 2010 Holiday Schedule.

Mr. Moody requested approval of a proposed correction to the 2010 Holiday Schedule. He asked if the two days given for Christmas could match the court schedule for days closed, Friday and Monday. Currently, Christmas is scheduled to be observed on Thursday and Friday for all county employees. The court calendar will be observing Friday and Monday, meaning there would be need to be court personnel and Security staff at work when the rest of the employees in the courthouse would be off.

Comm. Johnson made a motion to approve the days observed for Christmas of Friday the 24th and Monday the 27th for all County employees. Second was made by Comm. Bell and the MOTION CARRIES.

B. Recommend promotion of Robert E. Lowyns to Veterans Service Office Director.

Mr. Moody requested promotion of Robert E. Lowyns to Veterans Service Office Director.

Comm. Johnson made a motion to promote Robert E. Lowyns to Veterans Service Office Director as recommended. Second was made by Comm. Drew and the MOTION CARRIES.

Mr. Moody pointed out to the Board members the positions Comm. Rooks and Comm. Bell were on and stated the Board may want to re-appoint members.

Comm. Johnson asked if there were any meetings either of the members served on coming up soon.

Comm. Bell made a motion to appoint Comm. Johnson to the North Florida Broadband Authority. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Bell made a motion to appoint Comm. Drew to be the alternate member for the North Florida Broadband Authority. Second was made by Comm. Johnson and the MOTION CARRIES.

Atty. Brown stated she would prepare a Resolution with the Commissioners names filled in to be presented at the next Board meeting for signatures.

Mr. Moody stated Comm. Bell was on the following committees:

Meridian Behavioral Healthcare

Pure Water Wilderness

Levy County Transportation Disadvantaged

Suwannee River Resource Conservation and Development

Withlacoochee Regional Planning Council

Florida Association of Counties Foundation

Constitutional Court Facilities Committee – (Chairman must serve unless otherwise designated by the Board).

Comm. Rooks was on the following committees:

North Florida Broadband

CLM Workforce

County Coalition Board of Directors

Tourist Development Council

Florida Association of Counties

Renate Cannon added there is a Transportation Disadvantaged Committee meeting this Thursday at 1:00 P.M. Desiree Painter stated the Board Chairman is required to serve on this Committee. An alternate was not named at this time.

CORRESPONDENCE

Heather Lombardo

A. Funding Agreement for the Provision of Mental Health and Addiction Services.

Mrs. Lombardo requested Board approval of the Funding Agreement for the Provision of Mental Health and Addiction Services.

Comm. Drew made a motion to approve the Funding Agreement for the Provision of Mental Health and Addiction Services as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Appointments to the Withlacoochee Regional Planning Council.

Mrs. Lombardo stated Comm. Bell was serving on this Council and Comm. Stevens was currently serving.

Comm. Drew made a motion to appoint Comm. Ryan Bell to the Withlacoochee Regional Planning Council. Second was made by Comm. Johnson and the MOTION CARRIES.

LIBRARY

Lisa Brasher, Director

- A. Request approval of 2010-2011 Annual Plan of Service.

Ms. Brasher requested Board approval of the 2010-2011 Annual Plan of Service.

Comm. Drew made a motion to approve the 2010-2011 Annual Plan of Service. Second was made by Comm. Bell and the MOTION CARRIES.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Superintendent

- A. Request permission to purchase dump trucks for Road Department.

Mr. Greenlee requested Board approval to seek the purchase of three new dump trucks for the Road Department. He stated the money to purchase the trucks is in their budget and they could be purchased through the Florida Sheriff's Association State Contract for around \$130,900 each. Mr. Greenlee stated he would like to purchase these trucks through a lease purchase agreement.

Comm. Johnson made a motion to grant the purchase of new dump trucks as presented through the lease purchase agreement. Second was made by Comm. Drew and the MOTION CARRIES.

- B. Request permission to accept Small County Road Assistance Program (SCRAP) grant for the resurfacing of C318 from US 27 to NE 220 Ave.

Mr. Greenlee requested Board approval to accept the Small County Road Assistance Program (SCRAP) Grant for the resurfacing of C318 from US 27 to NE 220 Ave.

Atty. Brown states the motion needs to include the approval of the Resolution and the Addendum to the County Engineers Contract.

Comm. Drew made a motion to approve Resolution 2010-65 accepting the Small County Road Assistance Program Grant and the Addendum to the County Engineers Contract. Second was made by Comm. Johnson and the MOTION CARRIES.

- C. Request permission to accept Notice of Compliance for NW 27 Place.

Mr. Greenlee requested Board approval to accept Notice of Compliance for NW 27th Place.

Comm. Johnson made a motion to accept the Notice of Compliance for NW 27th Place as presented. Second was made by Comm. Bell and the MOTION CARRIES.

- D. Resolution 2010-66 to schedule a public hearing on Tuesday, December 21, 2010 at 9:00 A.M. for the closure of a portion of road right-of-way located in Gleason's Trailer Village, as requested by petitioners Jack and Elizabeth Foley.

Mr. Greenlee requested Board approval of Resolution 2010-66 to schedule a public hearing on Tuesday, December 21, 2010 at 9:00 A.M. for the closure of a portion of road right-of-way located in Gleason's Trailer Village, as requested by petitioners Jack and Elizabeth Foley.

Comm. Drew made a motion to approve Resolution 2010-66 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

SHIP/WATER

Dick Tummond

- A. Deferred Payment Loan.

Mr. Tummond requested approval of a Deferred Payment Loan agreement for Robert and Angela Barnhill in the amount of \$17,748.

Comm. Drew made a motion to approve the Deferred Payment Loan Agreement as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Request permission to award bid for Manatee Utilities Chlorine Monitoring.

Mr. Tummond requested Board permission to award the bid for Manatee Utilities Chlorine Monitoring to Florida Civil Construction, Inc. in the amount of \$13,700 and authorize the Chairman to sign.
Comm. Johnson made a motion to approve the bid for Manatee Utilities chlorine monitoring to Florida Civil Construction, Inc. in the amount of \$13,700 and authorized the Chairman to sign. Second was made by Comm. Drew and the MOTION CARRIES.

COUNTY ATTORNEY

NON AGENDA ITEM

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

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

Atty. Brown presented information regarding the Bonds for the Chiefland hospital and going forward with them.

Atty. Brown made a recommendation to approve the resolution

Comm. Johnson made a motion to approve Resolution 2010-69 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

Atty. Brown asked the Board for direction on how to recoup Attorney fees regarding issuance of the bonds. She stated her estimated cost would be around \$2,000 to \$3,000 and she would have about 100 hours involved.

Comm. Drew made a motion to charge actual Attorney costs up to \$25,000.

After discussion, Comm. Drew rescinds her motion.

Comm. Johnson made a motion to set the Attorney Administration fee at \$2,500 and set the Attorney fees at \$22,000.

The motion dies for lack of a second.

Comm. Bell made a motion to charge for the Attorney Administration fee at \$2,500 and charge for the Attorney fees at \$15,000. Second was made by Comm. Johnson and the MOTION CARRIES.

Atty. Brown stated if costs were to exceed this amount, the Board could request additional funds at a later date.

Atty. Brown requests the Board to authorize the Chairperson or Mr. Moody to sign any documents necessary to return our allocation to the State if the Board is presented with a letter from the Hospital indicating they are not moving forward with the Bond issue.

Comm. Johnson made a motion to authorize the Chairperson to sign any documents necessary to return our allocation to the State if the Board is presented with a letter from the Hospital indicating they are not moving forward with the Bond issue. Second was made by Comm. Drew and the MOTION CARRIES.

COMMISSIONERS' REPORTS

Comm. Johnson asks about next meeting and doing appointments at the next Board meeting on December 7th as he has a conflict with his schedule and will not be able to attend. He asked if any of the appointments could be made today.

Mr. Moody stated the meeting for GSG has been rescheduled for January 18th at 1:00 P.M.

Comm. Johnson states he will be leaving this evening to attend the Florida Association of Counties Legislative Conference and asked for nomination to the Small County Coalition, the Florida Association of Counties and the Florida Association of Counties Foundation.

Comm. Bell made a motion to appoint Comm. Johnson to the Florida Association of Counties, the Florida Association of Counties Foundation and the Small County Coalition. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Drew stated she was interested in appointment to the Pure Water Wilderness, the Energy and Alternative Power Committee, Suwannee River Resource Conservation and Development Committee.

Comm. Johnson made a motion to appoint Comm. Drew to the Committees as requested. Second was made by Comm. Bell and the MOTION CARRIES.

Comm. Bell stated he was interested in appointment to the Citrus, Levy, Marion Workforce. He was interested in Tourist Development Council, but this requires the Chairman to be appointed.

Comm. Johnson made a motion to appoint Comm. Bell to the Citrus, Levy, Marion Workforce as requested. Second was made by Comm. Drew.

Comm. Bell stated he would also take the appointment to Meridian Behavioral Healthcare.

Comm. Johnson amended his motion to include appointment of Comm. Bell to Meridian Behavioral Healthcare. Second was also amended by Comm. Drew and the MOTION CARRIES.

Mrs. Fugate returned to the podium to give information on accounts less than \$5. She stated there were nine tangible accounts and there were 79 regular accounts totaling less than \$285.

Comm. Drew invited everyone to attend the Yankeetown Seafood Festival is this weekend, November 20th and 21st from 9:00 A.M. to 5:00 P.M. on Riverside Drive.

Comm. Drew stated the Lions Club will be doing a "Toy Drive" for South Levy children. Drop-off boxes are located at the Food Ranch, Town Hall, the Lions Club and other businesses. Santa will be at the Lions Club on December 11th. Comm. Drew then welcomed the newly elected Commissioners.

Comm. Bell stated there is a "Toy Drive" in Cedar Key at the Chamber of Commerce new Welcome Center.

Atty. Brown announced there is a Seminar on Sunshine Laws, Public Records and Ethics in Tallahassee on February 18th. She also welcomed the new commissioners.

Mr. Moody mentioned there will be a Food Bank meeting Thursday and asked if Comm. Stevens could attend.

Comm. Stevens stated the Tri-County Pregnancy Center is taking donations for Christmas trees for needy families in the area. He wished a Happy Thanksgiving to everyone.

It was announced there will be a Yard Sale this Saturday to benefit Project Hope in Williston.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:56 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairperson, Danny Stevens