

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
DECEMBER 21, 2010**

The Regular Meeting of the Board of Levy County Commissioners was held on December 21, 2010, 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

Also present were:

Danny J. Shipp – Clerk of Court
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. Bruce Greenlee 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 | 103370-103515 |
|----------------------|----------------------|
| FUND | AMOUNT |
| GENERAL REVENUE | 434,519.48 |
| ROAD | 219,844.60 |
| SHIP | 12,750.00 |
| COURT TECH/CRIM PREV | 70.62 |
| TRANSPORTATION | 24,692.71 |
| COURT FACILITIES | 3,880.00 |
| PROGRESS ENERGY | 227.68 |
| EMS | 13,104.37 |
| FIRE | 1,549.12 |
| TOURIST DEVELOPMENT | 2,560.16 |
| UTILITIES | 2,190.63 |
| DRUG TASK FORCE | 269.10 |
| ADD COURT COSTS | 439.90 |
| LANDFILL | 73,444.96 |
| TOTAL | \$ 789,543.33 |

MINUTES

Approval of Minutes for the Regular Meeting held December 7, 2010.

Comm. Drew made a motion to approve the minutes for the Regular Meeting held December 7, 2010 with corrections. Second was made by Comm. Bell and the MOTION CARRIES.

AMVETS

Ivan Chubb spoke to the Board and wished everyone a Merry Christmas.

PUBLIC HEARING

Bruce Greenlee

- A. Resolution 2010-70 approving the petition to vacate, abandon, and close 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 2010-70, a petition to vacate, abandon, and close a portion of road right-of-way located in Gleason's Trailer Village as requested by petitioners, Jack and Elizabeth Foley.

Comm. Stevens asked if there was anyone wishing to speak for or against the petition. There were none.

Comm. Johnson made a motion to approve Resolution 2010-70 as presented. Second was made by Comm. Drew and the MOTION CARRIES.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Superintendent

- A. Request from Otter Creek to assist with road maintenance and issues with speeders.

Mr. Greenlee requested Board approval to strategically place speed bumps or rumble strips as requested by the Town of Otter Creek throughout the town to slow traffic. He stated a letter requesting assistance from the Board in dealing with traffic speeding through their Town had been received by his office.

After discussion, Comm. Bell made a motion to place rumble strips or a table-top speed deterrent in pursuant to approval by the City Council in Otter Creek and to also bring this situation to the Sheriff's attention. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Supplemental Agreement No. 1 for LCR 207 Small County Outreach Program.

Mr. Greenlee requested Board approval of Supplemental Agreement No. 1 for LCR 207, Small County Outreach Program.

Comm. Drew made a motion to approve Supplemental Agreement No. 1 for LCR 207, Small County Outreach Program as requested. Second was made by Comm. Bell and the MOTION CARRIES.

ZONING

Rob Corbitt

- A. SEP 3-10, Special Event "Return to Rosewood."

Atty. Brown swore in members of the audience and Commissioners wishing to speak for or against the Special Event.

¹Comm. Bell, ²Comm. Drew, and ³Comm. Stevens stated they had ex-parte communication with regard to the Special Event.

Mr. Corbitt presented and requested Board approval of SEP 3-10, Special Event "Return to Rosewood."

Mr. Corbitt stated the event is scheduled for January 2, 2011, from 8:00 A.M. to 5:00 P.M. and the application is marked "not open to the public." Since the last meeting when Mr. Dunn was asked to provide a more detailed site plan, his office did receive a document on the 13th and another on the 14th indicating the number of attendees had been reduced to fewer than 75 to accommodate the parking limitations. A neighboring property owner has agreed to accommodate additional parking up to 25-30 vehicles, if needed and these people could be transported to the site by van. Mr. Corbitt stated his office had received correspondence on the 20th indicating additional land clearing was being done to also accommodate parking. After questions by Comm. Bell, Mr. Dunn stated there would be four people to handle parking and entrance onto the site would be permitted only if the individuals name is on the guest list. Mr. Dunn also indicated to the Board and the expected number of vehicles would be 43 and presented the Board with photographs from a laptop of the property recently cleared. Comm. Bell stated he had concerns with public safety for the event and for the Board's responsibility to the neighbors. These concerns were also shared by Comm. Johnson.

Comm. Johnson asked what would happen if the Board denied Mr. Dunn's request and he continued with the event? Atty. Brown addressed the question and stated Mr. Dunn may be subject to a citation.

¹ Ex-parte communication Comm. Bell

² Ex-parte communication Comm. Drew

³ Ex-parte communication Comm. Stevens

Comm. Stevens stated he had concerns of the hours of the event and of the number of people originally invited compared to the number Mr. Dunn stated were expected to attend. Mr. Dunn responded they had stopped taking invitations as of yesterday. Comm. Stevens stated he was concerned with more people showing up than expected. He also had concerns with requests made by the Commissioners at the previous meeting not being met.

Comm. Drew stated she had no problem with Mr. Dunn's request for the Special Event and made a motion to approve SEP 3-10, Special Event "Return to Rosewood" as presented.

The motion dies for lack of a second.

Comm. Johnson made a motion to deny SEP 3-10, Special Event "Return to Rosewood." Second was made by Comm. Bell and the MOTION CARRIES. Comm. Drew votes NO.

CLERK OF COURT

Danny J. Shipp

A. Clarification of Satisfactions of Judgment approved December 7, 2010.

Mr. Shipp explained the Tax Deed Sale process with regard to Satisfactions of Judgment approved December 7, 2010. Mr. Shipp stated he had been contacted by the purchaser of a Tax Deed which had a Civil Judgment attached and had researched but found nothing statutory the Clerk could do to negotiate the amount on a Civil Judgment.

Atty. Brown stated she had not been made fully aware of the situation when contacted about negotiating the amount involving the Tax Deed in question. After discussion, the Commissioners agreed in the future a purchaser could petition liens through the Board, but they would need to do this in person.

B. Resolution 2010-72, Amending and Adopting Government / Municipal / Public Funds Authorizing Resolutions for Deposit Accounts with Perkins State Bank and Drummond Bank.

Mr. Shipp requested Board approval of Resolution 2010-72, Amending and Adopting Government / Municipal / Public Funds Authorizing Resolutions for Deposit Accounts with Perkins State Bank and Drummond Bank.

Comm. Drew made a motion to approve Resolution 2010-72 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

DARRYL DIAMOND

A. Discussion of growth issues on Hwy. 19 from the Inglis Town line North Lebanon Station.

Mr. Diamond addressed the Board and stated he felt there was a lack of transparency on the part of everyone in connection with the Inglis MSD a few years back. He suggested the Board send a letter to the South Levy County residents alerting them of the potential upcoming commercial growth and provided a copy of a draft he had written.

The Commissioners agreed to take Mr. Diamonds suggestions and letter under advisement, but were not in favor of sending a letter at this time.

DANNY STEVENS, CHAIRMAN

A. Introduction of Gwen Pra, District 2 Coordinator from the Florida Department of Transportation.

- TABLED -

LEVY COUNTY VISITORS BUREAU

Carol McQueen

A. Recommendation from the Levy County Tourist Development Council for approval of \$11,200 Additional Marketing Plan for 2010-2011.

Mrs. McQueen made a recommendation from the Levy County Tourist Development Council to increase their Marketing budget by \$11,200. She stated the budget had been cut back around the time of the oil spill and would now like to increase it.

Comm. Drew made a motion to approve the increase in the amount of \$11,200 in the Additional Marketing budget as recommended. Second was made by Comm. Johnson and the MOTION CARRIES.

LEVY COUNTY SHERIFF'S OFFICE

Lt. Scott Finnen, Levy County Sheriff's Office

A. Proposed jobs program with Citrus, Levy, Marion Workforce.

Lt. Finnen gave information to Board regarding a jobs program with the CLM Workforce Connection. He explained in January the Sheriff's Department will be losing two employees and would like to take advantage of this program as it offers on the job training. The CLM Workforce Connection OJT program provides occupational training, and employer is reimbursed 75% of the employees' hourly salary up to four months.

Another issue the Sheriff's Department is facing is the aging software system at the Jail and at the Sheriff's Office. Lt. Finnen stated they would like to partner with a company out of Ocala called Beacon Software, which is a startup company.

Lt. Finnen stated he is asking the Board to allow the Sheriff's Department to use CLM Workforce to hire two new employees and earmark the savings to fund the Beacon Software project, as these funds will come directly to the Board, not to the Sheriff's Department.

The Commissioners agreed by consensus to support the CLM Workforce agreement, but requested additional information on the Beacon Software project before taking action.

PUBLIC COMMENT

Lizzie Jenkins spoke to the Board and invited them to a reception for Lt. Governor Jennifer Carroll at Florida A&M University in Tallahassee on Sunday, January 2, 2011 at 7:00P.M. The cost to attend is \$50 per person.

Mrs. Jenkins then requested letters of support from the Commissioners to do the documentary on Rosewood by January 31, 2011.

Carol McQueen announced there would be a Levy Co Economic Summit in January 20, 2011 from 5:00 P.M. to 8:00 P.M. at Bronson High School.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Fred Moody, County Coordinator

A. Proposed Board of County Commission Orientation / Organization Round Table Discussion on January 4, 2010.

Mr. Moody asked if the Board members would schedule a BOCC Orientation/Organization Round Table Discussion on January 4, 2010 at 1:00 P.M. or 1:30 P.M.

The Commissioners agreed to place this item on the agenda for January 4, 2011 at 1:00 P.M.

LIBRARY

Lisa Brasher, Director

A. Request approval to appoint Virginia Meisenheimer and David Kendall to the Putnam Alachua Levy Library Cooperative Board one for a period of 2 years and one for a period of 3 years.

Ms. Brasher requested Board approval to appoint Virginia Meisenheimer for a period of 2 years and David Kendall for a period of 3 years to the Putnam, Alachua, Levy Library Cooperative Board.

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

SHIP/WATER

Dick Tummond

A. Subordination Agreement.

Mr. Tummond requested Board approval of the Subordination Agreement for Daniel Maldonado Diaz and Lourdes R. Colon.

Comm. Johnson made motion to approve the Subordination Agreement as presented. Second was made by Comm. Bell and the MOTION CARRIES.

ATTORNEY’S RERPORT

Anne Bast Brown, County Attorney

A. Approve Addendum to Agreement with Nabors, Giblin & Nickerson, P.A. (“NGN”), for special counsel services in proceedings related to the code enforcement action against Brian R. Davis, for the purpose of increasing the not-to-exceed amount for attorney fees.

Atty. Brown requested Board approval of Addendum to Agreement with Nabors, Giblin & Nickerson, P.A. for special counsel services in proceedings related to the code enforcement action against Brian R. Davis, for the purpose of increasing the not-to-exceed amount for attorney fees to \$10,000 in order to provide adequate representation on these issues.

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

COMMISSIONER’S REPORTS

Comm. Johnson wished everyone a Merry Christmas and a Happy New Year.

Comm. Drew gave a summary of the Broadband meeting she had attended on December 8th. She stated there may be opportunities for the municipalities with broadband.

Comm. Bell wished Happy Holidays to everyone.

Comm. Stevens wished everyone a Merry Christmas and a Happy New Year.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:21 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens