

REGULAR MEETING
 LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
 May 18, 2004

The Regular Meeting of the Board of Levy County Commissioners was held on May 18, 2004 at 9:00 a.m. in the Levy County Board of County Commissioners' meeting room, with the following Commissioners present:

- Chairman Lilly Rooks
- Vice Chairman Sammy Yearty
- Comm. Tony Parker
- Comm. Danny Stevens
- Comm. Nancy Bell

Also present were:

- County Attorney - Anne Brown
- Clerk of Court - Danny J. Shipp
- County Coordinator - Fred Moody

The Chairman called the meeting to order at 9:00 a.m. The invocation was given by Comm. Yearty followed by the Pledge of Allegiance to the Flag.

EXPENDITURES

Comm. Stevens moved to approve the following expenditures presented for payment. Comm. Parker seconded and the MOTION CARRIED.

FUND	AMOUNT
CHECK NUMBERS:	75482-75715
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GENERAL REVENUE	\$208,900.75
ROAD & BRIDGE FUND	266,288.10
SHIP	15,990.00
LIBRARY	10,627.35
PERMANENT MOSQUITO	35.00
MEDIATION	450.00
LOCAL LAW	1,158.00
FINE & FORFEITURE FUND	55,588.84
TRANSPORTATION	8,454.82
LANDFILL & RECYCLING	71,206.35
COURT FACILITIES	98.10
FLORIDA POWER GRANT FUND	907.17
EMERGENCY MEDICAL SERVICE	11,888.25
LOCAL LAW ENF BLK GRANT	3,936.00
FIRE	21,778.90
TOURIST DEVELOPMENT	4,210.93
CDBG	209,753.06
DRUG TASK FORCE	3,500.00
ST GRANT - JUVENILE JUSTICE	1,446.00
SALES TAX REV BOND CONST	284,209.67
UTILITIES FUND	681.09
 TOTAL	 \$1,181,108.38

MINUTES

Mr. Danny Shipp requested to table approval of the May 4, 2004 minutes until the next scheduled Board meeting to address the corrections noted. Mrs. Jaime Hinote requested a formal meeting including Mr. Shipp, Chairwoman Rooks, Mrs. Susan Haines and herself to discuss the issue of the corrections to the minutes in attempt to alleviate future approval delays.

MISCELLANEOUS

Mrs. Renate Cannon requested an update regarding the sally port being redesigned at the Courthouse. Mrs. Cannon asked for justification of redesigning the existing sally port.

Mr. Fred Moody responded explaining the sally port had a design flaw in that the size was no longer sufficient to accommodate the passenger vans transporting inmates and security personnel to the courthouse. Mr. Moody said the new sally port will be equipped with a chain-link fence, electronic security card system, inmate holding cells, and capability to park two (2) passenger vans.

Mrs. Cannon asked if the County had the passenger vans during the time the new sally port renovation was approved.

Mr. Moody responded to Ms. Cannon stating the County was using the vans during operation of the old sally port.

TRANSPORTATION

Mr. Bill Henderson, of the Florida Department of Transportation Planning and Environmental Office of Lake City, Florida, requested the Board review The Florida Department of Transportation (FDOT) Five Year Work Program. Mr. Henderson requested the Board project priorities by July 1, 2004 for the next tentative work program cycle in order to provide better coordination for the planning activities of the County.

Mr. Jordan Green presented the Florida Department of Transportation Five Year Transportation Plan for fiscal years 2005 through 2009 for Board review. Mr. Green stated the Small County Outreach Program and the Small County Road Assistance Program has been funded for this fiscal year.

Comm. Bell requested anticipated date in which road construction is to begin on County Road 341.

Mr. Green stated the agreement for the county road construction will be submitted this fiscal year.

Mr. Ron Grant asked if a traffic control device will be constructed at the intersection of County Road 326 and County Road 121 South due to traffic fatalities.

Mr. Green responded to Mr. Grant stating no plans have been made to construct a traffic control device at that intersection within the next five years.

Comm. Stevens stated that intersection was placed on last year's priority list and the Department of Transportation (DOT) had indicated it would be included in the plan for this year.

Mr. Green stated it is the responsibility of the Traffic Operations Department to conduct traffic control device warrant studies and forward their information to the County.

Chairwoman Rooks stated the intersection of County Road 341 and State Road 320 in Chiefland currently has a caution light but needs to have a traffic control device.

Mr. Green suggested the Board add these intersections to the transportation plan priority list for consideration.

Mr. Green responded to Comm. Stevens stating he would inquire on the status of the sidewalk program for the Williston Middle School.

Mr. Henderson said their department will be sending letters to the Board identifying criteria for the Small County Outreach Program and the Small County Road Assistance Program and added the funding will be available after July 1, 2004.

Chairwoman Rooks said once the Board receives this information defining the criteria for the programs, they will begin identifying appropriate roads and the needs thereof.

MISCELLANEOUS

Mr. Dan Ward of the Legend Group requested his proposal of the 401 Special Pay Plan to be tabled pending further notification to all employees.

Mr. Fred Moody suggested this can be presented during open enrollment to ensure all employees are available.

MUNICIPALITIES

Ms. Sue Colson, City Commissioner of Cedar Key, presented a time line of projects pursuant to Dock Street with an anticipated completion date by the end of August 2004.

Ms. Colson requested County assistance for the removal of the concrete guardrails and hauling of the debris from the dock site.

Mr. Bruce Greenlee said his assessment of the proposed removal project does not present evidence to prevent our assistance.

Comm. Yearty moved to assist the City of Cedar Key with the removal of the concrete guardrails and the debris hauling. Comm. Bell seconded and the MOTION CARRIED.

Ms. Sue Colson addressed questions directed by Mr. Barney Cannon.

AGENCIES

Mr. Bill Hutchinson expressed his gratitude for the Board support of the American Bikers Aimed Towards Education (ABATE) of Florida and approving the Proclamation observing May 2004 as Motorcycle Safety and Awareness Month.

Mr. Al Paquette addressed the Board on the need to educate local youth at area high schools regarding the Motorcycle Safety and Awareness Programs.

Mr. Hutchinson further informed as a state-wide, not-for-profit organization ABATE offers these educational awareness programs to civic organizations and local schools.

LIBRARY

Ms. Amy Johnson, of the Division of Library and Information Services, also known as the State Library, presented information on the State Aid to Libraries Grant Program, the Library Services and Technology Act (LSTA) Grant Program and the Gates Foundation Program of which the Levy County Library system will have the opportunity to apply. Ms. Johnson said the Community Libraries In Caring Grant Program will be available to Levy County through the Rural Economic Development Initiative after state budget approval. Ms. Johnson informed public library director conferences are held each fall to review legislative issues and grant opportunities. Ms. Johnson stated there will be a technology conference in February 2005 to discuss technology challenges and successes. Ms. Johnson said the summer library program training workshop will be provided to assist with implementation of the summer reading program.

AGENCIES

Mr. Jeff Feller, Resource Development Director of the North Central Florida Health Planning Council, Inc., stated their non-profit organization's primary purpose is to facilitate, advocate and implement community initiatives that will improve healthcare for citizens. Mr. Feller presented program information offered such as the Healthy Start Program, the Ryan White Program and the Rural Health Partnership Program. Mr. Feller said the North Central Florida Health Planning Council offers community services and support to assist with contracts, consulting, in-kind services and grants. Mr. Feller stated the BOCC appointed Ms. Marie Wells to the Council's Board of Directors to represent Levy County.

Mr. Feller addressed questions directed by citizen's present.

Chairwoman Rooks requested Mr. Feller provide to the Board additional information of the Health Care Administration hearing June 15, 2004.

TOURIST DEVELOPMENT COUNCIL

Mr. Lannie Cardona requested Board approval of the Agreement for Professional Services Between Levy County Board of County Commissioners and Brantley Consulting Group, Inc. as amended by Atty. Brown.

Comm. Yearty moved to approve the Agreement for Professional Services Between Levy County Board of County Commissioners and Brantley Consulting Group, Inc., as amended. Comm. Bell seconded and the MOTION CARRIED.

Mr. Cardona requested Board approval to disburse funds from the Tourist Development Fund in lieu of utilizing general revenue funds to pay the \$5,000 match for

the Dixie, Gilchrist, Levy Tourism Development Board's Regional Rural Development Grant.

Comm. Parker moved to approve the use of the revenue from the Tourist Development fund to pay the \$5,000 match for the Tourism Development Board's Rural Regional Development Grant. Comm. Stevens seconded and the MOTION CARRIED.

Comm. Bell stated the Nature Coast Coalition's Drive Tour is an excellent project and performing well.

Mr. Cardona informed the Driving Tour ribbon cutting will take place at the Fanning Springs State Park and the Bird Creek Park in Yankeetown on Tuesday, June 1, 2004 at 12:00 p. m.

MISCELLANEOUS

Chairwoman Rooks addressed Mr. Charles Gilbert regarding his concerns of County Commissioner's involvement of theft and/ or abuse and ethics violations. Chairwoman Rooks informed Mr. Gilbert the Board will not entertain his complaints as these must be directed to the appropriate agencies. Chairwoman Rooks provided Mr. Gilbert with a list of the referred agencies and their telephone contact numbers to file his complaints accordingly.

Mr. Andrew James III addressed the Board stating the Rainbow Lakes Estates road tax ceased collection in 2001. Mr. James said the Marion County Assistant Attorney sent letters to Mr. Frances Akins and Mrs. Linda Fugate for signature and witness thereof as well as tax information to be returned to Marion County addressing the collection of the Rainbow Lakes Estates tax. Mr. James stated the information had not been returned to Marion County due to some query from Mrs. Fugate and Mr. Akins.

Atty. Brown stated the agreements sent to Mr. Akins and Mrs. Fugate she has reviewed and will be obtaining further information for facilitation.

Atty. Brown responded to Mrs. Renate Cannon's question regarding the definition of "boiler plate" language.

Mrs. Mary Golding announced the May Day Extravaganza will take place at the Buie Park Saturday, May 22, 2004 beginning at 10:00 a.m.

COUNTY COORDINATOR

Mr. Fred Moody presented an update of the proposed consulting agreement for operations cost reduction services for the County. Mr. Moody said he met with Comm. Parker and Atty. Brown and it was decided for Atty. Brown to meet with Mr. Thomas Harper for discussion of his operations cost reduction program proposal.

Atty. Brown stated she has spoken with Mr. Harper regarding his program proposal, but wants to obtain further information from the Florida Association of County Attorneys to assist with determination for desired process for County enhancement.

Mr. Moody requested Board approval to hold an Executive Session May 24, 2004 at 9:00 a.m. for collective bargaining negotiations. Mr. Moody said both union contracts are expiring this year and Mr. Helsby, with the law office of Allen, Norton and Blue, has requested an Executive Session with the Board to review proposals of union contracts.

Comm. Parker moved to approve an Executive Session May 24, 2004 at 9:00 a.m. to discuss union contract proposals. Comm. Stevens seconded and the MOTION CARRIED.

EMERGENCY MANAGEMENT SERVICES

Mr. Mark Johnson announced that John MacDonald has been hired as the Radiological Emergency Planner (REP Coordinator) for the County.

Mr. Johnson informed the 2004 Federally Graded Radiological Emergency Planning Exercise held May 10-12 presented positive results. Mr. Johnson stated many volunteers were present to assist in the federally graded exercise which passed with above average scores and no deficiencies were identified.

MUNICIPALITIES

Mr. Fred Moody stated the Williston City Commission has requested to meet with the Board on Thursday, June 10, 2004 at 7:00 p.m. at the Williston City Hall to discuss fire related issues. Consensus of the Board agreed to the joint meeting with the Williston City Commission as proposed.

TAX - DELINQUENT

Mr. Fred Moody announced the Levy County Delinquent Tax Certificate Sale will be held on June 1, 2004 and June 2, 2004 inclusive of over 5,500 parcels exceeding two (2) million dollars in delinquent taxes.

EMERGENCY MEDICAL SERVICES

Mr. Billy Careccia said due to recent employment position vacancies, he requests Board approval to pay Marie Wells hourly for overtime work when she is needed for assistance on a medical unit.

Comm. Stevens moved to approve payment for Marie Wells hourly overtime when she is assisting on medical calls. Comm. Parker seconded and the MOTION CARRIED.

Mr. Careccia informed he received a letter from David Burnett, City of Chiefland Fire Chief, stating the Chiefland Fire Rescue will no longer be able to drive the ambulance for Levy County Emergency Medical Services. Mr. Careccia stated he received a letter from Dr. McCoy expressing his concern of allowing first responders to assist in the back of an ambulance instead of driving the ambulance. Mr. Careccia said he is working with Atty. Brown in order to establish an interlocal agreement addressing this issue.

Ms. Teresa Gullledge, with the City of Chiefland, said their office was unaware the issue was going to be on today's agenda, however, the City Attorney has contacted the County Attorney and their office is willing to work with the County regarding this issue.

Chairwoman Rooks stated she has spoke with the Chiefland Fire Chief as well as Mr. Careccia and Atty. Brown regarding several relevant issues.

Mr. Careccia has scheduled a meeting for Friday evening, May 21, 2004 with Fire Chiefs to discuss their interest in the continued use of fire departments providing first responder assistance as well as establishment of a clear communication system.

Atty. Brown responded to Comm. Bell stating she has a great deal of information to collect prior to creating an interlocal agreement and a meeting will be scheduled with Mr. Careccia and Mr. Lombardo to discuss the current agreements.

FIRE DIRECTOR

Mr. Rick Lombardo requested Board approval for a loan from the Morriston-Montbrook fire funds in order to pay fifty percent (50%) of the forestry grant.

Comm. Bell moved to approve the loan totaling \$5,000 from the Morriston-Montbrook fire funds to pay fifty percent (50%) of the forestry grant. Comm. Parker seconded and the MOTION CARRIED.

Mr. Lombardo presented for informational purposes all fire call reports are ready to be submitted to Mr. Matt Matherne of Government Services Group, Inc., on Thursday, May 20, 2004.

Mr. Lombardo stated he has submitted a letter to Otter Creek Fire Department regarding their insurance.

LIBRARY

Mr. Tom Reitz requested Board approval to apply, execute and sign the Gates Computer Grant allocating \$9,600 with a match requirement of \$1,200 to allow for the purchase of new computers and color printers.

Comm. Bell moved to approve the application, execution, and signing of the Gates Computer Grant. Comm. Yearty seconded and the MOTION CARRIED.

ROAD MAINTENANCE

Mr. Bruce Greenlee presented update regarding the maintenance of Levy County Road 102. Mr. Greenlee said he spoke to Mr. Perry Young at the Department of Transportation (DOT) regarding the approach and the right-of-way issues of County Road 102.

Mr. Greenlee requested approval of the Great Florida Birding Trail Sign Maintenance Agreement.

Comm. Bell moved to approve the Great Florida Birding Trail Sign Maintenance Agreement. Comm. Yearty seconded and the MOTION CARRIED.

Mr. Greenlee responded to Mr. Ron Grant's question regarding the repair of County Road 102.

Mr. Greenlee presented the following requests for maintenance on a one (1) time basis:

NE 137 Court located in Sun Coast Estates, requiring three (3) loads of rock and grading for an estimated cost of \$900.00, beginning at County Road 343 and ending at NE 70 Street.

Comm. Parker moved to approve the request for maintenance on a one (1) time basis. Comm. Stevens seconded and the MOTION CARRIED.

TRANSPORTATION

Ms. Desiree Painter requested approval for amendment of the Trip and Equipment Grant replacing the \$10,000 by the Transportation Disadvantaged Commission that was previously expended.

Comm. Parker moved to approve amendment of the Trip and Equipment Grant replacing the \$10,000 previously expended. Comm. Stevens seconded and the MOTION CARRIED.

Ms. Painter requested approval for amendment of the Rural Capital Assistance Program Grant to purchase a wheel chair equipped transport vehicle totaling \$46,000 requiring a local match of \$4,600.

Comm. Parker moved to approve amendment of the Rural Capitol Assistance Program Grant. Comm. Bell seconded and the MOTION CARRIED.

SHIP

Mr. Danny Shipp presented the following Deferred Payment Loan Agreements:

Patricia Howard, Lot 16, Block A, Williston Highlands Unit No. 1, a subdivision recorded in Plat Book 3, page 52, of the Public Records of Levy County, Florida for \$5,900.00 to purchase a home in the Williston area.

Comm. Stevens moved to approve the Deferred Payment Loan Agreement. Comm. Parker seconded and the MOTION CARRIED.

Michelle A. Waskom, Lot 3, Block 74, Williston Highlands Golf and Country Club Estates, a subdivision recorded in Plat Book 3, page 67, of the Public Records of Levy County, Florida and Lot 4, Block 74, Williston Highlands Golf and Country Club Estates, a subdivision recorded in Plat Book 3, Page 67, of the Public Records of Levy County, Florida for \$10,000.00 to purchase a home in the Williston area.

Comm. Stevens moved to approve the Deferred Payment Loan Agreement. Comm. Parker seconded and the MOTION CARRIED.

Mr. Shipp presented the following Satisfaction of Mortgage for approval:

Fredeen Cunningham of Cedar Key paid off amount of \$9,753.00.

Comm. Stevens moved to approve the Satisfaction of Mortgage. Comm. Parker seconded and the MOTION CARRIED.

ATTORNEY

Atty. Brown presented Resolution Number 2004-22 Opposing the Hometown Democracy Petition for a Constitutional Amendment; Providing an Effective Date.

Atty. Brown responded to the Commissioners to explain the relevance for this petition and necessity thereof. Atty. Brown addressed questions and statements from citizens regarding the petition.

Comm. Stevens moved to approve adoption of Resolution Number 2004-22 as presented. Comm. Parker seconded and the MOTION CARRIED.

Atty. Brown presented update regarding the petition drive for a constitutional amendment to raise the homestead exemption from \$25,000 to \$50,000. Atty. Brown stated while the number of verified signatures are not enough to place the amendment on the ballot, there are enough signatures for a Supreme Court review on whether the ballot summary meets the necessary requirements and this review for provision of placement on the ballot. Atty. Brown stated there is sufficient time and money to collect signatures needed to place this issue on the November ballot.

COMMISSIONERS

Comm. Bell announced the Chiefland Watermelon Festival will be held on June 5, 2004. Consensus of the Board for float participation in the Watermelon Parade.

Chairwoman Rooks requested a round table discussion with special invitation to the department heads and the constitutional officers to discuss the budget for the next fiscal year and issues related to County needs.

Chairwoman Rooks announced that today is Open House Day to honor the new County Attorney Anne Brown.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION
THE MEETING ADJOURNED.

Lilly Rooks, Board Chair

ATTEST:

Danny J. Shipp, Clerk of Court