

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
AUGUST 16, 2011**

The Regular Meeting of the Board of Levy County Commissioners was held on August 16, 2011 at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

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

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

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

EXPENDITURES

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

| CHECK NUMBER | 105579-105711 |
|---------------------------|------------------------|
| FUND | AMOUNT |
| GENERAL REVENUE | 347,943.18 |
| ROAD | 233,359.37 |
| SHIP | 475.00 |
| COURT TECH/CRIM PREV | 21,065.97 |
| TRANSPORTATION | 4,874.00 |
| COURT FACILITIES | 8,790.50 |
| PROGRESS ENERGY | 557.27 |
| EMS | 36,947.65 |
| FIRE | 4,834.75 |
| TOURIST DEVELOPMENT | 344.66 |
| UTILITIES | 2,258.20 |
| DRUG TASK FORCE | 1,695.00 |
| ADD COURT COSTS | 2,251.19 |
| DEBT SERVICE | 495,762.50 |
| CAPITAL PROJECTS | 1,366.01 |
| LANDFILL | 8,276.90 |
| TOTAL | \$ 1,170,802.15 |
| ONLINE TRANSFER - EMS | 100,000.00 |

MINUTES

Approval of minutes for the Regular Board Meeting held July 19, 2011 and August 2, 2011. Comm. Bell made a motion to approve the minutes for the Regular Board Meetings held on July 19, 2011 and August 2, 2011 with an amendment to the August 2nd minutes. Second was made by Comm. Johnson and the MOTION CARRIES.

SOLID WASTE

Benny Jerrels, Director

A. Request approval to accept bid for roof replacement on the Recycling building.

Andrew Carswell from Mills Engineering spoke to the Board regarding bids received for the roof replacement on the Recycling Building. The roof replacement will be funded through the Consolidated Small County Solid Waste Management Grant which will be in the amount of \$70,588 for this year. The bids received and total amounts are as follows:

| | |
|---------------------|-------------|
| Union LaSteel | \$55,261.60 |
| Mac Johnson Roofing | \$38,752.00 |
| J & L Construction | \$34,624.00 |

Mr. Carswell explained the bid from J & L Construction had been altered from the bid format. Mr. Carswell then recommended the Mac Johnson bid.

Tracy Stockman from J & L Construction spoke explaining the reason for their bid in linear feet.

After a question by Mr. Moody of whether or not this could be re-bid, Mr. Jerrels stated the bid is required to be submitted to DEP by September 1.

Comm. Drew made a motion to accept the bid from Union LaSteel explaining why this choice was preferred. The motion dies for lack of a second.

Comm. Drew rescinds her motion.

Comm. Bell made a motion to accept the bid from J & L Construction with consideration of Mr. Carswell's professional opinion. Second was made by Comm. Johnson and the votes were cast as follows:

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

The MOTION FAILS.

Comm. Johnson made a motion to accept the bid from Mac Johnson Roofing. Comm. Stevens passes the gavel to Vice-Chairman Johnson and seconds the motion. The votes were cast as follows:

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

Comm. Bell made a second motion to accept the bid from J & L Construction. Second was made by Comm. Johnson.

Comm. Stevens states the wording of the motion needs to be on record to justify choosing J & L Construction as they had deviated from the bid format.

After discussion, Comm. Stevens asked Mr. Jerrels to find out what the "drop dead" date is for submission of the bid to DEP and vote on this item before the conclusion of the meeting.

This item is TABLED until later in the meeting.

Mr. Carswell then requested the Board to hear a non-agenda item.

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

Mr. Carswell presented the following bids to the Board for the Waste Tire Collection Center at the Levy County Solid Waste Management Facility:

| | |
|--------------------|-------------|
| Ditty Construction | \$34,000.00 |
| B. H. Builders | \$18,328.00 |
| J & L Construction | \$16,611.50 |

Mr. Carswell recommends approving J & L Construction as they are the lowest bid.

Comm. Johnson made a motion to approve the bid with J & L Construction and to have the Chairman sign the contract. Second was made by Comm. Drew and the MOTION CARRIES.

At 10:05 A.M., Mr. Jerrels returned to the meeting and informed the Board a decision could wait until September 6th and the bid could be submitted on that day to DEP.

Comm. Bell rescinds his motion from earlier to accept the bid from J & L Construction. Comm. Johnson rescinds his second of the motion.

The Board decided by consensus to re-advertise for bids, requiring the bids to be received by September 1st at 10:00 A.M. The wording will be changed to request linear foot pricing on purlins replacement.

ZONING

Rob Corbitt, Director

A. Special Event 1-11, "Eerie Acres Haunted Attraction."

Mr. Corbitt presented and requested Board approval of the Special Event 1-11, "Eerie Acres Haunted Attraction." Mr. Corbitt states the attraction will be open beginning October 1st and each Friday and Saturday from 7:00 P.M. to 11:P.M. during the month of October. The applicant, Mrs. Watson stated the only change to the event this year is the addition of a corn maze.

Comm. Johnson made a motion to approve the Special Event 1-11, "Eerie Acres Haunted Attraction" as presented. Second was made by Comm. Bell and the MOTION CARRIES.

COUNTY COORDINATOR

Fred Moody, County Coordinator

A. VAB Board selection – Two County Commission Board members, one alternate and one homeowner representative.

Mr. Moody requested the Board approve Value Adjustment Board members for the coming year. The current members are Comm. Stevens, Comm. Johnson and Comm. Drew was selected as an alternate. Ivan Chubb has been the Homeowner representative.

Comm. Bell made a motion to approve the current members for another year. Second was made by Comm. Johnson and the MOTION CARRIES.

Mr. Moody requested the Board to hear a non-agenda item.

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

Mr. Moody presents information about an e-mail received from Meridian Behavioral Healthcare requesting a letter of support to First Coast Management Services, Inc., an organization with a history of proven experience in working with State contracts to be the Managing Entity for the Northeast Florida region. The letter will need the chairman signature.

After discussion, the Commissioners all agreed they are not comfortable a writing letter not knowing anything about the organization.

COUNTY EXTENSION

Barbara Edmonds, Multi-County Master Gardener Coordinator

A. Request approval to submit application to the United States Department of Agriculture National Institute of Food and Agriculture People Garden Grant Program (#003503).

Ms. Edmonds requested Board approval to submit for the Peoples Garden Grant Program in the amount of \$32,000. The Grant funds will be used to facilitate the creation of produce, recreation and/or wildlife gardens in urban and rural areas, which will provide opportunities for science-based informal education.

Comm. Drew made a motion to approve application for the Peoples Garden Grant Program as requested. Second was made by Comm. Bell and the MOTION CARRIES.

EMS

Trish Siebold

A. Request approval to apply for 2011 County Grant.

Ms. Siebold requested Board approval of the application for the 2011 EMS County Grant in the amount of \$7,003.00 and accompanying Resolution. The Grant money will be used for training equipment. Ms. Siebold then read into record the title of Resolution 2011-48.

Comm. Drew made a motion to approve application of the 2011 EMS County Grant and Resolution 2011-48 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Write offs (Billing, Medicare, Medicaid).

Trish requests Board approval of EMS write-offs through M.J. Altman Company including amounts from 2008 up to 2011 in the amount of \$1,390,127.96, which does not include the Medicare/Medicaid adjustment amount of \$650,623.49.

Comm. Drew made a motion to approve the EMS write-offs as presented. Second was made by Comm. Bell and the MOTION CARRIES.

FIRE

Rick Bloom

A. Request to replace Rescue vehicle under 2010-2011 Florida Sheriff's Association/Florida Association of Counties Purchasing Contract.

Mr. Bloom requests Board approval to purchase a 2012 Ford F450 Rescue Vehicle under the State Contract price of \$46,988.00 from the Florida Sheriff's Association/Florida Association of Counties Purchasing Contract. He explained this vehicle will replace the existing 1991 Ford F350 Rescue Unit in Morriston.

Discussion followed regarding the Fire Department rolling over funds and if this purchase was necessary at this time. Mr. Bloom explained the Fire Department had been saving funds in order to make a purchase such as this to replace an older vehicle.

Sheila Rees and Jared Blanton from the Finance Department of the Clerk's Office spoke to the Board regarding the Fire Department's budget.

Comm. Drew made a motion to advertise for bids to purchase a rescue vehicle for the Fire Department in order to allow local businesses the opportunity to participate in the bid. Second was made by Comm. Johnson and the MOTION CARRIES.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Superintendent

A. Adopt Resolution 2011-42 to schedule a public hearing on Tuesday, September 6, 2011 at 9:00 A.M. for the closure of NE 135 Avenue as requested by the Petitioner, Sandra Hall.

Mr. Greenlee requested Board approval to adopt Resolution 2011-42, scheduling a Public Hearing on Tuesday, September 6, 2011 at 9:00 A.M. for the closure of NE 135th Avenue as requested by the Petitioner, Sandra Hall.

Comm. Bell made a motion to approve Resolution 2011-42 as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Authorize agreement with Florida Department of Transportation for Safe Routes to School for Chiefland Elementary and Middle School.

Mr. Greenlee requested Board approval of the Agreement with the Florida Department of Transportation for Safe Routes to School for Chiefland Elementary and Middle School with accompanying Resolution 2011-41.

Comm. Johnson made a motion to approve the Agreement with the Florida Department of Transportation and accompanying Resolution 2011-41 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

- C. Adoption of Resolution 2011-43 to schedule a public hearing on September 6, 2011 at 9:00 A.M. for the closure of a portion of SE 31 Lane as requested by the Petitioners, Alan and Cindy Kendall.

Mr. Greenlee requested Board approval of Resolution 2011-43 to schedule a public hearing on September 6, 2011 at 9:00 A.M. for the closure of a portion of SE 31 Lane as requested by the Petitioners, Alan and Cindy Kendall.

Comm. Drew made a motion to approve Resolution 2011-43 as presented. Second was made by Comm. Bell and the MOTION CARRIES.

- D. Direction for railroad construction on C-316. – TABLED -

- E. Presentation of bid awards for yearly supply items.

Mr. Greenlee presented the bids received for yearly supply items to the Commissioners. He stated there was no bid received for Motor Oils and Emulsion Prime-Tar due to the economy and within the bid documents there is a clause stating the bid prices shall be firm for the contract period. Mr. Greenlee requested direction from the Board on how to proceed with getting bids for these items.

The following are bids received for culvert pipe:

Contech Construction Prod., Inc.
Gulf Atlantic Culvert Co.
Metal Culverts, Inc.

Mr. Greenlee recommended the bid from Metal Culverts, Inc.

Comm. Drew made a motion to award the bid for Culvert Pipe to Metal Culverts, Inc. Second was made by Comm. Johnson and the MOTION CARRIES.

Mr. Greenlee stated there was one bid received for Porta Potty's from Jones Plumbing.

Comm. Bell made a motion to award the bid for Porta Potty's to Jones Plumbing. Second was made by Comm. Drew and the MOTION CARRIES.

Mr. Greenlee stated there was one bid received for Safety Items from Safety Zone Specialists.

Comm. Bell made a motion to award the bid for Safety Items to Safety Zone Specialists. Second was made by Comm. Johnson and the MOTION CARRIES.

The following are the bids received for Signs:

Rocal, Inc.
Vulcan Signs

Comm. Bell made a motion to award the bid for Signs to Rocal, Inc. and Vulcan Signs. Second was made by Comm. Johnson and the MOTION CARRIES.

The following are the bids received for Sod:

Scherer Quality Farms, Inc.
Smith & Sons Sod, Inc.

Mr. Greenlee recommended the bid from Scherer Quality Farms, Inc.

Comm. Drew made a motion to award the bid for Sod to Scherer Quality Farms, Inc. Second was made by Comm. Bell and the MOTION CARRIES.

The bids received for Striping are as follows:

Jenkins Painting, Inc.
Roadscape North Florida

Mr. Greenlee recommended the bid from Jenkins Painting, Inc.

Comm. Bell made a motion to award the bid for Striping to Jenkins Painting, Inc. Second was made by Comm. Johnson and the MOTION CARRIES.

The bids received for Asphalt are as follows:

Anderson Columbia, Inc.
Central Materials Co.
Duval Asphalt
V.E. Whitehurst & Sons

Mr. Greenlee recommended the bid from Central Materials, Inc.

Comm. Bell made a motion to award the bid for Asphalt to Central Materials, Inc. Second was made by Comm. Drew and the MOTION CARRIES.

Mr. Greenlee stated he had been contacted by the City of Cedar Key about the possibility of cleaning under Bridge #340011, which is the first bridge before the airport on Airport Road. After sending a letter to the Florida Department of Environmental Protection notifying them of the potential work to be started Mr. Greenlee stated he received an e-mail from the Coordinator, Jim Mayer. A permit fee of \$100 will be required for an exemption in order to do the clean-up work under the bridge.

SHIP/WATER

Dick Tummond, Assistant to the County Coordinator

- A. Approve Satisfaction of Mortgage for Maxima Collis, HHRP PA #05.
- B. Approve Satisfaction of Mortgage for Evelyn L. Dinkins, HHRP PA #94-1.
- C. Approve Satisfaction of Mortgage for Mario/Teresa Tolentino, PA #278.

Mr. Tummond requested Board approval for the following Satisfaction of Mortgages:

| | <u>Purchase Assistance</u> | <u>Rehabilitation</u> |
|----------------------------|----------------------------|-----------------------|
| Maxima Collis | \$10,000 | |
| Evelyn L. Dinkins | \$15,000 | |
| Mario and Teresa Tolentino | \$ 7,000 | \$2,800 |

Comm. Drew made a motion to approve the above listed Satisfaction of Mortgages as presented. Second was made by Comm. Bell and the MOTION CARRIES.

Mr. Tummond advised the Commissioners he had received a report from Florida Rural Water this morning concerning the rate study for Manatee and University Oaks and he will be providing the Commissioners with a copy of the report.

LEVY COUNTY TRANSIT

Mr. Moody requested the Board hear a non-agenda item concerning Levy County Transit.

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

Connie Conley requested the Board allow them to hire a Grant Administrator in order to apply for a Grant mentioned at a recent Board meeting as the date to have this Grant submitted is coming up in October and Desiree is on Family Medical Leave. She stated Steven Tocknell had helped them in the past with some other small Grants and was willing to assist in getting the Grant. An initial amount of \$4,000 would be paid to him to get the process started and by the end another \$4,000 would be due. Ms. Conley questioned if this would need to go through the bid process. This is a 100% non-matching Grant for maintenance facilities and they are looking for property to purchase to build a maintenance facility which can also be utilized by the other County Departments.

Atty. Brown answered this falls under what would need to be bid but since the policy had been adopted by a motion and vote, the Board could waive it by a motion and vote for a special circumstance.

Comm. Bell made a motion to allow the Transit Department to move forward with contracting a Grant Administrator. Second was made by Comm. Johnson and the MOTION CARRIES.

PUBLIC COMMENTS

Terry Witt asked when the next Budget Workshop would be held.

Mr. Moody answered the next Budget Workshop will be on September 6th.

ATTORNEY REPORT

Anne Bast Brown, County Attorney

Atty. Brown reported to the Board the Judge ruled in favor of the County in the Yankeetown Tarmac case.

Atty. Brown informed the Board of a couple of Public Hearings she will be scheduling in September. The Legislature this year did some regulation of firearms pre-empting firearms regulation by counties. The main change to the existing regulations is it expanded it and it also creates personal penalties for the county representatives. Atty. Brown recommended removing whatever Ordinances or regulation of firearms the county has now on the books. Atty. Brown suggested the Public Hearings be held on September 6th and the evening of September 19th. Atty. Brown states this is supported by NRA and is intended to stop local regulations which might be different.

COMMISSIONERS' REPORTS

Comm. Johnson reported the Levy County Education Foundation's Beast Feast October 8th at Black Prong. The Board sponsored a table last year and would like to see if the Board would like to do this again. He will bring it up again later.

Comm. Johnson asked if a Resolution is needed to address the issue of local business preference.

Atty. Brown stated she had sent the Commissioners a proposed Ordinance and there are many options to choose from.

Comm. Stevens requests the Board to hear a non-agenda item.

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

Comm. Stevens asked if the Board would be interested in bidding for the advertisement of the Board Meetings and Hearings in an effort to save money. He stated he would like to send letters to each of the local papers corporate offices.

Atty. Brown and Mr. Moody will put together the bid specifics and will get this back to the Board for their review possibly by the end of September.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:35 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens