

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 7, 2010**

The Regular Meeting of the Board of Levy County Commissioners was held on September 7, 2010, at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairperson Nancy Bell
Vice Chairperson Danny Stevens
Comm. Marsha Drew
Comm. Lilly Rooks
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

Chairperson Bell called the meeting to order at 9:01 AM. Mr. Shipp gave the invocation, followed by the Pledge of Allegiance.

EXPENDITURES

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

CHECK NUMBER	102258-102429
FUND	AMOUNT
GENERAL REVENUE	1,034,291.79
ROAD	87,924.56
SHIP	150.00
LIBRARY	2,483.34
PERMANENT MOSQUITO	3,042.85
COURT TECH/CRIM PREV	2,063.90
TRANSPORTATION	18,501.70
911	16,583.37
COURT FACILITIES	692.69
PROGRESS ENERGY	2,046.76
EMS	25,667.41
FIRE	45,446.34
TOURIST DEVELOPMENT	582.19
UTILITIES	1,581.46
CAPITAL PROJECTS	48,000.00
LANDFILL	86,115.69
TOTAL	\$ 1,375,174.05

MINUTES

Approval of Minutes for the Regular Board Meeting held August 17, 2010. – TABLED

ZONING

Rob Corbitt, Director

A. Request Chair's signature on the NFIP, AW 214 Annual Recertification.

Mr. Corbitt requested the approval to have the Board Chairperson's signature on the NFIP, AW 214 Annual Recertification due by October 1st.

Comm. Drew made a motion to approve the Board Chairperson to sign the NFIP, AW 214 Annual Recertification. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Special Event, SEP 1-10, Goethe Benefit Challenge.

Mr. Corbitt requested approval of Special Event, SEP 1-10, Goethe Benefit Challenge, to be held at the Black Prong Equestrian Facility on December 17th and 18th from 8:00 A.M. to 12:00 P.M.

Comm. Drew pointed out items within the packet given to the commissioners not completed or information missing. Mr. Corbitt stated he would let his office know to check applications more thoroughly before submitting to the Board for approval.

Comm. Drew made a motion to approve Special Event, SEP 1-10, Goethe Benefit Challenge. Second was made by Comm. Johnson and the MOTION CARRIES.

C. Special Event, SEP 1-10, Eerie Acres Haunted Attraction.

Mr. Corbitt requested approval of Special Event, SEP 1-10, Eerie Acres Haunted Attraction on behalf of Ms. Susan Watson to be held on property owned by Joe Giglia located on CR 321 near Chiefland.

Comm. Rooks made a motion to approve Special Event, SEP 1-10, Eerie Acres Haunted Attraction as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

DISABLED AMERICAN VETERANS

Fred Heinrich, Disabled American Veterans

A. Proclamation

Mr. Heinrich, requested the Board make a Proclamation to set aside a day to recognize disabled American Veterans.

Comm. Rooks made a motion to approve a Proclamation in support of Disabled American Veterans similar to one approved by the City of Chiefland as provided by Mr. Heinrich, changing the wording to reflect Levy County. Second was made by Comm. Drew and the MOTION CARRIES.

LEVY COUNTY HISTORICAL SOCIETY

Toni Collins

A. Levy County Railroad Days

Ms. Collins presented information about Levy County Railroad Days to the Commissioners and stated the Levy County Historical Society is planning a celebration on Saturday, March 19, 2011 called Levy County Railroad Days. The daylong event will be staged in the three communities still standing along the 42 mile segment of the Levy County Rail Line; Bronson, Otter Creek and Cedar Key.

DEPARTMENT REPORTS

LIBRARY

Lisa Brasher, Director

A. Request to approve the PAL Public Library Cooperative Interlocal Agreement.

Ms. Brasher requested approval of the PAL Public Library Cooperative Interlocal Agreement.

Comm. Rooks asked Brasher to confirm they would not be entering into the same situation as they had with Marion County. She also wanted to make sure Levy County would have a say and would not have to put any money into it.

Comm. Stevens stated he is in favor of entering into the Cooperative on a trial-period.

Comm. Drew made a motion to approve the PAL Public Library Cooperative Interlocal Agreement. Second was made by Comm. Johnson and the MOTION CARRIES.

B. Request for appointments to the PAL Public Library Cooperative Governing Board.

Ms. Brasher named two individuals willing to serve on the Governing Board; Virginia Meizenheimer from the Bronson Library and David Kendall from the Williston Library and recommended them to be appointed.

Comm. Stevens made a motion to approve Ms. Meizenheimer and Mr. Kendall to the Governing Board as recommended. Second was made by Comm. Rooks.

Comm. Stevens rescinded his motion.

Comm. Stevens made a motion to approve the Governing Board members as presented for a three month appointment. Second was made by Comm. Rooks and the MOTION CARRIES.

PARKS AND RECREATION

Matt Weldon, Director

A. Request approval to accept bid for Devil’s Hammock Check Station.

Mr. Weldon requested Board approval of DuBois Resources, LLC for the Devil’s Hammock Check Station. Mr. Weldon stated they received one bid from the above named company in the amount of \$22,550.

Comm. Rooks made a motion to accept the bid from DuBois Resources, LLC for the Devil’s Hammock Check Station as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

ROAD DEPARTMENT

Bruce Greenlee, Administrative Superintendent

A. Presentation and request for bid awards for road department materials.

Mr. Greenlee presented the following bid awards for Road Department materials to the Board for approval:

<u>Bid Item</u>	<u>Vendor</u>	<u>Awarded</u>
Asphalt	Central Materials	Colmix – Yes
	V.E. Whitehurst	Asphalt – Yes
	Duval Asphalt	No
	John C. Hipp	No
Sod	Scherer Quality	Yes
Signs	Hall Signs	Yes
	Rocal	Yes
	Vulcan	Yes
Safety Items	Safety Products	Yes
	Safety Zone	Yes
Porta Potty	Jones Plumbing	Yes
Culvert Pipe	Contech Const. Prod.	Yes
	Gulf Atlantic	No
	Metal Culverts	No
Emulsion Prime	Blacklidge	No
	EA Mariani	Yes
Motor Oil	Rozier’s	Yes
	Lewis Oil	No
	United Fuel	No

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

B. Adoption of Resolution 2010-46 to schedule a public hearing on October 5, 2010 at 9:00 a.m. for the closure of a portion of SE 137th Terr. as requested by petitioners, Allan and Carol Ward.

Mr. Greenlee requested the Board adopt Resolution 2010-46 to schedule a public hearing on October 5, 2010 at 9:00 A.M. for the closure of a portion of SE 137th Terr. As requested by petitioners, Allan and Carol Ward. Comm. Drew made a motion to adopt Resolution 2010-46 as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

UNION CONTRACT

Mark Levitt, Allen, Norton, and Blue P.A.
A. Ratification of Union Contract.

Mr. Levitt presented approval from the Board for Ratification of the Union Contract. He explained the modification to Article 8 – Leave Plans, which gives 14 hours/month to employees with 15 years or more of service. Comm. Drew made a motion to accept Ratification of the Union Contract. Second was made by Comm. Stevens and the MOTION CARRIES.

LEVY COUNTY SCHOOL BOARD

Robert Hastings, Superintendent of Schools
A. Proposed Resolution calling a referendum election regarding the two year continuation of a .25 mills levy of School District Critical Operating Needs.

Mr. Hastings requested approval of a proposed Resolution calling a referendum election regarding the two year continuation of a .25 mills levy of School District critical operating needs. This will be placed on the November 2nd ballot for the citizens to vote on. Comm. Drew made a motion to approve the Resolution as presented. Second was made by Comm. Rooks and the MOTION CARRIES.

SOLID WASTE

Benny Jerrels, Director
A. Request approval to extend leachate hauling contract for one year as approved in the original contract to Dean Trucking.

Mr. Jerrels requested Board approval to extend the leachate hauling contract with Dean Trucking for one year. Comm. Stevens made a motion to extend the leachate hauling contract as presented. Second was made by Comm. Rooks and the MOTION CARRIES.

ATTORNEY’S REPORT

Anne Bast Brown, County Attorney
A. Discussion and direction on inclusion of recordable orders for Hardship Variances.

Atty. Brown requested direction from the Board regarding the inclusion of recordable orders for Hardship Variances. After discussion, Comm. Drew made a motion to have Atty. Brown provide written recommendation for how many documents would be needed to record a Hardship Variance in order to bring it back to the Board for discussion at an open meeting. Second was made by Comm. Johnson and the votes were as follows:

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

The MOTION CARRIES.

- B. Update on City of Weston, Florida, et al., vs. Crist, et al, litigation challenging 2009 SB 360 (Ch. 2009-096, Laws of Fla.)

Atty. Brown gave an update on the City of Weston, Florida, et al, vs. Crist, et al, litigation challenging 2009 SB 360 (Ch. 2009-096, Laws of Fla.).

COMMISSIONERS' REPORTS

Comm. Johnson asked if the Guardian ad Litem contract would be ready by the next Board meeting. Atty. Brown responded it is her plan to have it ready at the next meeting for approval.

Comm. Bell

- A. Proposed re-appointment to the Central Florida Community Action Agency, Inc. Board of Directors.

Comm. Bell read to the Board members a letter from the Central Florida Community Action Agency, Inc. requesting re-appointment of Dick Tummond, who has agreed to remain on their Board of Directors for an additional year.

Comm. Rooks made a motion to re-appoint Mr. Tummond to the CFCAA Board of Directors. Second was made by Comm. Drew and the MOTION CARRIES.

Comm. Drew thanked Mr. Greenlee and the Road Department employees for their work regarding recent flooding in Inglis and Yankeetown.

Comm. Drew had also been in touch with Mark Johnson from Emergency Management and Kirk Scraggins from the Division of Emergency Management about programs for disaster mitigations for repetitive loss. Mr. Johnson is trying to set up meetings in Comm. Drew's district as well as Comm. Rooks's district for homeowners to come out to find out what programs might be available for them for either raising their buildings out of the flood or possibly purchasing other properties available

Comm. Drew stated she had met with the Fire Advisory Board regarding consolidating some of the smaller fire departments and also doing some re-districting. She also discussed possibly in the distant future having a fire-rescue service combining the two services. She stated she along with Mayor Hethcoat, Comm. Darren, Rick Bloom, and Paul Shear volunteered to read the report done by Mizell, Hodges and Associates in 2005 and report back to the Fire Advisory Board with their recommendations. Comm. Drew stated all of the Fire Departments were present with the exception of Fowler's Bluff.

Comm. Rooks gave update on the Class I and Class II animals after attending a final hearing for FWC in Pensacola last Wednesday. She stated they took the "solely residential" out of the rule and have since added a notification which requires the applicant to give a project description as well as a disclaimer to acknowledge the applicant's signature to FWC indicating they are aware if they fill out the application with false information it will be a first degree misdemeanor. As a result of this progress, the Building and Zoning officials will be notified when an application is filed. Also, First Responders, Law Enforcement, EMS and Emergency Management will have notification if such animals are kept on a person's property.

The meeting recessed at 10:48 A.M.

The meeting reconvened at 1:03 P.M.

BUDGET WORKSHOP

Mrs. Rees explained the adjustments she had made to the budget as requested by the Board. She left the Emergency Management budget as it was with no cuts, as any cuts to the County portion of this budget meant equal cuts from the State portion. The EMS transfer is down about \$500,000 due to an increase in revenue of \$50,000 each month for the last three months. All reserve money has been combined and with the new adjustments, there will be over \$1.2 now in reserve under the General Fund.

LEVY COUNTY SHERIFF'S DEPARTMENT

Sheriff Smith spoke to the Board and stated he had cut his budget by \$250,000 and stated "God forbid if we have a major event in our county." He requested the Board approve his budget as presented. Comm. Drew made a motion to approve the budget for the Sheriff's Department as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

COMMUNICATIONS

Dick Tummond

A.J. Smith, Williams Communications

A. Narrowbanding - TABLED -

B. Communication Equipment Maintenance Service Agreement.

Mr. Tummond provided information to the Board regarding a Communication Equipment Maintenance Service Agreement with Williams Communications. Mr. Tummond stated the County has a total of 330 radios at \$132 each. The total charge to cover all of the equipment would be \$56,640 per year. If they only service the dispatch center equipment, the cost would decrease to \$32,496.

After discussion, the Board decided to re-discuss this issue at a future board meeting. A.J. Smith stated he would relay the Board members' concerns and get back to Mr. Tummond.

ROAD DEPARTMENT

Mr. Greenlee requests permission from the Board to hire one new employee to burn debris at the landfill within the budget for this next year. Mr. Greenlee stated they have a DEP mandate to operate an incinerator site. This requires a full-time certified individual at the site. He asked if the position could be hired as an Equipment Operator I so the individual might also be used elsewhere. Money could be moved within his budget to accommodate this person's salary.

Comm. Rooks made a motion to allow the Road Department to hire an employee to the incinerator site. Second was made by Comm. Drew and the MOTION CARRIES.

Mr. Greenlee let the Board know he would need to purchase three new dump trucks in the next year as the present trucks have high mileage and require constant expensive repairs. The cost with trading in the present trucks would be about \$113,000 each.

Mr. Greenlee let the Board know he would need to purchase two new tractors in the next year for mowing. The tractors used currently used are breaking down often and are in need of replacement parts difficult to find. The cost would be around \$40,000 to \$50,000 each.

Mr. Greenlee stated he would also like to liquidate the Road Departments Drag Line in the next year as it is inefficient and expensive to repair. He stated he would like to replace it with a Track Hoe with an extended boom. The cost would be around \$260,000.

EMS

Trish Siebold gave an update to the Board regarding their service. They have had two medics leave recently and now she has received news of a third and fourth medic leaving as well. Ms. Siebold stated she has 25 medic positions open for next month and no one to fill them. Applications are not coming in due to low wages. The current starting rates of pay are as follows:

\$10.04 - Paramedic	8.88 – EMT	Levy County pay rate
\$12.70 - Paramedic	10.28 – EMT	State and Area Localization Average pay rate

Ms. Siebold asked the Board if they could give some direction as to what she could do to keep the six current ambulances running and consider increasing the starting rate of pay.

Comm. Stevens made a motion to give a 3% pay raise to all Board employees and constitutional officers excluding the Sheriff's Department as they received a 3% raise in May. Second was made by Comm. Rooks. Comm. Stevens identified two sources from which the raises could be funded; 1) Constraints Money and 2) the interest from Debt Service. He stated there are three areas which are self-sufficient and would not need to be included in this raise amount.

Comm. Bell stated she would rather give a one-time cost of living adjustment to full-time employees only.

Comm. Rooks suggested Comm. Stevens and Mrs. Rees identify if there is money available to give a 3% raise and come back to the Board with an answer.

After discussion, Comm. Stevens withdrew his motion.

Comm. Stevens made a motion for the Board to allow him to speak with Mrs. Rees to identify if there is funding for a raise of 3% or less or a one time cost of living adjustment and come back with an answer to the Board on the 9th. Second was made by Comm. Rooks and the votes were as follows:

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

The MOTION CARRIES.

Mrs. Rees mentioned the Capital Projects Fund to the Board members and stated some money would need to be moved into different funds to cover the expense of some major repairs being done to the courthouse.

Important Meeting Dates and Times

Thursday, September 9, 2010 6:30 P.M.: Trim Hearing

Monday, September 20, 2010 6:30 P.M.: Final Budget Hearing

The meeting recessed at 2:52 P.M.

The meeting reconvened at 6:31 P.M.

PUBLIC HEARING: ANNUAL RATE RESOLUTIONS

After Comm. Bell called the meeting to order, Atty. Brown stated the purpose of the meeting was to conduct a public hearing and to adopt the Annual Rate Resolutions. Atty. Brown then presented each of the Resolutions for the Board's approval.

A. Resolution 2010-42, Fire Protection Services.

Atty. Brown stated the rates reflected the amount adopted at the preliminary hearing of \$31 for residential and varying rates based on square footage for commercial.

Comm. Bell asked if there was anyone to speak for or against. There were none.

Comm. Rooks made a motion to approve Resolution 2010-42, Fire Protection Services as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

B. Resolution 2010-43, Solid Waste Assessments.

Atty. Brown stated the rates for Solid Waste Assessments are the same as last year at \$25.

Comm. Bell asked if there was anyone to speak for or against. There were none.

Comm. Drew made a motion to approve Resolution 2010-43, Solid Waste Assessments as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

C. Resolution 2010-44, Roadway Maintenance Service Assessments.

Atty. Brown stated the rates for Roadway Maintenance Service Assessments are the same as last year.

Comm. Bell asked if there was anyone to speak for or against. There were none.

Comm. Stevens made a motion to approve Resolution 2010-44, Roadway Maintenance Service Assessments as presented. Second was made by Comm. Rooks and the MOTION CARRIES.

D. Resolution 2010-45, EMS Tax Assessments.

Atty. Brown stated the rates for EMS Tax Assessments are the same as last year with \$38 for residential, and varying rates by square footage for commercial.

Comm. Bell asked if there was anyone to speak for or against

Comm. Drew made a motion to approve Resolution 2010-45, EMS Tax Assessments as presented. Second was made by Comm. Stevens and the MOTION CARRIES.

Mr. Moody reminded everyone of the next meeting to be held on Thursday, September 9th at 6:30 P.M. for the Trim Hearing.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 6:36 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Vice-Chairman, Danny Stevens