

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
OCTOBER 4, 2011**

The Regular Meeting of the Board of Levy County Commissioners was held on October 4, 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 A.M. 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 | 106137-106171 |
|---------------------|----------------------|
| FUND | AMOUNT |
| GENERAL REVENUE | 896,291.69 |
| ROAD | 682.84 |
| 911 | 14,000.00 |
| COURT FACILITIES | 47.00 |
| EMS | 14,097.57 |
| FIRE | 2,004.66 |
| TOURIST DEVELOPMENT | 18.00 |
| UTILITIES | 1,304.35 |
| TOTAL | \$ 928,446.11 |

MINUTES

Approval of minutes for the following Board Meetings:

Regular Meeting held September 6, 2011 – TABLED –
Public Hearing held September 18, 2011 – TABLED –
Regular Meeting held September 20, 2011

Comm. Bell made a motion to approve the minutes for the Regular Meeting held September 20th with changes as provided. Second was made by Comm. Johnson and the MOTION CARRIES.

COASTAL HABITAT ASSESSMENT PRESENTATION

Paul Carlson, Jr., Ph.D., Research Scientist FWC

- A. Wildlife Conservation Commission on behalf of NASA Requesting letter to FAA supporting the project and presentation of the project between FWCC and NASA

Mr. Carlson made a power point presentation to the Board explaining a project to fly Unmanned Aerial Vehicles (UAV's) from the George T. Lewis airport in Cedar Key. The purpose of the joint project between FWCC and NASA is to study growth rates of sea grasses using remote sensing technology. With the Board's permission, they have scheduled two deployments in April and November, 2012. He also requested authorization for the County Administrator, Mr. Moody and Atty. Brown to review and sign a Letter of Agreement with NASA.

Comm. Drew made a motion to give conditional approval subject to Cedar Key having the presentation and give approval for Mr. Moody and Atty. Brown to review and sign a Letter of Agreement as requested. Second was made by Comm. Bell and the MOTION CARRIES.

HARDSHIP VARIANCE

Richard and Tami Hooper

- A. Request Board waive the 500 square feet living space requirement for a hardship variance dwelling.

Mr. Hooper spoke to the Board and requested a waiver of the 500 square feet living space requirement on their Hardship Variance granted last August. They are requesting approval to place a "park model" RV with a screened room which does not fall under the required 500 square feet living space. He provided pictures for the Commissioners and requested the requirement be waived or to consider the screened room part of the living space.

Rob Corbitt spoke to the Board and stated he has no problem with waiving the requirement for this particular request for reasons explained by Mr. Hooper.

Comm. Johnson made a motion to approve the exception on this hardship variance based on information presented for this case. Second was made by Comm. Bell.

Comm. Johnson amended his motion to include "park model" as the description of dwelling to be placed on the petitioners' property. Second was amended by Comm. Bell and the MOTION CARRIES.

PUBLIC COMMENTS

Robby Blake, representing Lake Johnson Estates residents, provided petitions collected to have the main limerock road in the subdivision paved. She then read a letter to the Board she had prepared.

Bruce Greenlee stated the road is on the paving list, but there is no new construction at this time, due to the lack of State Funding.

Robert I. James, a resident in Lake Johnson Estates stated the road is ½ mile long.

Jack Schofield thanked the Board for their use of their Recreation funds as this funding has made it possible to have a basketball court in Yankeetown which has been constantly used since it was constructed.

Julie Munden stated she owns home on CR102 and is requested the Board assist in resolving a noise issue from neighbors. She stated the renters had moved in adjacent from her on September 7th and have been getting electricity for the pre-existing mobile home by a generator. The generator is extremely loud and runs from 6:00 P.M. until about 10:00 P.M. She has contacted the Sheriff's Department to measure the noise and has been informed they do not have a decibel meter.

Comm. Stevens requested Mr. Corbitt get a Deputy to go to the residence with decibel meter to measure the sound level. The Sheriff's Department would have to make the determination by use of a decibel meter if the noise from the generator is excessive.

Mr. Moody suggested Comm. Stevens or Mr. Corbitt get in touch with the property owner to get assistance with the renters not having electric hook-up.

Daryl Diamond questioned the Commissioners about the Intergovernmental Cooperation element of the Future Comp Plan, Policy 1.1 in which it reads if there is any proposed development that is supposedly impacting multiple jurisdictions and intergovernmental issues, you will convene a County Technical Advisory Committee. He asked the Board if there is a County Technical Advisory Committee and if not, does the Board think it is needed. He suggested this may be something the Board would like to look into and address as an agenda item in a month or two.

Drew responds there is not one at the present time, but there is an ongoing development review process which would include a County Technical Advisory Committee and there is a draft being worked on.

COUNTY COORDINATOR

Fred Moody

- A. Request approval of Resolution 2011-52; a Deferred Compensation Retirement Plan under Section 457 of the Internal Revenue Code; Designating Nationwide Retirement Solutions, Inc. as Administrative Services Provider; appoint the Plan Administrator.

Mr. Moody requested approval of Resolution 2011-52; a Deferred Compensation Retirement Plan under Section 457 of the Internal Revenue Code; Designating Nationwide Retirement Solutions, Inc. as Administrative Services Provider and to appoint the Board Chairman as Plan Administrator. Mr. Moody read the Resolution title into public record.

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

- B. Non-DOC Inmate Work Squad Supervisor Vacancy update.

Mr. Moody stated he had been informed by Lt. Denise Conquest the DOC hiring freeze has been lifted and the inmate work squad has resumed work at Recycling. He stated Lt. Conquest suggested the County could still hire a Squad Supervisor to take 6 inmates out a time for work in the county.

Comm. Bell suggested checking on where inmates are eligible to work for liability insurance purposes.

Mr. Moody stated the Executive Session scheduled for today had been moved to November 8th.

HUMAN RESOURCES

Jacqueline Martin, Human Resource Manager

- A. Proposed changes to the Personnel Policy and Procedure manual.

Mrs. Martin requested Board approval of three proposed changes to the Personnel Policy and Procedure manual as listed below:

Policy #101 – add the language: Department Heads of the County are considered “at will” employees. This means that Department Heads serve at the pleasure of the County and may be separated from employment at any time for any reason subject to applicable employment laws.

Comm. Drew made a motion to approve the “at will employee” language as presented. Second was made by Comm. Bell and the MOTION CARRIES.

Policy #207 – add comp time language: Earned comp time must be recorded and tracked on electronic time records. Comp time must be used with pay period it is earned or the pay period immediately following.

Comm. Bell made a motion to approve the “comp time” language as presented. Second was made by Comm. Johnson and the MOTION CARRIES.

Policy #215 – a new policy presented as a requirement of the State of Florida Whistle Blowers Act. The policy language is provided by the Labor Attorney, Wayne Helsby of Allen Norton & Blue. Mrs. Martin read the policy outline into record.

Comm. Drew made a motion to approve the new "Whistleblower" policy as presented. Second was made by Comm. Bell and the MOTION CARRIES.

Comm. Johnson would like for Mrs. Martin to check with Mr. Helsby on false Whistleblowers and what could be done to deal with this.

LEVY COUNTY TRANSIT

Connie Conley,

- A. Request approval for amendment to Trip & Equipment Grant charging billable mileage for escorts. This has always been in prior contracts but was inadvertently left out.

Mrs. Conley requested Board approval of the amendment to the Trip & Equipment Grant charging billable mileage for escorts.

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

PLANNING

Shenley Neely, Planning Director

- A. Request Board approval of the renewal of Levy County's service agreement with the Withlacoochee Regional Planning Council for the new fiscal year 2012.

Ms. Neely requested Board approval for the renewal of Levy County's service agreement with the Withlacoochee Regional Planning Council for the new fiscal year 2012.

Comm. Drew made a motion to approve the renewal of Levy County's service agreement with the Withlacoochee Regional Planning Council for the new fiscal year 2012 as requested. Second was made by Comm. Bell and the MOTION CARRIES.

PUBLIC SAFETY

David Knowles, Director

- A. Monthly Department of Public Safety update.

Mr. Knowles gave an update of the Public Safety Department to the Board stating their Federal Emergency Management Grant for the two transport ambulances has been completed and submitted on time. Within the Public Safety Department a Public Relations Committee has been created and they have participated in several local events with great public reception. Mr. Knowles acknowledged the following crews with "Attaboys" for their service this month: Matthew Cribbs, Shawn Holcomb, Jim Foran, Joe Brooks, Jr., Mike Luzader, Richard Graycheck, Jimmy Jones and Mike Whitley.

- B. Requesting Board grant authority to the Public Safety Director to sign the Railroad EDI agreement and any other provider agreements that may come to the Public Safety Department through various Medicare/Medicaid programs.

Mr. Knowles requested the Board grant authority to the Public Safety Director to sign the Railroad EDI agreement and any other provider agreements which may come to the Public Safety Department through various Medicare/Medicaid programs. Authority to sign agreements is a necessity in the billing process.

Comm. Drew made a motion to grant authority to the Public Safety Director to sign the agreements as requested. Second was made by Comm. Johnson and the MOTION CARRIES.

NON-AGENDA ITEM

Mr. Knowles requested the Board hear a non-agenda item regarding the Fire Advisory Board.

Comm. Bell made a motion to hear a non-agenda item. Second was made by Comm. Drew and the MOTION CARRIES. Comm. Johnson votes NO.

Mr. Knowles requested on behalf of the Fire Advisory Board ratification of the Assistance Firefighter Act Grant Program for self-contained breathing apparatuses.

Atty. Brown explained the Grant Program and stated the deadline came before the next available Board Meeting.

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

ROAD DEPARTMENT

Kelly Jerrels, Road Department Construction Superintendent

- A. Requesting Board direction to re-visit the purchase of a used Mack grapple truck.

Bruce Greenlee provided quotes for the Commissioners as previously requested regarding the purchase of the Mack grapple truck. He stated the Transit Department would not be funding the purchase entirely, but would assist with \$15,000 toward the purchase of the truck. The total cost of the truck the Road Department wishes to purchase is \$44,000.

Comm. Bell made a motion to approve the purchase of the Mack grapple truck and then revised to include the purchase amount of \$44,000 as requested, with the understanding if any funding changes arise, the Board will be notified. Second was made and also amended by Comm. Drew and the MOTION CARRIES.

TOURIST DEVELOPMENT AUTHORITY

Carol McQueen, Director

- A. Request approval of Levy County Tourist Development Council's recommendation for replacement of Councilman Teal Pomeroy's term of TDC.

Mr. Moody requested for Mrs. McQueen approval of Levy County Tourist Development Council's recommendation for replacement of Councilman Teal Pomeroy with City of Chiefland's Councilwoman Teresa Barron for the remainder of the term which runs through January 2014.

Comm. Bell made a motion to approve the Tourist Development Council's recommendation to appoint Teresa Barron as requested. Second was made by Comm. Drew and the MOTION CARRIES.

COMMISSIONER'S REPORTS

Comm. Johnson

- A. Discuss participation at the Wild Beast Feast on October 8th at 5:30 P.M., held at Black Prong Equestrian Center on CR 337, Bronson; purchase of clams.

Comm. Johnson gave an update to the Commissioners of serving clams for the Beast Feast. The clams will be donated. He invited everyone to attend.

Comm. Johnson then made a motion for each Commissioner to personally contribute \$25 to the Levy County Education Foundation for the Beast Feast. If it is not needed for the purchase of the clams, it will go the Education Scholarship Program. Second was made by Comm. Drew and the MOTION CARRIES.

- B. Present report on North Florida Broadband Authority

Comm. Johnson gave a report of the North Florida Broadband Authority project stating the funding has been suspended until an investigation is completed regarding the allegation of misuse of funds.

Comm. Drew reports of the Communications issue and stated AT & T will do an analysis of the County's phone service. Upon completion, they will offer recommendations.

Comm. Drew gave the following information about events and meetings coming up:

Suwannee River Cleanup schedule for October 8th. More information can be found at the Pure Water Wilderness website.

2011 Better Community Award being presented to the Town of Yankeetown on October 11th at noon. On October 11th at 7:00 P.M. there will be a presentation at the Inglis Town Hall/Community Center on the Port Inglis Project.

Oct 26-28 will be attending the NACO Coastal Counties forum "Building Resilient Coastal EcoSystems and Economy's" in Savannah, Georgia.

October 29th is the 75th anniversary of the Yankeetown School. There will be an open house from 10:00 A.M. to 4:00 P.M.

20th Yankeetown Seafood Festival will be on November 19th and 20th. Non-profit organizations are given a booth space at no charge, if anyone is interested.

Comm. Bell gave information of "Paddle Florida", an Eco-Tourism event which starts at the "Spirit of the Suwannee" on October 13th and will conclude at Fanning Springs on October 19th. Registration is still available.

Comm. Bell gave congratulations to Fowlers Bluff as he had attended the groundbreaking yesterday. They had received a \$2.8 million in funding through USDA along with Drummond Bank and others.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:10 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Danny Stevens