

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
OCTOBER 8, 2013**

The Regular Meeting of the Board of Levy County Commissioners was held on October 8, 2013 at 9:00 AM in the Levy County Board of County Commissioners meeting room, with the following Commissioners present:

Chairman Ryan Bell
Comm. John Meeks
Comm. Mike Joyner
Comm. Danny Stevens
Comm. Chad Johnson

Also present were:

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

Comm. Bell called the Meeting to order at 9:01 A.M. Comm. Joyner 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. Meeks and the MOTION CARRIES.

CHECK NUMBER	113155-113245
FUND	AMOUNT
GENERAL REVENUE	1,582,906.78
ROAD	68,568.33
TRANSPORTATION	8,174.30
911	11,082.25
COURT FACILITIES	125.00
EMS	8,518.50
FIRE	443.35
TOURIST DEVELOPMENT	480.56
UTILITIES	328.08
LANDFILL	54.70
TOTAL	\$ 1,680,681.85

MINUTES

The minutes for the Regular Meeting held on September 3, 2013 and the Public Hearing held on September 11, 2013 were presented to the Board for approval.

Comm. Meeks made a motion to approve the minutes for the Regular Meeting held on September 3, 2013 with corrections as stated, and the Public Hearing held on September 11, 2013 as presented. Second was made by Comm.

**PUBLIC HEARING
DEVELOPMENT DEPARTMENT**

Atty. Brown administered the swearing in of audience members wishing to speak for or against any of the petitions being presented.

Comm. Bell asked if any of the Commissioners had any ex-parte communication regarding the petitions being presented.

Comm. Stevens¹ and Comm. Meeks² both had ex-parte communication regarding item B.

Comm. Bell³, Comm. Joyner⁴, Comm. Stevens, Comm. Meeks, and Comm. Johnson⁵ all had ex-parte communication regarding item C.

Bill Hammond, Director

- A. Petition FP 3-13: FP 3-13 Croft Land Surveying representing Jerry/Linda Orenchek, petitioning the Board a Final Plat of "Oak Manor Estates, Replat of Lots 9 and 10", a residential subdivision located in Section 2, Township 11S, in Levy County. Said parcel contains 13.78 acres more or less. This plat will consist of 2 residential lots. The zoning designation is "A/RR" Agriculture/Rural Residential.

Mr. Hammond presented and requested Board approval of Petition FP 3-13: Croft Land Surveying representing Jerry/Linda Orenchek for a Final Plat of "Oak Manor Estates, Replat of Lots 9 and 10".

Comm. Bell asked if anyone in the audience would like to speak for or against Petition FP 3-13. There were none.

Comm. Johnson made a motion to approve Petition FP 3-13 as presented. Second was made by Comm. Meeks and the MOTION CARRIES.

- B. Petition SE 1-13: CHW, Inc. representing Grady and Audrey Dean and Wilbur and Candace Dean, petitioning the Board for a Special Exception to allow a 350' Radio Broadcasting Tower for a Christian Radio Station, on a parcel of land located in the SE ¼ of the SE ¼ of Section 13 and the E ½ of Section 24, Township 12S, Range 16E, in Levy County. Said parcel contains 266.62 acres more or less. This parcel is located in an "FRR" Forestry/Rural Residential zone.

Mr. Hammond presented and requested Board approval of Petition SE 1-13: CHW, Inc. representing Grady and Audrey Dean and Wilbur and Candace Dean for a Special Exception to allow a 350' Radio Broadcasting Tower for a Christian Station on a parcel of land as stated in the description above.

Comm. Bell asked if anyone in the audience would like to speak for or against Petition SE 1-13.

Craig Frazier of CHW, Inc. spoke to the Board stating they are in agreement with the conditions proposed by staff.

Pastor Ted Mayer of Calgary Chapel in Gainesville, stated he was happy to have a Christian radio station in the Bronson area.

Comm. Meeks made a motion to approve Petition SE 1-13 with the exceptions as set forth by staff. Second was made by Comm. Joyner and the MOTION CARRIES.

- C. Petition SE 2-13: SE 2-13 Frank A. Marino, Jr. petitioning the Board for a Special Exception to allow On-Premise Sales and Consumption of Alcohol in a Chartered or Incorporated Private Country Club or Lodge (also known as Scooter Haven Country Club, Inc.), on a parcel of land located in the SW ¼ of the NW ¼ of Section 34, Township 16S, Range 16E, in Levy County. Said parcel contains 45.04 acres more or less.

Mr. Hammond presented and requested Board approval of Petition SE 2-13: Frank A. Marino, Jr. petitioning the Board for a Special Exception to allow on-premise sales and consumption of alcohol in a chartered or incorporated private country club or lodge (also known as Scooter Haven Country Club, Inc.).

Comm. Bell asked if anyone in the audience would like to speak for or against Petition SE 2-13.

¹ Comm. Stevens

² Comm. Meeks

³ Comm. Bell

⁴ Comm. Joyner

⁵ Comm. Johnson

Those who spoke are listed below:

For

Frank Marino, Jr.
 Tina Bracewell
 Jesse Bracewell
 Mitch Gerardi

Against

Carl Roof, Sr.
 Carl Roof, Jr.
 Catherine Roof
 Pam Willis
 Robert Rohr
 Linda Kirkland
 Sue Markus

Comm. Meeks made a motion to approve the Order to Approve Petition SE 2-13 as presented. Second was made by Comm. Johnson and the votes were as follows:

Yes

Comm. Meeks
 Comm. Bell

No

Comm. Stevens
 Comm. Joyner
 Comm. Johnson

The MOTION FAILS.

Comm. Johnson made a motion to approve the Order to Deny Petition SE 2-13. Second was made by Comm. Stevens and the votes were as follows:

Yes

Comm. Stevens
 Comm. Joyner
 Comm. Johnson

No

Comm. Meeks
 Comm. Bell

The MOTION CARRIES.

JORDAN AND ASSOCIATES

Jeffrey Winter, Project Manager

- A. Request approval of the Request for Modification #3 Package to extend the County’s CDBG Agreement by 6 months to afford the additional time necessary to complete the remaining Housing Rehabilitation Projects.

Mr. Winters requested Board approval of a Request for Modification #3 Package extending the County’s CDBG Agreement by 6 months.

Comm. Joyner made a motion to deny the Request for Modification #3 Package extending the County’s CDBG Agreement by 6 months. Second was made by Comm. Stevens and the votes were as follows:

Yes

Comm. Meeks
 Comm. Stevens
 Comm. Joyner

No

Comm. Bell
 Comm. Johnson

The Commissioners agreed to allow Jordan & Associates to if the project can be done and notify Ms. Neely by this Friday. Ms. Neely will then let the Commissioners know if a Special Meeting is necessary. If a Special Meeting is necessary, it will be scheduled for Tuesday, October 15th at 9:00 A.M.

- B. Request Board approval for the “Letter of Mutual Agreement for Termination of Contract Documents” between Wilma Jean Hammock (Owner), Donle Enterprises, Inc. (Original Contractor), and Levy County (CDBG Sub-recipient).
- C. Request Board approval of the Recommendation of Award Package to include any applicable waiver(s) to the county’s adopted Housing Assistance Plan (HAP) and authorization to execute Contract Documents for the LC-05: Hammock Project.

Mr. Winter requested Board approval for the "Letter of Mutual Agreement for Termination of Contract Documents" between Wilma Jean Hammock, Donle Enterprises, Inc., and Levy County. Mr. Winter also requested Board approval of the Recommendation of Award Package to include any applicable waiver(s) to the county's adopted Housing Assistance Plan and authorization to execute Contract Documents for the LC-05: Hammock Project.

Comm. Stevens made a motion to approve the Letter of Mutual Agreement for Termination of Contract Documents, the Recommendation of Award Package and authorization to execute Contract Documents as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Fred Moody

Request approval Supplemental Agreement 13-05 between Levy County and Passero Associates, LLC for the Runway 5-23 Pavement Rehabilitation, MIRLS, Lighted Airfield Guidance Signs, and REILs.

Mr. Moody requested Board approval of the Supplemental Agreement, 13-05 between Levy County and Passero Associates, LLC for the Runway 5-23 Pavement Rehabilitation, MIRLS, Lighted Airfield Guidance Signs, and REILs. Mr. Moody explained this Agreement is part of the DOT funding for rehab of the Cedar Key Airport. The amount of the Agreement is \$82,000, which is \$75,000 for design and bidding, \$3,500 for topographic survey and \$3,500 for geotechnical consulting.

Comm. Meeks made a motion to approve the Supplemental Agreement 13-05 as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

PLANNING

Shenley Neely, Planning Director

Recommend approval of the Levy County Service Agreement with the Withlacoochee Regional Planning Council (WRPC) for services needed through September 30, 2014.

Ms. Neely requested Board approval of the Levy County Service Agreement with the Withlacoochee Regional Planning Council for Planning services needed through September 30, 2014.

Mr. Jerrels also requested approval for the renewal of the Levy County Service Agreement for Solid Waste with the Withlacoochee Regional Planning Council for the Fiscal Year 2013-2014.

Comm. Joyner made a motion to approve the Service Agreement with the Withlacoochee Regional Planning Council for Fiscal Year 2013-2014 for the Planning Department and Solid Waste Department as requested. Second was made by Comm. Meeks and the MOTION CARRIES.

SOLID WASTE

Benny Jerrels, Director

Request Board approval for the renewal of Levy County's Service Agreement with the Withlacoochee Regional Planning Council for the Fiscal Year 2013-2014.

This item approved with the Planning Department's request.

PUBLIC SAFETY

David Knowles, Director

- A. Request approval from the Board and the Chairman's signature on the amended License Agreement between American Towers, LLC, and Levy County Board of County Commissioners.

Mr. Knowles requested Board approval and Chairman's signature on the amended License Agreement between American Towers, LLC, and the Levy County Board of County Commissioners. Amendments to the agreement include the effective date and an Exhibit A Form which shows equipment specifications and requirements. The agreement will allow Levy County to utilize the Gulf Hammock tower facility.

Comm. Meeks made a motion to approve the amended License Agreement between American Towers, LLC and the Levy County BOCC and Chairman's signature. Second was made by Comm. Johnson and the MOTION CARRIES.

- B. Request approval from the Board and the Chairman's signature on the Government Entity Tower License Agreement between Pinnacle Towers, and Levy County. – **TABLED** –

COUNTY ATTORNEY

Anne Bast Brown

Request approval of Agreement with Tetra Tech, Inc. for Engineering and Related Services for RESTORE Act.

Atty. Brown stated after the next Board Meeting on October 22nd at 1:00 P.M. she will be conducting a seminar on Sunshine Reports and Records and a general review on Ethics.

Atty. Brown requested Board approval of the Agreement with Tetra Tech, Inc. for Engineering and Related Services for the RESTORE Act. The services pursuant to the Agreement will be based on a work order basis, with no amount due unless a work order is approved and authorizes the County Coordinator to approve work orders for amounts up to \$5,000.

Comm. Johnson made a motion to approve the Agreement with Tetra Tech, Inc. as requested. Second was made by Comm. Joyner and the MOTION CARRIES.

COMMISSIONERS' REPORTS

Comm. Johnson reminded everyone of the Levy County Education Foundation Beast Feast on October 26th. He is working with Leslie Sturmer to get clams to serve.

Comm. Joyner reminded everyone the Morriston Baptist Church will have a Community Fish Fry on October 26th. Comm. Joyner proposed a challenge to the other Commissioners to wear pink sometime this month for Breast Cancer Awareness.

Comm. Stevens reminded everyone of the LARC "Ride to Provide" event on October 26th.

Comm. Meeks stated there is a North Florida Broadband meeting tomorrow at 4:00 P.M. in Lake City which he will be attending.

Mr. Moody stated there is a Legislative Delegation meeting on October 29th at 9:30 A.M. at the Dogan Cobb Municipal Building in Bronson.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:07 A.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL

Clerk of Court, Danny J. Shipp

Chairman, Ryan Bell