



Levy County Board of County Commissioners Agenda Item Summary Form

1. **Name:** Randall Rutter
2. **Organization/Title/Telephone:** Acting Property Appraiser/352-486-5193
3. **Meeting Date:** Tuesday, March 22, 2022

4. **Requested Motion/Action:**

Informational Item – Informing the Commission and public of my continued service as the Acting Property Appraiser and a temporary pay adjustment for those additional duties.

5. **Agenda Presentation:** Yes No N/A

6. **Time Requested:** 5 minutes
(Request will be granted if Possible) allotted time not more than 15 minutes

7. **Is this Item Budgeted (If Applicable):** Yes No N/A

8. **If no, State Action Required:**

- a. **Budget Action:**
- b. **Financial Impact Summary Statement:**
- c. **Detailed Analysis Attached:** -
- d. **Budget Officer Approval:**

If approved enter date: Click or tap to enter a date.

9. **Background: (Why is the action necessary, and what action will be accomplished) (All supporting documentation must be attached if any)**

With the untimely and unfortunate passing of our beloved friend and leader Oz Barker, there was a huge void left in the Property Appraiser's Office. Levy County had not only lost a good and honest man but also their elected constitutional officer. As the Assistant Property Appraiser (32+ years with this Office) I recognized that this void must be filled immediately to keep the Property Appraiser's Office functioning and fulfilling its duties as required by Florida law. I immediately sought guidance from our legal counsel (a letter dated August 30, 2021 from the Levy Law Firm is attached) and in reliance on that guidance, on Aug 30, 2021 I assumed the role of "Acting Property Appraiser" for Levy County. This included all of the duties that Oz had performed as well as my own workload and responsibilities. I expected that serving in this capacity as Acting Property Appraiser would be short-lived and that the Governor would promptly appoint an Interim Property Appraiser. I in-fact applied for the vacant position myself adding in my letter to the Governor that I would be honored to serve as Interim PA but would not be running for this office in the 2022 election. However, as the Board is aware, after 6 months no appointment has been made.

I will gladly continue to serve as the Acting Property Appraiser until the Governor appoints an Interim or a new Property Appraiser is elected and sworn in, but I believe it is reasonable that I be compensated appropriately for that service.

As the annual budget for the Property Appraiser's Office is approved by the Department of Revenue (DOR), I reached out to our contact person, Gavrielle Alday, who works in the DOR Budget Office. She informed me in writing that I did not need approval from the DOR for a temporary increase in my



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salary as long as the funds were available in that budget category. I told her that we have two unfilled positions in the Office, that will not be filled, so we did indeed have the funds available. Also following Gavrielle's recommendation, I contacted the Levy County Attorney to determine if the Board of County Commissioners or County Attorney could approve a temporary salary adjustment. The County Finance Officer was also consulted in this matter. The County Attorney informed me that under State law, the County Commission has no authority over the Property Appraisers Budget – that authority rests with the Property Appraiser and the Department of Revenue.

After pursuing all of these avenues it appears that any temporary pay adjustment made to my salary must be authorized by myself, as Acting Property Appraiser. I did not feel comfortable doing this without being fully transparent by informing the Department of Revenue and the County Commission in a public meeting. For this reason, I have placed this item on your agenda.

Without objection from the County Commission or the Department of Revenue, I will provide Beauchamp and Edwards, P.A., who serve as accountants for the Property Appraiser's Office, with a copy of this agenda item and direct them to process a temporary salary adjustment retroactive to October 1, 2021 that increases my salary to \$115,773 per year. This is the annual salary established under State law by the Florida Department of Revenue and is budgeted in the Property Appraiser's Office current budget. This temporary pay increase will be in effect until the Governor appoints an Interim or a new Property Appraiser is elected and sworn in.

I also note that the Property Appraiser's Office will continue to accrue significant budget savings this year since I will be performing the duties of two positions but will only be paid for one. We also have two office positions which will not be filled and finally if the Property Appraiser's position is not filled by the Governor that salary and benefit package will go unspent and will be returned to the county at the end of the budget year.

10. Recommended Approval

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|--------------------------------|------------------------------|-----------------------------|---|
| a. Department Director: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| b. County Attorney: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| c. County Coordinator: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| d. Other: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |