

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
JANUARY 18, 2022**

The Regular Meeting of the Board of Levy County Commissioners was held on January 18, 2022 at 6:00 P.M. in the Meeting Room of the Levy County Annex Building with the following Commissioners present:

Chairman Rock Meeks
Comm. Matt Brooks
Comm. Lilly Rooks

Also present were:

County Attorney – Nicolle Shalley
County Coordinator – Wilbur Dean

Chairman Rock Meeks called the Meeting to order at 6:00 P.M. Comm. Brooks gave the invocation, followed by the Pledge of Allegiance led by Comm. Brooks.

EXPENDITURES

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

CHECK NUMBER	144235-144243/144246-144369	
FUND		AMOUNT
GENERAL REVENUE		168,833.38
ROAD		74,284.26
MOSQUITO CONTROL		(10.78)
TRANSPORTATION		11,565.82
COURT FACILITIES		914.11
MISC GRANTS		30,003.00
EMS		50,310.21
FIRE		153,392.41
TOURIST DEVELOPMENT		1,434.25
UTILITIES		1,419.78
BLDG INSPECT & SAFETY		1,566.12
CAPITAL PROJECTS		3,665.84
ROAD IMPRV & RESTORE		101,069.89
LANDFILL		86,171.26
TOTAL	\$	684,619.55
EFT/ACH PAYMENT	\$	612,400.43

AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES

Comm. Rooks made a motion to approve the following expenditures presented for payment. Second was made by Comm. Brooks and the MOTION CARRIES. Comm. Brooks voted NO.

CHECK NUMBER		144245
FUND		AMOUNT
GENERAL REVENUE		227.68
MISC GRANTS		231.95
EMS		179.67
FIRE		179.66
TOTAL	\$	818.96

LCNR EXPENDITURES

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

CHECK NUMBER		144244
FUND		AMOUNT
GENERAL REVENUE		1,173.62
ROAD		351.15
MISC GRANTS		72.34
CAPITAL PROJECTS		75.11
LANDFILL		23.99
TOTAL	\$	1,696.21

AGENDA ADDITIONS, DELETIONS, MODIFICATIONS

Comm. Rooks made a motion to approve the agenda with no additions, deletions or modifications. Second was made by Comm. Brooks and the MOTION CARRIES.

LEVY COUNTY CITIZEN – MICHAEL DOCKERY

Chiefland resident and Chairman of the Chiefland Task Force Committee, Michael Dockery spoke to the Board regarding the congested parking at CR341 and CR345 during Chiefland Elementary School student dismissal time.

Mr. Dean responded to Mr. Dockery stating representatives from the Road Department had met with School Board officials at the area described. It was determined a turn lane could be added and the Road Department is waiting for confirmation from the School Board of when it could be done.

PLANNING & ZONING

Stacey Hectus, Director

- A. **Public Hearing** – Requesting Board approval of Ordinance No. 2022-1; Steve McMillen representing Shell Pond, LLC, petitioning the Commission to Amend the zoning map atlas by rezoning certain real property consisting of 60 acres more or less, generally located at the intersection of NE 172nd Court and NE 35th Street, Williston, Florida from forestry rural residential (F/RR) to single family (RR-2). Parcel No. 0434900000.

Swearing in of anyone wishing to speak regarding this item was done by Atty. Shalley. Comm. Rock Meeks asked if any of the Commissioners had any ex-parte communication with the petitioner. Comm. Brooks stated he had ex-parte communication with the petitioner.

The Ordinance title was read into public record by Ms. Hectus.

Comm. Rock Meeks asked if there was anyone in the audience wishing to speak for or against this item. Meridith Martin, Laura O'Connor and Alan Wills spoke in opposition of the petition presented.

Comm. Brooks made a motion to approve Ordinance 2022-1 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

- B. **Public Hearing** – Requesting Board approval of Ordinance No. 2022-2; Steve McMillen requesting James and Jill Westbrook, petitioning the Commission to amend the zoning map atlas by rezoning certain real property consisting of 24.04 acres more or less generally located at 21431 NE 25th Street, Williston, Florida from forestry rural residential (F/RR) to single family (RR-2). PID 051500400 and PID 05150040A.

Swearing in of anyone wishing to speak regarding this item was done by Atty. Shalley. Comm. Rock Meeks asked if any of the Commissioners had any ex-parte communication with the petitioner. There were none.

The Ordinance title was read into public record by Ms. Hectus.

Comm. Rock Meeks asked if there was anyone in the audience wishing to speak for or against this item. Audience member Jill Westbrook spoke.

Comm. Brooks made a motion to approve Ordinance 2022-2 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

- C. **Public Hearing** – Requesting Board approval of Ordinance No. 2022-3; adoption of a Zoning Map Atlas with Zoning District designations for all real property located within the unincorporated areas of Levy County.

The Ordinance title was read into public record by Ms. Hectus.

Comm. Rock Meeks asked if there was anyone in the audience wishing to speak for or against this item. There were none.

Comm. Rooks made a motion to approve Ordinance 2022-3 as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- D. **Public Hearing** – Requesting Board approval of Petition No. FP 21-01; R & R Holdings, LLC, Romain and Rachel Spell, petitioning the Commission for a Final Plat or R & R Acres. Proposed subdivision is located in Section 7, Township 16, Range 17 and has a zoning of ARR/Agricultural Rural Residential (10 ac. Minimum). Said parcel contains 62.20 ac. MOL and proposed subdivision will create 5 lots containing 10+ ac. PID: 14365-01-600.

Swearing in of anyone wishing to speak regarding this item was done by Atty. Shalley. Comm. Rock Meeks asked if any of the Commissioners had any ex-parte communication with the petitioner.

Comm. Rock Meeks asked if there was anyone in the audience wishing to speak for or against this item. There were none.

Comm. Brooks made a motion to approve Petition No. FP 21-01 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Wilbur Dean

- A. Requesting the Board to review the Memorandum regarding the Gubernatorial Appointment of District 8 Medical Examiner and provide recommendation for re-appointment to the Medical Examiners Commission.

Comm. Rooks made a motion to review the Memorandum regarding the Gubernatorial Appointment of District 8 Medical Examiner and to provide a recommendation for re-appointment to the Medical Examiners Commission as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting Board approval to appoint McSween Huber of District 1 to the Board of Adjustments.

Comm. Rooks made a motion to appoint McSween Huber of District 1 to the Board of Adjustments as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

TRANSIT

Wilbur Dean requested on behalf of Connie Conley, Director Board approval of the Transportation Agreement between Levy County and the Suwannee River Economic Council, effective as of January 1, 2022 and ending December 31, 2022. The Agreement is for providing transportation to SREC clients, as approved by SREC, to the meal site in Chiefland.

Comm. Rooks made a motion to approve the Transportation Agreement with the Suwannee River Economic Council as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

PROCUREMENT

Wilbur Dean on behalf of Alicia Tretheway, Coordinator

- A. Requesting Board approval of the Task Assignment Agreement No. 2021-12 between Levy County and DRMP, Inc., for the Preserving Historic Cedar Key Project. Levy County has received a Florida Department of Environmental Protection (FDEP) grant executed on September 24, 2021 and titled DEP Agreement No. LPA0182 in the amount of \$250K. Levy County and DRMP will develop a strategic plan to preserve Cedar Key's historical coastal community from anticipated future resiliency concerns.

Comm. Rooks made a motion to approve Task Assignment Agreement No. 2021-12 with DRMP, Inc. for the Preserving Historic Cedar Key Project as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting Board approval of a Budget Amendment in the amount of \$10,000 appropriating Contingency Reserves to process the EDF Grant Agreement for Tri-County Saw Shop.

Comm. Rooks made a motion to approve the budget amendment in the amount of \$10,000 as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

PARKS & RECREATION/MOSQUITO CONTROL

Matt Weldon, Director

- A. Requesting Board approval of the 2021-2022 Florida Department of Agriculture and Consumer Services Division of Administration Agreement (FDACS Contract No. 28462). This Annual Contract Agreement with FDACS is for arthropod/mosquito control services for a compensation amount of \$38,025.37, paid in quarterly installments.

Comm. Rooks made a motion to approve the 2021-2022 FDACS Division of Administration Agreement as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting Board approval of Resolution 2022-5 amending the final budget in the amount of \$94,250 for fiscal year 2021-2022 due to receipt of an FWC Grant (No. 21103) for Shell Mound Boat Ramp channel improvements.

Comm. Rooks made a motion to approve Resolution 2022-5 as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

DEPARTMENT OF PUBLIC SAFETY

Mitch Harrell, Director

Requesting Board approval and the Chairman's signature on the Grant Agreement between the Department of Financial Services and Levy County.

Comm. Rooks made a motion to approve the Grant Agreement between the Department of Financial Services and Levy County with the Chairman's signature as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

GRANT COORDINATOR

Tony Parker, Coordinator

- A. Requesting signature on a Letter of Recommendation from the Board Chairman for Senator Bradley's Senate Appropriations affirmation and sponsor regarding HB 9229 for the Levy County Emergency Operations Center Appropriations request.

Comm. Rooks made a motion to approve sending the Letter of Recommendation from the Levy County Board Chairman as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting the Board accept the award of Coronavirus State and Local Fiscal Recovery Funds, authorize the Chairman to execute the Acceptance of Terms and Conditions for the Award, and authorize the County Coordinator or his designee to take additional actions necessary, if any, to accept the award. Coronavirus relief funding is available to Levy County in an amount totaling \$8,061,471. The initial installment (first half) of \$4,030,735.50 would be electronically transferred following the successful upload of signed agreement submission, and the second installment, \$4,030,735.50 would be released one year from the initial submission.

Comm. Rooks made a motion to accept the award of Coronavirus State and Local Fiscal Recovery funds by the Chairman executing the Acceptance of Terms and Conditions for the Award, and to authorize the County Coordinator or his designee to take additional actions necessary, if any, to accept the award. Second was made by Comm. Brooks and the MOTION CARRIES.

PUBLIC COMMENT

Morrison resident, Linda Martinez spoke to the Board stating she wished to place two (2) mobile homes on her property, which is 16 acres, but was told the zoning area in which she lives only allows for 1 dwelling per 10 acres. She inquired if there was any kind of exception to this rule.

Stacey Hectus spoke to the Board regarding this item. Comm. Rock Meeks stated the only option was for Ms. Martinez to purchase the additional acreage needed to meet the 1 dwelling per 10-acre rule from the adjacent property owners.

COMMISSIONERS' REPORTS

Comm. Rooks announced there is a kick-off meeting with FDOT coming up at the College of Central Florida in Chiefland on February 15th from 5:30 P.M. to 7:30 P.M. to discuss the free-flow traffic study on HWY 19. The next meeting will also be on February 21st at the Inglis Community Center from 4:40 P.M. to 7:30 P.M.


Comm. Brooks spoke of items in the Florida Legislation being proposed and specifically of his opposition of SB 620.

Comm. Rock Meeks spoke of a date for a Budget Workshop. The date of March 8th at 1:00 P.M. was agreed upon for a Budget Workshop.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 7:52 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL



Clerk of Court, Danny J. Shipp



Chairman, Rock Meeks

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Brooks, Matthew	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Levy County Board of County Commissioners
MAILING ADDRESS P.O. Box 310	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Bronson, FL 32621 Levy	NAME OF POLITICAL SUBDIVISION: Levy County
DATE ON WHICH VOTE OCCURRED 1/18/2022	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Matthew Brooks, hereby disclose that on January 18, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

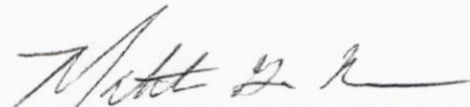
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained, or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Levy County Purchases goods on a "Rotating Basis" from AMB Supply, Inc., "DBA Levy Jones" a Florida Corporation, that I have an ownership interest in.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1/18/2022
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.