

REGULAR MEETING

LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

FEBRUARY 21, 2023

The Regular Meeting of the Board of Levy County Commissioners was held on February 21, 2023 at 6:00 P.M. in the Meeting Room of the Levy County Annex Building with the following Commissioners present:

Chairman, Matt Brooks

Vice-Chair, Comm. Desiree Mills

Comm. Tim Hodge

Comm. John Meeks

Comm. Rock Meeks

Also present were:

County Attorney – Nicolle Shalley

County Coordinator – Wilbur Dean

Chairman Brooks called the Meeting to order at 6:11 P.M. Comm. Rock Meeks gave the invocation, followed by the Pledge of Allegiance led by Comm. John Meeks.

EXPENDITURES

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

CHECK NUMBER	147922-147934, 147937-148046	
FUND		AMOUNT
GENERAL REVENUE		102,770.88
ROAD		33,938.12
MOSQUITO CONTROL		524.32
TRANSPORTATION		3,359.81
COURT FACILITIES		727.85
MISC GRANTS		3,754.18
EMS		55,955.60
FIRE		8,602.08
TOURIST DEVELOPMENT		13,205.47
UTILITIES		6,332.81
ADD COURT COSTS		1,023.32
BLDG INSPECT & SAFETY		4,225.77
CAPITAL PROJECTS		6,090.00
ROAD IMPRV & RESTORE		8,596.25
LANDFILL		121,822.76
TOTAL	\$	370,929.22
EFT/ACH PAYMENT	\$	96,408.38

LCNR EXPENDITURES

Comm. Mills made a motion to approve the following LCNR expenditures presented for payment. Second was made by Comm. Hodge and the MOTION CARRIES. Comm. John Meeks abstained from voting due to perceived conflict.

CHECK NUMBER	147935
FUND	AMOUNT
GENERAL REVENUE	3,463.37
ROAD	180.32
MISC GRANTS	22.31
EMS	82.50
FIRE	82.49
LANDFILL	170.38
TOTAL	\$ 4,001.37

AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES

Comm. Mills made a motion to approve the following AMB Supply, Inc. (DBA Levy Jones) expenditures presented for payment. Second was made by Comm. John Meeks and the MOTION CARRIES. Comm. Brooks abstained from voting due to perceived conflict.

CHECK NUMBER	147936
FUND	AMOUNT
GENERAL REVENUE	2,279.50
MISC GRANTS	270.00
EMS	517.80
FIRE	402.80
TOTAL	\$ 3,470.10

MINUTES

The minutes for the Regular Meeting held on February 7, 2023 were presented for Board approval.

Comm. John Meeks made a motion to approve the minutes for the Regular Board Meeting held February 7, 2023 as presented. Second was made by Comm. Mills and the MOTION CARRIES.

AGENDA ADDITIONS, DELETIONS, MODIFICATIONS

Comm. Mills made a motion to approve the agenda with no changes. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

PROCLAMATIONS/RECOGNITIONS

Comm. Mills presented a Proclamation to the Board, proclaiming February 18 – 25, 2023 as National FFA Week. She stated Senior FFA members from various schools in the County were in attendance and asked Justin Hancock, Williston Senior FFA President, to read the Proclamation into public record. Mr. Hancock then called Chiefland Senior FFA member, Riley Locke to recite the FFA Creed to the audience.

Comm. Mills made a motion to approve the Proclamation proclaiming February 18 – 25, 2023 as National FFA Week. Second was made by Comm. John Meeks and the MOTION CARRIES.

PUBLIC COMMENTS

Dan Hilliard, Director of Withlacoochee Aquatic Restoration, spoke to the Board and requested their support of the Agenda Item regarding the Community Planning Technical Assistance Grant Agreement with the Florida Department of Economic Opportunity.

Ryan Asmus, representing the Florida Department of Transportation, spoke to the Board of a recent meeting regarding the intersection of SR 121, LCR 336 and US 19, Lebanon Station. Mr. Asmus also informed the Board a new Representative will be taking his place, as he is being transferred to a different location.

The following members of the audience spoke regarding the request to allow mobile homes in Rainbow Lakes Estates:

<u>For</u>	<u>Against</u>	
Jason Anderson	Lynda Johnston	Dan Wilshuseh
Barbara Cox	Keith Deering	Dallas Seveland
	Corrina Livernois	Keith Lane
	Marian Rozelle	Debra Coffee
	Gary Levit	Karen Russell
	Jill Kesler	Gary Spear
	Statement from Constance Devincentis read by Keith Lane	

LEVY COUNTY SHERIFF’S OFFICE

Mike West, 911 Coordinator

- A. Requesting Board approval and the Chairman’s signature on the Additional Terms and Conditions for Rural and State Grant, S22-23-01-37. The Chairman’s signature is required in order to receive cost reimbursement for this Grant.
- B. Requesting Board approval of Resolution 2023-9 amending the final budget for fiscal year 2023 in the amount of \$296,519. This budget amendment is necessary to allow for funds received from the State E911 Board in the form of a Grant which will be used to cover Levy County’s cost for the Regional GIS Repository Project.

Comm. John Meeks made a motion to approve the Additional Terms and Conditions for Rural and State Grant, S22-23-01-37 with the Chairman’s signature and approval of Resolution 2023-9 as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

PLANNING & ZONING

Stacey Hectus, Director

- A. PUBLIC HEARING – Requesting Board approval of Ordinance No. 2022-21: to amend the text of the Land Development Code to allow mobile homes as a permitted use in the RR-3 Zoning District.

Comm. Mills stated a meeting had been scheduled with the Marion County Board of County Commissioners regarding this issue and made a motion to Table this item until a later date. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

Atty. Shalley stated a “Staff Update” could be placed on the March 7th Agenda to share the results of the meeting.

- B. Requesting Board approval of the Community Planning Technical Assistance Grant Agreement between Levy County and the State of Florida Department of Economic Opportunity (Agreement No. P0453). Levy County was awarded \$34,700 for a GIS Database Development, which is a cost reimbursement Grant. Deliverable 1 due date has been moved to March 24, 2023, deliverable 2 due date has been moved to May 1, 2023 and deliverable 3 due date to June 15, 2023.

Comm. John Meeks made a motion to approve the Community Planning Technical Assistance Grant Agreement (Agreement No. P0453) as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

- C. Requesting Board approval of Resolution 2023-8 amending the final budget for fiscal year 2023 in the amount of \$34,700. This budget amendment is to appropriate additional revenue from a State DEO Grant for GIS Database Development.

Comm. Rock Meeks made a motion to approve Resolution 2023-8 as requested. Second was made by Comm. Mills and the MOTION CARRIES.

DEPARTMENT REPORTS

COUNTY COORDINATOR

Wilbur Dean

- A. Requesting Board approval of Resolution 2023-11 requesting and expressing its support for the designation of Rural Area of Opportunity (RAO) continue to apply to the North Central Florida region incorporating Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union Counties (including the Cities, Towns and Communities within each); requesting and expressing its support for the continuation of all regional rural development grant funding for the North Florida Economic Development Partnership (NFEDP) through funds appropriated by the Florida Legislature and administered through the Florida Department of Economic Opportunity and providing an effective date. The RAO designation expires on June 11, 2023.

Comm. Mills made a motion to approve Resolution 2023-11 as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

- B. Requesting Board approval and the Chairman's signature on a letter of support for the North Florida Economic Development Partnership (NFEDP) for the re-designation of the Rural Area of Opportunity (RAO) for another 5-year term.

Comm. Mills made a motion to approve the Letter of Support with the Chairman's signature as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

- C. Requesting Board approval and the Chairman's signature on the Real Estate Purchase and Sale Agreement for 36 acres in Otter Creek. The total purchase price is \$221,060.

Comm. Hodge made a motion to approve the Real Estate Purchase and Sale Agreement with the Chairman's signature, as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

PARKS & RECREATION

Matt Weldon, Director

- A. Requesting Board approval of the Agreement between the Florida Fish and Wildlife Conservation Commission (FWC) and Levy County, Agreement No. 22154. This Agreement is for Phase II at the Bird Creek Boat Ramp in Yankeetown for \$464,080 to consist of construction of two (2) covered pavilions and 1,320 square feet of boardwalk.

Comm. John Meeks made a motion to approve the Agreement with the Florida Fish and Wildlife Conservation Commission, Agreement No. 22154 as requested. Second was made by Comm. Mills and the MOTION CARRIES.

- B. Requesting Board approval of Resolution 2023-12 amending the final budget for fiscal year 2022-2023 in the amount of \$464,080.

Comm. Rock Meeks made a motion to approve Resolution 2023-12 as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

ROAD DEPARTMENT

Wilbur Dean requested on behalf of Alice LaLonde, Administrative Coordinator, Board approval to purchase a new Caterpillar HM316C Mulcher from Ring Power by utilizing the Sourcewell Contract for \$36,267. This will replace the previously stolen Mulcher.

Comm. John Meeks made a motion to approve the purchase of a new Caterpillar HM316C Mulcher from Ring Power utilizing the Sourcewell Contract as requested. Second was made by Comm. Hodge and the MOTION CARRIES.

TRANSIT

Connie Conley, Director

Requesting Board approval of Resolution 2023-10, authorizing the transfer of three (3) transit vehicles to Lee County. The three (3) vehicles to be transferred are rarely used and the date of acquisition in comparison to the current mileages are very low. There is a need in Lee County for these three (3) vehicles and the transfer has been approved by FTA and FDOT.

Comm. John Meeks made a motion to approve Resolution 2023-10 authorizing the transfer of three (3) transit vehicles to Lee County as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

PROCUREMENT

Alicia Tretheway, Coordinator

- A. Requesting Board approval of Amendment No. 2 to Task Assignment 2021-11 between Levy County and Wright-Pierce, Inc., for the Shell Mound Boat Ramp Improvements. FDEP has again requested additional testing to the dredged material "Elutriate Testing for Arsenic". The fee increased by \$5,280 resulting in a contract change from \$102,945 to \$108,225.

Comm. Rock Meeks made a motion to approve Amendment No. 2 to Task Assignment 2021-11 with Wright-Pierce, Inc. as requested. Second was made by Comm. Mills and the MOTION CARRIES.

- B. Requesting Board approval of the Community Planning Technical Assistance Grant Agreement between Levy County and the State of Florida Department of Economic Opportunity (Agreement No. P0466). Mrs. Tretheway stated this item was Tabled at the last meeting and is for the Community Action Plan to aid and restore historic loads to the lower Withlacoochee River. The Agreement expires on June 30th, but DEO has stated they will extend this date until August 23rd. All expenditures must be submitted to them by this date in order to be reimbursed. Mrs. Tretheway stated she has concerns of being able to provide all information by this date.

Jack Schofield spoke to the Board regarding this item.

Atty. Shalley expressed concerns of meeting the deadlines for deliverables and providing documentation to DEO for reimbursement.

Jared Blanton also spoke to the Board from the perspective of the Finance and the risk of compliance by the dates set by DEO.

Following discussion, Comm. Mills made a motion to take alternative action on this item to work with Mrs. Tretheway, Atty. Shalley and Mr. Schofield to create a new application and re-apply for this Grant for the same project. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

- C. Requesting Board approval of Resolution 2023-7 amending the final budget for fiscal year 2023 in the amount of \$75,000. – No action taken, removed from Agenda by request of Ali Tretheway -
- D. Requesting Board approval of Task Assignment 2023-1 between Levy County and Wright-Pierce for Professional services regarding the CPTA Grant, P0466. – No action taken, removed from Agenda by request of Ali Tretheway -

COMMISSIONERS' REPORTS

Comm. Mills reported of attending the Broadband Summit recently and thanked the Board for approval of the Proclamation for FFA Week.

Comm. John Meeks spoke of the Beast Feast coming up on Saturday. He also reminded everyone the Bronson FFA will be hosting their Annual Food Fest and Cake Auction this Friday evening at 5:00 P.M. at the First Baptist Church in Bronson.


Comm. John Meeks thanked the employees of the Clerk's Office who were able to effectively handle the processing of Payroll during the transition of Drummond Bank to Seacoast Bank with no problems enabling the employees their receive their paychecks on time.

An email was read by Comm. John Meeks from Dwayne McBride, a Veteran who wished to thank Veterans Services Director, White for his assistance to receive his service disability upgrades.


Comm. John Meeks shared news of a Grant Award Notification stating Levy County was awarded \$238,550 to complete a Comprehensive Vulnerability Assessment and Adaptation Plan from the Florida Department of Environmental Protection (DEP).

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 7:45 P.M.

ATTEST:


Clerk of Court, Danny J. Shipp

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL


Chairman, Matt Brooks

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

LAST NAME—FIRST NAME—MIDDLE NAME Meeks, John	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 Bronson, FL 32621	COUNTY Levy
DATE ON WHICH VOTE OCCURRED 2/21/2023	NAME OF POLITICAL SUBDIVISION: Levy County
	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, John Meeks, hereby disclose that on February 21, 20 23 :

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

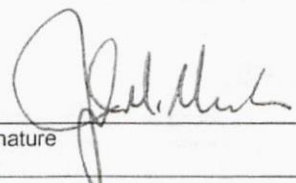
- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, 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 LCNR Enterprises, LLC a Florida Limited Liability Company, 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.

2/21/23
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.

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:	
CITY Bronson, FL 32621	COUNTY Levy	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 2/21/2023		NAME OF POLITICAL SUBDIVISION: Levy County	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

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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.

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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:

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Matthew Brooks, hereby disclose that on February 21, 20 23 :

(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.

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Signature

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