

REGULAR MEETING

LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 7, 2023

The Regular Meeting of the Board of Levy County Commissioners was held on March 7, 2023 at 9:00 A.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 9:00 A.M. Comm. Rock Meeks gave the invocation, followed by the Pledge of Allegiance led by Comm. John Meeks.

EXPENDITURES

Comm. John Meeks made a motion to approve the following expenditures presented for payment. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

CHECK NUMBER	148047-148056, 148058-148158
FUND	AMOUNT
GENERAL REVENUE	1,723,269.31
ROAD	67,150.39
SHIP	18,150.00
MOSQUITO CONTROL	180.35
TRANSPORTATION	10,928.36
911	17,396.00
COURT FACILITIES	10,305.69
MISC GRANTS	2,493.64
EMS	16,796.59
FIRE	2,702.99
TOURIST DEVELOPMENT	8,472.51
UTILITIES	2,342.97
BLDG INSPECT & SAFETY	2,740.70
CAPITAL PROJECTS	40,950.00
ROAD IMPRV & RESTORE	38,746.46
LANDFILL	9,101.92
TOTAL	\$ 1,971,727.88
EFT/ACH PAYMENT	\$ 288,615.58

LCNR EXPENDITURES

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

CHECK NUMBER	148057
FUND	AMOUNT
GENERAL REVENUE	651.03
ROAD	160.20
EMS	4.88
FIRE	74.86
LANDFILL	181.86
TOTAL	\$ 1,072.83

AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES

CHECK NUMBER	AMOUNT
FUND	
TOTAL	\$ -

No Activity for 3/7/23 Meeting

AGENDA ADDITIONS, DELETIONS, MODIFICATIONS

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

PROCLAMATIONS/RECOGNITIONS

- A. Recognition of Robert Lowyns done by Wilbur Dean for 14 years of loyal and dedicated service to the Veterans and spouses of Levy County, and for many years of serving/continuing to serve on the Planning Commission, until his well-earned retirement.

Thanks given by Comm. John Meeks, Comm. Brooks.
Renate Cannon also thanked Mr. Lowyns for his work in Levy County.

- B. Comm. Brooks recognized Don Quincey for his recent induction into the 2023 Florida Agriculture Hall of Fame. A statement of his accomplishments was read into public record.

Mr. Quincey then spoke to the Board stating he was honored to be inducted into the Florida Agriculture Hall of Fame and thanked the Board for their recognition.

PUBLIC COMMENTS

Gigi Hernandez, District Secretary from Senator Keith Perry’s office spoke to the Board and provided business cards for the Gainesville office, stating if they had any questions or concerns to please call.

Diane Garte spoke to the Board of HB 1197 and SB 1240 stating they take control away from the county concerning water quality and management.

GOETHE STATE FOREST

Mark Larson and Logan Deuel, Forest Supervisor and Senior Forester
Mr. Larson presented the Board with a revenue check in the amount of \$47,289.75 from Goethe State Forest. The payment reflects the distribution of Goethe State Forest receipts for fiscal year 2021-2022 in accordance with Section 589, Florida Statutes.

DEPARTMENT REPORTS
COUNTY COORDINATOR

Wilbur Dean requested Board approval to re-appoint McSween Huber to the Board of Adjustments, District 1.

Comm. John Meeks made a motion to re-appoint McSween Huber to the Board of Adjustments, District 1 as requested. Second was made by Comm. Mills and the MOTION CARRIES.

SOLID WASTE

Rod Hastings, Director

- A. Requesting Board approval of the purchase of a used Caterpillar Pan for C & D Site at a cost of \$65,000 with trade-in credit of \$35,000 for used large equipment.

Comm. John Meeks made a motion to approve the purchase of a used Caterpillar Pan for C & D Site as requested. Second was made by Comm. Mills and the MOTION CARRIES.

- B. Requesting Board approval to Amend the Consolidated Small County Solid Waste Management Grant Agreement, #SC220. This Grant Amendment request is to extend the Agreement for an additional 2-month period from March 31, 2023 until May 31, 2023. The extension will allow for the purchase of 2 trucks delayed in manufacturing, preventing the loss of available funds of \$93,750.

Comm. Mills made a motion to approve the request to Amend the Consolidated Small County Solid Waste Management Grant Agreement, #SC220 as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

TRANSIT

Connie Conley, Director

Requesting Board approval to purchase equipment approved for the Shirley Conroy Rural Area Capital Assistance Grant (RCAP) from the Sourcewell Contract in the amount of \$41,172.96. The equipment requested to purchase under the contract is:

Brake Lathe	\$16,453.70
Tire Changer	\$11,031.52
Tire Balancer	\$13,687.74

Comm. Mills made a motion to approve the purchase of equipment as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

PROCUREMENT

Alicia Tretheway, Coordinator

- A. Requesting Board approval of the First Amendment to the Nature Coast Business Development Council Agreement. Section 5 of the Funding Agreement has been deleted in its entirety and replaced with a new Section Financial Reporting and Auditing.

Comm. Mills made a motion to approve the First Amendment to the Nature Coast Business Development Council Agreement as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

- B. Requesting Board permission to proceed with issuing a Request for Proposals (RFP) for Food Concession Services at the Levy County Government Center Cafeteria. A general Scope of Services was provided for the Board’s review and will be reviewed by the County Attorney.

Comm. John Meeks made a motion to give permission to proceed with issuing RFP for Food Concession Services as requested. Second was made by Comm. Mills and the MOTION CARRIES.

- C. Requesting Board approval of Task Assignment 2023-02 between Levy County and Wright-Pierce for Floodplain Management Services for the Levy County Development Department. The cost for these services may not exceed \$35,000 annually.

Comm. Mills made a motion to approve Task Assignment 2023-02 as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

COUNTY ATTORNEY

Nicolle M. Shalley

- A. Requesting Board approval of the Release of Unity of Title for Lots 3 and 4, Block F, Oak Grove Estates and authorize the Chairman to execute the Release document. This requested was made by the property owner.

Comm. John Meeks made a motion to approve the Release of Unity of Title as requested. Second was made by Comm. Mills and the MOTION CARRIES.

- B. As requested by the Board at its Regular Meeting on February 21st, Atty. Shalley provided an update of the meeting she attended along with staff members and Comm. Mills with Marion County Staff on Monday, February 27th regarding the Rainbow Lakes Estates Municipal Service District. After the update and discussion, Atty. Shalley stated Levy County Staff is seeking direction from the Board on whether to proceed with (1) Second Reading of Ordinance 2022-21 to allow mobile homes/manufactured homes in the RR-3C Zoning District for Rainbow Lakes Estates; or (2) drafting a new ordinance to enact zoning and other requirements in Levy County that match those in Marion County for Rainbow Lakes Estates, so there is consistency throughout the Municipal Service District.

Following discussion, Comm. Mills made a motion to proceed with Option 2 as explained by Atty. Shalley. Second was made by Comm. John Meeks and the MOTION CARRIES.

Audience member Barbara Cox stated she would be requesting a variance in order to place a mobile home on the property she owns in Rainbow Lakes Estates.

PUBLIC COMMENTS

Linda Cooper expressed her concerns of land uses in Levy County, specifically for manure and shavings composting. Ms. Cooper also expressed concerns of the appointment of Michael Ernest to the Planning Commission, and the conflict of interest of placing him on this Board.

Dana Sheffield inquired of mobile homes in Rainbow Lakes Estates and asked if they were currently allowed in the subdivision. Mrs. Hectus and Atty. Shalley responded they are currently not allowed and the new Ordinance will reflect this to match the requirements and restrictions of the Marion County Ordinance. Atty. Shalley stated “modular homes” would be allowed, but not “mobile homes”.

Mr. Sheffield announced the upcoming Fly-In/Cruise-In at the Cross City Airport. It is a free event and is scheduled for April 15, 2023 from 9:00 A.M. to 3:00 P.M.

Audience member Barbara Cox stated she would be requesting a variance in order to place a mobile home on the property she owns in Rainbow Lakes Estates.

COMMISSIONERS' REPORTS

Comm. Mills reported of attending the Beast Feast and of the Regional Planning Council meeting. She will be sharing information from this meeting at the Affordable Housing meeting tomorrow taking place at the SHIP office at 10:00 A.M. She will be attending the NCBDC meeting Thursday at 3:00 P.M. in Fanning Springs.

Comm. John Meeks spoke of the Legislative Session beginning today. Legislative Day for the Florida Association of Counties is next Wednesday.


Comm. John Meeks stated the property where LARC was formerly located has sold and they have been renting space at a church in Chiefland. Comm. John Meeks stated he would like to have an item placed on the agenda for an upcoming meeting to donate a piece of County owned property near the Sheriff's Department to the LARC. A suitable parcel of land is located on CR337 located near Weeks Bail Bonds with access to CR32. The Commissioners agreed to have Comm. John Meeks work with Atty. Shalley and staff on this and bring information back to a meeting for Board approval.


Comm. John Meeks stated he would like to direct Wilbur Dean to bring a prepared letter to the next meeting for Board approval of a letter expressing the Board's opposition of increased Sovereign Immunity to be sent to Legislators in Tallahassee, as this is a topic to be discussed during the current Session.

Comm. Brooks announced the Williston Middle/High School Boys' Basketball team won the 1A State Championship for the First time after making it to the Final Four last Friday. He stated he would like to invite the Team and Coaches to an upcoming Board meeting for official recognition.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 10:26 A.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:	
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 3/7/2023		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 March 7, 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.

3/7/23
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.