

REGULAR MEETING

LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 21, 2023

The Regular Meeting of the Board of Levy County Commissioners was held on March 21, 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. Mills made a motion to approve the following expenditures presented for payment. Second was made by Comm. Hodge and the MOTION CARRIES.

CHECK NUMBER	148159-148167, 148170-148288	
FUND		AMOUNT
GENERAL REVENUE		42,044.85
ROAD		77,552.32
SHIP		25,400.00
TRANSPORTATION		583.04
COURT FACILITIES		2,288.63
MISC GRANTS		5,066.74
EMS		29,760.12
FIRE		2,108.71
TOURIST DEVELOPMENT		2,393.94
UTILITIES		4,019.77
BLDG INSPECT & SAFETY		2,061.05
IMPACT FEES - EMS		53.08
IMPACT FEES - PARKS		150.21
IMPACT FEES - RD DIST I		1,410.00
CAPITAL PROJECTS		60,792.42
ROAD IMPRV & RESTORE		469.75
LANDFILL		113,118.65
TOTAL	\$	369,273.28
EFT/ACH PAYMENT	\$	267,071.54

LCNR EXPENDITURES

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

CHECK NUMBER	148168
FUND	AMOUNT
GENERAL REVENUE	809.20
ROAD	408.09
EMS	38.65
FIRE	19.38
CAPITAL PROJECTS	77.14
LANDFILL	159.02
TOTAL	\$ 1,511.48

AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES

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

CHECK NUMBER	148169
FUND	AMOUNT
GENERAL REVENUE	679.00
MISC GRANTS	219.90
EMS	414.22
FIRE	414.23
TOTAL	\$ 1,727.35

MINUTES

The minutes for the Regular Meeting and Land Uses Workshop held on February 21, 2023 were presented for Board approval.

Comm. John Meeks made a motion to approve the minutes for the Regular Board Meeting and Land Uses Workshop held February 21, 2023 as presented. Second was made by Comm. Mills and the MOTION CARRIES.

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. Haven Hospice, Professional Liaison, Deanna Sheppard requested Board approval of a Proclamation proclaiming the month of April, 2023 as National Healthcare Decisions Month. Comm. Brooks then read the Proclamation into public record.

Comm. John Meeks made a motion to approve the Proclamation as presented. Second was made by Comm. Mills and the MOTION CARRIES.



B. Milestone Service Awards for completion of five continuous years of service and at the end of every additional five years of service for the quarter ending March 31, 2023 were presented by Jacqueline Martin. Awards were presented to:

- EMS

Shernard Blake, 5 years  
Jason Hughes, 5 years  
Harry Sparks, 10 years
- Construction/Maintenance

Charles Cook, 35 years
- Road Department

Chance Cummings, 5 years  
Jose Thomas, 25 years  
Robert Jordan, 25 years
- Tourist Development

Catrina Sistrunk, 5 years  
Tisha Whitehurst, 10 years

PUBLIC COMMENTS

Raemi Eagle-Glenn introduced herself to the Board stating she has filed and is seeking the House District 22 Seat currently held by Chuck Clemons, which will be vacated in 2024 due to term limits.

LEVY COUNTY SHERIFF’S OFFICE

Mike West, 911 Coordinator

- A. Requesting Board approval and the Chairman’s signature on the E911 Rural County Grant Application to cover the cost of the E911 System Maintenance for 2023-2024 in the amount of \$39,219.33.
- B. Requesting Board approval and signature on the E911 State Grant Application for annual GIS Maintenance in the amount of \$127,836.

Comm. John Meeks made a motion to approve items A. and B. as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

COUNTY COORDINATOR

Wilbur Dean,

- A. **Public Hearing** – Requesting Board approval of Ordinance 2023-5 amending the Code of Ordinances of Levy County, Florida relating to Code Enforcement; by revising general provisions and creating a Code Enforcement Special Magistrate as an alternate Code Enforcement System; providing a severability clause; providing a repealing clause; providing for inclusion in the Code and providing directions to the Clerk and effective date.

Comm. Brooks asked if anyone in the audience wished to speak regarding this item.  
Diane Garte expressed frustration in violations she sees in the county which do not get attention unless a citizen reports them. She encouraged the Board to allow Code Enforcement to self-report violations they observe in the course of their day-to-day business.

Comm. John Meeks made a motion to approve Ordinance 2023-5 as presented. Second was made by Comm. Mills and the MOTION CARRIES.

- B. Requesting the Board: (1) Consider the issues outlined in the Economic Development Fund Grant Agreement – Notice of Default dated January 23, 2023; (2) Hear from A & M Manufacturing, Inc. (the Grantee); and (3) pursuant to Section 6 of the Grant Agreement and Sec. 86-71 of the County Code, determine whether to terminate the Grant Agreement and require repayment of the Grant Funds previously paid in full to the Grantee in August, 2019 plus interest, or take such other action(s) with respect to the Grant the Board determines appropriate.



John Hemken, Owner, CEO of A & M Manufacturing, Inc. spoke to the Board, addressing the four points mentioned. He stated the required annual reports were not filed to the County due to loss of staff during the pandemic, but stated he is willing to bring into compliance. The Chiefland site is still in business and has not moved, despite the SunBiz principal address being the second business location in Alachua. He stated it is his intent to continue operating the business at the Chiefland location.

Following discussion by the Commissioners and input by Atty. Shalley, Comm. John Meeks made a motion to amend the agreement allowing 120 days for Mr. Hemken to file the required reports for A & M Manufacturing, Inc. The amended agreement allow for this to become a receivable with accrued interest. Second was made by Comm. Mills and the MOTION CARRIES.

Diane Garte spoke regarding the reports, which had not been filed.

C. Requesting the Board review Sovereign Immunity letters as provided and authorize the Chairman to sign.

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

## PLANNING & ZONING

Stacey Hectus, Director

**Public Hearing** – Petition No. PP 23-01: Requesting Board approval of a Preliminary Plat. McMillen Surveying, representing Kristine Kelley of Kristine's Acres is petitioning the Commission for a Preliminary Plat to correct the incorrect division of land, Parcel Number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10 ac. minimum). Each parcel contains 5 acres, MOL, once platted it will be a 10-acre parcel, MOL.

Atty. Shalley swore in members of the audience wishing to speak regarding this item. Atty. Shalley asked if any of the Commissioners had ex-parte communication regarding this item. There was none.

Comm. Brooks asked if anyone in the audience wished to speak regarding this item. There was none.

Comm. Rock Meeks made a motion to approve Petition No. PP 23-01 as presented. Second was made by Comm. Mills and the MOTION CARRIES.

## DEPARTMENT REPORTS

### PUBLIC SAFETY

Mitch Harrell, Director

A. Requesting Board approval to purchase one (1) T-150 transit van from Duval Ford based on Bradford County Sheriff's Office (BCSO) Contract Bid Pricing for a total cost of \$44,974.05. This purchase is part of the Capital Improvement Program for the LCDPS fleet. The previous logistics vehicle was a used (donated) SUV with over 350,000 miles on it; currently in need of repair but the cost to repair is not justified based on the value of the vehicle.

Comm. Mills made a motion to approve the purchase of one (1) T-150 transit van from Duval Ford as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

B. Requesting Board approval to purchase one (1) F-150 truck from Duval Ford based on Bradford County Sheriff's Office (BCSO) Contract Bid Pricing for a total cost of \$46,551.96. This purchase is necessary for the Communications System Manager to complete regular site visits, especially during the communications update project and conduct County business related to communications.

C. Requesting Board approval and the Chairman's signature on Resolution 2023-15 for the Budget Amendment increasing expenditures in the Capital Projects and Replacement Fund for the purchase of a vehicle in the amount of \$46,552.



Comm. Mills made a motion to approve the purchase of (1) F-150 truck from Duval Ford and approval of Resolution 2023-15 for the Budget Amendment to purchase the truck as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

## **PARKS AND RECREATION**

Matt Weldon, Director

Requesting Board approval of the Shell Mound Public Boat Ramp Phase 2 FBIP Grant Application in the amount of \$765,000 to the Florida Fish and Wildlife Conservation Commission.

Comm. John Meeks made a motion to approve the Shell Mound Public Boat Ramp Phase 2 FBIP Grant Application as requested. Second was made by Comm. Mills and the MOTION CARRIES.

## **TRANSIT**

Connie Conley, Director

Requesting Board approval of Resolution 2023-14, authorizing the execution and submission of an Off-Cycle Section 5311 Operating Assistance Grant Application. This is a 50% match grant in the amount of \$700,000 which assists with 50% reimbursement of wages, benefits and fuel expenditures.

Comm. Mills made a motion to approve Resolution 2023-14 as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

## **PUBLIC COMMENTS**

Linda Cooper stated she would like the Board to state the expenditure amounts when they are approved.

Sue Beaudette, Town of Bronson announced there will be a Job Fair taking place this Thursday at the First Baptist Church in Bronson beginning at 10:00 A.M. There will be a candidate forum next Thursday, March 30<sup>th</sup> at 5:30 P.M. in the Commissioners meeting room. A mobile food drive is scheduled for Friday, March 31<sup>st</sup> at 1:00 P.M. in the park. Municipal elections will be taking place on Tuesday, April 4<sup>th</sup>. The deadline for scholarship applications to be turned in for graduating seniors is Friday, April 21<sup>st</sup>.

## **COMMISSIONERS' REPORTS**

**Comm. Mills** reported of meeting with Legislators last week in Tallahassee and attendance of development meetings for new Commissioners. Comm. Mills stated anyone interested in supporting the area youth at the Suwannee River Fair will have an opportunity to do so at the sale tomorrow.

**Comm. Hodge** reported of the time spent in Tallahassee last week stating it was very informative.

**Comm. John Meeks** also reported of meetings attended in Tallahassee last week. He spoke of attempts being made by larger Cooperatives to take away the ability of local Electric Cooperatives to provide broadband to their customers.

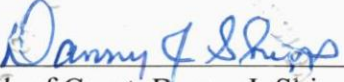
**Comm. Brooks** announced the upcoming free Tire Amnesty Day at the Landfill Transfer Station Saturday, April 8<sup>th</sup> from 8:00 A.M. until 5:00 P.M. Comm. Brooks asked Stacey Hectus to speak regarding scheduling Workshops.

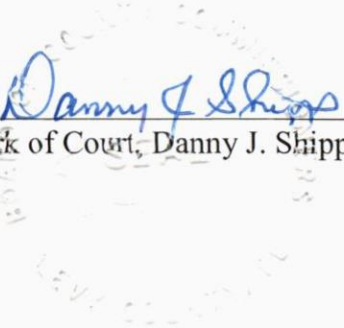
Following discussion among the Commissioners, the following Uses Workshops were set:

- Tuesday, May 9<sup>th</sup> at 3:30 – 5:30 P.M. - Composting.
- Tuesday, May 23<sup>rd</sup> immediately following BOCC meeting - Agritourism, Hunting and Fishing Clubs/Camps and Intensive Commercial Recreation.
- Tuesday, June 20<sup>th</sup> 2:00 P.M. – 4:00 P.M. – Kennels/Rescues/Sanctuaries and Farm Worker Housing.


THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 11:34 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 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 3/21/2023		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, Matthew Brooks, hereby disclose that on March 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.

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.

3/21/23  
Date Filed

Matthew G. Brooks  
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 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 3/21/2023		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.

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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:

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:**

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### APPOINTED OFFICERS (continued)

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### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, John Meeks, hereby disclose that on March 21, 20 23:

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

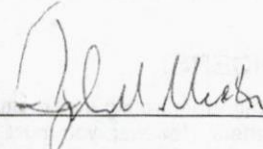
- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☐ inured to the special gain 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.

3/21/23  
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