

REGULAR MEETING  
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
JUNE 6, 2023

The Regular Meeting of the Board of Levy County Commissioners was held on June 6, 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. Hodge.

EXPENDITURES

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

CHECK NUMBER	148844-148969
FUND	AMOUNT
GENERAL REVENUE	1,709,599.11
ROAD	31,534.11
SHIP	13,640.00
MOSQUITO CONTROL	374.07
TRANSPORTATION	44,483.07
911	17,396.00
COURT FACILITIES	8,324.70
MISC GRANTS	40,194.02
EMS	15,836.55
FIRE	3,084.95
TOURIST DEVELOPMENT	2,923.60
UTILITIES	75.00
BLDG INSPECT & SAFETY	576.50
CAPITAL PROJECTS	1,938.00
ROAD IMPRV & RESTORE	7,487.38
LANDFILL	69,224.03
TOTAL	\$ 1,966,691.09
EFT/ACH PAYMENT	\$ 292,606.69

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	148970
FUND	AMOUNT
GENERAL REVENUE	2,662.59
ROAD	560.77
MISC GRANTS	75.20
EMS	29.49
FIRE	43.14
LANDFILL	389.91
TOTAL	\$ 3,761.10

**AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES**

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

CHECK NUMBER	148971
FUND	AMOUNT
GENERAL REVENUE	2,783.25
TOTAL	\$ 2,783.25

**MINUTES**

The minutes for the Regular Meeting and Land Uses Workshop held May 8, 2023 were presented for Board approval.

Comm. Mills made a motion to approve the minutes for the Regular Meeting and the Land Uses Workshop held on May 8, 2023 as presented. Second was made by Comm. Hodge 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. Mills and the MOTION CARRIES.

**PUBLIC COMMENT**

Rose Fant addressed the Board regarding the composting issue encouraging them to make a decision regarding regulations for this type of business in Levy County before September.

**BUSINESS OR INFORMATIONAL ITEMS**

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

Leroy Marshall, Chief Professional Engineer for the office of Agriculture Environmental Projects for the Suwannee River Water Management District spoke to the Board providing an update of the Waccasassa Water & Wastewater Cooperative Project. Mr. Marshall stated in December of 2021, the District received calls and a meeting was held in Bronson with representatives from the Town of Bronson, Town of Otter Creek, City of Cedar Key and a representative from the Board of County Commissioners to discuss the possibility of a Regional Water/Wastewater entity. During Commissioner’s Reports from the Regular Board Meeting held July 5, 2022, Comm. John Meeks spoke of a meeting he attended at noon at the Bronson Town Hall regarding the newly formed Wacasassa Water Supply Group supplying water from Bronson to Otter Creek, Cedar Key and unincorporated areas along the way. Mr. Marshall stated a feasibility study was done in September of 2022, which indicated a water plant could be constructed in Bronson with water lines running to Otter Creek and extending to Cedar Key. A sewage plant could then be constructed in Cedar Key to pipe sewage back through Otter Creek to Bronson where it could be treated and used as reclaimed water or treated well enough it could be returned to the ground to recharge the aquifer. The study indicated the price for this water plant would be around \$36 million and the price for the wastewater plant would be around \$69 million. Upon completion of the study and review, the District then made a recommendation to their Board for the applications made by Bronson, Otter Creek and Cedar Key for funding to be forward to DEP. In May of 2023, the two projects were submitted by the District to DEP along with other projects, for funding in the amount of \$119 million for review by them and AWS (Alternative Water Supply). Application for AWS/Springs funding was submitted by the three entity’s in December of 2022. The Towns of Bronson, Otter Creek and City of Cedar Key are forming a Cooperative and bylaws are being drafted in order to receive funding, if awarded.

Audience member, Linda Cooper spoke against the County being involved with Waccasassa Water & Wastewater Cooperative Project.



TOURIST DEVELOPMENT

Tisha Whitehurst, Coordinator  
Requesting Board approval of funding a Withlacoochee Gulf Preserve tourism project in the amount of \$11,400. This project will be supported through funding of the Tourist Development Tax.

Comm. Mills made a motion to approve funding of a Withlacoochee Gulf Preserve tourism project as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

PROCUREMENT

Alicia Tretheway, Coordinator

A. Requesting Board approval of Resolution 2023-23, approving an application for a Community Planning Technical Grant from the Florida Department of Economic Opportunity to Develop a Community Action Plan for Restoration of Flows to the Lower Withlacoochee River; providing direction and authorization to the County Coordinator, or Designee; and providing an effective date.

Comm. John Meeks made a motion to approve Resolution 2023-23 as requested. Second was made by Comm. Hodge and the MOTION CARRIES.

B. Requesting Board approval of the recommended ranking of Code Enforcement Special Magistrate and authorize award of the Form of Contract to the highest ranked proposer. The three proposals were ranked in the following order:

Braswell Law, PLLC	85.3
Norm D. Fugate, P.A.	83.6
Weiss Serota Helfman	77.6

Comm. Mills stated she had concerns of the cost to hire Braswell Law, even though they scored higher. She inquired of the other Commissioners opinions. Comm. John Meeks expressed concerns of conflict of interest with Norm Fugate representing clients with Code Enforcement cases.

Norm Fugate spoke to the Board and addressed concerns mentioned by Comm. John Meeks. Mr. Fugate stated if a conflict were to arise, he would defer to an alternate firm.

Comm. John Meeks stated he was in favor of selecting an additional alternate firm when the Form of Contract was awarded.

Comm. Mills made a motion to award the Form of Contract for Code Enforcement Special Magistrate to Norm D. Fugate, P.A., and to select Braswell Law, PLLC as alternate. Second was made by Comm. John Meeks.

Atty. Shalley stated the Board would need to indicate they had thoroughly reviewed the proposals and rank them using a similar form of what County staff used. If a conflict of interest arose, the Special Magistrate would need to recuse themselves from judging such a case and an alternate would need to be appointed. Atty. Shalley stated the results of a separate ranking of proposers could be presented to the Board at the next meeting.

Following discussion, Comm. Mills rescinded her earlier motion and made a new motion to direct the Commissioners to individually review and score the proposals. The results would be presented at the next meeting for the Board’s consideration. Comm. John Meeks rescinded his earlier Second. For the current Motion, Comm. John Meeks made a Second and the MOTION CARRIES.

C. Requesting Board approval of Task Assignment 2023-4 between Levy County and Kimley-Horn and Associates, Inc. for the Landscape Design at the Levy County Government Center in the amount of \$11,500.

Comm. Mills made a motion to approve Task Assignment 2023-4 as presented. Second was made by Comm. John Meeks and the MOTION CARRIES.



- D. Requesting Board approval of Task Assignment 2023-5 between Levy County and Kimley-Horn and Associates, Inc., for the Park Schematic Design at the Levy County Government Center in the amount of \$20,800, and a not-to-exceed labor fee plus expenses basis with the maximum fee of \$3,700 will be billed on an hourly basis.

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

### **PUBLIC COMMENTS**

Justin Ford, Dewberry representative spoke regarding the decision made by the Board to remove Dewberry from the University Oaks project. He stated while he respected the Board's decision, the company has since made changes and he requested the Board give them the opportunity to finish the project.

Comm. Brooks stated this was not an agenda item and would require a vote for a non-agenda item in order to take action. It could, however, be placed on the agenda for an upcoming meeting.

Comm. John Meeks confirmed with Mrs. Tretheway the opportunity to re-submit a proposal for this project could be done, as they would still be within the deadline. Dewberry would then be considered with any other proposers.

### **ELECTED OFFICIALS**

Mayor Steve Schwing, Town of Inglis reported of attending and taking part in the graduation ceremony at Yankeetown School along with the Yankeetown Mayor. Mayor Schwing also stated the Fugate and Fugate Law Firm had been recently hired as the Attorney for the Town of Inglis.

Sue Beaudette, Town of Bronson, stated a fireworks celebration will take place at the park in Bronson on July 4<sup>th</sup>. Festivities will begin around 7:00 P.M. and will include several food vendors and they are seeking entertainment for the event.

Representatives of Senator Perry's Levy County office location were in attendance and stated they were available for any questions or concerns the public may have.

### **COMMISSIONERS' REPORTS**

Comm. Rock Meeks reported the Chiefland Watermelon Festival was well attended.

Comm. Mills reported of the Memorial Day Service in Yankeetown, which she attended. An Affordable Housing meeting will be held in Williston on June 14<sup>th</sup> at 10:00 A.M. Comm. Mills also mentioned the quality of the sound system in the Commissioners meeting room indicating she inquired if this could be improved.

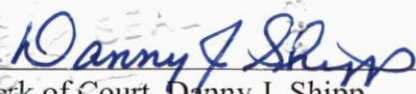
Comm. Hodge also reported of the large attendance of the Chiefland Watermelon Festival.

Comm. John Meeks reminded everyone of the Flag Day Ceremony taking place on June 14<sup>th</sup> at 9:00 A.M. in front of the Levy County Government Center. The 4-H day camps are underway with this week's activity is shooting sports. The Rotary Club Fishing Tournament held recently had 56 boats participating and the event raised nearly \$18,000. Comm. John Meeks then provided Legislative updates.

Comm. Brooks reported of continuing efforts made by staff to have items presented for Board consideration as soon as possible regarding composting business regulations in Levy County.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 10:57 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 6/6/2023		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 June 6, 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.

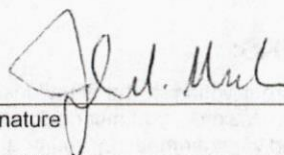
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

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.

6/6/23

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 <b>Brooks, Matthew</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Levy County Board of County Commissioners</b>
MAILING ADDRESS <b>P.O. Box 310</b>	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 <b>Bronson, FL 32621</b>	COUNTY <b>Levy</b>
DATE ON WHICH VOTE OCCURRED <b>6/6/2023</b>	NAME OF POLITICAL SUBDIVISION: <b>Levy County</b>
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 June 6, 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.

6/7/23  
Date Filed

Matthew 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.