

REGULAR MEETING

LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

JULY 25, 2023

The Regular Meeting of the Board of Levy County Commissioners was held on July 25, 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. 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. Hodge and the MOTION CARRIES.

CHECK NUMBER	149274-149286, 149289-149404	
FUND		AMOUNT
GENERAL REVENUE		388,278.29
ROAD		63,243.87
SHIP		30,000.00
MOSQUITO CONTROL		58.13
TRANSPORTATION		11,725.41
COURT FACILITIES		2,875.98
MISC GRANTS		6,915.36
EMS		107,077.99
FIRE		215,463.19
TOURIST DEVELOPMENT		7,833.79
UTILITIES		793.01
BLDG INSPECT & SAFETY		4,689.39
CAPITAL PROJECTS		12,115.00
LANDFILL		109,781.60
TOTAL	\$	960,851.01
EFT/ACH PAYMENT	\$	470,864.18

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	149287
FUND	AMOUNT
GENERAL REVENUE	126.46
ROAD	144.85
TRANSPORTATION	20.58
TOTAL	\$ 291.89

AMB SUPPLY, INC. (DBA LEVY JONES) EXPENDITURES

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

CHECK NUMBER	149288
FUND	AMOUNT
GENERAL REVENUE	634.50
EMS	459.67
FIRE	459.67
TOTAL	\$ 1,553.84

MINUTES

The minutes for the Regular Meeting held June 20, 2023 were presented for Board approval.

Comm. Mills made a motion to approve the minutes for the Regular Board Meeting held June 20, 2023 as presented. Second was made by Comm. Hodge and the MOTION CARRIES.

AGENDA ADDITIONS, DELETIONS, MODIFICATIONS

Comm. Brooks stated Agenda Item #16 would not be presented today at the request of the petitioner.

Comm. Rock Meeks made a motion to approve the agenda with the removal of #16. Second was made by Comm. Mills and the MOTION CARRIES.

PUBLIC COMMENT

Audience members Laura Catlett and Diane Garte spoke of the Planning Commission meeting held on July 10th and expressed opposition to the proposed Sand Mine.

Atty. Shalley stated Public Comment regarding this item should not be heard until the item is presented to the Board at a regular meeting and the Petitioner could be present.
Comm. Brooks announced to the audience no additional public comment would be heard today regarding the Sand Mine application.

BUSINESS OR INFORMATIONAL ITEMS

LEVY COUNTY SHERIFF’S OFFICE

Mike West, 911 Coordinator
Requesting Board approval and the Chairman’s signature on the Additional Terms and Conditions for Rural Grant 23-04-18.

Comm. Rock Meeks made a motion to approve the Additional Terms and Condition for Rural Grant 23-04-18 with the Chairman’s signature as requested. Second was made by Comm. Mills and the MOTION CARRIES.

COUNTY COORDINATOR

- Wilbur Dean
- A. Presentation of the 2023 Meridian Annual Report was given by Alan Paulin, Senior Vice President/Clinical & Community Services.
 - B. Requesting Board approval to appoint Alternate Planning Commission member Kelly Bishop to the Planning Commission, Seat 5, term will expire on 4/2026.

Comm. Mills made a motion to appoint Alternate Planning Commission member, Kelly Bishop to the Planning Commission, Seat 5 as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

ANIMAL SERVICES

David Weatherford, Director presented the Quarterly Report for April, May and June, 2023 for Animal Services.

Audience member, Linda Cooper made inquiries regarding Animal Services. Comm. Brooks advised her to contact the department for answers to her questions. Ms. Cooper also expressed concern of the hours of operation of the Animal Shelter pertaining to public accessibility, which are 8:00 A.M. – 5:00 P.M., Monday-Friday.

EMERGENCY MANAGEMENT

- A. Leatha Keene requested on behalf of John MacDonald, Director Board approval and the Chairman's signature on the Emergency Management Preparedness and Assistance Grant (EMPA) and Resolution 2023-34 for a budget amendment for the funds received in the amount of \$105,806. Also included in Resolution 2023-34 is \$886 received due to receipt of a 2023-24 Hazard Analysis Grant as indicated in item B.

Comm. Rock Meeks made a motion to approve Resolution 2023-34 for the Emergency Management Preparedness and Assistance Grant (EMPA) with the Chairman's signature as presented. Second was made by Comm. Hodge and the MOTION CARRIES.

- B. Requesting Board approval and the Chairman's signature on the Hazard Analysis Grant as indicated on Resolution 2023-34.

Comm. Rock Meeks made a motion to approve the Hazard Analysis Grant as presented. Second was made by Comm. Hodge and the MOTION CARRIES.

TRANSIT

Anna Elkins requested on behalf of Connie Conley, Director Board approval of Resolution 2023-33 for the approval of the Shirley Conroy Rural Area Capital Assistance Grant to purchase a new vehicle at the approximate cost of \$160,000 to be paid at 100%. This grant application for a new vehicle will replace a 2016 vehicle which currently has over 205,000 miles. The older vehicle will remain in the current inventory as a backup vehicle.

Comm. Rock Meeks made a motion to approve Resolution 2023-33 for the approval of the Shirley Conroy Rural Area Capital Assistance Grant as presented. Second was made by Comm. Mills and the MOTION CARRIES.

TOURIST DEVELOPMENT

Tisha Whitehurst, Coordinator

- A. Requesting Board approval of the 2023-2024 Levy County Visitors Bureau Marketing Plan.

Comm. Rock Meeks made a motion to approve the 2023-2024 Levy County Visitors Bureau Marketing Plan as presented. Second was made by Comm. Mills and the MOTION CARRIES.

- B. Requesting Board approval to fund two billboard signs to honor "The Towns" 100th Anniversary per Quotes 11357 #2 for \$6,225 and 11358 #2 for \$1,245 received from The Sign Universe/Wrap Spot.

Comm. Mills made a motion to approve the request to fund two billboard signs to honor "The Towns" 100th Anniversary as presented. Second was made by Comm. Hodge and the MOTION CARRIES.

SHIP

Wilbur Dean presented on behalf of Marlon Gayle, Housing Planner and requested Board approval of a Deferred Payment Loan Agreement in the amount of \$30,000 for James Bradley Gray and Brianna Leann Gray, PA #606 for an existing unit in Bronson, Florida.

Comm. Rock Meeks made a motion to approve the Deferred Payment Loan Agreement for James Bradley Gray and Brianna Leann Gray as presented. Second was made by Comm. Hodge and the MOTION CARRIES.

PROCUREMENT

Alicia Tretheway, Coordinator requested Board approval of the Funding Agreement between the ARC of Levy County, Inc., a Florida not-for-profit corporation and Levy County as recommended by Atty. Shalley.

Comm. Mills made a motion to approve the Funding Agreement with the ARC of Levy County, Inc. as presented. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

PLANNING DEPARTMENT

Stacey Hectus, Director

A. **PUBLIC HEARING** – Requesting Board approval of Petition No. FP 23-03: McMillen Surveying, representing Kristine Kelly of Kristine Acres, petitioning the Commission for a Final 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, Final Plat will complete the process to produce a legal 10 acre parcel, MOL.

Comm. Brooks asked if anyone in the audience wished to speak regarding Petition No. FP 23-03. There was none.

Comm. Rock Meeks made a motion to approve Petition No. FP 23-03 as presented. Second was made by Comm. Mills and the MOTION CARRIES.

B. **PUBLIC HEARING** – Requesting Board approval of Ordinance No. 2023-8: An Ordinance of Levy County, Florida, amending the Land Development Code relating to Flood Damage prevention – cumulative substantial improvements; by amending Section 50-131 to adopt local technical amendments to the Florida Building Code; by amending Section 50-228 definitions; and by amending Section 50-246, Duties and Powers of the Floodplain Administrator; providing a severability clause; providing a repealing clause; providing for inclusion in the code; providing direction to the County Coordinator; and providing directions to the Clerk and an effective date. Additional add-in’s (clauses) were stated by Atty. Shalley.

Comm. Brooks asked if anyone in the audience wished to speak regarding Ordinance 2023-8. There was none.

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

C. **PUBLIC HEARING** – Requesting Board adoption of the Order approving a Special Exception to allow a Travel Trailer (also referred to as a Recreational Vehicle) Park on approximately 11.94 acres of land located in Section 30, Township 14 S, Range 14 E, Levy County, Florida. Parcel ID Numbers: 0133000400 and a portion of 0133200000.

Atty. Norm Fugate spoke expressing concerns of the language of the Code as it is written, with regard to the definition of a “travel trailer” and of a “recreational vehicle, or RV”. He inquired if the applicant was only seeking a Special Exception for a “Travel Trailer” Park, as opposed to an “RV” Park. Atty. Fugate stated according to the existing code, a travel trailer can be a recreational vehicle, but does not say a recreational vehicle can be a travel trailer.

Mrs. Hectus responded the applicant is requesting a Special Exception for a “Travel Trailer” a/k/a “RV” Park on the property in question, referring to the “whereas” clause within the exception for clarification. She stated the two terms were determined to be interchangeable.

Additional explanation for the determination of the terms “Travel Trailer” and “RV” as interchangeable was provided by Atty. Shalley.

Comm. Brooks asked if anyone in the audience wished to speak regarding the Special Exception presented. Individual(s) speaking in opposition of the Special Exception: Debra Johnston.

Individual(s) speaking in favor of the Special Exception: Lilly Rooks.

Wayne Walker spoke on behalf of the property owners stating they were willing to adhere to a height restriction of 50’ for any towers, if put in place, a greater setback of 30’ on the West side and a 6’ fence around the property.

Comm. Rock Meeks made a motion to adopt the Order approving the Special Exception as requested with conditions as stated. Second was made by Comm. Mills and the MOTION CARRIES.

- D. **PUBLIC HEARING** – Requesting Board approval of Ordinance No. 2023-7: An Ordinance of Levy County, Florida, amending the Zoning Map Atlas by rezoning certain real property consisting of approximately 11.94 acres (Parcel ID 0133000400 and a portion of 0133200000) generally located at the intersection of SW 101st Terrace and SR 24 in the unincorporated Rosewood/Sumner Rural Commercial Node Map #2 and #2a, from Neighborhood Commercial (C-2) to Moderately Intensive Commercial (C-3); providing directions to the County Coordinator; providing a severability clause; providing directions to the Clerk and providing an effective date.

Comm. Brooks asked if anyone in the audience wished to speak regarding Ordinance No. 2023-7. Debra Johnston spoke regarding the zoning of the property, should the Trailer Park/RV Park cease to exist.

Atty. Shalley responded since the Special Exception had been approved, the applicant could move forward with the re-zoning, which is the item being discussed now. Once approved, it could only be changed by bringing an Ordinance to change the zoning back to the Board for approval, but the zoning would not return to C-2 or change to any other zoning without Board action.

Comm. Mills made a motion to approve Ordinance No. 2023-7 as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

- E. **PUBLIC HEARING** – Petition No. SE 23-01: Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719; Mining and Excavation of Minerals, or Natural Resources, and Site Reclamation of the Levy County Development Code to allow a Sand Mine (no blasting) on approximately 1,100 acres (includes mine property and access to CR 337) of land located in Section 35, Township 12 S, Range 17 E, Levy County, Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000. – **TABLED** -

RECOGNIZE ELECTED OFFICIALS

Sue Beaudette, Town of Bronson reminded everyone of the Bread of the Mighty mobile food bank will be at the Park in Bronson on Friday the 28th beginning at 1:00 P.M.

COMMISSIONERS' REPORTS

Comm. Mills reported of the lightning hit at the Yankeetown Marina last night and reported of the "Stuff the Bus" event.

The meeting recessed at 11:24 A.M.

The meeting reconvened at 1:32 P.M.

CLERK OF COURT & COMPTROLLER

Schonna McLean, Budget Analyst presented the Tentative Budget for FY 2023/2024.

Comm. Brooks announced the Final Budget Workshop is scheduled for August 1, 2023 at 1:30 P.M. Mrs. McLean stated the Preliminary Millage and Budget presentation will be included in this Workshop.

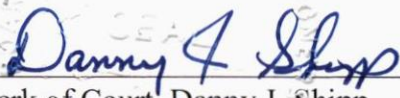
Mrs. McLean requested the Board give direction for the dump truck purchase amortization schedules provided at the last meeting to include in the budget preparation. She inquired if they wished to use the 4 or 5 year schedule. The Commissioners agreed to give direction to Mrs. McLean to use the 4 year schedule, unless conversation with Alice at the Road Department indicated otherwise.

Comm. Brooks stated he was interested in hiring a person for the Board office for a Communications position equivalent to the Sheriff's office Public Information Officer, a point person for communications to the public. He requested this be added to the budget with a salary range of \$50K - \$60K. He would then create a job description for Board consideration. Ali Tretheway spoke of the funding already in place for a Grant's Coordinator position, which has not been filled. Comm. Brooks stated he did not wish for funding of the suggested Communications position to come from the Grant's Coordinator position funding.

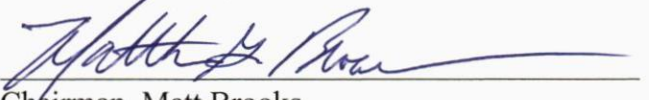
Mrs. Tretheway stated she was approached by Comm. John Meeks to prepare an RFP for a Lobbyist position. Comm. Rock Meeks added he understood the Grant's Coordinator would be combined with a Lobbyist position.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING
ADJOURNED AT 1:45 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 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 7/25/2023		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 July 25, 2023

(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

Date Filed

7/25/23

Signature

[Handwritten 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.