

**REGULAR MEETING
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 20, 2022**

The Regular Meeting of the Board of Levy County Commissioners was held on September 20, 2022 at 9:00 A.M. in the Meeting Room of the Levy County Annex Building with the following Commissioners present:

Chairman Rock Meeks
Comm. Matt Brooks
Comm. John Meeks
Comm. Lilly Rooks

Also present were:

County Attorney – Nicolle Shalley
County Coordinator – Wilbur Dean

Chairman Rock Meeks called the Meeting to order at 9:00 A.M. Comm. Brooks 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. Brooks and the MOTION CARRIES.

CHECK NUMBER	146528-146538, 146541-146664	
FUND	AMOUNT	
GENERAL REVENUE		59,711.82
ROAD		132,706.12
SHIP		36,195.00
MOSQUITO CONTROL		58.13
TRANSPORTATION		14,683.80
COURT FACILITIES		411.86
MISC GRANTS		25,993.21
EMS		75,184.46
FIRE		10,688.49
TOURIST DEVELOPMENT		2,028.47
UTILITIES		4,085.22
BLDG INSPECT & SAFETY		2,060.70
SHERIFF FED EQUITABLE SHARE		62,835.53
CAPITAL PROJECTS		1,539.65
LANDFILL		24,435.85
TOTAL	\$	452,618.31
EFT/ACH PAYMENT	\$	48,014.99

LCNR EXPENDITURES

Comm. Brooks made a motion to approve the following LCNR expenditures presented for payment. Second was made by Comm. Rooks and the MOTION CARRIES. Comm. John Meeks abstained from voting.

CHECK NUMBER	146539	
FUND	AMOUNT	
GENERAL REVENUE		430.92
ROAD		227.25
EMS		236.82
FIRE		160.27
UTILITIES		117.53
LANDFILL		39.75
TOTAL	\$	1,212.54

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. Rooks and the MOTION CARRIES. Comm. Brooks abstained from voting.

CHECK NUMBER		146540
FUND		AMOUNT
GENERAL REVENUE		358.70
EMS		20.98
FIRE		20.97
LANDFILL		
TOTAL	\$	400.65

MINUTES

The minutes for the Regular Board Meeting held on August 2, 2022 were presented for Board approval.

Comm. Rooks made a motion to approve the minutes for the Regular Board Meeting held August 2, 2022 as presented. Second was made by Comm. John Meeks and the MOTION CARRIES.

AGENDA ADDITIONS, DELETIONS, MODIFICATIONS

Comm. Brooks made a motion for the addition of an item from John MacDonald, Director of Emergency Management concerning the purchasing policy using EMPG funds, and an item for the Solid Waste Department concerning an Amendment to Agreement SC220 with DEP. This is an extension of an agreement for the purchase of two vehicles for Solid Waste. Second was made by Comm. John Meeks and the MOTION CARRIES.

PROCLAMATIONS/RECOGNITIONS

Tisha Whitehurst, Tourism/Executive Director requested Board approval of a Proclamation proclaiming October, 2022 as National Seafood Month. She also read the Proclamation into public record.

Leslie Sturmer and Natalie Anderson with the UF/IFAS Shellfish Extension Program gave a presentation to the Board of the Big Bend Shellfish Trail highlighting enhancements, which had been made.

Comm. John Meeks made a motion to approve the Proclamation proclaiming October, 2022 as National Seafood Month as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

PUBLIC COMMENTS

Maria Wise spoke to the Board regarding the condition of SE 21st Place since the recent heavy rains have done considerable damage to it. Ms. Wise also requested signage be placed in her neighborhood alerting drivers of equestrian activity in the area and inquired of the status of the Ordinance concerning manure removal. Atty. Shalley stated there is a Workshop scheduled to discuss the Ordinance concerning manure removal.

PLANNING & ZONING

Stacey Hectus, Director

- A. Public Hearing – Requesting Board approval of Ordinance No. 2022-15; Clay Sweger with EDA Consultants, representing Matthew and Angela Brooks requesting Board approval to adopt a Small Scale Land Use Amendment on 9.5 acres (MOL), changing from Urban Medium Density Residential (UMDR) to Commercial (C) on a portion of parcel number 0475100000 located in Section 30, Township 12, Range 19. More specifically the portion facing HWY 41.

Comm. Rock Meeks asked if anyone in the audience wished to speak for or against against the item. Maria Wise spoke regarding the zoning designation.

Comm. Brooks stated he would abstain from voting on this item.

Comm. John Meeks made a motion to approve Ordinance 2022-15 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

- B. Public Hearing – Requesting Board approval of Ordinance 2022-16; Clay Sweger with EDA Consultants, representing the Commission to amend the Zoning Map Atlas by rezoning certain real property consisting of 9.5 acres (MOL), changing from Urban Medium Density Residential (UMDR) to Commercial (C) on a portion of parcel number 0475100000 located in Section 30, Township 12, Range 19. More specifically the portion facing HWY 41.

Atty. Shalley swore in members of the audience who wished to speak regarding the item to be presented. Atty. Shalley then asked if any of the Commissioners had ex-parte communication regarding the item presented. There were none.

Clay Sweger with EDA Consultants spoke regarding this item.

Comm. Rock Meeks asked if anyone in the audience wished to speak for or against the item presented. There were none.

Comm. Brooks stated he would abstain from voting on this item.

Comm. John Meeks made a motion to approve Ordinance 2022-16 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

- C. Public Hearing – Requesting Board approval of Ordinance No. 2022-17; an Ordinance to amend Chapter 50 of the Land Development Code of Ordinances; by deleting Obsolete Provisions, adding Provision for Equitable Estoppel Certificates and Reconfigured Parent Parcels, and adding fees to Appendix B; providing directions to the Clerk and an effective date. Ms. Hectus read the Ordinance title into public record.

Audience members, Maria Wise, Jeff Hardison and Renate Cannon spoke regarding this item.

Comm. Brooks made a motion to approve Ordinance 2022-17 as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

FLORIDA DEPARTMENT OF TRANSPORTATION

Cody Ko, Traffic Safety Program Engineer

Requesting Board approval to obtain a Maintenance Agreement between FDOT and Levy County regarding the safety improvements to be implemented on the intersection at SR 121 and CR 336 (Stop Ahead Sign, Preformed Thermo Rumble Strips, and RPM's).

Comm. John Meeks requested to have the Maintenance Agreement provided for the Commissioners to review before making a decision.

Comm. Rooks requested information regarding the SR 19 and 140th Street, North of Chiefland. Ryan Asmus responded to her inquiry, explaining plans to make the intersection accessible for emergency vehicles and for farm equipment to cross. Comm. Rooks also inquired of CR 345.

**DEPARTMENT REPORTS
COUNTY COORDINATOR**

Wilbur Dean

A. Requesting Board approval of the following 2023 Holidays to be observed:

2023 New Year’s Day (observed)	Monday, January 2, 2023
Martin Luther King Day	Monday, January 16, 2023
President’s Day	Monday, February 20, 2023
Good Friday	Friday, April 7, 2023
Memorial Day	Monday, May 29, 2023
Independence Day	Tuesday, July 4, 2023
Labor Day	Monday, September 4, 2023
Veteran’s Day (observed)	Friday, November 10, 2023
Thanksgiving Day	Thursday, November 23, 2023
Friday after Thanksgiving	Friday, November 24, 2023
Christmas Eve (observed)	Monday, December 25, 2023
Christmas Day (observed)	Tuesday, December 26, 2023

Comm. John Meeks made a motion to approve the 2023 Holidays as presented. Second was made by Comm. Brooks and the MOTION CARRIES.

B. Requesting Board approval of the proposed 2023 Levy County Board of County Commissioner regular scheduled meeting dates listed below:

January 3 rd	PM	July 11 th	AM
January 17 th	PM	July 25 th	AM
February 7 th	AM	August 8 th	AM
February 21 st	PM	August 22 nd	AM
March 7 th	AM	September 5 th	PM
March 21 st	AM	September 19 th	AM
April 11 th	AM	October 3 rd	AM
April 25 th	AM	October 17 th	AM
May 9 th	AM	November 7 th	AM
May 23 rd	AM	November 21 st	AM
June 6 th	AM	December 5 th	AM
June 20 th	AM	December 19 th	AM

Comm. John Meeks made a motion to approve the proposed 2023 Levy County Board of County Commissioner regular scheduled meeting dates as presented. Second was made by Comm. Brooks and the MOTION CARRIES.

Audience member Terry Witt, inquired if the Board would consider moving the meetings immediately following a Monday holiday to Thursday evenings. Comm. John Meeks responded the Board wished to remain consistent with the day of the meeting by moving the time only for the four meetings affected by this change.

C. Requesting Board approval of the Amendment between the Florida Forest Service and Levy County. This is an amendment to Contract #1218 dated 6/30/88. The fire protection acres increased from 517,250 to 527,209. This increased our annual cost from \$36,207.50 to \$36,904.63, a difference of \$697.13.

Comm. John Meeks made a motion to approve the Amendment with the Florida Forest Service as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

DEPARTMENT OF PUBLIC SAFETY

Mitch Harrell, Director

A. Requesting Board approval for the Public Safety Director to sign the attached Letter of Agreement (LOA) individually with the (5) Managed Care Organizations (MCO’s) in our region to continue participation in the PEMT-MCO Program (AHCA LOA BOCC approved 9/7/2021).

Comm. John Meeks made a motion to approve the Department of Public Safety Director, Mitch Harrell to sign the Letter of Agreement as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting Board approval and the Chair's signature on the Public Emergency Transportation (PEMT) Letter of Agreement between Levy County and the State of Florida, Agency for Health Care Administration (AHCA). As well as requesting the Board's approval to remit Intergovernmental Transfer (IGT) Funds to AHCA not to exceed \$265,794.18 when invoiced by AHCA.

Atty. Shalley offered information regarding this agreement and urged the Commissioners to understand what they are agreeing to.

Jared Blanton expressed concerns of the agreement and the period of time in which money returns to the County.

Alesha Renaudo, with Department of Public Safety also spoke regarding this item.

Comm. John Meeks made a motion to approve the Public Emergency Transportation (PEMT) Letter of Agreement with the State of Florida, Agency for Health Care Administration (AHCA) with the Chairman's signature upon completion of signed agreements and the survey of approval other entity's which have participated in this program to remit Intergovernmental Transfer Funds to AHCA as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

SHIP

Marlon Gayle, Housing Planner

- A. Requesting Board approval of the Levy County SHIP Annual Reports submitted to the Florida Housing Finance Corporation (FHFC).

Comm. John Meeks made a motion to approve the Levy County SHIP Annual Reports submitted to the Florida Housing Finance Corporation as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

- B. Requesting Board approval of the Deferred Payment Loan Agreement in the amount of \$30,000 for Shirley Ann Reagan, PA #600, for an existing in Trenton, Florida.

Comm. John Meeks made a motion to approve the Deferred Payment Loan Agreement for Shirley Ann Reagan, PA #600 as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

PROCUREMENT

Alicia Tretheway, Coordinator

Requesting Board approval of the Second Amendment to the Agreement between Levy County and James Moore & Co., P.L. This agreement was made effective as of August 7, 2022, to keep the Agreement in effect without break. This agreement is also subject to annual budget and appropriation. The September, 2022 Audit fee will be \$119,000; the September, 2023 Audit Fee will be \$122,000 and the September, 2024 Audit Fee will be \$125,000.

Comm. John Meeks made a motion to approve the Second Amendment to the Agreement with James Moore & Co., P.L. as requested. Second was made by Comm. Brooks and the MOTION CARRIES.

EMERGENCY MANAGEMENT

John MacDonald, Director requested Board approval to waive the purchasing policy to buy, using EMPG funds, audio/visual equipment.

Comm. John Meeks made a motion to waive the purchasing policy for the purchase of audio/visual equipment as requested. Second was made by Comm. Rooks and the MOTION CARRIES.

SOLID WASTE

Comm. Brooks request on behalf of Rod Hastings for Board approval to Amendment #1 to Agreement #SC220 between the Florida Department of Environmental Protection and the Board of County Commissioners. The request is to extend the agreement for a 6-month period beginning September 30, 2022 and remain in effect until March 31, 2023. Two Ford F-250's were to be purchased, but with the delays in manufacturing, they are not available within the period allowed. The extension will allow for the purchase of the 2 trucks, preventing the loss of available funds.

Comm. Brooks made a motion to approve the Amendment to the Agreement as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

PUBLIC COMMENT

Dana Sheffield thanked the Board and staff for their work on the budget this year.

Comm. Rock Meeks read into public record an email received from Chris Oldham expressing his concern of the purchase of property in Levy County by a biological research company, JOINN Laboratories, and of the alleged plans for the property.

Audience members, George Henry, Renate Cannon, Brian Weathers and Terry Witt also spoke regarding this item.

COMMISSIONERS' REPORTS

Comm. Rooks requested Atty. Shalley send a letter to FWC for a current list of permitted facilities, including addresses, with primates located in Levy County.


Comm. Rooks requested the Commissioners wear pink in October for Breast Cancer Awareness Month.

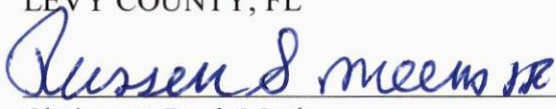
Comm. John Meeks reported of the meeting held recently in Rosewood concerning the proposed water/wastewater project. He also encouraged everyone to think of concerns or issues to have presented at the Legislative Delegation hearing, taking place in Levy County sometime after November.

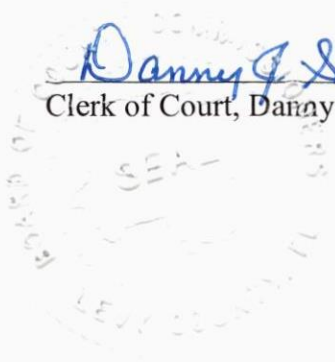
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 12:22 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FL


Clerk of Court, Danny J. Shipp


Chairman, Rock Meeks



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 COUNTY Bronson, FL 32621 Levy	NAME OF POLITICAL SUBDIVISION: Levy County
DATE ON WHICH VOTE OCCURRED 9/20/22	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).

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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.

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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 September 20, 20 22 :

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

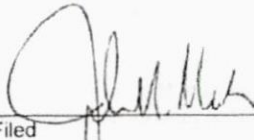
- inured to my special private gain or loss.
- inured to the special gain or loss of my business associate. _____ ;
- inured to the special gain or loss of my relative. _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which 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

Date Filed



Signature

9/20/2022

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.

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 September 20, 2022.

(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.

9/20/22
Date Filed

Matthew G. Brooks
Signature

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