

**REGULAR MEETING  
LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
DECEMBER 5, 2023**

The Regular Meeting of the Board of Levy County Commissioners was held on December 5, 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  
Comm. John 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. John Meeks and the MOTION CARRIES.

<b>CHECK NUMBER</b>	<b>150485-150496, 150499-150581</b>	
<b>FUND</b>	<b>AMOUNT</b>	
GENERAL REVENUE		2,167,937.23
ROAD		78,112.22
MOSQUITO CONTROL		180.35
TRANSPORTATION		910.28
911		18,529.08
COURT FACILITIES		9,088.97
MISC GRANTS		1,181.72
EMS		23,691.92
FIRE		8,362.91
TOURIST DEVELOPMENT		1,292.87
UTILITIES		505.87
BLDG INSPECT & SAFETY		1,669.01
CAPITAL PROJECTS		7,573.34
LANDFILL		3,535.87
<b>TOTAL</b>	<b>\$</b>	<b>2,322,571.64</b>
<b>EFT/ACH PAYMENT</b>	<b>\$</b>	<b>302,725.02</b>

**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.

<b>CHECK NUMBER</b>	<b>150497</b>
<b>FUND</b>	<b>AMOUNT</b>
GENERAL REVENUE	1,435.90
ROAD	159.71
TRANSPORTATION	6.79
EMS	38.97
FIRE	6.98
LANDFILL	301.19
<b>TOTAL</b>	<b>\$ 1,949.54</b>

**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. Mills and the MOTION CARRIES. Comm. Brooks abstained from voting due to perceived conflict.

<b>CHECK NUMBER</b>	<b>150498</b>
<b>FUND</b>	<b>AMOUNT</b>
GENERAL REVENUE	182.95
<b>TOTAL</b>	<b>\$ 182.95</b>

**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 COMMENTS**

Atty. Shalley announced for the public if any wished to speak regarding item #9, Sand Mine application, those comments would need to be heard during the time which it is presented as it is a quasi-judicial hearing. The following audience members expressed concerns regarding the number of animals per acre restrictions:

- Debra Owens
- Dean Richards
- Maria Wise
- Edward Suer
- Karen Eagle

Jan Noble and Rose Fant spoke against manure dumping and composting facilities in Levy County.

Joseph Cannon spoke on behalf of the Cedar Key Aquaculture Association requesting financial assistance. He stated funding had been approved at the State level, but their businesses need money now to continue.

Ken Griffin, owner of local business, Shed Ranch, spoke of square footage requirement for single-family homes.

## **BUSINESS OR INFORMATIONAL ITEMS**

### **COMM. JOHN MEEKS**

Discussion on Project Black Gold.

Comm. John Meeks stated a business entity had expressed interest in bringing a business to Levy County at the Otter Creek property location. The business is interested in leasing 20 acres of the property to establish a bio-char facility.

Scott Osteen, Executive Director, NCBDC spoke of the benefit to the county of bringing this business to Levy County and of the jobs it would create.

Comm. Brooks inquired of a proposal from the business stating he would like to see this before making a decision to move forward with a lease from the county.

Atty. Shalley spoke of a previous meeting where this item was mentioned and the Board agreed they might be interested in leasing the property. She indicated normally there would be a proposal followed by an MOU or some type of agreement expressing interest in the type of economic development program presented.

The Commissioners gave consent and direction for staff to obtain a proposal to be presented for their approval.

Audience member, Linda Cooper expressed disappointment in the lack of transparency with no backup included with the agenda for this item.

## **PROCUREMENT**

Alicia Tretheway, Coordinator introduced Doug Barlow with Barnett, Fronczak, Barlow & Schuler Architects who gave a presentation of the proposed Levy County Courthouse Design.

Comm. Brooks cautioned the Board, acceptance of both options presented would use all available grant funds designated for this project as well as the money available in the Court Facilities fund.

Comm. John Meeks made a motion to accept the design and approve seeking bids for construction of the portion of the project involving the first floor and entryway. Second was made by Comm. Mills.

Mr. Barlow added they could bid out the entire project with the first and second floor listed separately with individual prices. The Board could then choose to accept or reject the second floor portion.

Danny Shipp, Clerk of Court inquired of the A/C and heating system for the second floor and if it would be a part of the renovation to the first floor system. He also requested a Board member be designated to sign all change orders and recommended the Chairman.

Audience member, Terry Witt inquired of the existing magnolia trees located on the front side of the courthouse and if any would be removed. Mr. Barlow replied one of the three magnolias would be removed.

Following discussion, Comm. John Meeks amended his motion to accept the proposal and bid out the entire construction project, with the option to accept or reject the bid for the second floor portion. Second was made by Comm. Mills and the MOTION CARRIES.

## **COUNTY COORDINATOR**

Wilbur Dean

Requesting Board approval of the letter of support for the North Florida Economic Development Partnership's (NFEDP) 2024 Regional Rural Development Grant Application and approval for the Chairman to sign.

Comm. John Meeks made a motion to approve the letter of support for the North Florida Economic Development Partnership as presented. Second was made by Comm. Mills and the MOTION CARRIES.

## **ROAD DEPARTMENT**

Alice LaLonde, Administrative Coordinator

Requesting Board direction for the Road Departments 2000 model John Deere Grader with 15,227 hours on it and a bad transmission. The cost to repair is \$45,423.38. She inquired if the Board would rather auction the grader, or accept the offer made by John Deere to purchase the grader for \$14,000?

Comm. John Meeks made a motion to approve selling the 2000 model John Deere Grader to John Deere as presented, if this is allowable. Second was made by Comm. Mills.

Following discussion and an inquiry with Finance Director, Jared Blanton by phone, Comm. John Meeks amended his motion to approve the auction of the 2000 model John Deere Grader, rather than selling. Second was made by Comm. Mills and the MOTION CARRIES.

## **TRANSIT**

Anna Elkins on behalf of Connie Conley, Director

- A. Requesting Board approval of Resolution 2023-78, authorizing the execution and submission of a U.S.C. 49 Section 5339 Capital Assistance Grant Application.

Comm. Mills made a motion to approve Resolution 2023-78 as requested. Second was made by Comm. John Meeks and the MOTION CARRIES.

- B. Requesting Board approval of Resolution 2023-79, authorizing the execution and submission of a 49 U.S.C. Section 5311 Operating Assistance Grant Application.

Comm. Rock Meeks made a motion to approve Resolution 2023-79 as requested. Second was made by Comm. Mills and the MOTION CARRIES.

## **TOURIST DEVELOPMENT**

Tisha Whitehurst, Coordinator

Requesting Board approval for funding on repairs to the Discovery Center at the Nature Coast Biological Center per the Rawls Arts and Design Quote for \$11,930.

Comm. John Meeks made a motion to approve funding for repairs to the Discovery Center at the Nature Coast Biological Center as requested. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

The meeting recessed at 10:40 A.M.

The meeting reconvened at 10:54 A.M.

## **PUBLIC HEARINGS**

### **PLANNING & ZONING**

Stacey Hectus, Director

- A. Requesting Board approval on the second reading of Ordinance Number 2023-9, an Ordinance of Levy County, Florida, amending Chapter 6 related to alcoholic beverages, Chapter 22 related to prohibited businesses, Chapter 50 (Land Development Code) related to zoning district use regulations and Appendix B related to fees, rates and charges, all being within the County Code of Ordinances; providing for inclusion in the Code; providing a Severability Clause; providing a Repealing Clause; and providing directions to the Clerk and an effective date.

Ms. Hectus read the title of the Ordinance into public record after presenting each amendment change.

Comm. Brooks asked if any in the audience wished to speak regarding the Ordinance presented.

Audience members who spoke were:

Ken Griffen and Johnny Hiers spoke of square footage of homes requirements.

Jill Westbrook and Rose Fant spoke regarding the manure compost issue.

Dean Richards, Pat O'Neil, Debra Owens and Linda Cooper spoke of the need for an Agriculture Officer for the county.

Atty. Shalley stated the requested changes.

Comm. Mills made a motion to adopt, upon the second reading of Ordinance 2023-9 as presented with the stated changes. Second was made by Comm. John Meeks and the MOTION CARRIES.

The meeting recessed at 12:15 P.M.

The meeting reconvened at 12:37 P.M.

- B. Requesting the Board conduct a quasi-judicial Public Hearing on Petition No. SE 23-01 and at the conclusion of the Hearing, direct the County Attorney to prepare a written order to approve or deny the Petition and direct the Planning and Zoning Director to agenda the written Order for final action by the Board. 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, resources, or natural resources, and site reclamation of the Land Development Code to allow a sand mine (no blasting or fracking) on approximately 1,100 acres (includes mine property and access to CR 337) of land in Agriculture/Rural Residential (A/RR) and Rural Residential (RR) Land Use and Zoning District. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.

Comm. Brooks asked Atty. Shalley to explain the process of the quasi-judicial hearing to be presented.

Atty. Shalley explained the quasi-judicial hearing process to the audience, and then asked if any of the Commissioners had ex-parte regarding the Petition being presented. Comm. Rock Meeks, Comm. Mills, Comm. Brooks, Comm. Hodge and Comm. John Meeks all declared ex-parte communication for this item.

Ms. Hectus presented and requested Board approval of Petition No. Special Exception 23-01.

A video presentation was presented on behalf of the Petitioner, Ryan Thomas by Doug VanDeursen, PE with DNM Engineering & Associates, Inc. Mr. VanDeursen then provided information to the Board of the operation plans for the Sand Mine.

Comm. Brooks asked if any in the audience wished to speak regarding the Petition presented.

Audience members who spoke in opposition of the Petition were:

Laura Catlow	JoAnn Crivaro	Kim Cantor	Savannah Still
Doug Feldman	Larissa Gribanova	Marlene Dillard	William Shatt
Robbie Blake	Susan Gruber	Kelly Kimbler	Penelope Planet
Francisco Reyes	Major Stroupe	Melissa Smallwood	Faye Swanson
Dianna Ollery	Leslie Long	Steve Letner	Lailja Ware
Larry Pomery	Karen Ensall	Triana Almeyda	Tammy Martin
Duke Reid	Brandon Peters	Stacey Peters	Elizabeth Lada
Tom Callahan	Jerome Palermo	Dottie Hydue	

Audience members who spoke in favor of the Petition were:

Daniel Jerrels	Debbie Benton
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Following discussion, the Commissioners requested more information and agreed to continue this item until February 6<sup>th</sup> at 5:00 P.M.

Comm. John Meeks made a motion to continue the Public Hearing for Petition No. SE 23-01 until February 6<sup>th</sup> at 5:00 P.M. Second was made by Comm. Rock Meeks and the MOTION CARRIES.

**PUBLIC COMMENT**

Sallie Ann Collins and Linda Cooper expressed concerns of the Sand Mine Petition.

**RECOGNIZE ELECTED OFFICIALS**

Sue Beaudette, Town of Bronson announced there will be a movie in the Park on Thursday, December 21<sup>st</sup> at 6:30 P.M. for anyone interested. The Bread of the Mighty will be doing a food distribution on Friday, December 22<sup>nd</sup> at 9:30 A.M. in the Park.

**COMMISSIONERS' REPORTS**

**Comm. Mills** encouraged anyone who would like to participate in the Adopt a Client at Christmas with Levy ARC as there are still some available.

Comm. John Meeks announced Wreaths Across America will be taking place at the Rosemary Hill Cemetery on December 16<sup>th</sup> and invited the public to attend.

**Comm. Brooks** provided, for informational purposes only, the current 2023 Board Appointments, Committees, and Departments to the Board members.

Comm. Brooks reported the Christmas Parade and Celebration in Williston was well attended recently and reminded everyone of the Chiefland Christmas Festival and Parade coming up this Saturday, December 9<sup>th</sup> as well as the Inglis/Yankeetown Christmas Parade on December 16<sup>th</sup>. Comm. Brooks spoke of a packet he provided for the Commissioners, which is a conceptual plan created by DRMP for Dock Street Shore Protection in Cedar Key. Levy County had been appropriated \$250,000 by the State to do a study for resiliency in Cedar Key at Dock Street, which is owned by the county.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING  
ADJOURNED AT 5:46 P.M.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
LEVY COUNTY, FL

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Clerk of Court, Danny J. Shipp

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Chairman, Matt Brooks