



Levy County Board of County Commissioners Agenda Item Summary Form

1. Name and Title: Mary-Ellen Harper, County Manager

2. Department: Board of County Commissioners

3. Meeting Date: Tuesday, April 14, 2026

4. Requested Action:

Approval of an Indemnification / Hold Harmless Agreement with the Pochurek Family Revocable Trust.

5. Cost & Funding Source:

To Be Determined

6. Justification of Request:

On August 26, 2025, the BoCC received notice from the attorney representing the Pochurek Family Revocable Trust that "It has come to the Trust's attention that, as part of the Bird Creek Boat Ramp Improvements – Phase II (County ITB _2025_008; FWC Agreement 22154), the County recently constructed two (2) covered picnic pavilions and associated eight-foot-wide timber boardwalks immediately south of Highway 40, west of the existing public boat ramp. Photographs taken May 2025 (copy enclosed) show these structures situated wholly on the south side of the roadway; in other words, on lands described in the Trust's deed."

County Staff worked with a series of attorneys and surveyors to investigate the claim.

On April 10, 2026, the BoCC received notice from its hired surveyor that "In my professional opinion, after considering the evidence, the Pochureks own from the South right-of-way of State Road 40 to the Mean High-Water Line in the area encompassing the subject pavilions. Anything beyond that is sovereign lands. In other words, a portion of the pavilions lies within the property of the Pochureks."

The purpose of this special meeting is to approve an Indemnification / Hold Harmless Agreement with the Pochurek Family Revocable Trust to protect them from potential liability related to public use.