



# Town Commission Special Called Meeting Minutes

Monday, April 20, 2026 at 6:00 PM

706 NE Cholokka BLVD

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## CALL TO ORDER

Mayor Jiana Williams called the meeting to order at 6:00 pm

## INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG

## ROLL CALL

Town Commissioners present:

Mayor Jiana Williams

Mayor Pro Tem Kevin Putansu

Commissioner Judy Galloway

Commission David Massey

Commission Ken Wessberg

Town Outside Counsel present:

Patrice Boyes, Esq of Holtzman Vogel

Valerie Hogancamp, Esq of Holtzman Vogel

Town Staff present:

Attorney A. Derek Folds

Administrator Sara Samario

Deputy Town Clerk Patty Polk

## CONSENT AGENDA

Motion made and seconded (Massey/Galloway) to accept the consent agenda as submitted; passed 5-0

1. Agenda Approval
2. Special Called Meeting Minutes of March 9, 2026

## PUBLIC HEARINGS

3. Quasi-Judicial Hearing: Appeal of the Planning & Historic Preservation Board's Approval of Micanopy Area Cooperative School (MACS) Special Use Permit.

<https://holtzmanvogel.sharefile.com/public/share/web-sa8e0601a36e446e39d9ee72b9df5c3e3>

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Mayor Jiana Williams opened the quasi-judicial public hearing for an appeal for Micanopy Area Cooperative School (MACS) Special Use Permit.

1. The Board shall determine whether it has jurisdiction over the matter. Yes

Motion made and seconded (Putansu/Galloway) to state that we do have jurisdiction over the matter; passed 5-0

2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None

3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board.

Williams - None

Galloway - None

Massey - had a brief discussion with Administrator Samario regarding the MACS matter. Attorney Folds asked if Massey has a conflict and he does not; he will remain neutral.

Putansu - None

Wessberg - None

Attorney A. Derek Folds swore in the witnesses: Many people were sworn in.

4. Introduction of the Petition by the Town.

Documents provided:

Binder from Appellant

Binder from Applicant

Binder from the Town

Ms. Boyes stated what was added over the weekend to the binders.

Towns witness list, correction to the witness list: Adam Hall is a planner and not an engineer.

Clay Sweger, Town planning consultant (eda), introduced item #3, special use permit, which is on appeal. This property is zoned R-2. Ms. Boyes explained that there are two appeals on this agenda.

Attorney Marty Smith is representing MACS, along with attorney Darrel Magnateer.

Attorney Mark Gregg representing the appellant stated the town has not provided findings of fact.

5. Presentation of the Applicant's Case. Brenda Maynard, MACS Director, gave a presentation. Tim Boehlien, JBPro introduced himself and gave a presentation.

6. Presentation of Staff's Case. Mr. Sweger, Adam Hall, and Sergio Reyes gave a presentation with a slideshow and timeline.

7. Presentation of Affected Party's Case. Mr. Gregg gave his rebuttal at length.

8. Rebuttal by Applicant. None.

9. Rebuttal by Staff. None.

10. Rebuttal by Affected Parties.

\* Lester DesForges spoke as an affected party and is against approval of this appeal.

\* H. Grace Fuller spoke as an affected party and is against approval of the appeal.

11. Public Input

\* The public is divided on who is for approval and for denial.

12. Deliberation and Vote of the Board.

Discussion of the Commission ensued at length.

Motion made and seconded (Massey/Putansu) to approve Special Use Permit 2026-01 for the R-2 property for the supporting use based on the competent substantial evidence presented this evening; passed 3-2 (Wessberg and Galloway opposed).

13. Preparation of Final Order. The final order will be prepared by Ms. Boyes.

14. Approval of Final Order. Will be executed by Mayor Williams.

4. Quasi-Judicial Hearing: Appeal of Planning & Historic Preservation Board (PHPB) Approval of Micanopy Area Cooperative School (MACS) Final Site Plan

<https://holtzmanvogel.sharefile.com/public/share/web-sa8e0601a36e446e39d9ee72b9df5c3e3>

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Mayor Jiana Williams opened the quasi-judicial public hearing for an appeal for Micanopy Area Cooperative School (MACS) Final Site Plan Review.

1. The Board shall determine whether it has jurisdiction over the matter. Yes

Motion made and seconded (Putansu/Galloway) stating that we do have jurisdiction over this matter of a final site plan review; passed 5-0

2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None

3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A. Derek Folds swore in the witnesses: Many people were sworn in.

The documents provided for this hearing are the same as those for the previous hearing.

Binder from Appellant

Binder from Applicant

Binder from the Town

4. Introduction of the Petition by the Town. Clay Sweger, Town Planner, eda presented the agenda item #4 before the commission.

5. Presentation of the Applicant's Case.

Attorney Marty Smith presented the applicant's case and the process for this hearing. Discussion ensued at length.

Tim Boehlein, JBPro, presented the applicant's case, discussing all concerns that have been addressed regarding this final site plan review.

Marty Smith stated that they have covered everything necessary to comply with all regulations regarding this project.

6. Presentation of Staff's Case.

Clay Sweger, Town planner, eda consultants, along with Adam Hall, and Sergio Reyas, are adopting the SEP presentation. Discussion ensued.

7. Presentation of Affected Party's Case.

Mr. Gregg presented addressing two things, the overall safety of the design and tree protection. He discussed parking design requirements in the Land Development Code (LDC) 6.01.03. Mr. Gregg questioned Mr. Boehlein. James Blake, True North Engineering, was called as a witness to the microphone, and a discussion ensued. The Florida Green Book, section E-6, addresses the need for education controls, including proper access controls, specific controls (b2), land-use controls, control of access, driveway design, and the location of vehicular generators.

Mr. Gregg called Gary Hunt, Tree Committee member, previous arborist as an expert witness regarding the heritage live oak tree.

Mr. Smith objects to this witness as a written report was not provided.

Gary Hunt, a retired arborist, introduced himself. He is a coauthor of the tree report, which is part of the record. Mr. Hunt believes that soil moisture will affect the tree roots and that more space is needed between the septic tank and the tree roots.

Mr. Gregg rests his case.

Lester DesForges, the affected party, who lives on Seminary Ave, gave a presentation. Mr. Smith objects to this presentation as it was not entered as evidence before the meeting and is not expert testimony.

8. Rebuttal by Applicant.

Mr. Smith objects to the expert witness Mr. Gregg called as he is not an expert.

Mr. Brown, President, JB Pro, discussed parking spaces and driveways in Micanopy; they have applied a 20' setback, which has not been questioned prior to this hearing. Traffic control at MACS is very efficient.

Ms. Maynard reiterated that they have good operational controls, and their school is committed to safety of all involved.

9. Rebuttal by Staff.

Clay Sweger, EDA, believes they have met all the code and regulatory requirements. They have considered the drip line and protection of the live oak tree and have followed the regulations.

Sergio Rayes, EDA, is very qualified with site plans, and this plan follows regulations.

#### 10. Rebuttal by Affected Parties.

Mr. Gregg disagrees with the parking setback of 20', which should be 100' setback. Keep into consideration that this is not safe. He discussed Operational Control and how do you guarantee that human error will not make this unsafe. With regards to the tree, there is no barrier to protect the tree. The gravel driveway will become a sloppy mess. He is concerned with the tree's safety and its future. Thank you for enduring all of his concerns and considering his remarks. He is not sure if the law has been met.

Lester DesForges has lived here for many years and has never seen the town divided the way it is over this matter. He will live with whatever decision is made and will work with everyone.

#### 11. Public Input

Amercia Gordon doesn't agree that this is a safe situation.

Phillip Irwin doesn't agree with this site plan.

Claudia Larsen questioned the outdoor space for the children and how do you move the food from the kitchen to the middle school. Ms. Maynard responded that all the children will not be outside at the same time. Food will be moved over in carts to a location with food warmers and refrigeration. The Micanopy Academy doesn't use the MACS kitchen, but they did provide food to another school in the past, in compliance with regulations.

The resident opposes approval of the final site plan.

Carol Young, Seminary Ave, agrees that MACS has a good pick up and drop off zone. She approves the final site plan.

Tonya Huddleston agrees with the approval of the final site plan.

Mike Roberts, Seminary Ave stated that if this is approved tonight, he would like a stipulation that they cannot ever exit onto Tangerine St as it would not be safe. Mr. Smith stated that this is not under consideration and would need to be approved in the future if considered.

Troy Davis recommends approval of this site plan.

Rachel Piedmont is a parent of 5 children and recommends approval of the final site plan.

Steve Maynard recommends approval of the final site plan.

Kelly Biggs Rick recommends approval of the final site plan.

#### 12. Deliberation and Vote of the Commission.

Commissioner Massey questioned the turning radius. Jay Brown, President of JBPro, responded that they have done a queue analysis, there is plenty of time and room to accommodate if a vehicle needs a little bit more time. Drain field question regarding

saturating the live oak tree's roots. Mr. Brown responded that drainage should percolate downward (vertically).

Mayor Pro Tem Putansu questioned whether aftercare for middle school students will be provided and whether PE will be offered. Ms. Maynard responded that yes, care will be offered on the middle school property. PE will not be offered at the middle school, but after-school activities and health education will be offered. He questioned whether there is any protection around the live oak tree? Mr. Brown responded that there will be no barrier to the tree except during construction.

Commissioner Wessberg questioned where people will park during an event. Ms. Maynard responded that events for the elementary and middle school will not happen at the same time. Parking will be available at both schools and at the ballpark.

Mayor Williams questioned whether, when you use the ballpark for overflow parking, this is communicated to the town. Ms. Maynard responded that this has not been communicated, but can be.

Commissioner Galloway asked whether, if parents pick up an elementary student and then need to pick up a middle school child, what they do. Ms. Maynard responded that they could drive through town, shop, park at the ballpark to wait but they cannot wait on school property or on Seminary Ave.

Mayor Williams questioned whether a crossing guard would be available. Ms. Maynard responded that they have no plans to have students crossing the road.

Motion made and seconded (Massey/Putansu) to approve the MACS final site plan based on the competent substantial evidence presented this evening; passed 3-2 (Wessberg and Galloway opposed).

Discussion ensued at length.

13. Preparation of Final Order. The final order will be prepared by Ms. Boyes.

14. Approval of Final Order. Will be executed by Mayor Williams.

## **ADJOURN**

PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN TOWN MEETINGS SHOULD CONTACT THE TOWN ADMINISTRATOR, 706 NE CHOLOKKA BLVD., MICANOPY, FLORIDA 32667-0137, TELEPHONE (352) 466-3121.

Mayor Jiana Williams adjourned the meeting at 12:57 am