

**RESTORE ACT  
Public Meeting  
September 10, 2013**

**Attendees:** Chris Cowart, Vice-Chairman, School Board Representative  
David Pieklik, Economic Development Representative  
Drinda Merritt, Citizen Representative  
Marilyn Ladner, Higher Education Institution (college/university)  
Jolie Davis, Workforce Development/Job Creation Representative  
Fred Moody, County Coordinator  
Anne Bast Brown, County Attorney

**Absent:** Ryan Bell, Chairman, Board of County Commissioners  
Leslie Sturmer, Aquaculture  
Andrew Gude, Citizen Representative  
Bruce Wilson, Tourism Industry Representative

Vice-Chairman Chris Cowart opened the Committee meeting of the Levy County RESTORE Act Advisory Committee at 4:00 p.m. at the College of Central Florida, Chiefland Branch, Chiefland, Florida with the invocation by Vice-Chairman Chris Cowart and followed by the Pledge to the Flag.

**Gulf Coast Ecosystem Restoration Council and Proposed Treasury Rules - Bill Williams, Consultant**

Mr. Williams reported on the brief meeting in New Orleans for the Gulf Coast Ecosystem Restoration Council on August 28, 2013. Mr. Williams said the Council approved the draft plan of the initial comprehensive plan for the Pot 2 funds.

Mr. Williams said the proposed Treasury rules have been released for review and public input. Mr. Williams explained that it appears that a Comprehensive plan will be required and the Council is expecting a Comprehensive plan from the state also.

Ms. Amber Davis advised that they will provide all of the documents in a single email for the handouts that were distributed but have not been approved.

Mr. Williams said he would provide a summation of the website from Alabama and Louisiana which may be of assistance to the Advisory Committee.

Ms. Davis advised the treasury rules had just been received and they are working with other colleagues to interpret the treasury rules. Ms. Davis said a requirement will be for the Gulf Consortium consisting of the 23 counties to have a comprehensive plan and the projects submitted will have to conform to the comprehensive plan. Ms. Davis said they will prepare a power point relating to the treasury rules to present.

Mr. Williams said the Gulf Consortium will meet on September 18 and they will review the treasury rules. Mr. Williams said the auditing and accounting will be important and will not be waived by the federal Council which will have to approve the state comprehensive plan. Mr. Williams said the treasury rules is also using the term component instead of designating Pot 1, 2, 3 or 4 for the funding.

Mr. David Pieklik referenced the public hearing requirement and said the Advisory Committee appeared to have met the public hearing requirement with the series of town hall meetings that have been held.

Mr. Williams said there will be a need to have a public hearing similar to a planning review for projects submitted.

Ms. Anne Brown said there is nothing unusual about those requirements for the counties, such as certifying conflicts of interest, as our Plan (the County's) will be the application and the local Plan will not need state and federal approval but will need consistency.

Mr. Williams said the state does not have a Plan yet which will be prepared by the Gulf Consortium and funding has been a drawback for the preparation of the state Plan.

Ms. Brown said it is clear they have prepared the treasury rules so that there will be more policies relating to the treasury rules, and she doesn't expect any surprises since the County is used to meeting federal requirements with grants.

Mr. Williams speaking of the state Plan said matching federal components will be the issue and would be orchestrated by the state and not the Gulf Consortium. Mr. Williams said the Gulf Consortium would create the Comprehensive Plan and then the state would enter into a Memorandum of Understanding with the Gulf Consortium.

Ms. Brown explained that her brief review of the treasury rules did not reflect that the Gulf Consortium would be doing the projects or have any control but would probably have comments to include.

Mr. Cowart clarifying the discussion confirmed the component being discussed was the funding under the control of the federal Council (Pot 2 funds) would be in agreement with the state Comprehensive Plan Pot 3 funds and would have to meet the terms and that the state currently does not have a Comprehensive Plan.

Ms. Davis said there is no reference for the Pot 1 funds but refers to the competitive projects seeking funding from Pots 2 and 3 and the County would be able to disburse funds for projects submitted as long as there is a Plan established by the County.

Ms. Brown said the treasury rules were not clear on funds spent prior to the rules and there is not a provision for projects prior to July 6, 2012 on the administration of the funds when the County Plan is submitted. Ms. Brown said there are no reimbursements for the consultant as it will not qualify as there was no selection process in selecting the consultant. Ms. Brown said the treasury rules also are not clear on the engineer which was selected through a RFP process. Ms. Brown added that in rule 34.303 the County can satisfy some and possibly all of the required certifications for the federal grants and also demonstrate the actions by the County prior to July 6, 2012 may be qualified for administrative costs to be reimbursed.

Mr. Williams recommended compiling comments that directly impact Levy County and Dixie County and have the Levy County RESTORE Act Advisory Committee take the lead and then discuss these issues at the next Committee meeting. Mr. Williams suggested that Mr. Fred Moody and Ms. Brown review the administrative and legal costs and recommended placing Mr. Williams and Ms. Davis into staffing rather than consultants doing this within this 60 day period. Mr. Williams said this could be summarized and provided to Comm. Bell to present at the Gulf Consortium meeting next week.

Mr. Williams said he thought each Committee member should review the treasury rules and provide comments to Mr. Moody prior to the September 18<sup>th</sup> Gulf Consortium meeting so if there are any issues that should be presented at the Gulf Consortium meeting they could be addressed.

Mr. Williams explained the composition and formation of the Gulf Consortium and the legal structure of the Consortium and the state.

Ms. Brown explained criteria will be developed with the help of the engineer for

projects submitted for the funding under the control of the County and this will assist in gauging the success of a project.

Ms. Davis said the measurables are in the future and with Comm. Bell along with Mr. Moody and Mr. Williams meeting with other counties with like needs it is possible for Levy County to be the lead for those discussions for projects eligible for Pots 2 and 3 funding.

Mr. Williams said he had spoke with Mr. Jack Brown of Taylor County and it is possible that Levy, Dixie and Taylor counties could work together and include Jefferson County or work on projects with Pasco, Citrus and Hernando counties which may include Pinellas and Hillsborough counties.

Ms. Brown said the Florida Association of County Attorneys would be having a conference call to discuss the treasury rules. Ms. Brown said the 60 days for public comment on the treasury rules would have commenced on September 4, 2013.

Mr. Cowart advised that November 15, 2013 is the project submission date and that the next Advisory Committee date is November 19, 2013 correcting the agenda.

Ms. Jolie Davis expressed concern on a mention in the treasury rules of the administration of funds and it was clarified that the County administers the funds for the Pot 1 funds and that reference in the treasury rules which she referring to was for funds that are controlled by the federal government in the Pot 3 funds.

Ms. Davis explained neither the Advisory Committee nor the Board of County Commissioners have any authority on the disbursement of funds from Pots 2 or 3, however, having the information on how these funds will be regulated and disbursed and benefit applicants submitting projects.

Ms. Brown explained for Ms. Davis that there are projects ready to be submitted for the funds in Pots 2 and 3 and our Advisory Board has two (2) members who are already in that process. Ms. Brown further explained that the Gulf Consortium is developing the Plan and the state may administer as the Gulf Consortium does not have the staff to administer the Plan or the auditing. Ms. Brown said the RESTORE Act is the controlling force with the state Plan being reviewed and approved by the federal Council.

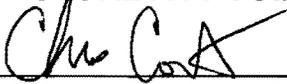
### **Minutes**

Ms. Marilyn Ladner moved to approve the minutes of the August 27, 2013 meeting, second by Drinda Merritt and the motion carried.

The Advisory Committee meeting was closed and there was a recess prior to the Vice Chairman Chris Cowart opening the workshop for prospective applicants for funding in Pot 1 at 5:03 p.m.

During the workshop, Cedar Key representative Mr. Dennison provided a draft applicaiton for review with the consultants. The application was reviewed and there was interaction with the potential applicants on varous questions and issues. At the end of questions and discussion, the workshop was adjourned.

**RESTORE ACT COMMITTEE**

  
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Chris Cowart, Vice-Chairman