Highlands County
Hospital District Board of Commissioners
May 28, 2026, Regular Meeting
MINUTES

The Highlands County Hospital District Board of Commissioners met at 1:30pm on Thursday, May 28, 2026, at the Highlands County Commissioner's Board Room. Notice of the Regular Meeting was published in the Highlands News Sun on May 17, 2026. The notice is filed in the Board's meeting file.

COMMISSIONERS PRESENT: Victor Divietro, Dean Gerber, Dusty Johnson, Jeff Roth, Katie Wilson

COMMISSIONERS ABSENT: none

OTHERS PRESENT: Bert Harris – Swaine, Harris & Wohl, PA; Mark Cox – Wicks, Brown, Williams, Gail Escobar- Clerk; Ingra Gardner – Director of Community Programs; Henry Capote – HCA Florida Hospital Highalnds CEO; Carmen Alvarez with Jones Walker via TEAMS; grant applicant representatives and other members of the public.

I. MEETING CALLED TO ORDER at 1:36 pm by Chairman Gerber.

II. INVOCATON AND PLEDGE OF ALLEGIANCE
Mr. Roth led the pledge of allegiance and gave the invocation.

III. COMMENTS FROM THE PUBLIC
No comments were given.

IV. APPROVAL OF MINUTES
MOTION: Mr. Roth made a motion seconded by Mrs. Wilson to approve the minutes of the regular meeting of February 26, 2026. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Roth made a motion seconded by Mrs. Wilson to approve the minutes of the special meeting of May 8,, 2026. Upon roll call, all Members voted aye. The motion carried.

V. ACCOUNTANT'S REPORT
Mark Cox of Wicks, Brown, Williams & Co presented the financial statement ending March 31, 2026 which reflected investments updated through April 30, 2026; cash flow through March 31, 2026; check register through second quarter ending March 31, 2026; brokerage statements updated through April 30, 2026; and projected surplus for the yar ending September 30, 2026. Mr. Davis noted a payment received from HCA (HRMC) which should not have been made, that is reflected on both reports as a liability of $331,200.00..

Mr. Cox noted that there is a projected deficit cash flow of $894,001 for this fiscal year due to the additional legal fees thus far and the refunding of the lease payment from HCA that was received in August of 2025 which was paid in error to the District.

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to accept the accountant's report as presented. Upon roll call, all Members voted aye. The motion carried.

VI. APPROVAL OF PAYMENT OF INVOICES

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to approve payment of invoices for Highlands News Sun – 201.16; Swaine, Harris, & Wohl – 17,645.00; Wicks, Brown, Williams & Co. –2,075.00; and Jones Walker, LLP – 897,658.95 for a total of $107,580.11. Upon roll call, all Members voted aye. The motion carried.

VII. HRMC REPORT

Mr. Henry Capote, CEO, provided an update to hospital activities. Over the past 60 days, they have been involved in several community activities such as Story Time at the Library, the Best of Highlands Awards, Sebring Soda Festival, United Way Day of Caring, a food drive for the Heartland Food Bank, Sun N Lake Health Expo, Sebring Library Health Fair, and hosted a visit with Leadership Highlands, volunteering at Lakeshore Mall with future activities with the Sebring Chamber of Commerce Banquet and the Hurricane Preparedness Expo.

VIII. BUSINESS RELATED TO SALE OF HOSPITAL

Still waiting on the Governor to sign the bill.

IX. DECLARATION OF SURPLUS OF FUND FOR GRANT PURPOSES

Mr. Divietro asked the reason for the 4 million dollar reserve and how it come to be. Mr. Harris stated that over the past 40 years, this Board has met twice with the Board of County Commissioners in regard to this topic. The first time was shortly after the initial lease was signed (1996) and the second time was a few decades afterwards (2012). The initial discussion was that the reserve was to be set aside for a time that the District would ever have to take over the hospital. Over time this has proven not to be the case, but both Boards continued to agree on maintaining the reserve of 4 million dollars. An agreement was signed at the first meeting with the recommendation by County staff to have the meeting minutes to document the decision of the second meeting. Mr. Divietro asked how that decision could be changed.

Mr. Harris stated it could be changed by a vote of the District Board which controls the reserve and determines if there are surplus funds. The District can choose to make recommendations to the Commissioners as to how the funds are to be allocated and the Commissioners determine how and to whom the funds are to be allocated. Both Boards are bound by law that requires the surplus funds to be used for health services in Highlands County.
Mr. Roth said that he believed in the past a decision was made to dip into the reserve funds to which Mr. Harris confirmed. Expenses were cut the following few years to replenish the reserve. Mr. Roth said that regardless if the reserve is expended before or after the sale of the property, the reserve will have to be used for health services to which Mr. Harris stated that the use of the reserve or surplus funds will not be changed by the signage of the new local bill (an amendment to the current enabling act). Chairman Gerber asked what the process would be if this Board wanted to use some of the reserve funds for today's funding recommendations. Mr. Harris stated that if the Board declares a surplus which decreases the reserve below 4 million, a motion will need to clearly state that reduction. The Commissioners can choose to approve or not approve the recommendation.
Commissioner Roberts was invited to speak on the topic Commissioner Roberts stated that he views the District Board to be the controller of the reserve, and generally speaking the County Commission looks to this Board to make the decisions concerning the reserve. He does not see the Commission going against a funding decision of this Board as long as it is being used for health services for Highlands County residents.
Mr. Harris stated that the reserve is probably half of what it was 35 years ago. Not knowing what the next two years will be as to the analysis, sale, and litigation of the coming transactions, now is the first time that there is a real concern related to the reserve.

X. HEALTH SERVICES GRANT 2026-2027 RECOMMENDATIONS

Chairman Gerber opened the floor for any Board Member's funding recommendations and how to fund them. Mr. Johnson stated that given the Board's current situation, he is inclined to follow last year's recommendations. He made the following recommendations

Champion for Children Foundation- Prevention - $20,000
Champion for Children Foundation - IIa & Kinsley Cox LMF – $8,000
Change of Pace - $15,000
Peace River Center for Personal Development – 25,000
The Ruth E. Handley Children's Advocacy Center - $42,688
Ridge Area Arc – 100,000
Samaritan's Touch Care Center - $151,000

The recommendations totaled $361,688, which is the same amount recommended as previous fiscal year. This recommendation did not include requests from the Florida Department of Health (FDOH), Nu-Hope Edler Care Services, nor South Florida Sate College Foundation.

There was discussion as to how the motions need to be stated, and the matter of any board member that must abstain from a vote due to his/her connection to one of the non-profit entities.

MOTION: Mr. Johnson made a motion seconded by Mr. Divietro to declare a recommended surplus funds of $361,688 recognizing that it means going below the total reserve value of $4,320,000, which is currently in a deficit of $200,472. Upon roll call, all Members voted aye. The motion carried.

The following motions for grant funding recommendations are as follows:

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to recommend to the BOCC to expend surplus funds and approve grant funding for **Champion for Children Foundation of Highlands County, Inc. (Prevention)** in the amount of **$20,000**. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to recommend to the BOCC to expend surplus funds and approve grant funding for **Champion for Children Foundation of Highlands County, Inc. (Ila & Kinsley Cox LMF)** in the amount of **$8,000**. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to recommend to the BOCC to expend surplus funds and approve grant funding for **Change of Pace, Inc.** in the amount of **$15,000**. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Divietro made a motion seconded by Mr. Johnson to recommend to the BOCC to expend surplus funds and approve grant funding for **Peace River Center for Personal Development, Inc.** in the amount of **$25,000**. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Johnson made a motion seconded by Ms. Wilson to recommend to the BOCC to expend surplus funds and approve grant funding for **Ridge Area ARC, Inc.** in the amount of **$100,000**. Upon roll call, all Members voted aye with Mr. Roth and Mr. Divietro abstaining. The motion carried.

MOTION: Mr. Johnson made a motion seconded by Mr. Divietro to recommend to the BOCC to expend surplus funds and approved grant funding for **The Ruth E. Handley Children's Advocacy Center** in the amount of **$42,688**. Upon roll call, all Members voted aye. The motion carried.

MOTION: Mr. Johnson made a motion seconded by Ms. Wilson to recommend to the BOCC to expend surplus funds and approve grant funding for **Samaritan's Touch Care Center, Inc.** in the amount of **$151,000**. Upon roll call, all Members voted aye. The motion carried.

XI. LEGAL COUNSEL

The update to the 2026 Annual Resolution will be presented at a future meeting.

XII. OTHER BUSINESS

a. Update of check signers for Seacoast Bank account
Ms. Wilson was the previous vice chair and Mr. Divietro was elected vice chair at the February 28, 2026 regular meeting.

MOTION: Mr. Johnson made a motion seconded by Ms. Wilson to remove Katie Wilson as a check signer and add Victor Divietro as a check signer for the Seacoast Bank account. Upon roll call, all Members voted aye. The motion carried.

b. Bill Stephenson asked if a 501(c)3 would be able to apply for a grant for a free taxi service for medical appointments for Highlands County residents. Chairman Gerber stated that it is possible that it could fall within the granting eligibility guidelines and funds have been approved in the past for transportation related requests. The organization could apply with the next grant cycle.

XIII. ADJOURNMENT

Next regular meeting is set for Thursday, August , 2026. Chairman Gerber adjourned the meeting at 2:06 pm.

Dean W. Gerber, Chairman

Gail Escobar, Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
AMETRO VICTOR JASON	Highlands County Hospital District
MAILING ADDRESS: 4012 Duffee Loop	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☑ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Sebring COUNTY: Highlands	NAME OF POLITICAL SUBDIVISION: Highlands County
DATE ON WHICH VOTE OCCURRED: 5/28/26	MY POSITION IS: ☐ ELECTIVE ☑ 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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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 otherwise may participate 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 other side)

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, VICTOR DIVITTO, hereby disclose that on 5/28, 20 26:

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

☐ 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 RYBE AREA ARC, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent 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:

I CURRENTLY SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF THE RYBE AREA ARC.

5/28/26
Date Filed

Signature

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.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Roth, Jeffrey Lee	Highlands Co. Hospital District Board
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
2482 N. Primrose Rd.	☐ CITY ☑ COUNTY ☐ OTHER LOCAL AGENCY
CITY / COUNTY	NAME OF POLITICAL SUBDIVISION:
Avon Park / Highlands	
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:
05/28/2026	☐ ELECTIVE ☑ 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.

* * * * * * * * * * * * * * * * *

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.

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- 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, Jeffrey L. Roth, hereby disclose that on May 28, 2026:

(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:

I serve on the Board of Directors for Ridge Area ARC who submitted a request for grant approved by this board which I would consider a conflict.

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.

05/28/2026
Date Filed

Signature Jeffrey L Roth

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.