

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
MEETING ON TUESDAY, FEBRUARY 9, 2016 AT 9:00 A.M. IN THE COUNTY
COMMISSIONERS MEETING ROOM, GLADES COUNTY COURTHOUSE, MOORE
HAVEN, FLORIDA

The Glades County Board of County Commissioners met on Tuesday, February 9, 2016
at 9:00 a.m. with the following Commissioners present:

Tim Stanley, Chairman
Weston Pryor, Vice Chairman
Donna Storter Long
Paul Beck
John Ahern

Others present:

Julie Mann Braddock, Administrative Secretary
Sandra Brown, Clerk of Court
Tiffany Patterson, Finance Director
Richard Pringle, County Attorney
Steven Ramunni, Attorney
Paul Carlisle, County Manager
Avant Brown, County Road Superintendent
Dwayne Pottorff, Chief Deputy - GCSO
Bob Jones, Public Safety Director
Matthew Howard, Johnson Engineering
Charlie Murphy, Okeechobee Radio
James Hull, AIM Engineering
Inga Williams, Community Development Director
Lenice Taylor, County Manager's Office
Raoul Bataller, Hendry Glades Sunday News
Libby Maxwell, South Florida Water Management District
Raoul Bataller, Hendry Glades Sunday News
Daryl Lewis, Sheriff's Department
Joe Pepe, Administrator Health Department
Tycee Prevatt, Extension Agent
Jack Woods, Code Compliance Officer
11 citizens

Chairman Stanley called the meeting to order at 9:00 a.m.

PRAYER

Commissioner Storter Long gave the invocation.

PLEDGE

Vice Chairman Pryor led the Pledge of Allegiance.

AGENDA AMENDMENTS

County Manager Carlisle requested that Item #15 – Authorization of FS Management, LLC to represent the Glades County BoCC for Legislative Issues be added under the Business Agenda.

ON MOTION of Commissioner Beck seconded by Commissioner Ahern the Board amended the agenda as requested.

Motion carried by 5 – 0 vote.

PRESENTATIONS / AWARDS

There were none.

PUBLIC INPUT ON AGENDA ITEMS

There were none.

PUBLIC HEARINGS

1. State Department Comments for COMP 15-01LS and COMP 15-02LS

Inga Williams, Community Development Director, stated this agenda item was for informational purposes only. She stated the State Department's comments for Case Numbers COMP 15-01LS and COMP 15-02LS were included in this item.

2. Case Number COMP 15-01LS – JJ Wiggins Memorial Trust (This is a Legislative Hearing.)

Mrs. Williams stated the Board had heard the petition for this case and transmittal to the State in December 2015. She stated this was a large scale plan amendment consisting of 21.2 acres. She stated the property was located south of US Hwy 27, east of Rodeo Drive, and within 1,500 feet of State Road 78. She stated the request was to change the Future Land Use Designation from Residential to Commercial. She stated the purpose of the change was to allow a Planned Development rezoning for approximately 5 acres of Commercial Center use on the property. She stated there was an existing church on the property and an existing Youth Center on the east part of the site. She stated this petition was for 21.2 acres and the Planned Development would be for 22.1 acres. She explained that the difference in acreage was for 2 residential lots that would be carved out on the southwest side of the property. She stated these lots would remain Residential. She stated the change in the Future Land Use was consistent with the Comprehensive Plan. She stated the site would be developed as a Commercial Center Use and not Strip Commercial which was highly discouraged along a major highway. She stated the site was within close proximity of Moore Haven and very close to a major intersection. She stated the NW portion of this intersection was already developed with the new Training Center, EOC Building, etc. She stated there was also Commercial designated property along the east side of the intersection. She stated Staff had found that the request did

meet the intent of the Comprehensive Plan and recommended approval. She stated there were no negative comments received from the State.

Steve Ramunni, Attorney, stated he represented the Applicant - JJ Wiggins Memorial Trust with regards to the two matters pending Board approval today. He stated he would proffer his expert, Shelly Johnson, Certified Planner with Ensite, Inc., and requested that the Board formally recognize her as an expert witness in these cases.

Attorney Pringle explained that the testimony of an expert witness was not only factual but would be based upon their background as an expert in their field. He stated it would be appropriate to recognize Mrs. Johnson and Mrs. Williams as expert witnesses in these cases.

ON MOTION of Commissioner Storter Long seconded by Commissioner Beck the Board declared Shelly Johnson, Certified Planner – Ensite, Inc., and Inga Williams, Community Development Director, as expert witnesses in these cases.

Motion carried by 5 – 0 vote.

Mr. Ramunni asked for an opportunity to briefly sum up the information presented after the public hearing. He stated a question had been posed by the Board at the hearing held in December in regards to the 2 residential lots that would be carved out of the parcel. He stated his client was willing to stipulate that the homes built on the lots would be restricted to site built homes versus mobile homes.

Commissioner Storter Long asked if stipulations such as this should be addressed in the public hearing for the Planned Development rather than the Comprehensive Plan amendment.

Attorney Pringle stated this was correct. He stated since all of the issues were so intertwined he would be asking the Board to make all of the evidence in this hearing a part of the record for the second hearing.

Shelly Johnson, Ensite, Inc., stated she had gone over this case in a fair amount of detail in December when the Board initially heard the application. She stated she concurred with everything Mrs. Williams had gone over today. She showed a map referencing the parcel's location and the various Comprehensive Plan amendments. She stated Staff and the Planning & Zoning Board were both recommending approval. She stated the application was also consistent with the Comprehensive Plan.

Attorney Pringle asked that the staff report, the application with attachments, and the exhibit (**Applicant's Exhibit 1** – Map Showing the Designations of the COMP Plan proposal) be made a part of the record for the Board's consideration. He also asked that

the record from the Planning & Zoning Board hearing be made a part of the record. (See Exhibit F)

Chairman Stanley called for public comment. There was none.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board adopted Glades County Ordinance No. 2016-6, Amending the Future Land Use Map from a Residential to a Commercial designation for 21.2 +/- acres of land located at 24068 US Hwy 27 and 200 Rodeo Road, Case No. COMP 15-01LS, based on the findings and analysis in the staff report dated September 30, 2015 and findings presented at the public hearing, documents/exhibits, and State Agency comments.

Motion carried by 5 – 0 vote.

3. Case Number RZ15-01 – JJ Wiggins Trust (This is a Quasi-Judicial Hearing.)

Attorney Pringle reminded the Board that they would need to disclose any ex parte communications regarding this case. He swore in Inga Williams, Shelly Johnson, and Melvin Guerry as witnesses who would give testimony.

Chairman Stanley called for ex parte communication disclosure from the Board.

Commissioner Beck – none.

Vice Chairman Pryor – none.

Commissioner Ahern – none.

Commissioner Storter Long – none.

Chairman Stanley – none.

Mrs. Williams stated this application was for the rezoning from Residential Single Family and Agricultural Residential to Planned Development (PD) for 22.1 acres. She stated that with the adoption of the plan amendment this PD was consistent with the Comprehensive Plan. She stated the PD consisted of the existing structures and all of the uses allowed on the eastern side of the property. She stated the new structures would be the Commercial Center consisting of approximately 5 acres on the west side of the property. She stated 2 residential lots that bordered Rodeo Road would be used for residential structures. She stated these lots would be for site built structures only and no mobile homes would be allowed. She stated that although Staff had recommended denial of the continuing use of livestock and ranching (agricultural uses) on the parcel it been discovered that this had been a continuing use on the property; therefore, the agricultural uses would be grandfathered in. She stated the agricultural uses could continue until development took place. She stated the 2 residential lots would be used as a buffer along Rodeo Road. She stated a landscape buffer would be placed around the 2 lots and along the south side of the property. She stated there would also be other landscaping required. She stated there would only be one access road to US Hwy 27. She stated the developer

would also be connecting to the existing access road to the Church. She stated there would not be any access to Rodeo Road. She stated the conditions of the development were pretty well laid out. She stated the list of uses had been submitted and agreed upon with some modifications. She stated the list in the ordinance contained the modifications. She stated the uses allowed on the residential lots could be agricultural until development started and would be used for Single Family site built homes only. She stated the development regulations were also outlined in the PD. She stated these were standard for the commercial site and for the residential site. She stated there was a landscaping section that addressed the buffering options. She stated there would be other landscaping required along the roadways and the back side of the property. She stated a uniform commercial design treatment would be required across the entire Commercial Center. She stated pedestrian and bicycle access to the site would be required. She stated the lighting would be restricted along the perimeter of the property and would have to be baffled so it did not affect the residential properties adjacent to it. She stated the garbage locations would also be restricted. She stated the amount of signage allowed and the location of the signage had been modified. She stated the signage would be allowed within 15 feet of the road and the amount of signage had been increased from 100 square feet to 200 square feet.

Commissioner Storter Long asked if the signage had been increased for each of the businesses in the Center or for the entrance only.

Mrs. Williams stated each business could have 20 square feet of signage and the main entrance could have up to 200 square feet.

Commissioner Storter Long referred to Exhibit B and the proposed list of uses. She stated she understood that agricultural uses could continue on the property.

Mrs. Williams stated the agricultural uses could continue until development began on the property. She stated when the first permit was pulled the agricultural uses would need to be removed.

Commissioner Storter Long questioned the word etcetera at the end of recreation outdoors. She stated those uses were all limited to or affiliated with the Youth Center or Church.

Mrs. Williams stated this was correct. The PD could not have any commercial outdoor recreation uses.

Commissioner Storter Long questioned the definition of “micro-brewery”.

Mrs. Williams stated these breweries made their own beer on site.

Vice Chairman Pryor stated he liked the landscaping that was being proposed.

Commissioner Ahern stated the landscaping appeared to be a good buffer between the property and the surrounding residential properties.

Mr. Ramunni stated he believed all of the issues that had been discussed for the past several years had been worked out. He asked that in the event a permit was pulled for one of the 2 residential lots that the agricultural uses not be terminated at that time. He asked that the agricultural uses be terminated when a commercial permit was pulled.

Commissioner Storter Long suggested that these revisions be added to the exhibit list.

Mr. Ramunni stated the revisions would be added.

Mrs. Johnson stated this was a Planned Development request. She stated the existing zoning map showed 2 zoning designations affiliated with the property now and the new Planned Development zoning.

Attorney Pringle stated this map would be labeled Applicant's Exhibit #2 – Proposed Zoning Map.

Mrs. Johnson stated the applicant was requesting approval to rezone the property to allow for commercial development. She showed a site plan. She stated there would be approximately 80,000 square feet of commercial development. She stated there would be 2 access routes to the site; one at the existing Youth Center and a second access off of US Hwy 27. She stated the access points would be determined at the time of development and permitting with the Florida Department of Transportation. She stated there were some detention areas being proposed. She stated the cluster of buildings would be internally faced with circulation and parking that would go around. She stated the 2 rectangular areas were the 2 residential lots that were being proposed and would serve as a substantial buffer to the residential area along Rodeo Road. She stated the applicant was proposing 30 foot buffers that would wrap around the residential lots. She stated the buffers would be part of the commercial development. She stated there were development regulations being proposed for both the residential and commercial developments. She stated the minimum lot size was .4 acre and there were 2 options being proposed for the landscape buffers, both being 3 feet in width. She stated the first option would require 4 trees and 30 shrubs for every 100 linear feet of buffer area. She stated the second option would require 3 trees and 8 shrubs for every 100 linear feet and a 6 foot high continuous fence or wall. She referred to the schedule of uses and stated "site built" would be added to the single family detached homes on the residential portion of the property. She stated staff had removed the drive-thrus that were associated with banks and businesses and the fuel pumps that were proposed as part of a convenience store. She stated the applicant concurred with the removal of all of these items. She requested that the "church" or "religious facility" use be added to the schedule of uses.

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Chairman Stanley asked if anyone had any questions.

Attorney Pringle stated 3 exhibits had been introduced for the rezoning hearing: Exhibit #2 – Proposed Zoning Map, Exhibit #3 – Master Concept Plan, and Exhibit #4 – Aerial with overlay showing the buffers.

Chairman Stanley called for public input. There was none.

Commissioner Storter Long stated the motion should reference the revised Exhibit B as well as acceptance of all except as provided by the applicant.

Attorney Pringle agreed. He stated the following revisions should be included: on the residential lots R1 and R2 to show the dwellings as single family detached-site built only and that the agricultural uses could continue until the first commercial development permit was pulled. He stated all of the evidence, facts, and exhibits entered into the record in the first hearing were also entered into the record of this proceeding as well.

Commissioner Ahern asked if there was any conflict within the ordinance regarding the distance between a church and the proposed use of a micro-brewery.

Attorney Pringle stated he was not aware of any separation requirement in the regulations.

Mrs. Williams agreed. There were no separation requirements.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Storter Long the Board, based on the findings and analysis in the staff report dated October 2, 2015, and findings of fact in evidence at this hearing, and the revisions made in this hearing, approved the adoption of an Ordinance (Glades County Ordinance No. 2016-7) of the Board of County Commissioners of Glades County, Florida, amending the Official Zoning Map of Glades County from Residential Single-Family (RS) and Agricultural Residential (AR) to Planned Development (PD) for approximately 22.1 acres located at 24068 US Hwy 27 and 200 Rodeo Road; Property Owner – JJ Wiggins Memorial Trust; Case No. RZ 15-01; Providing for conflict; Providing for codification; Providing for severability; and Providing for an effective date.

Motion carried by 5 - 0 vote.

Attorney Pringle clarified that the motion included the revisions made in the public hearing.

Chairman Stanley took a roll call vote:

Commissioner Beck – Yes

Vice Chairman Pryor – Yes
Commissioner Ahern – Yes
Commissioner Storter Long – Yes
Chairman Stanley – Yes

Commissioner Storter Long stated she was glad to see that all of the issues had been resolved and was looking forward to the new commercial development.

Mr. Ramunni stated he would condense the exhibits and provide them to the Clerk.

4. Case Number COMP 15-02LS – Lakeport RV Resort, LLC (This is a Legislative Hearing.)

Mrs. Williams stated this was a large scale Comprehensive Plan amendment from Residential to Commercial for 12.53 acres, She stated the Board had heard this petition for transmittal to the State in December. She stated the State had reviewed the petition and there were no negative comments related to the petition. She stated the subject property was located south of Old Lakeport Road, west of Ted Beck Road, and north of Milum Road. She stated the applicant was asking for Commercial use in order to do a rezoning to Commercial Recreational Vehicle Park (Commercial RV Park). She stated there was already a developed Commercial RV Park to the southwest of the property and another piece that was already zoned for Commercial RV Park. She stated this was owned by the same property owner and would be an extension of the existing park. She stated the request for the Future Land Use could allow up to 30 RV's per acre; however, the applicant was limiting the use to 60 RV's total. She stated the impact of this development would be minimal on the roadways and the utilities. She stated staff did recommend approval of the application.

Chairman Stanley asked if the Board had any questions. There were none. He asked if there were any witnesses present for this case.

Attorney Pringle stated the applicant did have one witness. He stated the Board could qualify and accept Inga Williams and Steve Dobbs as expert witnesses for this case.

ON MOTION of Commissioner Storter Long seconded by Commissioner Beck the Board declared Inga Williams, Community Development Director, and Steve Dobbs, Steve Dobbs Engineering, expert witnesses in the COMP Plan hearing and rezoning matter.

Steve Dobbs, Steve Dobbs Engineering, stated no changes had been made to the petition. He stated the limiting of the units to 60 had been done by the client in the beginning and had not changed. He stated this number was consistent with what he had seen in the marketplace. He stated this made room for larger units and larger electrical loads.

Attorney Pringle clarified that the staff report, application, responses by the State Agencies, and the Planning & Zoning Board's recommendations and findings were all being made a part of the record for this hearing and the rezoning hearing. (See Exhibit G)

Chairman Stanley called for public comment. There was none.

ON MOTION of Commissioner Ahern seconded by Commissioner Beck the Board approved the adoption of Glades County Ordinance No. 2016-8, Amending the Future Land Use Map from a Residential to a Commercial designation for 12.53 +/- acres of land located at 1102 Milum Drive, Case No. COMP 15-02LS, based on the findings and analysis in the staff report date October 30, 2015 and findings presented at the public hearing.

Chairman Stanley took a roll call vote:

Commissioner Beck – Yes
Vice Chairman Pryor – Yes
Commissioner Ahern – Yes
Commissioner Storter Long – Yes
Chairman Stanley – Yes

Motion carried by 5 – 0 vote.

5. Case Number RZ15-02 – Lakeport RV Resort, LLC (This is a Quasi-Judicial Hearing.)

Attorney Pringle swore in the witnesses – Inga Williams and Steve Dobbs for this hearing.

Chairman Stanley called for ex parte communication disclosure from the Board.

Commissioner Beck – none.
Vice Chairman Pryor – none.
Commissioner Ahern – none.
Commissioner Storter Long – none.
Chairman Stanley – none.

Mrs. Williams stated this was a companion rezoning to Case No. COMP 15-02LS. She stated that with approval of the COMP Plan amendment this rezoning was consistent with the COMP Plan. She stated the rezoning consisted of a change from Residential General for 12.53 acres to Commercial Recreational Vehicle Park (Commercial RV Park). She stated before the site could be developed the developer would have to present a site plan for approval by the Planning & Zoning Board. She stated the applicant was limiting the site to 60 units. She stated this would be codified in a resolution with the site plan approval from the Planning & Zoning Board. She stated conditions could be placed on the site, if

needed, at that time. She stated there were requirements for buffering. She stated she had not heard any complaints about the buffering at this point. She stated staff did recommend approval of the rezoning.

Commissioner Storter Long questioned the difference in 12.53 acres listed in the title of the Ordinance and the second whereas that listed 12.48 acres.

Mrs. Williams stated this was a typographical error and she would make the correction.

Chairman Stanley questioned the process if the applicant wished to fully build out on the property and increase the 60 units.

Mrs. Williams stated the applicant would have to have the site plan revised and approved by the Planning & Zoning Board. She stated this would be very difficult at this point.

Attorney Pringle stated that one of the facts in evidence today that would be part of the basis for the Board's decision was the fact that the applicant had limited the development to a total of 60 units. He stated that if the applicant tried to change his mind in the future he would raise this point in a court of law.

ON MOTION of Commissioner Beck seconded by Commissioner Storter Long the Board, based on the findings and analysis in the staff report dated October 30, 2015, findings of fact in evidence at this hearing, and the applicant's limitation of a total of 60 units (maximum capacity), approved the adoption of an Ordinance (Glades County Ordinance No. 2016-9) of the Board of County Commissioners of Glades County, Florida, amending the Official Zoning Map of Glades County from Residential General (RD) to Commercial Recreational Vehicle (C-RV) for approximately 12.53 acres located at 1102 Milum Drive; Property Owner – Dale Blow; Applicant – Lakeport RV Resort, LLC; Case No. RZ 15-02; Providing for conflict; Providing for severability; and Providing for an effective date.

Chairman Stanley took a roll call vote:

Commissioner Beck – Yes
Vice Chairman Pryor – Yes
Commissioner Ahern – Yes
Commissioner Storter Long – Yes
Chairman Stanley – Yes

Motion carried by 5 – 0 vote.

CONSENT AGENDA

- 6. Approved payment of County Warrants. (Exhibit A)
General Fund: 77730 – 77822
Intergovernmental Radio: 10290 – 10291**

Courthouse Facilities Grant: 1442-1443

EMS Award Grant: 1921

Court Facilities Surcharge: 1101

7. **Approved the Minutes of the June 19, 2015 Budget Workshop.**
8. **Approved the Minutes of the January 12, 2016 Regular Meeting.**
9. **Approved the Minutes of the January 25, 2016 Regular Meeting.**

ON MOTION of Commissioner Ahern seconded by Vice Chairman Pryor the Board approved the Consent Agenda items.

Motion carried by 5 – 0 vote.

BUSINESS AGENDA

10. Resolution No. 2016-3 Designating County Road 720 as “No Through Trucks”

County Manager Carlisle stated that since the weigh station had opened on US Hwy 27/SR 25; CR 720 had become a by-pass for trucks. He stated CR 720 was not designed or constructed, nor did it have the width to accommodate the large number of trucks using it. He stated the County had put up “No Through Trucks” on its portion of the roadway and the Florida Department of Transportation would put up signage on SR 80 and US Hwy 27/SR 25. He explained that, without the advanced warning signs, FDOT and GCSO could not enforce the “No Thru Trucks” because there was no way for the trucks to escape the roadway once on it. He stated that Florida Statutes did not require an Ordinance or Resolution; however, FDOT was requesting that the Board adopt a Resolution designating CR 720 as “No Through Trucks” as part of their process to ensure that there was no conflict in the future. He stated Hendry County was doing the same on their side.

Vice Chairman Pryor clarified that the cane trucks and delivery trucks would still be allowed to travel on the road.

County Manager Carlisle stated this was correct. He stated deliveries and normal agricultural business would be allowed. He stated these were not considered “through truck” movements.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Beck the Board approved Glades County Resolution No. 2016-3 Designating County Road 720 from US Hwy 27/SR 25 to the Glades/Hendry County line as “No Through Trucks” in Glades County.

Commissioner Storter Long asked if the penalties could be enforced by the County as well as State Law Enforcement.

County Manager Carlisle stated the penalties associated with the enforcement were listed under F.S. Chapter 316. He stated these did have fines and penalties associated with

them. He stated there were other things that may be found when they made the traffic stops. He stated there was a reason the trucks were avoiding the weigh station in most cases. He stated the penalties were pretty severe for CDL drivers.

Motion carried by 5 – 0 vote.

Chairman Stanley read the title of the Resolution into the record.

11. Resolution 2016-4 Supporting the Promise Zone Application for Southwest Florida

County Manager Carlisle stated the County had applied for this designation last year. He stated the designation would provide the County with the opportunity to get special points when applying for federal grants. He stated only 2 counties were designated each year. He stated the County was reapplying this year with the Southwest Florida Regional Planning Council (SWFRPC).

ON MOTION of Commissioner Beck seconded by Commissioner Storter Long the Board approved Glades County Resolution No. 2016-4 Supporting the Promise Zone Application for Southwest Florida.

Chairman Stanley read the title of the Resolution into the record.

Motion carried by 5 – 0 vote.

12. Southwest Florida Community Foundation Grant Award

County Manager Carlisle stated the County had applied for a grant in the amount of \$50,000.00 to fund the installation of the telephone, internet, and computer server at the Training Center. He stated the County had successfully received the grant and the agreement was in the packets. He stated these dollars would go a long way in getting the Center operational.

ON MOTION of Commissioner Ahern seconded by Commissioner Storter Long the Board approved the agreement between Glades County and the Southwest Florida Community Foundation for the Community Impact Grant in the amount of \$50,000.00. (See Exhibit C)

Commissioner Storter Long thanked County Manager Carlisle for his efforts in getting this grant for the County.

Commissioner Beck asked when the targeted date of completion for the installation of the telephone, internet, and server was.

County Manager Carlisle stated the funding should be received sometime in February and Century Link was already working on the design for the project. He stated the project would most likely be completed in March.

Motion carried by 5 – 0 vote.

13. Bids received for Publishing Delinquent Real Estate and Tangible Personal Property Taxes

County Manager Carlisle stated that every year the County was required by Statute to put the publishing of delinquent real estate and tangible personal property taxes out to bid. He stated 2 bids had been received: Glades Democrat - .09¢/line for the real estate and .08¢/line for the tangible personal property and Hendry Glades Sunday News - .09¢/line for the real estate and .02¢/line for the tangible personal property.

ON MOTION of Commissioner Beck seconded by Commissioner Ahern the Board selected Hendry Glades Sunday News to publish the Delinquent Real Estate and Tangible Personal Property assessments for Glades County.

Motion carried by 5 – 0 vote.

14. Building Inspection Services

County Manager Carlisle stated Ron Marra, Building Official, had submitted his resignation letter and indicated that his last day of work would be Tuesday, February 9th. He stated Mr. Marra had been offered a job in the private sector that would pay more. He stated Mr. Marra had been a great asset to the County and he wished him well. He stated the County was required by Statute to have a Building Official. He stated he had submitted 2 proposals from 2 separate entities that could fill the position until a new Building Official could be hired. He stated the proposal from Hy-Byrd would piggy back on a contract through the town of Lake Park for a flat fee for a percentage of the building permit fees. He stated there was also a proposal from Universal Engineering Sciences, Inc. for an hourly rate fee. He stated both companies were well qualified and had very professional staff. He stated at this time he believed the County should go with the flat rate fee due to the current budget situation. He stated the previous contractor had cost the County about \$50,000.00 in fees for approximately 6 months' worth of inspections.

Commissioner Ahern stated he would prefer using the percentage (flat fee) and using Hy-Byrd to fill the position.

ON MOTION of Commissioner Ahern seconded by Commissioner Beck the Board approved piggybacking on the contract with Lake Park, Florida and Hy-Byrd, Inc. to provide plan reviews, inspections, and customer service until such time as a new Building Official is hired by Glades County; and authorized staff to pursue a contract with Universal Engineering Sciences, Inc. in the event Hy-Byrd, Inc. failed to perform or was not willing to perform.

Motion carried by 5 – 0 vote.

Raoul Bataller, Hendry Glades Sunday News, asked if this was a temporary stop gap measure until the next budget session.

County Manager Carlisle stated this would be a temporary fix until the County could hire another Building Official.

15. Authorize FS Management LLC to Represent the Glades County BoCC for Legislative Issues (This item was added to the agenda by amendment.)

County Manager Carlisle stated that over the past few months the issue of the gambling compact with the Seminole Tribe of Florida (STOF) had become a hot topic. He stated the current agreement with STOF would expire this summer. He stated this was a funding source for Glades County. He stated if the new compact did not succeed there would be a potential to lose that funding. He stated he had discussed this issue with FS Management and they seemed to have a very good handle on the matter. He stated the Lead Principal was a former Legislator himself and had worked on the original compact. He stated he believed FS Management could be a great asset to Glades County on this issue. He stated time was of the essence because there were only 60 days left in the session.

Commissioner Storter Long asked how much the County received annually from the compact.

Sandra H. Brown, Clerk of Court, stated the County had received approximately \$130,000.00 last year.

County Manager Carlisle stated the County had received approximately \$180,000.00 the year before.

Chairman Stanley reminded the Board that the original compact was in the millions and the proposed compact was now in the billions.

County Manager Carlisle stated the County's revenue stream should increase based on the current funding strategies.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Beck the Board approved the agreement between Glades County BoCC and FS Management, LLC, for the representation of the Glades County BoCC during this Legislative Session. (See Exhibit D)

Commissioner Ahern stated he felt this issue was very important to the County and thought that by being a host County the County should receive a higher percentage of funds.

Chairman Stanley stated if the casinos were increased the County would see an impact on the costs to patrol the area, increased costs to maintain the roads, etc. He stated FS Management would be able to bring these issues to the table when the legislature was negotiating the new compact.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS

There was no discussion.

COUNTY ATTORNEY

Attorney Pringle gave an update on the Berrges Code Enforcement case. He stated he had sent a letter out to Mr. Berrges demanding that the property be cleaned, the code enforcement violations be abated, and the fines be paid within 30 days. He stated the letter had been returned as undeliverable. He stated he was in the process of getting a better address for Mr. Berrges. He stated he had received the title search on the property. He stated the search indicated that there was an outstanding mortgage on the property and that there were 7 years of unpaid taxes, not including 2015 taxes. He stated 7 tax certificates had been sold on the property. He stated no one had applied for a tax deed yet. He stated the outstanding mortgage preceded the Code Enforcement lien which could create a problem. He stated he would continue to work on this case. He gave an update on the Polhill property located on Marshall Field Road. He stated he had forwarded correspondence to the property owner stating that he had 30 days to clean up the property, resolve all of the code enforcement violations, comply with the Order entered by Judge Lundy, and pay the fine. He stated he had also ordered a title search on this property but had not received it yet.

Ms. Brown stated the Polhill property was already on the List of Lands Available. She stated this property had been offered at a Tax Deed Sale but had not sold. She stated no one was interested in purchasing the property because of the existing liens.

Attorney Pringle stated the liens were in place and an Order had been signed by Judge Lundy establishing the amount of the fines. He gave an update on the Duda donation of property. He stated he had gone through several versions of the Donation Agreement with the lawyer for Duda. He stated there was a companion agreement – the Developer's Agreement that had also been prepared and submitted to the developer. He stated he was awaiting a response. He stated Duda's lawyers had reviewed and made comments and he had responded to their comments. He stated he believed that Duda's lawyers were in agreement with what the County wanted. He stated the County was not going to fund any of the construction costs. He stated he added language to the Developer's

Agreement that provided that the developer would put up a bond in the amount of the construction costs for the off-site infrastructure improvements. He stated the State and the Federal government would be funding a large portion of the off-site improvements. He stated it was being made very clear that Glades County did not want any financial exposure. He stated the Ambulance Services Agreement was complete and had been signed. He stated the hotel site RFP was complete and ready to be advertised. He stated the RFP was significant in length and there were a number of exhibits. He explained that with the sale of land the County had to comply with a certain statute. He stated in this case the County was selling land but also requiring certain development to occur. He stated there would be a slight modification to the process. He stated he had asked in the RFP that the responders provide a price they were willing to pay for the purchase of the parcel and their development plan. He stated specific uses had been listed that would be allowed. He stated the Davis SHIP foreclosure action was ready to be filed. He stated he needed a verification signed by Mary Ann Whitney. He stated the County had already paid the taxes so there was no chance of losing the property with a tax deed application at this time. He stated he was still working on the Wolfenbarger foreclosure. He stated he had located the family members. He stated it would be a significant benefit to the County if the family members were going to just walk away from the property. He stated he had not received any response from Mr. Hendry on the Yates property. He stated a foreclosure action had not been filed on behalf of Jewell Baker by Mr. Hendry as of yesterday. He stated the Cardenas family had paid their taxes and were working on getting the property insured.

Commissioner Storter Long stated she had inquired of Attorney Pringle about some subdivision exemptions. She stated the subdivisions were not pursuant to a probate matter but were court decreed.

Attorney Pringle stated he had prepared a response to Commissioner Storter Long but had not sent it yet. He stated there was an exemption in the subdivision provisions that addressed this. He stated there was a distinction between a probate proceeding and a court order. He stated the County's regulations did not define a court order. He stated most of the time court orders were issued pursuant to condemnation cases and other cases where there was some division of a piece of property.

Commissioner Storter Long commented on not being able to put weight restrictions on Bee Bridge Road years ago. She questioned the difference in today's Resolution regarding CR 720.

Attorney Pringle stated the difference was that the Resolution adopted today would enable the County to enforce a statute that had fines and penalties attached to it.

Commissioner Ahern stated there was a property in Lakeport that Code Enforcement had questioned the use of a shooting range on. He stated the Sheriff's Department was also looking into the matter.

Attorney Pringle stated he had reviewed this matter as well. He stated the State of Florida legislature was very clear on matters such as this. He stated the legislature had made it clear that all legislative authority regarding the regulation of ammunition and firearms was reserved to the State of Florida. He stated there were some little exceptions that authorized the County to do some land use designating. He stated the County could not regulate this kind of activity. He stated if there was a lawsuit it would be civil and between the property owners. He stated if it was a commercial shooting range and the owners were being paid for the use of the range, the County may have some say in the activities. He stated if the projectiles ever crossed property lines it could constitute trespass.

Commissioner Beck stated the property owner had built up mounds of dirt to stop the bullets and had expanded the ones he already had there. He stated the property owner had also constructed a tower to shoot from. He stated it was his understanding that this was a private club and it cost either \$400.00 or \$800.00 to join. He stated the members were invited out to shoot on the private property.

Attorney Pringle stated if the use was a “private club” and that use was not allowed at that location, the County may be able to address the issue. He cautioned the Board against pursuing this matter. He stated the regulation of the firearms and ammunition was not something the County wanted to become involved in.

COUNTY MANAGER

County Manager Carlisle stated his recent trip to Tallahassee had been very fruitful. He stated a lot of things had been accomplished and they had gotten some things started regarding PILT. He stated it looked as though it would be a long arduous task but the County did have some support in looking into how PILT was funded. He stated the list of Board appointments had been provided to each Commissioner. (See Exhibit E) He stated #14 - Behavioral Health was no longer in existence and had therefore been removed. He stated if any of the Commissioners wished to be added or removed from a certain committee to please let Chairman Stanley know.

Commissioner Ahern stated the Juvenile Justice Board had been left off of the list and that he sat on this committee.

Commissioner Storter Long commented on the State Agency’s comments on the two COMP Plan amendments. She commented on the letter received from FWC and their statement regarding the areas high panther use.

Commissioner Ahern asked if bids had been received yet for the paving of Oak and Apache roads in Muse.

County Manager Carlisle stated the contract for these roads would piggy back on the Kirby Thompson contract. He stated he would get a quote for the roads based on the existing contract. He stated the roads were flooded right now and no work could begin.

Commissioner Ahern commented on the Moore Haven Canal project. He stated the high water probably had this project delayed as well.

County Manager Carlisle stated Attorney Pringle had made several revisions to the contract and it would be reviewed today and most likely final.

DEPARTMENT HEADS

Tycee Prevatt, 4H County Extension, thanked the Board and the County Manager for their support of 4-H Day in Tallahassee last week. She stated it was very valuable for the kids to see this kind of support and it had gone a long way.

Commissioner Ahern thanked Mrs. Prevatt for arranging everything. He stated she was doing a great job with the 4-H program.

Avant Brown, County Road Superintendent, stated this year's winter rain had been causing some problems with roadways throughout the County. He stated the Buckhead Ridge area had a couple of paved streets (Chobee Street and Chobee Loop) which had experienced some significant damage. He stated Lynch Paving was already in the area and he would like to step up the paving of these roads. He stated he would like to piggy back on the Kirby Thompson contract to repave these roads. He stated he had done some patching that would probably hold until the roads could be repaved.

Commissioner Storter Long asked if the funds for this project were in the budget.

Mr. Brown stated he may have to go into his reserves this year but that the money would go back into the reserves when it was received. He stated he would also be doing the roads in Port LaBelle that were on the road list when the SCOP and SCRAP projects were completed in that area.

Chairman Stanley thanked Mr. Brown for the exceptional job they had done patching the roads not only in Buckhead Ridge but throughout the County.

Mr. Brown stated he tried to inspect the roads as often as possible. He stated he would try to get the roads patched in the Muse area as quickly as possible; hopefully sometime this week. He stated the cleanup at Indian Mound Park was finished. He stated his crew had completely cleaned the area except for the power pole and septic tank.

Commissioner Storter Long asked if the repairs had been done to the wiring at the park.

Mr. Brown stated someone had stolen a lot of the wiring at the park. He stated he had replaced enough so that the festival could take place; however, more wiring was needed for the booths. He suggested waiting until right before the festival next year to complete the rest of the wiring repairs.

Commissioner Storter Long thanked Mr. Brown for the work he and his crews did all over the County. She stated the Road Department's public relations really helped the Commission.

Joe Pepe, Glades Health Department, stated the Zika virus had been around since 1947 and had been monitored since the middle of last year. He stated Brazil authorities had noticed a correlation with approximately 5,000 cases of pregnancies with complications, specifically microcephaly (small heads/small brain development). He stated lots of research was being done now to see if there was a correlation between the two. He stated the Governor had issued a declaration last week and the State's Surgeon General had followed up with a Public Health Emergency Order for the 4 counties affected at that time. He stated there were now 7 affected counties with a total of 16 cases. He stated none of these cases were locally acquired. He stated these people had traveled abroad. He stated the Health Department currently had 475 test kits and another 4,000 had been ordered. He stated these test kits were antigen test kits to see if someone had ever had Zika or had ever been exposed to the virus. He stated they also had the capabilities at the state labs to do blood draws to see if active Zika virus was present. He stated the Health Department was working with practitioners and others to make sure they all understood the protocols and the testing. He stated he had distributed 3 cases of mosquito repellent and he had an additional 3 cases in reserve. He stated he would be meeting with Bob Jones and Angie Colegrove this afternoon to talk about ways to come up with some creative funding to help with mosquito spraying. He reminded everyone that only 20% of the people that contracted the Zika virus actually became symptomatic.

Commissioner Storter Long asked if the virus was infectious without symptoms.

Dr. Pepe stated a person could have the Zika virus and have no symptoms. He stated the mosquito that carried the virus did not have a very large flight pattern. He stated the mosquito control protocols were probably the best defense.

PUBLIC INPUT ON NON-AGENDA ITEMS

There was none.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Storter Long thanked the Commissioners and County Manager Carlisle for their recent trip to Tallahassee and serving the County so well.

Commissioner Ahern commented on his recent trip to Tallahassee. He stated the trip had been successful. He stated there was always an opportunity to make things better

in anything we did. He stated he was trying to plan now for what the next year would hold for Glades County. He suggested planning on having the legislators down to visit the lake again this year and asked the Board to consider things that could be done to make the County better. He thanked the Fire Departments for the great service they had provided during the recent festivals.

Vice Chairman Pryor thanked everyone who participated in and helped host the Ortona Cane Grinding Festival and the Sour Orange Festival. He stated both had been successful this year. He reminded everyone that Chalo Nitka was coming up. He stated the recent trip to Tallahassee had been quite successful. He stated he would like to see more meetings set up in the future.

Commissioner Beck stated he had not been able to make the trip to Tallahassee. He commented on the support Glades County had from the legislators who did not represent Glades County. He stated there was a lot of good support from everyone. He stated Glades County was better served by their Commissioners, proportionally, than any other County in the State. He stated he was proud to be a part of this Board. He thanked Mr. Brown for his efforts with the South Orange Festival and for helping with all of the water issues throughout the County. He stated the Sour Orange Festival had raised approximately \$4,500.00 this year. He stated this was not a final number. He stated he was proud of this County's management and actions. He commented on the way the Board came together to support Glades County. He stated this was the best Commission he had ever served on.

Chairman Stanley commented on the foul smell coming from the compost plant in Lakeport and asked if the County had any restrictions in place to address it.

County Manager Carlisle stated the plant was located on the Seminole Tribe's property in Brighton and the County could not regulate their actions. He stated DEP did not have any regulation over the property either.

Chairman Stanley informed everyone that the Seacoast National Bank would be closing its doors on May 5th. He expressed concern and disappointment with the closing.

Ms. Brown stated all of the County's checking accounts were with Seacoast. She stated she had contacted Andrew Couse with First Bank to see about transferring all of the accounts to them. She stated the Clerk's staff could not drive to Clewiston daily to make the deposits.

Chairman Stanley commented on the recent Tallahassee trip. He stated Donald Avant Brown, former Supervisor of Elections, and Thomas Richard Corbitt, former County Manager, had both recently passed away. He stated they were both veterans and great leaders and he appreciated the services they had provided to the County.

ADJOURN

ON MOTION of Commissioner Beck seconded by Vice Chairman Pryor the Board adjourned the meeting.

Motion carried by 5 – 0 vote.

There being no further discussion, Chairman Stanley adjourned the meeting at 11:15 a.m.

Tim Stanley, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: March 8, 2016

THESE MINUTES ARE NOT A VERBATIM RECORD. TAPES ARE AVAILABLE FOR ANYONE INTERESTED IN LISTENING TO THE ENTIRE MEETING.