

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING ON TUESDAY, JANUARY 8, 2019 AT 9:00 A.M. IN THE COUNTY  
COMMISSIONERS MEETING ROOM, GLADES COUNTY COURTHOUSE, MOORE  
HAVEN, FLORIDA

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The Glades County Board of County Commissioners met on Tuesday, January 8, 2019  
at 9:00 a.m. with the following Commissioners present:

Tim Stanley, Chairman  
Weston Pryor, Vice Chairman  
John Ahern  
Donna Storter Long  
Donald Strenth

Others present:

Julie Mann Braddock, Administrative Secretary  
Richard Pringle, County Attorney  
Tiffany Patterson, Finance Director  
Martin Murphy, County Manager  
Susan BuChans, Community Development Director  
Archie Branch, Public Works Director  
Christopher Felker, Lake Okeechobee News  
Angie Snow Colegrove, Emergency Management Director  
Paul McGehee, GEC EDC Board member  
Gabrielle Ibietatorremendia, Human Resources Director  
Matthew Howard, AIM Engineering  
Raoul Bataller, Hendry Glades Sunday News  
11 citizens

**CALL TO ORDER**

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

**PRAYER**

Commissioner Pryor gave the invocation.

**PLEDGE**

Vice Chairman Stanley led the Pledge of Allegiance.

**AGENDA AMENDMENTS**

Note: Unanimous Board Action is required to amend agenda for official vote.  
There were none.

**PRESENTATIONS / AWARDS**

There were none.

**PUBLIC INPUT ON AGENDA ITEMS**

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There was none.

### **PUBLIC HEARINGS**

#### **1. Case Number RZ18-04 Glen Harvey**

Attorney Pringle stated he did not see Mr. Dobbs, representative for the applicant, in the meeting yet and requested that the Board continue this matter until he was present. He reminded the Chairman to call for ex parte disclosure and to swear in any witnesses that would be testifying in today's proceedings.

The Board continued with the other agenda items.

#### **2. Case Number RZ18-03 Brent Starts**

Attorney Pringle stated this hearing had been previously scheduled for today in anticipation of having completed the Planning & Zoning Board level review. He stated this item would be heard by the Planning & Zoning Board this afternoon. He requested that this hearing be continued until the next day meeting.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board continued Case Number RZ18-03 Brent Starts to the next Board of County Commissioners day meeting (February 12, 2019 at 9:00 a.m.) after the Planning & Zoning Commission has made its formal recommendations to the Board of County Commissioners.

Motion carried by 5 – 0 vote.

### **CONSENT AGENDA**

- 3. Approved payment of County Warrants. (Exhibit A)  
General Fund: 84730 and 84793 to 84891  
ACH Payments: 90-93  
Intergovernmental Radio: 10371 – 10372  
E911: 125  
SHIP: 1774 - 1780**
- 4. Approved the minutes of the October 9, 2018 Regular Meeting**
- 5. Approved the minutes of the November 26, 2018 Regular Meeting**
- 6. Approved the minutes of the December 18, 2018 Regular Meeting**

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Stanley the Board approved the Consent Agenda items.

Motion carried by 5 – 0 vote.

### **PUBLIC INPUT ON BUSINESS AGENDA ITEMS**

Anyone wishing to provide public comment on an Agenda Item please fill out a comment card on the table at the entrance to the Commission Chambers.

There was none.

### **BUSINESS AGENDA**

**7. Resolution 2019-1 – Relating to the 2019 Legislative Session (Florida Senate Local Funding Initiative Request - US 27 Corridor Infrastructure**

Chairman Ahern stated this proposal would take the infrastructure across the River and was an update to the request that had already been submitted to the Legislature. He stated Dale Milita, Connie Vanassche, and staff at Waldrop Engineering had worked on some numbers for this project. He stated the figures included crossing the River, construction of a lift station, and making a connection to the Sportsman Village RV Park.

Commissioner Storter Long stated she would support the Resolution.

Chairman Ahern stated this funding request would get the infrastructure across the River and add an additional customer. He stated the County would need to look into getting some federal funds to continue the project to the County line. He stated if the County was successful in getting this funding and infrastructure it needed to be mandatory to hook up to the sewer connection in the future.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board adopted Glades County Resolution No. 2019-1 relating to the 2019 Legislative Session as presented in the revised Resolution.

Motion carried by 5 – 0 vote.

**8. Board Selections of Chair and Vice Chair**

Chairman Ahern stated he had enjoyed being Chairman over the past couple of years. He turned the meeting over to Attorney Pringle to accept nominations for Chairman and Vice Chairman.

Attorney Pringle explained the selection process and opened the floor to nominations for Chairman.

Chairman Ahern nominated Vice Chairman Stanley for Chairman.

Vice Chairman Stanley nominated Commissioner Pryor for Chairman.

Commissioner Pryor declined the nomination.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board moved to cease nominations for Chairman.

Motion carried by 5 – 0 vote.

Commissioner Stanley was named Chairman of the Board.

Attorney Pringle opened the floor to nominations for Vice Chairman.

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Commissioner Storter Long nominated Commissioner Pryor for Vice Chairman.

ON MOTION of Commissioner Ahern seconded by Commissioner Storter Long the Board moved to cease nominations for Vice Chairman.

Motion carried by 5 – 0 vote.

Commissioner Pryor was named Vice Chairman of the Board.

### **9. 2019 Board Appointments**

Chairman Stanley stated everyone had turned in their appointment sheets and asked if the Board wanted to go over them together.

Commissioner Ahern stated Karson Turner, President of the Association of Counties, had asked that the Board have representation on the Water Issues Committee that was being formed. He suggested that the same person serve on the 16 County Coalition for Lake Okeechobee.

Commissioner Storter Long stated she did not have an issue with this. She mentioned that Chairman Stanley had served on the HRTPO with former County Manager Carlisle. She suggested that this be updated to County Manager Murphy. She stated she believed that Gabrielle Ibietatorremendia, Human Resources Director, should continue to serve as a Representative on the Risk Management/Insurance Board. She stated she would continue to serve on the Transportation Disadvantage Local Coordination Board.

Chairman Stanley asked if anyone wished to serve on the Area Agency on Aging.

There were no volunteers. Chairman Stanley stated he would serve on this Board.

County Manager Murphy noted that the HRTPO had been renamed as the Metropolitan Planning Organization and requested that the HRTPO appointment be deleted from the list.

The following appointments were made to the remaining Agencies/Committees:

**Canvassing Board** - Chairman Stanley and Vice Chairman Pryor

**Community Traffic Safety Team** – Commissioner Strenth, County Manager Murphy, and Archie Branch, Public Works Director

**Economic Development Council** – Commissioner Ahern and County Manager Murphy

**Fisheating Creek Settlement Agreement Advisory Board** – Commissioner Strenth

**Florida Association of Counties** – Chairman Stanley and Vice Chairman Pryor

**FHERO** – Chairman Stanley and County Manager Murphy

**Glades Correctional Development Corporation** – Commissioner Ahern

**Glades County Regional Training Center Steering Committee** – Commissioner Ahern and Vice Chairman Pryor

**Glades Youth Livestock/Doyle Conner Building** – Commissioner Ahern

**Heartland Library Cooperative Board of Directors** – Commissioner Storter Long  
**Juvenile Justice Circuit Advisory Board** – Commissioner Storter Long  
**Lee Memorial Trauma Advisory Board** – Commissioner Storter Long  
**Liaison to Legislature and Tallahassee Agencies** – Chairman Stanley and Vice Chairman Pryor  
**Metropolitan Planning Organization** – Chairman Stanley and County Manager Murphy  
**Moore Haven Canal Moonshine Marsh Project Liaison** – Commissioner Ahern and Commissioner Strenth  
**Risk Management/Insurance** – Commissioner Storter Long and County Manager Murphy (it was agreed that Gabrielle Ibietatorremendia would attend the meeting next Friday and County Manager Murphy would determine if she attended future meetings)  
**Seminole Tribe of Florida Liaison** – Commissioner Strenth  
**Small County Coalition** – Commissioner Ahern and Vice Chairman Pryor  
**Southwest Florida Regional Planning Council** – Commissioner Storter Long and Commissioner Strenth  
**Tobacco-Free Partnership** – Commissioner Strenth  
**Tourism Development Council** – Chairman Stanley  
**Transportation Disadvantage Local Coordination Board** – Commissioner Storter  
**United Way** – Chairman Stanley

**PUBLIC HEARINGS**

**1. Case Number RZ18-04 Glen Harvey (Continued)**

Attorney Pringle asked that any ex parte disclosure be disclosed and that any witnesses who wished to testify be sworn in.

Commissioner Strenth had no ex parte communication regarding this matter.

Commissioner Ahern had no ex parte communication regarding this matter. He stated he had talked in general to Mr. Dobbs about the proposed development.

Chairman Stanley stated he had meet with the applicant and others in the beginning stages of this proposed development and on one other occasion regarding how slow things were moving.

Vice Chairman Pryor stated he had talked with Mr. Dobbs about the proposed development.

Commissioner Storter Long stated she spoken with Mr. Dobbs about the proposed development; however, nothing specific had been discussed. She stated she had also spoken with a resident of Buckhead Ridge about the proposed development.

Susan BuChans, Community Development Director, and Steven Dobbs, Steven L. Dobbs Engineering, LLC were sworn in by Attorney Pringle.

Susan BuChans, Community Development Director, stated this was a public hearing on Case No. RZ18-04 - Glen Harvey proposed rezoning. She stated this was a proposed

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zoning change from Commercial General (C2) and Residential General to Planned Development on 532 acres in Buckhead Ridge. She stated this hearing had been properly noticed. She stated the application had been presented to the Planning & Zoning Board in November and continued to the December hearing date due to the application being amended and an additional parcel being added. She stated this was a large piece of property and would be developed in 4 phases. She stated approximately 56 acres would be zoned commercial and the remaining acreage would be residential. She stated the applicant was proposing 509 single units and 405 square feet of commercial development. She stated the property was located along Access Road and Highway 78 in Buckhead Ridge. She stated this would be a continuation of the residential development already in that area. She stated some conditions had been applied to the development. She stated the applicant would acquire Access Road and bring it up to County standards. She stated a turn lane would be constructed off of Highway 78 into the development. She stated these 2 conditions would be completed in Phase 1. She stated there would be 90 single family units constructed in Phase 1. She stated waste water lines would be put in so that if waste water became available to the area in the future the homes could be connected. She stated Phases 2, 3, and 4 would require a package plant for waste water or ensure that waste water was provided to those sites.

Chairman Stanley asked about a proposed RV Park that was shown in the traffic study.

Mrs. BuChans stated 2 different studies had been prepared.

Attorney Pringle made the application and staff report and recommendations be made a part of the record.

Steven Dobbs, Steven L. Dobbs Engineering, LLC and Applicant's Representative, came forward and explained that originally Phase 1 was going to include a future RV Park when waste water was available. He stated the applicant had decided to move forward with single family homes on well and septic. He stated when the applicant had got into permitting with DOT they had been informed that they did not do phase projects. He stated he had talked with South Florida Water Management District today about Access Road. He stated the consensus was that WMD was willing to turn the road over to the County; however, they had some requirements on the buffer that the County had requested on another water storage project. He stated he was not sure why these 2 projects were not being considered separately. He stated he feared he would not have an answer anytime soon due to changes in administration. He stated the applicant would be bringing waste water into the project. He stated he had been approached by the Okeechobee Utility Authority about a waste water package plant through DEP. He stated the OUA wanted to do a pilot project. He stated DEP would fund the project and the OUA would pull the permits. He stated the OUA wanted a time line for construction. He stated the plant would begin as a 35,000 gallon plant and would be expandable for future development. He stated he would be bringing a preliminary plat before the Planning & Zoning Board and eventually to the Board of County Commissioners for approval.

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County Manager Murphy stated the last communication he had with WMD they had seemed open to idea of separating these 2 projects with the condition that the County was going to pull back a little on the amount of area included in the requested buffer. He stated he asked WMD to define the buffer area that would be set aside for future development. He stated WMD had indicated that the County would receive a letter by the end of the year; however, to date he had not received the letter.

Chairman Stanley suggested that Mr. Dobbs contact Brandon Tucker, Governing Board Member – WMD, to help resolve this matter.

Mr. Dobbs stated he had discussed the matter with Mr. Tucker and would be happy to reach out to him.

Chairman Stanley stated the Vice Chairman on the Governing Board had recently resigned, as well as, the head counsel. He stated the new Governor had requested that all of the Governing Board members resign. He expressed concern with putting sewer lines in for the first 90 homes. He questioned how these people would be expected to hook up to the sewer plant once built after they paid thousands to put in a septic. He asked if the homeowners would get their money back.

Mr. Dobbs stated they maybe be able to get the package plant in prior to any homes being built in Phase 1.

Vice Chairman Pryor expressed concern with putting septic tanks next to the lake.

Mr. Dobbs stated he believed the package plant would be in everyone's best interest. He stated the OUA was working diligently to make this project happen. He stated there was a statewide mandate that if sewer was available the homes would have to hook up. He stated in his conversations with OUA they had indicated that there would be no connection fees for the sewer.

Commissioner Storter Long stated the application referenced South Shore Water Association several times. She asked if this was a typo.

Mr. Dobbs stated this was a typo.

Commissioner Storter Long stated the application indicated that solid waste disposal service would be coordinated with the contracted solid waste disposal service for Glades County. She stated Glades County did not contract for collection.

Mr. Dobbs stated each individual homeowner would have to sign a contract with a contractor of their choice for solid waste disposal.

Mrs. BuChans asked, if based upon these discussions, the pilot project waste water facility could be added as a condition to this development.

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Mr. Dobbs stated he would hate to tie this project to that project. He stated there were too many agencies involved in the pilot project to guarantee that it would be built at this point. He stated he was in very early discussions with OUA about the pilot project.

Vice Chairman Pryor agreed. He stated the OUA may decide not to do the project.

Chairman Stanley again expressed concern with the first 90 homeowners having to pay for a septic tank and then years down the road being forced to connect to the package plant.

Attorney Pringle stated Phases 2, 3, and 4 would have a package plant present. He stated the requirement was that the property owners in Phase 1 would have the ability to hook into that system once constructed. He stated this requirement would be built into the documentation in the Declaration of Covenants, Conditions, and Restrictions, and also in the marketing and the pricing of the units.

Commissioner Storter Long asked if these first 90 homes would be spec built homes or individually built.

Mr. Dobbs stated the homes would be individually built. He stated the development would be restricted to conventional built homes.

Commissioner Storter Long asked if this area would be a part of the mosquito control district.

Attorney Pringle stated this area was outside of the boundaries. He stated the boundaries of the district would have to be amended to include this area.

County Manager Murphy asked if there was a time frame for Phase 2. He expressed concern with adding an additional 90 homes with septic systems. He stated this would be counter-productive to the legislative packet that was just approved that requested funds to take properties off of septic systems.

Mrs. BuChans stated the proposed Ordinance described the phases. She stated deadlines were not described.

Attorney Pringle stated there was a provision in the proposed Ordinance regarding entering into a Developer's Agreement that would further describe and define the requirements of the Developer with regards to Access Road, construction of the turning lane, and the some type of financial security in the form of a bond. He stated the Developer's Agreement would come before the Board for approval.

Vice Chairman Pryor stated it was crucial that the home buyers understood that as soon as sewer was available that they would be required to hook up.



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Attorney Pringle stated this was typically found in the Declaration of Covenants, Conditions, and Restrictions document. He stated these conditions would be enforced by the developer and after the developer stepped out of the project there was normally a Homeowners' Association that would continue to enforce the terms of the document.

Commissioner Storter Long asked if a Planned Development could be modified.

Mrs. BuChans stated the Planned Development could be modified or amended.

Attorney Pringle stated the Board did not have the ability to mandate a further change. He stated the property owner could request a further change. He stated the proposed Ordinance had a great deal of detail. He stated he believed that the proposed Ordinance had a provision that required an entity to be created and continually in effect to oversee and manage the sewer system once it was created.

Mrs. BuChans stated if the language was not in the proposed Ordinance she felt it should be added.

Mr. Dobbs stated the OUA would be the entity that would oversee the sewer system if built.

Mrs. BuChans reviewed the proposed Ordinance and stated that language had not been included.

Attorney Pringle stated he would amend the proposed Ordinance to include this language. He stated there were 2 options for the Board today. He stated one would be to define the concept and authorize the language to be included in the proposed Ordinance. The other option would be to write the condition into the regulations beginning on page 10 of the proposed Ordinance. He suggested continuing this public hearing to the next day meeting so that the language could be included and considered by the Board all at one time.

Chairman Stanley asked Mr. Dobbs if the night meeting would be soon enough for the continued hearing.

Mr. Dobbs stated the next day meeting would suit him.

Attorney Pringle requested that the hearing be continued until the next day meeting. He stated the hearing would have to be advertised. He reminded the Chairman to call for public input at today's hearing. He stated the Board could make its final decision on the adoption of the Ordinance at the continued hearing.

Mr. Dobbs stated the original goal was to be done with the rezoning at the day meeting in February.

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Mrs. BuChans stated she would make sure that Phase 1 of the Ordinance Phase clarified that in the event that a package plant was constructed that the homeowners would be required to connect.

Chairman Stanley called for public input. There was none.

ON MOTION of Commissioner Storter Long seconded by Commissioner Ahern the Board continued the Public Hearing on Case RZ18-04 Glen Harvey to the February 12, 2019 Board meeting with the revisions to the language noted in this meeting to be made to the proposed Ordinance.

Motion carried by 5 – 0 vote.

### **CONSTITUTIONAL OFFICERS**

There was no discussion.

### **COUNTY ATTORNEY**

Attorney Pringle informed the Board that the County had been sued with an ADA claim in Federal Court relating to the accessibility of the County's website. He stated the Plaintiff was from the Northeast Florida area. He stated the matter had been referred to the County's insurance carrier and a Motion to Dismiss had been filed. He stated the insurance coverage provided for the legal defense of the claim. He stated he would continue to monitor the case and report to the Board.

Chairman Stanley clarified that it was not just Glades County that had been sued.

Attorney Pringle stated this particular Plaintiff had sued a number of agencies within the State of Florida.

Commissioner Ahern stated he was still working on the hotel contract with Attorney Pringle, Mr. Cortez, and his attorney.

Attorney Pringle stated he had presented a very lengthy ground lease to the Board at the December Board meeting. He stated the Board had agreed to send the ground lease to Mr. Cortez and his attorney. He stated he had received correspondence from Mr. Cortez's attorney near the first of January indicating that he had received the document and would be reviewing it and would respond in the near future.

Commissioner Ahern stated he felt Mr. Cortez was generally satisfied with the terms of the ground lease. He stated he felt they would respond fairly quickly.

### **COUNTY MANAGER & DEPARTMENT HEADS**

County Manager Murphy stated the Corps of Engineers had finally responded to the County's permit extension request on the Moore Haven Canal. He stated the Corps had requested additional information. He stated the County would have to meet their January 25<sup>th</sup> deadline. He stated he was working closely with AIM Engineering to satisfy all of the

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Corps' requirements and answer all of their questions. He stated the permit would expire on February 25<sup>th</sup>. He stated he was working diligently to meet the deadline. He stated when the permit was originally granted to the County the project was to be completed all at once. He stated subsequently the project had been broken into phases. He stated the Corps of Engineers was holding the standards applicable to the overall project to each individual phase. He stated some things could not be addressed because the project had not been completed in its entirety. He stated, if granted, the extension would be for 5 years.

### **PUBLIC INPUT ON NON-AGENDA ITEMS**

There was none.

### **COMMISSIONERS ITEMS AND COMMENTS**

Commissioner Strenth invited everyone to attend the Sour Orange Festival in Lakeport on January 19<sup>th</sup>. He stated the festivities would begin at 8:00 a.m. and end at 2:00 p.m.

Commissioner Ahern stated GDCD had averaged 512 inmates for the month of December. He stated there were 517 inmates as of yesterday. He stated GDCD appeared to be doing well; however, he was not sure how the Government shut-down would affect funding. He stated he had heard a lot of compliments on the work that the Public Works Department had been doing along the River. He stated he had enjoyed serving as Chairman of the Board and looked forward to working with the Board in the upcoming year. He stated he would like to continue to work on the hotel project.

Chairman Stanley agreed that Commissioner Ahern should continue with the hotel project.

Commissioner Storter Long wished everyone a Happy New Year. She stated she was excited about the development that was coming to the Buckhead Ridge area. She stated she also enjoyed working with the Board and was looking forward to the upcoming year. She stated Ortona community was using their facility more than ever and appreciated all that the County did to help. She stated she appreciated Susan Whidden bringing her packet to her on Friday afternoon since it was not yet on the internet.

Vice Chairman Pryor wished everyone a Happy New Year. He commented on the upcoming sessions in Tallahassee.

Chairman Stanley stated he was being asked by a lot of people about the spraying on the Lake. He stated the people were wanting the Board to make a statement about the spraying. He stated he did not know all of the facts and was not willing to make a statement at this time. He stated he was being told that the spraying was killing all of the weeds, there were no fish and no ducks. He suggested that the Board invite the Florida Game Commission, the Army Corps of Engineers, and the Water Management District to a meeting so that they could give an overview of what was being sprayed and why. He stated these people had asked that they be allowed to speak at the legislative delegation about this matter. He stated years ago he had fought to get the Lake sprayed because

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the water hyacinths were so bad. He stated spraying could not be abandoned all together but if something was being done wrong the Board needed to know. He stated this year had been bad for duck season and the speck season had started off pretty badly as well.

Commissioner Storter Long asked Commissioner Strenth if the Board had been invited to attend the Seminole Tribe of Florida's annual parade this year.

Commissioner Strenth stated he would find out. He stated the parade would be held on the second weekend of February.

**ADJOURN**

ON MOTION of Commissioner Pryor seconded by Commissioner Ahern the Board adjourned the meeting.

Motion carried by 5 – 0 vote.

There being no further discussion, Chairman Ahern adjourned the meeting at 10:40 a.m.

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Tim Stanley, Chairman

ATTEST:

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Sandra H. Brown, Clerk of the Circuit Court

Approved: January 28, 2019

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