

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING ON TUESDAY, APRIL 9, 2019 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, April 9, 2019 at 9:00 a.m. with the following Commissioners present:

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

Others present:

Julie Mann Braddock, Administrative Secretary
Sandra H. Brown, Clerk of Court
Richard Pringle, County Attorney
Tiffany Patterson, Finance Director
Martin Murphy, County Manager
Bob Jones, Public Safety Director
Angie Snow-Colegrove, Emergency Management Director
Marisa Shivers, Assistant – Emergency Management
Susan BuChans, Community Development Director
David Hardin, Glades County Sheriff
Duane Pottorff, Chief Deputy - Glades County Sheriff's Office
Mike Pepitone, Glades County Sheriff's Office
Steve Ramunni, Attorney for Lakeport Water Association
Archie Branch, Public Works Director
Christopher Felker, Glades County Democrat
Josh Rimes, Fire Chief – Hendry County
Paul Mogahee, TDC and Glades Electric Cooperative
Cindy Ricker, SHIP Coordinator
Matthew Howard, AIM Engineering
Gail Jones, Glades County Tax Collector
Gabrielle Ibietatorremendia, Human Resources Director
Susan Whidden, Administrative Assistant – County Manager's Office
Aletris Farnam, Glades County Supervisor of Elections
Libby Maxwell, SFWMD
26 citizens

CALL TO ORDER

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

PRAYER

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

Commissioner Storter Long gave the invocation.

PLEDGE

Commissioner Ahern 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 HEARINGS

There were none.

CONSENT AGENDA

1. **Approved payment of County Warrants (Exhibit A)**
General Fund: 85361 – 85439
ACH Payments: 122-126
SHIP: 1797 – 1802
E911 : 129
Intergovernmental Radio: 10379
Tourism Development Council: 1073
2. **Approved the minutes of the March 25, 2019 Regular Meeting**

ON MOTION of Commissioner Ahern seconded by Commissioner Strenth 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

3. County Tax Deed Applications

Gail Jones, Glades County Tax Collector, stated the Board must apply for tax deed process on County certificates that remained unpaid and that were 2 years old. She stated she had sent warning letters out and some of the certificates had redeemed since the letter was sent to the Board. She stated at the time of the letter there were 230 - 2017 certificates that were mature enough for tax deed application. She stated this list also included some old ones that the Board had chosen not to apply for in the past. She stated the list was down to 209 parcels. She stated the Board must apply for tax deed if the current assessed value of the parcel was \$5,000.00 or more. She stated there were 15 certificates that this mandate applied to. She stated these were marked on the list. She stated the Board had the choice to apply on the remaining 194 parcels. She referred to

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

the third page from the last. She stated Certificate 648-2017 was exempt from ad valorem taxes according to statute because the owner was a governmental agency; however, this parcel was not exempt from drainage taxes. She stated the owner was aware that the taxes were due. She stated the only way the taxes would not be payable would be if the taxing district – Diston Island chose to remove it from the tax roll. She stated Diston Island Drainage District did not wish to remove the taxes from the tax roll. She stated the total due for the title searches on the 15 certificates that the Board must apply on would be \$1,725.00 (\$115.00 x 15). She stated there was a new law that took effect in October that required the Clerk of Court's office to collect an additional \$10.00 recording fee on each tax deed application. She stated Sandra H. Brown, Clerk of Court, had indicated that she would bill the Board separately for these fees as some of the certificates may redeem before being turned over to the Clerk.

Chairman Stanley asked what would happen if the Board did not chose to apply for tax deed application on the 194 remaining parcels.

Mrs. Jones explained that if the certificates were not purchased at the tax certificate sale they were struck off to the County. She stated the certificate was valid for 7 years from the time of issuance. She stated the County may still get its money back. She stated the Board in previous years had chosen not to apply on all of the certificates because if they did not sell at the tax deed sale, the parcel would go on the list of lands for 3 years, and if not purchased, would become the County's property.

Chairman Stanley clarified that there was a parcel on the list that had been provided that was a roadway and access to someone's home in Buckhead Ridge. He asked if someone could purchase the certificate and eventually own it and block access to the property.

Mrs. Jones stated anyone could come into her office and purchase the certificate and then start the tax deed process. She stated the parcel would then go up for public auction. She stated the landowner was notified by her and the Clerk of Court.

Chairman Stanley stated this particular parcel was still deeded to the Pearce's. He stated he was not sure if the lady that lived in the house was aware that if the parcel sold she would have no access to her home.

Mrs. Jones stated the law required that taxes be paid. She stated if the parcel went to tax deed sale anyone could bid and possibly own the parcel.

Attorney Pringle described the process that had to be followed. He stated if the County wanted to direct staff to provide notice to the individual Chairman Stanley was talking about they could do so. He stated the Board had no option except to proceed with the tax deed process.

Mrs. Jones asked if the parcel Chairman Stanley was speaking of had a value of \$5,000.00 or more.

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

Chairman Stanley stated he did not believe the parcel was valued that high.

Mrs. Jones stated there would not be a tax deed application process now on that parcel unless the Board chose to proceed that way.

Commissioner Storter Long questioned where the parcel was located that was exempt from the ad valorem taxes.

Mrs. Jones stated the parcel was located off of Daniels near the Alvin Ward Boat Ramp. She stated it was an access road. She stated the parcel was assessed at \$35,925.00 so the Board had no choice but to apply.

Commissioner Storter Long asked if Diston Island Drainage District had a tax lien on this parcel.

Mrs. Jones stated she would not know this until the title search was completed. She stated the County would not be responsible for any liens.

Commissioner Storter Long stated this parcel was a roadway that connected a public boat ramp that was owned by the Army Corps of Engineers to a County owned road. She stated it appeared that the owner did not want the road.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board approved applying for the tax deed sale process on the 15 marked certificates (valued over \$5,000.00) in the amount of \$1,725.00 and to not apply for the remaining 194 certificates that were available.

Motion carried by 5 – 0 vote.

Mrs. Jones stated she would let the Board know how many parcels were remaining at the next Board meeting and would send an invoice showing the final total to Tiffany Patterson, Finance Director. She stated the Board could then approve the warrant and she would begin the tax deed applications the 1st of May.

4. 2018 Edward Bryne Memorial Justice Assistance Grant Program

Duane Pottorff, Chief Deputy – GCSO, stated this grant had already been approved in 2017 but had been delayed due to the recent government shutdown. He asked that Commissioner Ahern be authorized to sign due to the fact that he was the Chairman of the Board at the time of approval.

ON MOTION of Commissioner Storter Long seconded by Commissioner Strenth the Board approved the Certificate of Acceptance of Subgrant Award for the Multi-Jurisdictional Task Force and authorized Commissioner Ahern to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

5. Glades County Resolution No. 2019- Setting a date for a public hearing to vacate a roadway

Susan BuChans, Community Development Director, presented a request to set a date for a public hearing for vacating/closing a portion of a roadway. She stated the applicant, Bonnie Driggers, had submitted a request to vacate a portion of Cove Street. She stated part of the home that Ms. Driggers resided in was partially constructed in the right of way. She stated in order for Ms. Driggers to sell her home, the title company was requiring that this issue be cleared up. She referred to a map that was attached to the resolution showing the portion of the street that needed to be closed. She stated this request had been sent to the County Manager, the Public Works Director, and the utilities company for comment. She stated there were no objections.

Chairman Stanley asked if this closure would impede access to the lots further down the street.

Mrs. BuChans stated the surrounding property owners would be notified via mail about the public hearing. She stated the roadway standards adopted by the Board, which adhered to the Florida Green Book Standards, required a minimum of 9 feet of paved access. She stated this had been considered and would meet the standards.

County Manager Murphy stated after the requested portion of the street was closed, there would be a remaining 51 feet between the property lines. He stated the requirement was a maximum of 20 feet. He stated at the time of development this street should have been improved and set aside; however, this had not been done. He stated closure of this portion of the street would not impede future improvements.

Commissioner Storter Long questioned why the aerial photograph designated this area as a canal. She asked if the line on the map shown as Cove Street was an actual roadway or just a line drawn on the map.

Commissioner Ahern stated it was a proposed roadway in the original development.

Chairman Stanley asked how this home had been constructed to begin with when it was not built on a full lot.

Commissioner Ahern stated he believed the home had been originally constructed under the SHIP program and placed on the lot incorrectly. He stated the mistake had not been found until the after the title search was done.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board adopted Glades County Resolution No. 2019-8, setting a public hearing date of May 14, 2019 for the petition to vacate/close a portion of Cove Street in Bowden's Waterfront Lots in the Moore Haven area.

Motion carried by 5 – 0 vote.

Mrs. BuChans thanked Attorney Pringle for his assistance with bringing the format of the resolution up to date.

6. Encumbrance of SHIP funds

Cindy Ricker, SHIP Coordinator, requested that SHIP funds be encumbered in the amount of \$15,000.00 as down payment assistance for Applicant 2019-DPA-1-Steele Dana Steele. She stated Ms. Steele would be the first recipient of a Habitat for Humanity home.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Starter Long the Board approved the encumbrance of SHIP funds in the amount of \$15,000.00 for Applicant 2019-DPA-1-Steele and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

Commissioner Ahern stated the Habitat for Humanity homes seemed to be coming along really good.

Ms. Ricker stated the home located in Moore Haven should receive a Certificate of Occupancy this week.

7. Lakeport Water Association

Steve Ramunni, Attorney for the Lakeport Water Association, presented a request by the Board of Directors of the Lakeport Water Association to expand the franchise granted for potable water services to include the collection, transmission, treatment and distribution of wastewater services within the same territorial area. He stated the Association had been granted a franchise to provide potable water for the Lakeport area pursuant to Glades County Ordinance No. 2010-14. He stated the term was set at 40 years. He stated the Association was then able to enter into a USDA financing program and purchase water from the Seminole Tribe of Florida. He stated this request would expand the franchise ordinance to include wastewater services. He requested the term be set at 40 years. He stated this would be the first series of steps to remove septic tanks out of the Lakeport area and get into a central sewer district. He stated if this request was granted the next step would be to conduct a feasibility study. He stated Craig A. Smith & Associates had already been retained to do the study. He stated there could be a scenario where the Board may conduct its own collection, transmission, and treatment or there may be a scenario where the Association could enter into an agreement with the Seminole Tribe of Florida to provide wastewater services. He stated the Tribe seemed to be very receptive to this idea. He stated the timing would coincide with the Tribe's plans for a hotel and other amenities. He stated this project also addressed water quality issues with Lake Okeechobee. He stated the Association had already applied for funding for the feasibility study. He asked that the Board approve the Association's request to expand the franchise. He stated Attorney Pringle would be preparing an ordinance for approval in the future.

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

Commissioner Ahern stated this project fell in line with the other wastewater projects in Moore Haven and the proposed project in Buckhead Ridge.

Commissioner Storter Long asked for clarification of the proposed motion.

Attorney Pringle stated the request was to modify the current approval (in Ordinance 2010-14) so that the dates would run from the beginning date of approval in November 22, 2010 for a 40 year term and add the additional service.

Attorney Ramunni stated he had also questioned the timing. He stated the financing was underway with the USDA and would be a 40 year term. He stated if the time was made retroactive back to 2010 it could create a shortage in the term. He stated if this was a problem he would come back to the Board and request an extension in the term.

ON MOTION of Commissioner Ahern seconded by Commissioner Strenth the Board approved expansion of the franchise granted for potable water services (Ordinance 2010-14) to include the collection, transmission, treatment and distribution of wastewater services within the same territorial area.

Motion carried by 5 – 0 vote.

Attorney Pringle stated this was the first step in the process. He stated an ordinance would be brought back to the Board for official action in the future.

Mr. Ramunni stated this step would give the Lakeport Water Association the ability to get funding for the feasibility study.

8. Encumbrance of One Cent Funds

County Manager Murphy stated this was a request to encumber \$122,333.00 from the one cent funds to cover the portion of the County's half of the Craig A. Smith contract relating to the City County Public Works Association's sewer project. He stated his approval would encumber the funds and the next item on the agenda would be the request for transfer of those funds.

Commissioner Ahern stated the CCPWA had realized at its last meeting that the amount of grant funds was not sufficient to complete the sewer project on the south side of Moore Haven. He stated the City had committed funds from its gas tax funds to cover the deficit. He stated the County had monies in the one cent fund that could be used for infrastructure and to assist in completing this project. He stated it was important that this project be completed.

Commissioner Storter Long stated when it was discovered that the grant funding was not going to cover the bid that had been chosen, there had been some discussion about possibly reducing the roadway construction that would not affect the wastewater collection system but it would not have been equal to the standards that had been set. She stated the CCPWA had agreed that the quality of the roadways would not be reduced. She stated use of the one cent funds had been mentioned. She stated this project was

within the City of Moore Haven and the City did have adequate funds in the fuel tax fund that would cover all of this project. She asked that this be considered. She asked Attorney Pringle about the use of one cent funds for this project.

Commissioner Ahern stated the ordinance governing use of the one cent funds showed that the funds could be used for infrastructure.

Attorney Pringle stated he believed that the use of funds would be permissible to the extent that the repairs were related to the project. He stated the project was the improvement that would qualify the use of one cent funds.

Commissioner Storter Long asked if there was any reason why when there were other needs within the County for the use of one cent funds that the Board would not request that the City use their own funds to complete this project.

Commissioner Ahern stated this was not the only road that the City of Moore Haven had in need of repair. He stated this was a wastewater project and not a roadway project.

Commissioner Storter Long stated the City had only used \$26,000.00 of its fuel tax funds since 2016. She stated the fuel tax fund had a balance of \$372,000.00. She stated this project could have been completed with those funds.

Commissioner Ahern explained that the City usually waited to complete roadway projects when it could piggyback off of the County's contracts and funds had been built up.

Commissioner Storter Long commented on roads in her district that still needed repair.

ON MOTION of Commissioner Ahern seconded by Commissioner Strenth the Board approved the encumbrance of one cent funds in the amount of \$122,333.00 to cover the County's portion of the overage from the contract with Craig A. Smith relating to the City County Public Works Authority Sewer Project.

Commissioner Storter Long stated she would not oppose the motion but did believe it was wrong.

Motion carried by 5 – 0 vote.

9. Budget Transfer Request Waste Water Sewer Project

ON MOTION of Commissioner Strenth seconded by Commissioner Ahern the Board approved the budget transfer request in the amount of \$122,333.00 from Account #301-535000-500630 to Account #301-535501-500630 to cover expenses related to the City County Public Works Authority's Waste Water Sewer Project.

Motion carried by 5 - 0 vote.

10. Glades County Resolution No. 2019- to enter a State funded grant agreement

County Manager Murphy stated his project had been awarded for resurfacing improvements on CR 74 from 2.5 miles east of Fire Tower Road to SR 29 for a total of 5.19 miles. He stated the total project cost was approximately \$5,446,000.00.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Pryor the Board approved Glades County Resolution No. 2019-9, to enter into a State funded Grant Agreement (Small County Outreach Program “SCOP”) (CSFA 55.009) with the State of Florida Department of Transportation; providing for scrivener’s errors; providing for conflicts; providing for liberal construction; providing for severability; providing for an effective date; and authorized the Chairman to sign the Resolution and Florida DOT Agreement on behalf of the Board.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS

Chairman Stanley thanked Archie Branch, Public Works Director, for the work he had done on a ditch in Buckhead Ridge.

Aletris Farnam, Supervisor of Elections, stated before she left to go to Orlando last week she had receive a call from the Department of State questioning Glades County’s time line for purchasing new tabulation equipment. She stated she had advised them that the Board of County Commissioners was aware of the need to purchase the equipment and that it would be addressed in the upcoming budget. She stated she would happy to discuss the matter with the Commissioners if they wished to stop by her office.

Chairman Stanley clarified that the equipment had to be purchased prior to the next election.

Mrs. Farnam stated this was correct. She stated the media had contacted the State to see which counties were not in compliance. She stated Glades County was one of the counties.

Chairman Stanley stated this equipment would cost approximately \$232,000.00.

Commissioner Ahern stated there was also a lease option. He stated there was more than one vendor that the County could get prices from.

Mrs. Farnam stated there were 2 certified vendors in the State. She stated the vendor information and pricing she had provided to the Board was the only vendor that had an all in one piece of equipment. She stated 2 pieces of equipment would have to be purchased from the other vendor.

Commissioner Storter Long stated she appreciated Mrs. Farnam giving the Board a heads up on this item.

COUNTY ATTORNEY

Attorney Pringle stated he would like to touch base with each Commissioner regarding the Wolfenburger SHIP matter following the workshop.

Commissioner Storter Long commented on rumors flying several weeks ago about some allegations made. She stated she had contacted Attorney Pringle's office regarding the matter. She stated she had heard nothing about the situation and wondered if it had been dismissed or resolved.

Attorney Pringle stated the matter was still pending and had been assigned to Labor Counsel. He stated he would be glad to touch base with him to see if any information should be disseminated to the Board members at this time.

COUNTY MANAGER

County Manager Murphy stated the County had received the independent auditor's report for the Glades Correctional Development Corporation (GCDC) for the years ending September 30, 2018 and September 30, 2017. He stated the Lake O Coalition would have its first meeting on May 7, 2019 at 6:00 p.m. in Okeechobee. He stated this would be a very important meeting. He stated he had attended the PRM Group Health Trust Board of Directors meeting in Sarasota. He stated he had spoken with Tony Patrick about the purchase of a piece of land which had been discussed at the last Board meeting. He stated Mr. Patrick had offered the County \$1,500.00 for the parcel of land. He asked for direction from the Board regarding this matter.

Commissioner Ahern stated Mrs. Ward had come up with a number based on the square footage on property that was adjacent to this parcel on the River. He stated he believed this figure was probably high. He stated the property could not be used for anything. He suggested the Board make a counter offer.

County Manager Murphy stated the value on the property card was \$33,000.00, which was admittedly overstated. He stated this was why the Board had asked that the Property Appraiser assign a value. He stated the value assigned had been \$4,500.00.

Attorney Pringle reminded the Board that this was not an agenda item and no action could be taken. He stated the Board could direct staff to bring this matter back at the next meeting.

It was the consensus of the Board to bring the item back as an agenda item at a future meeting.

PUBLIC INPUT ON NON-AGENDA ITEMS

Steve Hein, resident of Muse, commented on the County Commission opening up its community relations. He stated a lot of citizens felt that the relations were too closed in and limited to the board room. He stated there should be greater community outreach. He suggested having meetings in one of the other County buildings, such as Muse,

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

Ortona, or Buckhead Ridge. He stated a lot of people could attend the Commission meetings due to work schedules. He suggested live streaming the meetings. He commented on the Board writing off impact fees at the last meeting. He stated the County was starving for money and suggested that the Board consider implementing the impact fees again. He stated new people coming into the County will pay the fees.

Chairman Stanley stated the Board would consider Mr. Hein's requests. He questioned what had come of the new recording equipment that had been purchased for the meetings.

Sandra H. Brown, Clerk of Court, stated she assumed the equipment had been purchased. She stated Mrs. Whidden in the County Manager's Office had been in charge of the purchase. She stated the equipment did include the option to live stream the meetings for an additional cost.

Attorney Pringle stated one other individual had signed up to speak and had indicated that he wished to speak at the workshop following the meeting. He stated Mr. Heflin could speak now or at the workshop.

Chairman Stanley stated the workshop was normally for the Commissioners and not for public comment. He gave Mr. Heflin the choice to speak now or at the workshop.

David Heflin, resident of Ortona, stated he was a long-time volunteer fire fighter with Glades County. He stated he was also a Glades County EMS employee. He stated the County had about 4 fire fighters on a perfect day. He stated part of the problem with recruiting more volunteers was that the State required approximately 200 hours of training. He stated this was not going to change and he did not want it to. He stated he whole heartedly supported the idea of a full time fire department in Glades County. He stated one of the important issues for him was that if he was paying the same thing for services as the other residents in Glades County then he would expect and demand the same services. He stated the pay for Glades County EMT's and paramedics was significantly lower than the neighboring counties. He stated he came to work in Glades County making \$2.00/hour less because he wanted less stress and a better boss. He stated he had found both. He thanked the Board for their time.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Storter Long commented on the impact fees. She stated she believed the largest amount of fees collected had gone into the Road Impact fees. She commented on spending funds on City roads and using impact fees from her side of the County to construct Thatcher Boulevard. She suggested giving this issue more thought. She stated she had served on the Board for 12 years and still had unpaved roads in her district.

Vice Chairman Pryor had no comment.

Commissioner Strenth invited everyone to attend the Lakeport Community Association tonight. He stated he believed this would be the last meeting until August.

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

Commissioner Ahern thanked Ms. Brown and Mrs. Patterson for their efforts in resolving the issues with the local option fuel tax and getting the County the funding it deserved. He stated funds had been received last week totaling \$335,000.00 for the County and the City had received \$66,815.00. He stated the Chalo Nitka festival had been successful again this year. He stated the Youth Livestock Sale had brought in \$279,000.00 at the initial sale and after collecting the add-ons had totaled \$356,000.00. He stated this figure was up \$25,000.00 from last year. He stated he and Attorney Pringle continued to work on the hotel project. He stated he hoped to have a contract back that could be negotiated within the next week to 10 days. He stated he, County Manager Murphy, and David Miller had met with Jeff Sabin and Tony Bishop of Waste Management regarding the possibility of implementing mandatory garbage pickup for the County. He commented on his recent trip to Tallahassee and stated he believed it had been successful.

Chairman Stanley commented on an email he had received from a lady regarding behavioral health. He stated he realized the request had been cut out of the budget. He questioned why the Board had cut this budget. He suggested the Board review this decision again during budget workshops. He stated he had contacted Connie Vanassche regarding the request for funds on the sub-station in Muse. He stated she had informed him that the request was still there but the funds were not guaranteed. He stated the Board would probably need to use some one cent funds to improve the building so that it could house fire and EMS services.

ADJOURN

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

Motion carried by 5 – 0 vote.

There being no further discussion, Chairman Stanley adjourned the meeting at 10:13 a.m.

Tim Stanley, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: May 14, 2019

GLADES COUNTY COMMISSION – APRIL 9, 2019 REGULAR MEETING

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