

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING ON MONDAY, APRIL 22, 2019 AT 6:00 P.M. IN THE COUNTY
COMMISSIONERS MEETING ROOM, GLADES COUNTY COURTHOUSE, MOORE
HAVEN, FLORIDA

The Glades County Board of County Commissioners met on Monday, April 22, 2019 at 6:00 p.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
Martin Murphy, County Manager
Tiffany Patterson, Finance Director
Bob Jones, Public Safety Director
Jeffrey Patterson, TDC and Planning & Zoning Board Member
David Hardin, Glades County Sheriff
Cindy Ricker, SHIP Director
Archie Branch, Public Works Director
Susan BuChans, Community Development Director
58 citizens

CALL TO ORDER

Chairman Stanley called the meeting to order at 6:00 p.m.

PRAYER

Vice Chairman Pryor gave the invocation.

PLEDGE

Commissioner Strenth led the Pledge of Allegiance.

AGENDA AMENDMENTS

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

PRESENTATIONS / AWARDS

1. MMHS FFA Program

Samantha Rhymes, Teacher – MMHS, gave an overview of the presentation. She stated these students were on the FFA's Ag Issues Team and would be discussing water quality issues that affect Lake Okeechobee, Caloosahatchee River, and the St. Lucie County estuaries. She stated these students were competing in a State contest and were required to present this quorum 5 – 7 times prior to the FFA Conference in June at

Orlando. She stated the presentation contained a lot of information. She gave out copies of a power point slide show and the script of the speech that the students would be giving (Exhibit). She stated the team would give an overview of the pros and cons of the solutions that have been offered to fix the flow of waters, especially from the farmers in the Everglades Agricultural Area (EAA) and from the coastal residents in Lee County. She stated each student would play a different role of these various stakeholders. She introduced the following students and their roles in the presentation: Hannah Moss – Environmentalist and Conservationist; Camden Rhymes – Sanibel Island resident; Reese Davis and Kerri Hines – Sugar Cane Farmers in the EAA; Rosmary Rubio – Hotel Manager on Fort Myers Beach; and Bryant Williams – South Florida Water Management District Representative.

The students presented a rally type discussion regarding water quality issues facing farmers, business owners, and residents that call South Florida home. The presentation covered topics such as water quality in South Florida and the fact that it was in peril with solutions, such as regulations on farmers and sending water south into the Everglades to help regain water and ecosystem stability.

There was brief question and answer session following the presentation.

Several audience members commented on what an excellent job the students had done with this presentation.

2. Preschool Provider Appreciation Proclamation

County Manager Murphy stated the Early Learning Coalition served preschool providers in Glades, Hendry, Lee, and Collier Counties. He stated May 10, 2019 was National Preschool Provider Appreciation Day and requested that the Board make a proclamation to that effect.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Ahern the Board approved a Proclamation declaring May 10, 2019 Preschool Provider Appreciation Day and authorized the Chairman to sign on behalf of the Board.

Chairman Stanley read the Proclamation into the record.

Motion carried by 5 – 0 vote.

PUBLIC HEARINGS

There were none.

CONSENT AGENDA

- 3. Approved payment of County Warrants (Exhibit A)**
General Fund: 85440 – 85541
ACH Payments: 127 – 135
Intergovernmental Radio: 10380
SHIP: 1803 – 1804

Tourism Development Council: 1074 – 1075
E911 Maintenance Grant: 130
EMS Award Grant: 1936
Buckhead Ridge Utility: 246
E911 Primary System Grant: 1055

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

4. Glades County Resolution No. 2019- declaring Glades County real property as surplus County property and directing the disposal of the surplus County real property pursuant to Section 125.35(2), Florida Statutes

County Manager Murphy stated on February 28, 2019 Glades County had received a request from Tony Patrick to sell County owned property located on River Road. He stated the parcel was .070 of an acre, was unbuildable, and was adjacent to Mr. Patrick's recently purchased property. He stated the staff's recommendation to the Board was to declare the property surplus to County need and to direct staff to dispose of the real property pursuant to the authority and requirements outlined in Section 125.35(2), Florida Statutes. He stated Attorney Pringle had revised the language in the previous Resolution which was adopted at the March 25, 2019 meeting. He stated Section 5 of the revised Resolution repealed the previously adopted Resolution.

ON MOTION of Commissioner Ahern seconded by Commissioner Starter Long the Board approved Glades County Resolution No. 2019- 10, effecting the sale of real property with a Glades County Property Appraiser Identification S14-42-32-001-0000-0170; 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 on behalf of the Board.

Motion carried by 5 – 0 vote.

5. Early Learning Coalition

County Manager Murphy stated on April 10th the Early Learning Coalition had faxed over a letter to his office requesting a 6% federal match in the amount of \$3,047.09. He stated Glades County had been unable to match this request in fiscal years 2015, 2016, 2018, and 2019; however, the County had paid the match in fiscal year 2017 in the amount of \$1,841.10. He stated the last request from the Early Learning Coalition had come before the Board on November 13, 2018.

Commissioner Storter Long stated the attachment for this agenda item was not viewable.

County Manager Murphy stated the County could request a waiver of the grant match if funding was not available.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Strenth the Board denied the request of the Early Learning Coalition for a 6% federal match; authorized staff to draft a letter stating such; and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

6. Request for Budget Transfer– Community Development

Tiffany Patterson, Finance Director, stated Attorney Pringle’s Office was running a little behind on billing. She explained that this invoice would cover services through February 2019. She stated there had been several larger cases that required legal services in the past year.

ON MOTION of Commissioner Strenth seconded by Commissioner Ahern the Board approved a budget transfer request in the amount of \$10,000.00 from the General BOCC Professional Services Account #001-511005-500310 to Planning Professional Services Account #001-515000-500310 to cover attorney fees.

Motion carried by 5 – 0 vote.

7. Change Order for demo of Septic Tank for RFP #2018-Demo/Rebuild-Mallard-1

Cindy Ricker, SHIP Coordinator, requested a change order to the Mallard demo/rebuild project. She stated the contractor had discovered that the abandoned septic had never been pumped and crushed after hook up to the City sewer lines some time ago. She stated the contractor had to demo the septic and fill with 2 loads of sand.

Commissioner Storter Long asked if the owner was charged with demolishing the old septic at the time of hook up or if the sewer project handled doing this.

Commissioner Ahern stated the sewer project probably should have taken care of this when the home was connected to the City’s sewer lines. He stated several septic tanks had been found around the City that had not been properly demolished at the time of hook up.

ON MOTION of Commissioner Storter Long seconded by Commissioner Strenth the Board approved a change order in the amount of \$950.00 for RFP #2018-Demo/Rebuild-Mallard-1.

Motion carried by 5 – 0 vote.

8. Encumbrance of SHIP Funds

Ms. Ricker requested the encumbrance of SHIP funds for applicant 2019-DPA-2- Graham in the amount of \$20,000.00 (Down Payment Assistance) and Applicant 2019-DPA-3-Johnson in the amount of \$15,000.00 (Down Payment Assistance). She stated one of these applicants would be moving into a Habitat for Humanity home. She stated the home should be completed by the first part of June.

ON MOTION of Vice Chairman Pryor seconded by Commissioner Storter Long the Board approved the encumbrance of SHIP funds for Applicant 2019-DPA-2- Graham in the amount of \$20,000.00 (Down Payment Assistance) and Applicant 2019-DPA-3-Johnson in the amount of \$15,000.00 (Down Payment Assistance) and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS / DEPARTMENT HEADS

Archie Branch, Public Works Director, stated he had acquired another 15' batwing mower. He stated this would allow 4 tractors to run on a year round basis. He stated he was currently in Buckhead Ridge with the mulching machine and would be moving to Muse and then Ortona within a few weeks.

Chairman Stanley complimented Mr. Branch on the work he had been doing in Buckhead Ridge.

COUNTY ATTORNEY

There was no discussion.

COUNTY MANAGER

County Manager Murphy stated the water pump to the courthouse fountain had failed and would be replaced. He stated he would be meeting Court Administration this week to discuss changes in courthouse security guidelines governed by the Supreme Court and an upcoming safety assessment inspection of the courthouse. He stated the US Board of Geographic Names had approved the proposal to change the name of the community "Muce" to "Muse". He stated the Public Works Department had awarded a contract to replace the 2,000 gallon petroleum tank at the Road Department. He stated the cost would be \$28,200.00. He stated he had not received any responses to the Business Park Wetland RFP which was due last week. He stated he had learned that the time frame to respond had been pretty aggressive. He stated he had issued a second RFP and extended the time frame for response until May 14, 2019. He stated a RFP had also been issued to conduct a County surplus equipment auction. He stated these proposals were due no later than May 1st. He stated he and Mr. Branch were scheduled to meet with AIM Engineering on April 20th on site at the Moore Haven Canal dredging site to assess the level of refurbishment work that was necessary to comply with the conditions of the US Army Corps permit extension. He invited the Commissioners to attend this meeting. He stated the County's Personnel Manual consulting firm was on site last week to meet with committee members and other staff members. He stated the firm had indicated that a

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

draft would be ready for review within the next 4 – 6 weeks. He reminded everyone of the Lake O Consortium's first meeting which would be held on May 7, 2019 at 6:00 p.m. at the high school in Okeechobee.

Commissioner Storter Long asked if consideration should be given to purchasing mitigation points on the corner of the property at the Business Park. She stated this was a prime corner piece of property.

County Manager Murphy stated AIM Engineering was looking into the cost of wetland credits that would allow the wetland to be filled in. He stated these credits were very expensive. He stated he could certainly inquire about the County's options with South Florida Water Management District.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Stanley called the names of the individuals signed up to speak.

Shonna Lynn, 1035 Saturn Court, LaBelle, expressed concern with the mobile home that had been placed at 1626 Inwood Road in Port LaBelle Unit 102. She stated Unit 102 consisted primarily of site built homes. She stated she understood that there would be an influx of mobile homes coming into the area and she was concerned with how this would affect the property values in the area.

Susan BuChans, Community Development Director, stated Commissioner Storter Long had requested that she define manufactured/mobile homes versus modular homes at a recent Planning & Zoning Commission meeting. She stated she had received several phone calls regarding this issue. She stated the home located at 1626 Inwood Road in Port LaBelle was a modular home and not a manufactured or mobile home. She stated the home was built according to the Florida Building Code. She stated Commissioner Storter Long had informed her that Hendry County was considering not allowing manufactured homes in the area. She stated she had inquired about this and had been told by one of the Hendry County Planners that a workshop would be held to consider design standards for residential structures in their community. She stated according to an Attorney General's opinion all residential structures had to be treated the same. She stated the Planning & Zoning Board had requested that she check in with Hendry County to see what they had been doing with these matters. She stated she had not done this yet. She stated she had also been asked by Attorney Pringle to review the Plat for Port LaBelle Unit 102. She stated she had done this and provided copies to those that were present at the meeting. She stated the Port LaBelle Ranchettes did have a Homeowners' Association. She stated this was a way to control the types of homes coming into the subdivision. She stated he Plat did have covenants and restrictions that were recorded with it at the time of platting. She stated she had copied these restrictions and sent them to Mr. Gaskins. She stated there were standards that the subdivision could require above and beyond what the County would have; however, they would need to set up their own Homeowners' Association.

Commissioner Storter Long suggested declaring a moratorium until more was known.

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

Mrs. BuChans stated she would be hesitant to do this because a modular home was permitted in that zoning district. She explained that a modular home could either be set up on a stem wall or pillars.

Vice Chairman Pryor stated his idea of a modular home was something similar to a Jim Walter Home. He stated the State of Florida should have never lowered its standards on a modular home.

Mrs. BuChans stated according to the definition of modular home, the home was built according to Florida Building Code. She stated a modular home was considered a single family residence. She stated a mobile home was built according to HUD standards.

Commissioner Storter Long asked if the Board could establish regulations that would deny modular homes in that area.

Mrs. BuChans stated modular homes were considered single family homes and could not be denied.

Commissioner Storter Long asked why the Board could not set a standard that required modular homes to be placed on a stem wall.

Mrs. BuChans stated this could be done; however, it would have to be applied to all residential structures throughout the County.

Vice Chairman Pryor stated there appeared to be a route to correct this issue.

Tom Gaskins, III, 1079 Argosy Circle, LaBelle, stated he was at the Planning & Zoning meeting and Mrs. BuChans had emailed him her presentation. He stated Attorney Pringle had also been present and had done an excellent job defining manufactured homes versus modular homes. He stated the original intent of the community was not to have a home built like that there. He stated most of the residents present were concerned with property values. He stated he would provide the email he had received to anyone that was present that wished to have a copy.

Commissioner Storter Long asked that it be forwarded to the Commissioners as well.

Commissioner Storter Long asked if deed restrictions could be placed on the subdivision.

Mrs. BuChans stated deed restrictions would allow the community to establish their own aesthetics for residential structures. She explained that there were some communities that had a Design & Review Board that had to approve newly built structures.

Commissioner Storter Long stated she understood that the County's hands were tied regarding this matter. She stated it would be up to the community to establish a

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

Homeowners' Association. She suggested directing Mrs. BuChans to attend the Hendry County meeting regarding design standards.

The other Commissioners agreed.

Mrs. BuChans suggested that the Building Official attend the meeting as well.

Chairman Stanley called Melinda Guterrez, Matthew Lavender and Joanne Kyle to speak to this issue.

Ms. Gutierrez, Mr. Lavender, and Ms. Kyle all stated that they opposed having modular homes in Port LaBelle Unit 102.

Cory and Candace Corbitt had signed up to speak but had left the room when called upon.

Chairman Stanley called Margaret Pass to speak to this issue.

Margaret Pass, 2140 Birchwood Parkway, LaBelle, stated she had spoken with Lorie Ward, Glades County Property Appraiser, just prior to this meeting. She had asked Mrs. Ward how she appraised mobile homes. She stated Mrs. Ward had indicated that she looked at mobile homes differently because they were licensed through the Department of Highway Safety and Motor Vehicles. She explained that there was a depreciation value and typically these were not looked at as a permanent residence because it was on a chassis. She stated both types of homes (mobile home and modular) were built at a factory and transported to a site. She stated they differed significantly in the code and standards in which they were constructed. She further defined mobile homes versus modular homes. She stated the home located at Inwood Road was sitting on dry stacked blocks and tied down. She stated a modular home must be installed on a permanent foundation, poured footer, stem walls, poured piers, or an engineered slab just like site built homes. She stated modular homes had to be installed by a licensed contractor.

Commissioner Storter Long asked if the home in question had been inspected by the Building Department.

Mrs. Pass asked if the home had been inspected all the way through the building process for this particular home.

Mrs. BuChans stated all of the paperwork that had been turned into the Building Department indicated that the home was a modular home. She stated she would have to ask David Mercer, Building Inspector, if he had been out to inspect the home.

Mrs. Pass asked if the person who pulled the permit was a licensed contractor or a mobile home installer.

Mrs. BuChans stated she did not have that information with her.

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

Commissioner Storter Long suggested that the Building Official go out and inspect this home.

Yvonne Doll, Glades County Resident, stated it was her understanding that the homes that were being rolled into Port LaBelle were defined as “modified” homes. She stated they were not manufactured or modular homes. She stated these homes were being tied down and there were pillars under them. She commented on modular being put in on the Hendry County side years ago. She stated a stem wall was constructed the home was placed on it. She stated garages were also required. She stated these homes did not appear to be modular homes. She stated Unit 102 was the last sacred place in Glades County where a mobile home could not be placed. She stated people had invested their life’s savings on property and homes in that area. She stated there was a property owner near where the mobile home had just been placed on Inwood that was walking away from their site built home. She stated the values in the area would decrease. She explained that the original developer, General Development, had placed deed restrictions on all of the properties within this subdivision in both Hendry and Glades Counties. She stated the deed restrictions expired after 30 years if they had never been implemented. She explained that the concerned property owners needed to put together a Homeowners’ Association and enforce the deed restrictions.

Chairman Stanley stated the Board agreed with the property owners.

Scott Wegschied, 1323 Frontier Circle, LaBelle, stated Hendry County had added some restrictions to homes; however, he believed the Homeowners’ Association was the ultimate fix to this problem. He stated this came down to aesthetics and conformity to the neighborhood. He commented on Hendry and Glades County homeowners in the Port LaBelle subdivision coming together to form one large association.

Chairman Stanley stated the County could assist the residents in finding out what steps were needed to form a Homeowners’ Association.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Strenth commented on the need for a fire tax. He stated he fully intended to meet with each community association and discuss the tax and what services would be offered for the money. He stated he would also like to get the input from all of the associations. He stated he fully supported the tax.

Chairman Stanley suggested having a special meeting at each community; preferably not at a Homeowner’s meeting. He stated specifics could not be discussed if there were several other commissioners present.

Commissioner Strenth stated he would make sure the meetings were advertised and done legally.

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

Commissioner Ahern agreed with taking the discussion regarding the fire tax out into the communities. He stated Attorney Pringle was waiting for Mr. Cortez's attorney to send the proposed contract on the hotel property so that negotiations could begin. He stated the population at GCDC was at 480 as of today. He stated he facility continued to do well.

Commissioner Storter Long commented on the need for a fire department in Muse. She commended all of the residents from Port LaBelle that were present tonight. She stated the standards for that area needed to be maintained throughout the County. She stated the Board could not solve all of their problems, but did want to help them with the matter.

Vice Chairman Pryor thanked the Port LaBelle residents for coming tonight. He stated the Board was there to work with them and not against them. He stated the Board was here to work together and not just for individual communities. He stated they were all Glades County residents.

Chairman Stanley commented on seeing some comments on social media that were trying to turn community against community. He commented on the citizens believing that they were paying Okeechobee County for all of these great services for Buckhead Ridge while they were not getting any of the additional services. He clarified that there was a paramedic station in Muse and there were 6 employees there. He stated there were 2 employees there 24/7. He stated their salaries ranged from \$50,000.00 - \$60,000.00 per year. He stated this was \$300,000.00 that the people were paying to keep them out there. He stated there was another ambulance station in Moore Haven at the same costs. He stated uniforms, ambulances, cell phones, etc. were all paid for. He stated the \$140,000.00 paid to Okeechobee County was to provide ambulance services to the eastern side of the County. He made it clear that Buckhead Ridge was not getting any more services than any other community. He stated the fire services in Buckhead Ridge were volunteer services, the same as the other communities, except for the 2 paid firemen that were stationed in Moore Haven. He stated the County had applied for funding for a fire/ambulance station for the Muse area. He stated he had proposed raising the millage rate by .5 mills to help with funding the salaries of 4 paid firemen in the upcoming year. He commented on an analysis that County Manager Murphy had done on the fire department's budget and believed there was \$160,000.00 in the budget for salaries that was not being spent. He stated these funds could pay for 2 full time firemen right now. He stated this would be a slow process, but the Board was working on it. He invited everyone to attend the Buckhead Ridge Homeowners' Association meeting on Thursday night at 6:30 p.m.

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 7:52 p.m.

GLADES COUNTY COMMISSION – APRIL 22, 2019 REGULAR MEETING

Tim Stanley, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: May 28, 2019

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