

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS  
MEETING ON TUESDAY, MAY 9, 2017 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, May 9, 2017 at 9:00 a.m. with the following Commissioners present:

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

Others present:

Julie Mann Braddock, Administrative Secretary  
Tiffany Patterson, Finance Director  
Paul Carlisle, County Manager  
Richard Pringle, Glades County Attorney  
Avant Brown, County Road Superintendent  
Lenice Taylor, Administrative Assistant - County Manager's Office  
Susan Whidden, SHIP Administrator  
Libby Pigman, Representative - SWFMD  
Bob Jones, Public Safety Director  
2017 MHHS Honor Students  
Shannon Bass, MHHS – Guidance Counselor  
Charlie Murphy, Okeechobee Radio  
Jenny Allen, Office Manager - Community Development Department  
Inga Williams, Community Development Director  
22 citizens

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

**PRAYER**

Commissioner Storter Long gave the invocation.

**PLEDGE**

Taryn McCain, 2017 Valedictorian – MHHS, led the Pledge of Allegiance.

**AGENDA AMENDMENTS**

Note: Unanimous Board Action is required to amend agenda for official vote.

County Manager Carlisle requested that Item #9 – Resolution No. 2017- Final Assessment Resolution for Glades County Business Park Infrastructure Improvements Project be moved to the end of the agenda. He also requested that an Agreement

between Glades County, Duda, and Loves Travel Center for Payment of Excess Costs for Infrastructure Improvements be added as Item #15 under the Business Agenda.

ON MOTION of Commissioner Pryor seconded by Vice Chairman Stanley the Board approved amending the agenda as proposed.

Motion carried by 5 – 0 vote.

### **PRESENTATIONS / AWARDS**

#### **1. Recognition of Teacher of the Year and Graduating Honor Students**

Shannon Bass, School Guidance Counselor, introduced the following Teachers of the Year and Honor Students:

Susan Prowant – Moore Haven Elementary School Teacher of the Year  
Andrea Tindall - West Glades Elementary School Teacher of the Year  
Amy Carr – Pemayetv Emahakv Charter Middle School Teacher of the Year  
Alisha Pearce – Pemayetv Emahakv Charter Elementary School Teacher of the Year  
Bryan Browning – Moore Haven Middle High School and District Teacher of the Year

#### 2017 Honor Students

Taryn McCain – Valedictorian  
Olivia Everett – Salutatorian  
Shane Cowen  
Nicholas Garcia  
Jermaine Riley  
Glendy Velasquez  
Andrew Silvious  
Katie Hadley  
Justin Bigney-Osborne  
Tyleecia Cedeno  
Katherine West  
Raquel Toledo  
Torreeka Moore  
Sean Cowen  
Blanca Aranda  
Adrian Pardo  
James Freyermuth  
Reygen Livinggood  
Rhyan Heggie  
Shannon Garrett  
Jicel Reveles  
Kelby Kirtland  
Francisco Barrios  
Alexis Story  
Wyatt Ward  
Sydnee Cypress

Ariane Valdez  
Johnny Casellas (not present)

Mrs. Bass thanked the Board for recognizing these students and teachers.

Chairman Ahern congratulated the students and teachers. He stated Glades County had a really great school system.

**2. Proclamation Declaring May 2017 as Trauma Awareness Month**

County Manager Carlisle requested that the Board approve a proclamation declaring May 2017 as Trauma Awareness Month.

County Manager Carlisle read title of the Proclamation into the record.

ON MOTION of Commissioner Starter Long seconded by Commissioner Pryor the Board approved a Proclamation declaring May 2017 Trauma Awareness Month.

Motion carried by 5 – 0 vote.

**3. Water Reuse Week Proclamation**

County Manager Carlisle stated Libby Pigman, SFWMD Representative, was here today to present this Proclamation to the Board for consideration. He stated Glades County was experiencing drought conditions and anything the residents could do to reuse water would help.

Libby Pigman, SFWMD Representative, reminded everyone that the District had not gone to mandatory water restrictions yet but there were restrictions in place. She stated Glades County was on a 3 day a week restriction. She stated if the resident's home address ended in an odd number the watering days were Monday, Wednesday, and Saturdays; if the address ended in an even number the watering days were Tuesday, Thursday, and Sunday. She stated the watering was to be done before 10:00 a.m. and after 4:00 p.m. to avoid the heat of the day and evaporation. She stated she was thankful for the rain that had fallen this past week. She stated until the rains started the District was asking people to conserve water.

County Manager Carlisle read the title of the Proclamation into the record.

ON MOTION of Vice Chairman Stanley seconded by Commissioner Strenth the Board approved a Proclamation declaring May 14 – 20, 2017 Water Reuse Week.

Motion carried by 5 – 0 vote.

**4. Public Service recognition Week Proclamation**

County Manager Carlisle stated this proclamation was in honor of the many public employees who serve at the Federal, State, County and City levels.

ON MOTION of Commissioner Starter Long seconded by Commissioner Pryor the Board approved a Proclamation declaring May 7 – 13, 2017 Public Service Recognition Week and authorized the Chairman to sign on behalf of the Board.

County Manager Carlisle read the title of the Proclamation into the record.

Chairman Ahern stated Glades County was very lucky to have the employees that it had. He also commented on the great school employees.

Motion carried by 5 – 0 vote.

### **PUBLIC HEARINGS**

#### **5. Case Number COMP 16-04LS – T. Duke, LLC (This is a Legislative Hearing)**

Inga Williams, Community Development Director, asked if the Board would like her to do a unified presentation for the next two agenda items.

Attorney Pringle stated this could be done if the Board so desired.

Commissioner Starter Long stated she would prefer to hear each case separately so that the two request were not misunderstood.

Mrs. Williams stated she had received a revised letter from the Florida Department of Transportation (Exhibit A). She stated the Board had agreed to transmit this plan amendment to the State for 36.85 acres south of Williams Road. She stated the applicant was T. Duke, LLC. She stated the amendment would change the Future Land Use from Residential to Commercial with the ultimate goal of placing a RV Park on the property. She stated the existing water and sewer plants that were located on the property would have to be expanded to accommodate the RV Park. She stated the property was bordered on the east by the River Oaks Subdivision, which had a Residential Future Land Use and on the north and west were agricultural properties, which also had a Residential Future Land Use. She stated there were Industrial and Commercial Future Land Uses in the immediate area. She stated the River Forest Marina and the Mining Pits were both Industrial. She stated the vacant parcel to the northwest of the subject property was currently being used for agriculture. She stated the applicant's engineer had stated that the traffic impacts would be minimal. She stated there were some safety concerns with the intersection of Williams Road and Ortona Locks Road. She stated these were existing concerns. She stated she had forwarded these concerns to the Community Traffic Safety Team for review. She stated the State agencies had reviewed the application and no negative comments had been received except from the Florida Department of Transportation. She stated FDOT was concerned that development of the property under the Commercial Future Land Use at full build out would impact SR 29. She stated their revised letter acknowledged the rezoning to C-RV and that by using the rezoning as mitigation there would be no impacts. She stated FDOT was requesting that the rezoning be sent to them as part of the adopted plan amendment.

Commissioner Storter Long clarified that if the Board made mitigating conditions during the rezoning then FDOT would not object to the COMP Plan amendment.

Mrs. Williams stated this was correct. She read the portion of the letter from FDOT into the record. (Exhibit A) She stated the Planning and Zoning Board recommended approval.

Commissioner Storter Long asked if Mrs. Williams had any input from the County's Road Department regarding impacts to local roads.

Mrs. Williams stated she had not requested input from the County Road Department.

Commissioner Storter Long stated there were already safety issues at the intersection on Williams Road on the curve. She stated the curve was poorly designed. She suggested getting input from the Road Department.

Avant Brown, County Road Superintendent, stated he had no input at this time.

Larry Bennett, Agent for the applicant, stated FDOT had considered the whole project as being developed commercially. He stated their review showed that there would be approximately 1 million square feet of commercial space on the property. He stated this would never happen, but that was where the impact on state roads had been figured. He stated the RV use would generate less traffic.

Vice Chairman Stanley asked if there was already a sewer and water plant located on the property.

Mr. Bennett stated there was a sewer and water plant on the property that provided services to the River Oaks development.

Vice Chairman Stanley asked who operated and maintained the plant.

Mr. Bennett stated the plant was operated by River Oaks Utilities, Inc. He stated he believed Terry Duke owned the property.

Vice Chairman Stanley stated the plant would have to be expanded if the RV Park was developed. He asked who would pay for the expansion.

Mr. Bennett stated the developer would pay for the expansion.

Commissioner Pryor stated he hoped this would not make the rates go up significantly.

Commissioner Storter Long stated she did not believe the rates should be increased; however, the Board had no control over the rates. She asked if there were conditions the Board could put on the rezoning.

Attorney Pringle stated this was a conventional rezoning and the Board could not place any conditions on it. He did suggest that the applicant agree on the record that as a condition of approval of the rezoning that they limit the number of units to 10 units per acre. He asked that the staff report and Mr. Bennett's application be introduced into evidence and be made a part of the record. He stated there was one member of the public who had signed up to speak regarding Agenda Item #5. He asked that all witnesses who would be testifying regarding this case be sworn in.

Commissioner Storter Long asked that Attorney Pringle give a general explanation of the difference between the COMP Plan and what it accomplished and what the rezoning would accomplish.

Attorney Pringle explained that a Comprehensive Plan Amendment was done through the County with approval from the State of Florida. He stated the plan covered the entire County and the uses were general large categories such as residential, commercial, agriculture, etc. He stated that within each one of the Comprehensive Plan use categories there could be multiple zoning classifications. He stated these had to be consistent with the COMP Plan. He stated only certain zoning classifications could be approved under each category. He explained that in this particular request the applicant had to have the COMP Plan category amended to the proper category that allowed for a C-RV zoning classification. He stated the rezoning dealt with issues such as compatibility with adjacent property owners, what was going on inside the site, and whether or not the site could support the particular land use (zoning) that was desired. He stated the Planned Unit Development (PUD) category allowed the Board to assign conditions to the PUD approval that they believed would make the property more compatible with adjacent property uses and the surrounding area. He stated the Board's ability to place conditions upon the approval were very limited when the applicant was requesting a conventional land use category amendment.

Chairman Ahern asked that any witnesses wanting to testify be sworn in.

Attorney Pringle swore in Mrs. Williams, Catherine Bryant, and Mr. Bennett.

Catherine Bryant, resident of Ortona, thanked the Board for their public service to the County. She stated she was in full support of this amendment as long as the Commission did their due diligence to approve a development of this size. She stated she had lived in rural areas, urban areas, and suburbs. She stated she had traveled extensively and did own an RV and stayed at many RV Parks. She echoed Commissioner Storter Long's comments about the intersection on Williams Road. She stated her husband had almost been hit yesterday morning at that curve. She stated the curve was an extremely dangerous one. She expressed concern with the need for a road survey before allowing a development anywhere in the County. She stated she took exception to Mr. Bennett's timeframe of doing a traffic survey in October. She stated everyone who was a snowbird or part-time resident was already gone. She stated these residents did not really come back until November. She stated October was the slowest time of the year to see any traffic impact. She expressed concern with

the risk, safety, and enforcement at the intersection, as well as, the conditions of the roads when huge RV's would be traveling down them. She stated she had been told this would be an upscale RV Park. She welcomed this to the County. She stated she knew from a friend that all of the residents of River Oaks had received letters from their private utility company informing them of an assessment.

Attorney Pringle swore in Avant Brown, County Road Superintendent.

Avant Brown, County Road Superintendent, commented on the intersection. He stated the safest thing for the County to do would be to redesign the intersection. He suggested creating a "T" and making a 3-way stop there. He stated this would control the speed on those roads.

Commissioner Storter Long stated she understood this concept; however, she would not suggest creating a 3-way stop.

Mr. Brown stated if the curve was taken out the traffic would have to stop. He recommended having an Engineer Firm look at the intersection.

Tammy Randolph, resident of Ortona, stated she lived on the property adjacent to the subject property. She expressed concern with where the driveway would be placed. She stated she was told there would be some type of privacy berm installed. She asked if there was a plan showing where the driveway would be located.

Commissioner Storter Long stated these concerns should be addressed under the rezoning case.

Attorney Pringle stated all of the comments made under this agenda item would also be made a part of the record for the next public hearing on the rezoning of this property.

ON MOTION of Vice Chairman Stanley seconded by Commissioner Strenth the Board approved adoption of Glades County Ordinance Number 2017-7 amending the Glades County Comprehensive Plan by revising the Future Land Use Map from Residential to Commercial for 36.85 acres of land located at 1694 Williams Road based upon the findings and analysis in the staff report dated December 29, 2016, revised April 13, 2017, and findings presented at the public hearing; Property Owner – T. Duke, LLC; Case Number COMP 16-04LS; providing for revision to and inclusion of the revised Future Land Use Map in the Comprehensive Plan; and providing for an effective date.

County Manager Carlisle read the title of the Ordinance into the record.

Chairman Ahern called a roll call vote:

Commissioner Strenth – Yes  
Vice Chairman Stanley – Yes  
Commissioner Storter Long – Yes

Commissioner Pryor – Yes

Chairman Ahern – Yes

Motion carried by 5 – 0 vote.

**6. Case Number RZ16-03 – T. Duke, LLC (This is a Quasi-Judicial Hearing)**

Attorney Pringle stated this was the companion case to the one just heard. He reminded the Board that they would need to disclose any ex parte communications regarding this matter.

Commissioner Storter Long stated she had received emails from Mrs. Bryant, and had spoken with Mrs. Williams and her husband Mr. Long regarding this matter.

There was no other ex parte communication disclosed by the Board.

Attorney Pringle asked that anyone wishing to speak regarding this matter stand and be sworn in. Mrs. Bryant, Mrs. Williams, Mr. Long, Mr. Brown, and Mrs. Randolph were sworn in.

Mrs. Williams stated this was a request for rezoning of 36.85 acres from Residential General, Commercial General, and Open Use Flood Plain to Commercial Recreational Vehicle. She stated with the Board's approval of the COMP Plan Amendment the rezoning was now consistent with the COMP Plan. She submitted her staff report for the record. She stated the evaluation criteria for a rezoning shows that this rezoning would be a positive change to the area. She stated the area contained a mix of uses now with the marina, the existing RV Park, several vacant commercial and industrial areas, residential and agricultural properties. She stated while the zoning itself would be unique to the neighborhood the use would not be because of the existing RV Park. She stated there would be impacts to the utilities and they would need to be expanded. She stated RV Parks had to go before the Planning and Zoning Board for approval of their site plan. She stated no development would be allowed until the expansion of these utilities was complete. She stated there were buffering and landscaping requirements for an RV Park. She stated this would mitigate some of the visual and noise impacts to surrounding properties. She stated the traffic impacts could be revisited again by the Planning and Zoning Board should the Board adopt this rezoning.

Commissioner Storter Long stated this matter would not come back before this Board for consideration again. She stated the site plan would be approved by an unelected Board. She asked if the Planning and Zoning Board could place conditions on the site plan.

Mrs. Williams stated the Planning and Zoning Board could place conditions on the site plan.



Attorney Pringle stated that as an example there could be a limitation on the number of units. He stated the density could be addressed again at that point.

Commissioner Storter Long stated she did not see where the Board could ever condition any development on Williams Road based upon the road conditions. She stated the road was County property to maintain.

Attorney Pringle stated the discussion addressing impacts and off site impacts was often times taken up in a Development Order approval process. He gave an example. He stated the Board could have the developer pay for or off set the impacts on County services, roadways, etc.

Mrs. Williams stated the County did have a level of service step that could be used. She stated this rezoning; however, would not trigger a level of service.

Commissioner Storter Long asked if the Planning and Zoning Board had heard testimony from others at their meeting.

Mrs. Williams stated no one had been present at that meeting to express any concerns.

Commissioner Storter Long stated she would have approved this rezoning had it been done as a Planned Unit Development. She stated she had forgot to mention that she had meet with Mr. Bennett and one other individual about this matter. She expressed concern with the Board not being able to put certain conditions of approval on the developer.

Chairman Ahern asked if the adjacent landowners would be invited to attend the Planning and Zoning Board meeting regarding approval of the site plan.

Mrs. Williams stated this was correct. She stated the Planning and Zoning Board had recommended approval of this rezoning.

Mr. Bennett, Agent for the Applicant, stated he would like to put on record that his client had voluntarily limited the density to 10 units per acre. He stated the traffic impacts were figured based on this density. He stated the development would probably not reach 10 units per acre. He stated in an upscale RV Park the lots were much bigger.

Commissioner Storter Long stated this would be included in the site plan; however, if the property was sold to someone else, they would not have to follow this site plan.

Mr. Bennett stated this was probably true.

Attorney Pringle stated the new owner would either have to abide by the site plan that was approved or amend it through an application process. He stated the applicant's representative, Mr. Bennett had indicated that his application was based upon 10 units per acre development. He stated the Board was relying on this indication in the

application and staff had evaluated this in their staff report. He stated staff's recommendation of approval was based upon submittal of this information. He stated there was a lot of reliance by the County on the applicant's statement that the development would not exceed 10 units per acre.

Commissioner Storter Long asked if it would be possible for the developer to reconsider a Planned Development or amend his application. She expressed concern with the entrance, the possible removal of trees, and the traffic impacts.

Mr. Bennett stated he did not believe the entrance would be located where it was now.

Commissioner Pryor stated that no one was against this development. He suggested that those that were present today who had concerns should attend the Planning and Zoning Board meeting so that their opinions would be heard.

Commissioner Storter Long asked County Manager Carlisle if in his history of employment his opinion had ever been sought regarding developments such as this.

County Manager Carlisle explained that hired engineers reviewed developments such as this. He stated he would review the plans but was not obligated to comment. He stated the process varied with each community. He stated there was typically engineering staff or someone on staff that reviewed the plans. He stated Glades County was limited on staff so it was a challenge.

Tammy Randolph, resident of Ortona, stated one of her concerns was where the entrance would be located and that she understood that the Board could not address that right now. She also expressed concern with the increase in her water bill. She stated she was already paying a lot for water that was not drinkable. She also expressed concern with the gopher tortoises that were located on the property.

Commissioner Storter Long asked if this type of development would trigger an environmental study.

Mr. Bennett stated this project did require environmental resource permits from the South Florida Water Management District, the Department of Environmental Protection for the expansion of the waste water and water treatment plant, and a cultural study to look for any artifacts that maybe located on the property. He stated if the developer chose to do anything on the river such as docks, or boat ramps, the Army Corps of Engineers would also be involved. He stated there were many different agencies that would be looking at this plan before it was through.

Mrs. Randolph asked if there was anything the residents could do to protest the change in the utility rates. She asked what the residents would be paying for if the developer was paying for the expansion.

Commissioner Storter Long stated there was a River Oaks Homeowners' Association that was a legal entity. She stated this Board could not address the increase.

Attorney Pringle asked that Mrs. Bryant's comments from the prior case be included in the record of this case as well.

Commissioner Strenth stated he was not that familiar with what was going on but if the developer was going to expand the water treatment plant the costs would be based on a per unit basis; therefore, if there was more water processed then the price per gallon could possibly stay the same.

Chairman Ahern agreed and stated if there were more customers on the system, in theory, the rates may go down.

ON MOTION of Commissioner Pryor seconded by Commissioner Strenth the Board approved adoption of Glades County Ordinance Number 2017-8 amending the Official Zoning Map of Glades County from Residential General (RG), Commercial General (C-2), and Open use Flood Plain (OUFP) to Commercial Recreational Vehicle (C-RV) for 36.85 acres of land located at 1094 Williams Road based upon the findings and analysis in the staff report dated April 3, 2017 and findings of fact in the evidence at the hearing; Applicant – T. Duke, LLC; Case Number RZ 16-03; providing for scrivener errors; providing for conflict; providing for severability; and providing for an effective date.

Commissioner Storter Long stated this development was located within her elected district. She stated as much as she would like to see an upscale RV Park in the area she would have to oppose the vote because what the Board was approving would not guarantee that in any way. She stated she would only vote for the rezoning if it was presented as a Planned Development.

Chairman Ahern called a roll call vote:

Commissioner Strenth – Yes  
Vice Chairman Stanley – Yes  
Commissioner Storter Long – No  
Commissioner Pryor – Yes  
Chairman Ahern – Yes

Commissioner Storter Long opposed the motion on the floor.

Motion carried 4 – 1 vote.

**7. Case Number COMP17-01 – Legend Moto, LLC (This is a Legislative Hearing)**

Attorney Pringle swore in County Manager Carlisle and Mrs. Williams.

Mrs. Williams stated Legend Moto, LLC was the applicant for this petition. She stated this was a request to change the Future Land Use from Residential to Commercial for 3.4 acres. She stated the property was adjacent to US Hwy 27, east of Wagon Trail and west of Saddle Lane. She stated the Future Land Use of the surrounding property was Residential to the west, Commercial & Transitional to the north, and Residential to the east. She stated the Residential property to the east was zoned Planned Unit Development and the approved use was for a church; however, the property was currently vacant. She stated the Institutional property to the west was a developed commercial warehouse storage facility. She stated there was Residential property to the South which was mostly developed with single family homes. She stated all of the properties accessed US Hwy 27 either through Wagon Trail or Saddle Lane. She stated the impacts to the neighborhood were mostly regarding access to the site. She stated Wagon Trail and Saddle Lane were residential roads at this time. She stated the mixing of traffic at the front portion of these road ways would impact the neighborhood. She stated the utility impacts were minimal, if any. She stated there could be impacts to the residential properties to the south from noise and lighting. She stated buffering and other site standards could mitigate these impacts. She stated these were required for commercial properties. She stated the applicants were requesting a rezoning to Commercial General and had also submitted a special exception for the property. She stated when the special exception came forward increased buffering standards and some other conditions could be placed on the property at that point to mitigate impacts to the residential properties to the south and southwest of the property. She stated the plan amendment did meet the conditions and policies of the COMP Plan. She stated there were standards in place for the commercial use in the County's Land Development standards. She stated even if the applicant did not move forward with the special exception, mitigation would be applied to this request. She stated the property was not considered strip commercial because of its size and the allowance for the internal circulation of the traffic. She stated the applicant's had indicated that there would be a minimum of 4 employees at this site. She recommended approval of the plan amendment and stated the Planning and Zoning Board had also recommended approval.

County Manager Carlisle stated this would be a welcomed business to our community.

Vice Chairman Stanley stated his only concern would be the buffering of the property.

Chairman Ahern called for public comment. There was none.

County Manager Carlisle asked that the staff report, the minutes of the Planning and Zoning Board meeting, and any evidence presented today be made a part of the record.

ON MOTION of Commissioner Pryor seconded by Commissioner Storter Long the Board approved adoption of Glades County Ordinance Number 2017-9 amending the Glades County Comprehensive Plan by revising the Future Land Use Map from Residential to Commercial for 3.4 acres of land; consisting of Lots 28A, 28B, and 29B of Glades Little Ranches Glades County Plat Book 3 Page 22 and located on US Hwy 27

based upon the findings and analysis in the staff report dated April 3, 2017 and findings presented at the public hearing; Property Owner – Legend Moto, LLC; Case Number COMP 17-01; providing for inclusion of Ordinance and revised Future Land Use Map in the Comprehensive Plan; and providing for an effective date.

Chairman Ahern called a roll call vote:

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

Motion carried by 5 – 0 vote.

**8. Case Number RZ17-01 – Legend Moto, LLC (This is a Quasi-Judicial Hearing)**

Attorney Pringle asked that the Board disclose any ex parte communication regarding this hearing. There was none.

Attorney Pringle swore in Mrs. Williams and County Manager Carlisle.

Mrs. Williams stated this was a rezoning request from Residential Mixed to Commercial General. She stated with the Board's approval of the plan amendment this rezoning was now consistent with the COMP Plan. She stated this rezoning also met the conditions of the evaluation criteria for a rezoning. She stated there was not a singular use in this location, the property across US Hwy 27 was a Planned Development, which was approved for an RV Park and commercial center. She stated there was a developed warehouse storage facility located to the west of the subject property and across Wagon Trail Road. She stated there was also the Wiggins property that had been approved last year for commercial center use. She stated the impacts from the Commercial General use could be felt by the Residential properties to the south of the subject site. She stated there were landscaping and buffering standards already in place. She stated there were also lighting standards in the Land Development Regulations that could be placed on the property to mitigate impacts. She stated the roadways and entrance to the property would have to be negotiated with FDOT. She stated improvements may be needed. She recommended approval and the Planning and Zoning Board had also recommended approval.

Chairman Ahern stated it appeared to him from looking at the location that this would be something similar to the new lawn mower sales center just to the east of the subject property. He stated the new lawn mower sales center had been a great improvement to that property and he hoped this would be a trend along US Hwy 27.

Mrs. Williams stated the special exception that had been submitted by the applicant showed 2 buildings which would be wholesale and retail.

Attorney Pringle asked that the application, staff report, all written documents, and any evidence presented today be made a part of the record.

Chairman Ahern called for public input. There was none.

ON MOTION of Vice Chairman Stanley seconded by Commissioner Storter Long the Board approved adoption of Glades County Ordinance Number 2017-10 amending the Official Zoning Map of Glades County from Residential Mixed (RM) to Commercial General (C-2) for approximately 3.4 acres of land; consisting of Lots 28A, 28B, and 29B of Glades Little Ranches Glades County Plat Book 3 page 22 and located on US Hwy 27 based upon the findings and analysis in the staff report dated April 3, 2017 and findings of fact in evidence at the hearing; Property Owner – Legend Moto, LLC; Case RZ17-01, providing for conflict; providing for severability; and providing for an effective date.

Chairman Ahern called a roll call vote:

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

Motion carried by 5 – 0 vote.

9. **Resolution No. 2017- Final Assessment Resolution for Glades County Business Park Infrastructure Improvements Project. (This is a Public Hearing Adoption Process and public input should be called before any official Board action is taken)**

This item was moved to the end of the Business Agenda by amendment.

#### **CONSENT AGENDA**

10. **Approved Minutes of the December 13, 2016 Regular Meeting**
11. **Approved the minutes of the April 24, 2017 Regular Meeting**
12. **Approve County Warrants (See Exhibit B)**  
**General Fund: 80819 – 80899**  
**SHIP: 1680**  
**Tourism Development Council: 1041**  
**EMS Award Grant: 1928**  
**Intergovernmental Radio: 10327**

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board approved the Consent Agenda items.

Motion carried by 5 – 0 vote.

**PUBLIC COMMENT 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**

**13. Change Order No. 1 – Glades County Business Park – Phase II**

County Manager Carlisle stated this change order was for infrastructure improvements at the Glades County Business Park (Loves Travel Center). He stated there had been some electrical changes to the lift station power and some deductions made that had been used to off-set the electrical service. He stated normally the County would pay these differences up front and be reimbursed. He stated in this case the contractor had been asked to pay for all of the electrical costs up front. He stated this had been balanced out through value engineering to get the best the product for those funds. He stated this change order was for an increase in the contract amount to cover the electrical costs in the amount of \$10,851.72. He requested that the Board approve the change order so that it could be submitted to the Department of Economic Opportunity as part of the CDBG program.

Vice Chairman Stanley questioned the swapping out of sodding for seeding at the same price.

County Manager Carlisle stated the project only required sod around the basins and along the edge of the roadways. He explained that it did not include sod or seeding for the rest of the project which would have left the rest of the site in dirt. He stated the sod quantity had been reduced and seeding had been added to cover the entire site.

ON MOTION of Vice Chairman Stanley seconded by Commissioner Strenth the Board approved Change Order Number 1 – Glades County Business Park – Phase II and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

**14. Supplemental Task Authorization No. 7 – Johnson Engineering, Inc.**

County Manager Carlisle stated FDOT had changed their rules regarding project design engineering and construction inspections. He stated they now required 2 separate engineers – one to provide the design and another to provide the construction inspection and certification. He stated the County had authorization to allow one engineer to do Aspen Boulevard but had to get a second engineer to do Birchwood Parkway. He stated FDOT had denied his request for an exception. He stated that rather than have 2 engineering inspectors out there he would ask that Johnson Engineering be authorized to do the construction inspection. He stated AIM Engineering had already done the design and would do the bidding. He stated he had come to an amicable agreement with Johnson Engineering for the inspection and

certification costs for the project. He asked that the Board authorize Johnson Engineering to provide the construction engineering and inspections for Birchwood Parkway and Aspen Boulevard as a part of the SCOP and SCRAP programs.

Vice Chairman Stanley asked if the State was going to give the County more money for these projects since 2 engineers would be required now.

County Manager Carlisle stated the State would not be increasing the funding. He stated he was working with the legislature and FDOT through the Small County Coalition to try and fix this. He stated it did not make a whole of sense to have 2 engineering firms on a small resurfacing project.

Chairman Ahern stated he knew they had worked on this during session and asked if anything had been submitted to the legislators.

County Manager Carlisle nothing had made it to the legislators. He stated language had been exchanged with Chris Doolin (Small County Coalition) on impacts to the County and our projects.

Commissioner Storter Long stated if the designer was not including his costs for inspection, theoretically it should not cost anymore.

County Manager Carlisle stated this could be true. He stated FDOT allowed a certain percentage.

Commissioner Storter Long stated she did not think it was a bad idea, even on resurfacing projects. She commented on the Ortona Road project. She stated the inspector was going along with everything because it was the same engineering firm that designed it. She stated she would be abstaining from the vote on this item due to a conflict of interest.

Vice Chairman Stanley stated he would agree that the price should not increase, but when 2 different companies and 4 different sets of eyes were looking at the plans it would have to cost more for another company to come in and read the same plans. He stated there were pros and cons to the idea. He stated he believed it was a waste of time and money on small resurfacing projects.

ON MOTION of Vice Chairman Stanley seconded by Commissioner Pryor the Board approved the Supplemental Task Authorization Number 7 to the original agreement between Johnson Engineering, Inc. and the Glades County Board of County Commissioners authorizing the attached Exhibit A for Scope of Services and Exhibit B for Consultant Compensation and Schedule of Fees, and authorized the Chairman to sign on behalf of the Board. (See Exhibit C)

Commissioner Storter Long abstained from the vote due to a conflict of interest based on Section 112.3143 (3) (a), Florida Statutes. (See Exhibit D)



Motion carried by 4 – 0 vote.

**15. Agreement between Loves Travel Stop, A. Duda & Sons, Inc, and Glades County for the Repayment of Infrastructure Costs**

County Manager Carlisle stated this agreement was between Loves Travel Stop, A. Duda & Sons, and the County for infrastructure improvements not covered by a third party. He stated Duda had agreed and signed the agreement and he was waiting for Loves to sign the agreement. He asked the Board to consider this agreement and authorize the Chairman to sign with the conditions as set forth in the motion and the execution by Duda and Loves.

Attorney Pringle stated the purpose of the agreement was to take the place of the initial approval of the final assessment resolution that was also before the Board today in the form of a public hearing. He stated the terms of the agreement had been negotiated with Duda's attorneys. In particular, subsection 1E of the agreement had been discussed the most. He stated the essence of this subsection said that if any additional costs were presented to the County for the project or, if any revenue the County was currently projected to receive was reduced in the future, in either event, the County could make an adjustment and ask Duda and Loves to pay their proportionate share of the additional costs or reduced revenue. He stated he had made it very clear that the County could not and would not expend any County revenue to pay for any of the costs for this project. He stated Duda's attorneys had agreed to the language. He stated this provision would control and give the County the ability to impose an assessment if Duda or Loves refused to pay. He recommended approval of the agreement.

A representative from Duda was present and stated the agreement had been reviewed and agreed upon but the gentleman that would be signing it was on the road and had not yet been able to sign.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Stanley the Board approved the agreement for payment of excess costs for infrastructure improvements with A. Duda & Sons, Inc. and Loves Travel Stop conditioned upon A. Duda & Sons, Inc. approval of the agreement and Loves Travel Stop approval of the agreement, as written, and authorized the Chairman to execute the agreement when the condition of A. Duda & Sons, Inc. and Loves Travel Center approval of the agreement was met. (See Exhibit E)

Motion carried by 5 – 0 vote.

**9. Resolution No. 2017- Final Assessment Resolution for Glades County Business Park Infrastructure Improvements Project. (This is a Public Hearing Adoption Process and public input should be called before any official Board action is taken)**

This item was moved to the end of the Business Agenda by amendment.

Attorney Pringle stated this was the final step in the imposition of the assessment on the Duda property and the Loves property for the Business Park infrastructure improvements project. He stated the resolution had been properly noticed for public hearing today. He stated based upon the action that the Board just took in approving the agreement with Loves and Duda, he would suggest that the Board take action to continue this item to a date certain to give Loves an opportunity to sign the agreement. He stated if Loves signed the agreement then approval of this resolution would not be necessary at this time.

ON MOTION of Commissioner Storter Long seconded by Vice Chairman Stanley the Board continued Item #9 – Final Assessment Resolution for Glades County Business Park Infrastructure Improvements Project, including the public hearing until Monday, May 22, 2017 at 6:00 p.m.

Motion carried by 5 – 0 vote.

### **CONSTITUTIONAL OFFICERS**

Captain Mike Pepitone, GCSO stated the current number of inmates at the facility was 418. He stated 34 of these inmates were County inmates and the rest were ICE/Marshall inmates. He stated Sheriff Hardin sent his regrets for not being able to attend today's meeting due to a meeting with the U.S. Attorney in Fort Myers.

### **COUNTY ATTORNEY**

There was no discussion.

### **COUNTY MANAGER**

County Manager Carlisle stated the construction of the Diesel Mechanic Shop and the Welding Shop was coming right along. He stated the Governor had signed Senate Bill 10 which had funding included for education training, equipment, etc. He stated the CDL class was having its first training course today at the facility. He stated he was looking forward to this next budget year being more prosperous than last years.

Vice Chairman Stanley stated he had attend a Muse Homeowners' meeting last night and the residents had mentioned that their Community Building had once been used as a hurricane shelter. He stated they had indicated to him that when West Glades School was built the use of the building as a hurricane shelter had stopped. He stated some of the citizens were asking that the building be used as a pet shelter during hurricanes. He stated a lot of older people with pets would not leave their homes because they did not want to leave their pets behind during a storm. He suggested looking at how Lee County operated its pet shelters. He stated he understood that the Red Cross would come in and take charge of the shelter in the event of a storm.

County Manager Carlisle stated he would look into this matter.

Diane Cianfrani, resident of Muse, stated she understood that the Muse Community Center was to be used in the event of an overflow of residents using the West Glades School shelter. She stated she was not opposed to using the building as a pet shelter.

Vice Chairman Stanley stated Angie Snow-Colegrove, Emergency Management Director, had been at the meeting last night and had handed out forms to those with special needs. He stated the special needs people in that area were to go to the West Glades School shelter.

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

There was none.

#### **COMMISSIONERS ITEMS AND COMMENTS**

Commissioner Strenth had no comments.

Vice Chairman Stanley stated the Tourism Development Council was working on a pamphlet that would be going to print very soon. He stated the pamphlets would be delivered to various Welcome Centers. He stated the pamphlets supported Glades County tourism. He reminded everyone of the Economic Development Council's Annual Dinner that would be held on Tuesday, May 30, 2017 at 6:00 p.m. and invited everyone to attend. He stated he had written a letter to Chris Doolin of the Small County Coalition thanking him for his efforts and support of Glades County. He stated he kept the Board and County staff very informed of everything going on in Tallahassee.

Commissioner Storter Long commented on Item #4 – Public Service Recognition Week Proclamation. She stated the County did have a great group of employees. She also commented on the Trauma Awareness Proclamation. She stated she realized this was an annual proclamation but it did make such a difference. She stated she would be attending the quarterly meeting tomorrow. She stated she had the privilege to spend the entire day on May 1<sup>st</sup> with the Librarians and staff of the libraries served by Heartland Library. She stated that although Glades County's library was the smallest it was the only one that had a designated historical room. She stated this could be attributed to Janette Peeples, Julia Perry, and Mrs. Brewer. She suggested considering the hiring of some engineering staff during the upcoming budget process. She stated the Board members may not always agree but they were always agreeable and she appreciated that.

Vice Chairman Pryor commented on the courthouse lawn. He stated the people maintaining the lawn were doing an outstanding job. He also thanked Chris Doolin for his efforts in Tallahassee on behalf of the County. He stated he was proud of him and our County Legislators for sticking up for Glades County. He reminded everyone of the 4H Banquet that was being held tonight at the Doyle Conner Building and invited everyone to attend.

Chairman Ahern stated he had recently talked with Tycee Prevatt, Extension Agent, and was informed that she was doing an assessment of the needs of the 4H Program in the

Muse area. He stated a lot of the children in the Muse community participated in the Hendry County 4H Program. He stated Mrs. Prevatt was trying to fill a void if there was a need in that area. He stated he had assured Mrs. Prevatt that if there was an interest that Glades Youth Livestock would support any efforts. He stated the approval hearing had been held on the new taxable bonds for GCDC. He stated the process was moving right along. He stated the new bonds would be approved and refinanced. He stated the population fluctuated some but was remaining at a level that would pay the bills. He stated he had received a phone call from Congressman Rooney in Washington, DC regarding proposed legislation that would allow money to be funneled through the Army Corps of Engineers to fund projects such as the Moore Haven Canal project. He stated some of Congressman Rooney's aides would be coming down next week to tour the Moore Haven Canal project. He stated the hotel property had not received any bids. He stated he was looking into expanding the search for someone to come in and buy the property. He stated he had talked with representatives from Best Western and Choice Hotels. He stated he also had a call in to the IGH Group which operated Holiday Inn motels. He asked County Manager Carlisle to elaborate on this issue.

County Manager Carlisle stated the County was limited somewhat by statute on how it could dispose of County property. He stated he and staff were investigating with the County Attorney an option for putting out an RFP for real estate. He stated if the property was put out on the open market it would have to include a minimum bid and the challenge was that the County wanted the property to be used for something specific and not just sold. He stated it may be that the County could negotiate at this point because it had bid out twice with no response.

Chairman Ahern stated Attorney Pringle and County Manager Carlisle would continue to work on this issue. He stated he would also continue to try and generate interest in the property.

Commissioner Storter Long asked if the Cypress Knee Museum Management Plan had been defaulted because of time. She asked if the group was still in contact with County Manager Carlisle.

County Manager Carlisle stated the management plan was approved by DEP. He stated Mr. Friedman had contacted him about a week and half ago and was going to submit the payment for the lease. He stated nothing was going on at this point and would not until Mr. Gaskin's and the group decided they wished to do something with the property. He stated there was no deadline for doing something with the property.

Commissioner Storter Long stated she had received one plan that contained a lot of typos and asked if that had been cleaned up prior to submission.

County Manager Carlisle stated the management plan that had been submitted was in a completely different format and that he would get a copy to Commissioner Storter Long.

**ADJOURN**

GLADES COUNTY COMMISSION – MAY 9, 2017

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

Motion carried by 5 – 0 vote.

There being no further discussion, Chairman Ahern adjourned the meeting at 11:19 a.m.

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John Ahern, Chairman

ATTEST:

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Sandra H. Brown, Clerk of the Circuit Court

Approved: June 13, 2017

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