

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING ON MONDAY, SEPTEMBER 24, 2018 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, September 24, 2018 at 6:00 p.m. with the following Commissioners present:

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

Others present:

Julie Mann Braddock, Administrative Secretary
Sandra H. Brown, Clerk of Court
Martin Murphy, County Manager
Richard Pringle, County Attorney
Bob Jones, Public Safety Director
Jeff Sabin, Waste Management
Dale Milita, CAS Governmental Services
Connie Vanassche, CAS Governmental Services
Laura Perry, Glades Scholarship Foundation
Susan Whidden, BOCC Administrative Assistant
Tiffany Patterson, Finance Director
David Hardin, Sheriff
Raoul Bataller, Hendry Glades Sunday News
11 citizens

CALL TO ORDER

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

PRAYER

Connie Vanassche gave the invocation.

PLEDGE

Yvette Wingate led the Pledge of Allegiance.

AGENDA AMENDMENTS

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

Chairman Ahern requested that Item 18 – Signing of Year End Warrants and Item 19 – Permission to Update of the Feasibility Study for the Hotel be added to the agenda.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the agenda was amended as stated.

Motion carried by 5 – 0 vote.

PRESENTATIONS / AWARDS

1. Hendry Glades Unmet Needs Coalition Update

Yvette Wingate, Vice Chair of the Hendry Glades Unmet Needs Coalition, stated the coalition was a volunteer organization that was formed in January to deal with disaster related issues in Glades and Hendry Counties. She stated the coalition was currently dealing with Hurricane Irma. She stated there had been some changes in the coalition and they were in the process of reorganizing. She stated the coalition was now the Hendry Glades Unmet Needs Coalition, an advisory committee under the umbrella of the United Way. She stated the United Way had been very gracious in their outreach. She stated they had extended liability insurance for the coalition, office space, telephones, printing/copying, internet, and the use of their conference room. She stated they were also offering judiciary services. She stated they had use of a professional grant writer and were currently in the process of hiring a staff support person. She stated the coalition had collaborated with the United Way and had been awarded a grant through the Red Cross. She stated the committee was moving forward with a strategic plan to assist the survivors of Hurricane Irma. She stated the partnership with United Way would also allow the coalition to work on financial development, fund raising, grants, and resource management. She thanked the Board for reaching out and collaborating with them as well. She stated the coalition would be updating their flyers which would be sent out soon. She stated the phone and email address would also be updated. She stated the coalition was currently collaborating with a disaster response service named World Renew. She stated they would be in the area of Glades and Hendry Counties beginning this week on Thursday, September 27th. She stated there were various flyers placed throughout the area and on Facebook. She stated World Renew would also be at the Lakeport Community Center and the Doyle Conner Building in Moore Haven on Monday, October 1st and Tuesday, October 2nd from 1:00 p.m. – 7:00 p.m.

Chairman Ahern thanked Mrs. Wingate for all she was doing for the coalition.

Chairman Ahern introduced Mr. Martin Murphy the County new County Manager.

PUBLIC HEARINGS

There were none.

CONSENT AGENDA

- 2. Approved payment of County Warrants (Exhibit A)**
 - General Fund: 84052 – 84094 (84095 – 84107 Void Checks)**
 - 84108 – 84201**
 - ACH: 60-62**
 - SHIP: 1756**
 - Intergovernmental Radio: 10362**
 - Tourism Development Council: 1065**

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3. **Records Disposition Document 2018-3 (Clerk's Office) (See Exhibit B)**
4. **Approved the minutes of the June 19, 2018 Budget Workshop**
5. **Approved the minutes of the July 10, 2018 Budget Workshop**
6. **Approved the minutes of the August 14, 2018 Regular Meeting**
7. **Approved the minutes of the September 11, 2018 Regular Meeting**
8. **Approved the minutes of the September 11, 2018 Public Hearing and Special Meeting**
9. **Approved the minutes of the September 11, 2018 Budget Workshop**

ON MOTION of Vice Chairman Stanley 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.

Attorney Pringle stated Laura Perry had signed up to address the Board.

Laura Perry gave a brief report on the Summer Camp Program that had been offered at the Moore Haven Elementary School this past summer. She handed out a report (Exhibit C). She stated the program had been very successful. She stated 26 kids had attended. She stated the children had traveled to Gatorama, the Sheriff's Office, and the Court House. She stated they had seen movies, gone bowling, and roller skating. She stated there were some parent comments within the report. She stated one teacher and 2 paraprofessionals had been hired to assist with the program. She stated the same bus driver transported the children each day to and from activities. She stated the bus driver was accompanied by a School Resource Officer. She stated the program had ended up with \$8,500.00 in donations and registration fees; of which \$6,200.00 had been spent on the program. She stated the balance of the funds would be put towards next year's summer program. She stated she hoped this program would be an annual event and they were looking to expand the program to 3 weeks next year.

Chairman Ahern stated he appreciated the report and had heard a lot of great comments about the program. He thanked Mrs. Perry for her efforts with the Summer Program.

BUSINESS AGENDA

10. Resolution No. 2018-11 Waste Management Capital Improvements

Jeff Sabin, Waste Management, introduced Lee McCormick, Bond Counsel, to the Board to give a presentation regarding this Resolution.

Lee McCormick, Bond Counsel, stated this item was for approval of a resolution that would authorize the County to enter into an interlocal agreement with the Miami Dade County Industrial Development Authority. He stated Waste Management was in the process of financing up to \$70 million of tax exempt bonds to use for construction and cell development at 6 of their facilities in Florida, including their landfill in Glades County. He stated this was a pretty standard process. He stated the Miami Dade Industrial

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Development Authority would be the conduit issuer of the bonds. He stated there would be no risk or liability to the County and this would not affect the County's credit rating or bonding capacity in any way.

Commissioner Pryor asked what capital improvements would be done at the landfill.

Mr. McCormick stated under the Federal Tax Code the Industrial Development Authority could reimburse up to 18 months' worth of capital expenditures. He stated a large portion of the \$70 million would be used to reimburse already spent costs for cell development.

Commissioner Pryor stated for the record that the landfill would not be taking Miami Dade County's trash.

Mr. McCormick stated this was correct and this agreement would not affect the collection operations at all.

Commissioner Storter Long clarified that the landfill being discussed was not owned by Glades County.

Mr. Sabin stated so that there was no confusion this agreement was specifically with the Glades, LLC C & D Landfill.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board adopted Glades County Resolution No. 2018-11 approving, pursuant to Section 147(f) of the Internal Revenue Code of 1986, the issuance of not to exceed \$70,000,000 Miami-Dade County Industrial Development Authority Solid Waste Disposal Revenue Bonds (Waste Management, Inc. Project), and the issuance of not to exceed \$23,000,000 Solid Waste Disposal Refunding Revenue Bonds (Waste Management, Inc. Project), each issued in one or more series for projects in various locations including Glades County, Florida; providing certain other matters in connection therewith; providing for an effective date; and authorized the Chairman to sign all documents on behalf of the Board.

Motion carried by 5 – 0 vote.

11. Approval of Settlement in SHIP foreclosure matter – Glades County, Florida vs. Sara Madrid a/k/a Light, Case No. 2016CA85

Attorney Pringle stated he had mentioned some of the background related to this case at the previous Board meeting. He stated he had pursued interaction with the attorney for Sara Madrid and had reached an agreement. He stated if it was the Board's direction he would write a settlement agreement and have it executed and filed with the court. He stated the action would ultimately be dismissed. He stated it was his understanding that Ms. Madrid was now complying with the SHIP Program's requirements by residing in the home.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board approved the Settlement Agreement to be drafted by Attorney Pringle for Case

2016CA85 Glades County, Florida vs. Sara Madrid a/k/a Sara Light, including the recordable reinstatement of the note/mortgage and authorized the Chairman to sign the agreement on behalf of the Board.

Motion carried by 5 – 0 vote.

12. Port LaBelle Community Development District Meeting Schedule

Sandra H. Brown, Clerk of Court, stated this item was for acknowledgement purposes only.

ON MOTION of Commissioner Starter Long seconded by Vice Chairman Stanley the Board acknowledged receipt of the Port LaBelle Community Development District's meeting schedule.

Motion carried by 5 – 0 vote.

13. Resolution No. 2018- 12 – Supervisor of Elections Budget Amendment Request

Tiffany Patterson, Finance Director, stated this Resolution would officially recognize the transfer of funds done back in April.

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

ON MOTION of Commissioner Pryor seconded by Commissioner Starter Long the Board adopted Glades County Resolution No. 2018-12 amending the Supervisor of Elections 2017-2018 Budget to reflect the previously approved transfer of \$28,500.00 for the purchase of an Albert Server.

Motion carried by 5 – 0 vote.

14. Ambulance Chassis Remount – Request to apply for the State EMS Matching Grant

Bob Jones, Public Safety Director, stated the EMS matching grants were due by December of this year. He stated he would like to apply for another grant to remount another ambulance. He stated the County would probably get notification of the award in March or April. He stated this was a matching grant.

ON MOTION of Commissioner Starter Long seconded by Commissioner Strenth the Board approved Glades County Public Safety to apply for the State EMS Matching Grant.

Motion carried by 5 – 0 vote.

15. Agreement with A. Duda & Sons, Inc. to terminate a perpetual, non-exclusive easement for ingress and egress over, across and upon the

Duda roadway lying within the boundaries of the Duda Easement Agreement

Attorney Pringle stated the Board had before it a proposed agreement with Duda concerning the termination of the easement located on Bronson Road. He stated he and Mr. Duda had successfully negotiated an agreement for the termination of the easement. He stated this agreement showed a desire on Duda's part to assist the Glades County community. He stated the agreement was legally acceptable and if the terms of the agreement were acceptable to the Board no further negotiations would be necessary. He explained that the funds would be wired immediately to his trust account and he would proceed with the recording of the termination of the easement. He stated the funds in the amount of \$250,000.00 would then be released to the County. He described the terms of the agreement. He stated Duda would pay Glades County a lump sum of \$250,000.00 now to terminate the easement agreement and would also commit to make future financial contributions totaling no less than \$50,000.00 to certain charitable organizations which directly supported the Glades County community. He stated Duda had also committed to pursue the development of certain real property, including their commercial property located near America's Gateway. He stated there was also an acknowledgement in the agreement that Duda would pay the ad valorem taxes or a Payment in Lieu of Taxes in the same amount of taxes for the property that they were leasing from Water Management District. He stated all of these terms indicated a significant intent on Duda's part to participate in the Glades County community. He recommended approval of the agreement.

Mr. Duda stated he appreciated the opportunity to be present tonight and the Board's consideration of this matter. He stated he agreed with the elements of the agreement and looked forward to working more closely with Glades County on future projects.

Commissioner Storter Long questioned the Payment in Lieu of Taxes and the budget impact.

Attorney Pringle explained that as long as Duda was leasing the property from Water Management District for every year of that term they would pay the ad valorem taxes for the property. He stated the intention was that they would be there for 15 – 25 years.

Commissioner Pryor stated he appreciated Mr. Duda working with Glades County. He commented on the previous relationship and stated Glades County would do its part to make sure the relationship continued.

Chairman Ahern stated he appreciated the effort Mr. Duda had put forth with this matter. He stated he would be glad to have Duda as a part of the community.

Commissioner Strenth questioned the extra funds and what the use would be over the next 10 years. He suggested giving the funds to the community centers though out the County.

Mr. Duda noted the suggested.

Commissioner Pryor commented on Duda donating funds to the school.

ON MOTION of Commissioner Pryor seconded by Commissioner Starter Long the Board approved the Agreement to terminate a perpetual, non-exclusive easement for ingress and egress over, across and upon the Duda roadway lying within the boundaries of the Duda Easement Agreement, as written and authorized the Chairman to execute the Agreement and all other documents required pursuant to the Agreement. (See Exhibit D)

Motion carried by 5 – 0 vote.

16. Road Department Roof Repairs

Bob Jones, Public Safety Director, gave a brief history of this project. He stated the estimates received several months ago were coming in higher than the bids. He stated he had checked with FEMA about possibly declaring the need for roof repairs as an emergency. He stated he had been told by FEMA that the County must follow its Procurement Policy to be reimbursed by FEMA. He stated Mr. Helfenberger had instructed him to write a Request for Bids for advertisement. He stated the advertisement had been approved and given to Mr. Branch and Nancy Nall at the Road Department to advertise and mail out to the contractors. He stated somehow the Request for Bids had been changed to the one that required performance bonds. He stated he was not sure how this happened. He stated one bid had been received from Clyde Johnson. He stated he was not aware of the fact that the advertisement had not been published in the paper until later. He stated the one bid had been brought before the Board at the last day meeting and awarded. He stated when the Notice of Commencement was prepared he had noticed the bond amount. He stated he knew a bond requirement had not been placed in the bid he wrote. He stated he had discussed the matter with Chairman Ahern and because the County had done numerous projects with Clyde Johnson the bond had been waived. He asked for direction from the Board.

Attorney Pringle stated the County did have an ability under Florida Law and County policy to work through this situation. He stated there were provisions under Chapter 255 of the Florida Statutes that dealt with construction projects and competitive selection of contractors. He stated the essence of the law was that on all projects in the amount of \$200,000.00 or greater that the County had to use a competitive selection process. He stated this project was in the amount of \$75,000.00 and was below the threshold. He stated the County's Purchasing Policy included language that stated that the Board of County Commissioners in its sole discretion can at any time elect to not use the purchasing procedures described in the Purchasing Policy. He stated he believed the requirement to apply the Purchasing Policy could be waived for this Request for Bids. He stated if the Board chose to do this it would be able to proceed with the response received and allow Clyde Johnson to do the work. He stated if the Board did not want to waive the Purchasing Policy requirement then it would need to stop the agreement and rebid the project.

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Commissioner Storter Long questioned being reimbursed by FEMA if the County chose not to follow the requirements in the Purchasing Policy.

Mr. Jones stated he had double checked with FEMA and understood that the money would be reimbursed.

Attorney Pringle explained that the requirement in the Purchasing Policy was a self-imposed requirement.

Commissioner Strenth stated the project was not properly advertised and only one bid had received. He questioned why the Board would not go back out for bid again.

Attorney Pringle stated it was his understanding that there were direct contacts made with multiple responders.

Commissioner Storter Long questioned a contract being signed.

Attorney Pringle stated it was his understanding that everything had been done to stop moving forward with the project when it was discovered that the bid had not been advertised.

Chairman Ahern stated he had abstained on the original vote due to the fact that Clyde Johnson had been a contributor to his campaign.

Chairman Ahern passed the gavel to Vice Chairman Stanley.

Mr. Jones stated a Notice to Proceed was done. He stated he was not sure about a signed contract.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board approved honoring and executing a contract with Clyde Johnson in the amount of \$75,000.00 for the roof repairs at the Road Department with no bond required and authorized the Vice Chairman to sign on behalf of the Board.

Motion carried by 4 – 0 vote.

Chairman Ahern abstained from the vote on the floor. (See Exhibit E)

Vice Chairman Stanley passed the gavel back to Chairman Ahern.

17. County Manager Vehicle

Chairman Ahern explained that Mr. Murphy was living in Clewiston and asked the Board if they wished to consider allowing him use of the County Vehicle.

ON MOTION of Commissioner Starter Long seconded by Vice Chairman Stanley the Board authorized Mr. Martin Murphy to use the County Manager Vehicle for travel to and from work as long as he resided in Clewiston.

Motion carried by 5 – 0 vote.

18. Authorize the Chairman to sign the Year End Warrants

ON MOTION of Commissioner Pryor seconded by Commissioner Strenth the Board authorized the Chairman to sign Year End Warrants.

Motion carried by 5 – 0 vote.

19. Authorize update of Feasibility Study on Hotel Property

Chairman Ahern stated Ed Zanders had done a Feasibility Study on the hotel property several months ago. He stated Tommy Cortez, the gentleman that the County had a contract with for the new construction, wanted to have the study updated. He stated because the property was actually owned by the County, the Board would have to give permission. He stated Mr. Cortez would be paying for the update.

ON MOTION of Commissioner Starter Long seconded by Commissioner Pryor the Board granted permission to Mr. Zanders to update the Feasibility Study for the hotel property with Mr. Cortez paying the fee.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS

Sandra H. Brown, Clerk of Court, stated she had missed the deadline for advertising the final budget hearing. She stated the hearing would now be held on Friday, September 28, 2018 at 5:05 p.m. at the Training Center.

Sheriff Hardin gave a report on the GDCD meeting held this afternoon. He stated the facility currently had 483 inmates. He stated of these 54 inmates were locals and the rest were ICE or US Marshalls inmates.

Ms. Brown asked about the status of the deed to the Okeechobee Utility Authority for the sewer plant in Buckhead Ridge.

Vice Chairman Stanley stated he had emailed the deed to the Okeechobee Utility Authority.

Ms. Brown stated the deed had not yet been recorded.

COUNTY ATTORNEY

Chairman Ahern commented on the contract for the hotel property. He stated Emit Patel of Choice Hotels asked about getting permission to use contracts that other governmental agencies had used in similar circumstances.

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Vice Chairman Stanley commented on the access road in Buckhead Ridge and the new development that was coming. He stated the road presently belonged to South Florida Water Management District and the developer needed the road brought up to code. He stated the County would need to accept the road; however, the developer (Glenn Harvey) would accept the liability of bringing it to code.

COUNTY MANAGER

County Manager Murphy reminded the Board that the courthouse would be closed this Friday for fumigation. He stated the contractor doing the fumigation had suggested that the Community Development Building be closed as well.

Chairman Ahern stated he was glad to have Mr. Murphy on board and would be available to help in any way he could.

PUBLIC INPUT ON NON-AGENDA ITEMS

There was none.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Storter Long commented on a sinking boat at the end of Schooner Lane and Turkey Creek. She stated it was an eye sore and could be a health hazard. She stated she sent County Manager Murphy a copy of a grant possibility to get some help from the State. She stated it could cost up to \$4,000.00 - \$5,000.00 to get the boat up and then it would cost to dispose of the boat. She stated the grant would help tremendously. She welcomed Mr. Murphy to the County. She commented on the issues the County had been having with not having a Purchasing Agent or a Grant Administrator/Writer. She stated she realized this position was not budgeted but felt the Board should consider hiring an assistant for the County Manager. She stated the assistant could handle purchasing, possibly some of the HR work load, and all of the bidding. She asked if the Muse Fire Department bids had come in.

Bob Jones, Public Safety Director, stated the bid deadline was October 3, 2018.

Commissioner Storter Long questioned the outstanding SHIP bid for Mrs. Thatcher.

Susan Whidden, Administrative Assistant, stated bids had been opened yesterday at 2:00 p.m.

Chairman Storter Long commented on the Vice Chairman of the Board having authority to sign on anything the Board had approved and authorized the Chairman to sign.

Ms. Brown stated on some grants the Chairman's signature was required.

Chairman Ahern agreed that a Purchasing Agent should be considered.

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Chairman Ahern stated he had met with County Manager Murphy, Dale Milita and Connie Vanassche regarding the study for the sewer moving down south of town. He stated Mr. Milita and Mrs. Vanassche would be looking for State funds to assist with the project.

Commissioner Pryor welcomed Mr. Murphy. He stated he would be attending the FAC Legislative Conference on Wednesday and Thursday. He asked that anything that needed to be brought up at the rural caucus, roads and any agriculture or environmental issues be brought to him. He stated the County needed to be heard.

Commissioner Strenth welcomed Mr. Murphy on board. He stated everything was going smooth in Lakeport.

Vice Chairman Stanley invited everyone to attend the Buckhead Ridge Homeowners' Association on Thursday night at 6:30 p.m. He commented on attending the Heartland Regional Transportation meeting. He stated he had inquired about the Good Wheels budget. He stated he had been told that the \$20,000.00 the Board had given to this budget last year should be sufficient because Good Wheels was not getting any extra funds that the County had to match. He stated the extra money he was asking for was for new vehicles. He suggested the Board cut that budget back to \$20,000.00.

Chairman Ahern stated he had passed on some information regarding a financing program to Mr. Cortez on the hotel. He welcomed Mr. Murphy to the Board and stated he looked forward to working with him.

ADJOURN

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 7:08 p.m.

John Ahern, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: November 13, 2018

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