

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING ON TUESDAY, NOVEMBER 13, 2018 AT 9:00 A.M. IN THE
COUNTY COMMISSIONERS MEETING ROOM, GLADES COUNTY COURTHOUSE,
MOORE HAVEN, FLORIDA

The Glades County Board of County Commissioners met on Tuesday, November 13, 2018 at 9:00 a.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
Martin Murphy, County Manager
Richard Pringle, County Attorney
Bob Jones, Public Safety Director
Gabrielle Ibietatorremendia, Human Resources Director
Archie Branch, Public Works Director
Paul McGahee, Glades Electric & EDC Member
Connie Vanassche, CAS Governmental Services
Cindy Ricker, SHIP Coordinator
Tracy Whirls, Executive Director – Economic Development Council
Duane Pottorff, Glades County Sheriff's Office
Chris Felker, Okeechobee County News
5 citizens

CALL TO ORDER

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

PRAYER

Commissioner Storter Long gave the invocation.

PLEDGE

Commissioner Pryor led the Pledge of Allegiance.

AGENDA AMENDMENTS

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

PRESENTATIONS / AWARDS

There were none.

PUBLIC HEARINGS

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There were none.

CONSENT AGENDA

1. **Approved payment of County Warrants (Exhibit A)**
General Fund: 84426 – 84547
ACH Payments: 77 – 79
Intergovernmental Radio: 10367 – 10368
Buckhead Ridge Utility: 242
SHIP: 1759 - 1765
2. **Approved the minutes of the September 24, 2018 Regular Meeting**

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

Motion carried by 5 – 0 vote.

PUBLIC INPUT ON BUSINESS AGENDA ITEMS

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

There was none.

BUSINESS AGENDA

3. **Resolution 2018- Authorizing the Conveyance of county Real Property to Charlotte County habitat for Humanity**

Attorney Pringle stated the Board, on several occasions, had considered and discussed the conveyance of several lots to the Charlotte County Habitat for Humanity for purposes of developing housing for low income families. He stated there had been further discussion about the requirements for the conveyance. He stated he had received closing documents from the attorney who represents Charlotte County Habitat for Humanity. He stated it had been discovered that one more resolution from the Board was needed to satisfy the requirements of Section 125.38 of the Florida Statutes. He stated the resolution made reference to some elements that were not in the previous resolution, including a reference to a sales price for the conveyance. He stated no bid process was needed because Charlotte County Habitat for Humanity was a non-profit corporation organized for the purposes of promoting community interests and welfare. He stated the price could be nominal (\$1 - \$100) regardless of the actual value of the property.

Commissioner Starter Long stated the Commissioners did not have a copy of the resolution in their packets.

Attorney Pringle stated the resolution had been attached to the agenda item summary.

Attorney Pringle read the title of the Resolution into the record.

ON MOTION of Commissioner Strenth seconded by Vice Chairman Stanley the Board adopted Glades County Resolution No. 2018-17, authorizing the conveyance of County

real property to Charlotte County Habitat for Humanity, Inc.; set the sales price at \$1.00 per parcel and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

4. Transportation Trust Budget Transfer Request

County Manager Murphy stated this transfer would cover the lease of a 308 Excavator with a CAT mulcher head. He stated the amount would be \$50,000.00.

Archie Branch, Public Works Director, stated he had put a lot of thought and done research on leasing of equipment versus purchasing. He stated he had an 8 man tree trimming crew that worked throughout the County. He stated this machine was small enough to transport and was a one man operation. He stated this lease would save the County quite a bit of money. He stated he intended to lease the machine for 6 months and then purchase it at the end of 6 months.

ON MOTION of Commissioner Pryor seconded by Commissioner Starter Long the Board approved the budget transfer of \$50,000.00 from Transportation Trust – Roads – Equipment line item to Transportation Trust – Roads – Rentals & Leases to be used for the lease of a 308 Excavator with a CAT mulcher head and authorized the Chairman or his designee to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

5. State Aid to Libraries Grant Agreement

County Manager Murphy stated Mrs. Booher had a prior engagement with the Children's Program this morning and was not able to attend. He stated this grant was awarded annually. He stated Mrs. Booher had submitted an application and had met all eligibility requirements. He stated the amount of the grant was yet to be determined and would be dependent upon the State's budget. He requested the Board approve the State Aid to Libraries Grant Agreement.

ON MOTION of Commissioner Starter Long seconded by Commissioner Pryor the Board approved the State Aid to Libraries Grant Agreement between the State of Florida Department of State and the Glades County Board of County Commissioners on behalf of the Glades County Library and authorized the Chairman or his designee to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

6. Library Advisory Board

County Manager Murphy stated Mrs. Sandra Lundy had been a great asset for the Library Asset Advisory Board. He recommended reappointment of Mrs. Lundy to the Board for another 5 year term. He asked that Mr. Tommy Bartocci had not been in attendance for over a year and a half and had moved from the Glades County area. He requested that Mr. Tommy Bartocci be removed from the Library Advisory Board.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board approved the reappointment of Sandra Lundy to the Library Advisory Board for another 5 year term; removed Tommy Bartocci from the Library Advisory Board; and authorized the Chairman or his designee to sign any documents necessary for the reappointment and removal.

Motion carried by 5 – 0 vote.

7. CDBG and SHIP Satisfactions

Cindy Ricker, SHIP Director, requested the following satisfactions. She stated all of these applicants had met all of the terms of their mortgages.

Enrique and Maria G. Gamez – CDBG Mortgage in the amount of \$21,640.50

Enrique and Maria G. Gamez – SHIP Mortgage in the amount of \$50,000.00

Luke A. Meyer – SHIP Mortgage in the amount of \$30,000.00

ON MOTION of Commissioner Storter Long seconded by Commissioner Strenth the Board approved the satisfaction of mortgages for the following applicants: Enrique and Maria G. Gamez – CDBG Mortgage in the amount of \$21,640.50 and SHIP Mortgage in the amount of \$50,000.00, and Luke A. Meyer – SHIP Mortgage in the amount of \$30,000.00 and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

8. Early Learning Coalition of Southwest Florida

County Manager Murphy stated the Early Learning Coalition of Southwest Florida had requested a 6% federal match in the amount of \$3,047.09. He stated these funds had not been budgeted in the 2018/19 budget. He stated the letter from the Coalition indicated that if the Board was not able to meet the match requirement that a letter be sent stating this inability. He stated the Board did not provide funding in 2017; had provided some funds in 2016; and did not provide any funding in 2015.

ON MOTION of Commissioner Pryor seconded by Commissioner Strenth the Board disapproved the 6% match of federal dollars in the amount of \$3,047.09 top assist the Early Learning Coalition and authorized County Manager Murphy to send a letter stating the Board's position.

Motion carried by 5 – 0 vote.

9. Agreement for CDBG Engineering Services – Washington Park Improvements Project CDBG Grant No. 18DOM-09-32-01-N19

Attorney Pringle stated the County had gone through the process of bidding out work, as required by law, for the professional services for this project and had selected Craig A. Smith to perform those professional services. He stated Craig A. Smith had provided an agreement to the County. He stated this was their standardized contract, which he had

left alone, and done a first amendment to add in language that would protect the County. He stated the first item before the Board this morning was the approval of the Engineering Services Agreement for the CDBG grant project for the Washington Park improvements. He stated the next item would be the first amendment to the contract. He stated the amendment included provisions used on a regular basis. He stated these 2 approvals would go together. He asked that the Chairman be given authority to negotiate if there were any terms that needed to be negotiated.

Commissioner Storter Long questioned who was still on the Advisory Board for this project.

Chairman Ahern stated there was still an Advisory Board in place; however, he did not know who was on the Board.

Commissioner Storter Long asked for a list of members on the Advisory Board.

ON MOTION of Commissioner Storter Long seconded by Commissioner Pryor the Board approved the Agreement for CDBG Engineering Services for Washington Park Improvements Project CDBG Grant No. 18DOM-09-32-01-N19; authorized the Chairman to negotiate any additional terms; and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

10. CDBG Grant No. 18DB-OM-09-32-01-N19 Engineering Services Contract Amendment One

Attorney Pringle stated this was the companion to the agenda item that was just approved. He stated this was the first amendment to the Agreement that would incorporate the appropriate contract provisions needed to protect the County. He stated this amendment also further defined that the County's funding was very limited and the County's obligation to pay Craig A. Smith would be determined by, and subject to, the County's receipt of funding from the CDBG grant.

Commissioner Storter Long asked if the Board needed to put a maximum amount in the agreement.

Attorney Pringle explained why he had not put a number in the contract. He stated it was based on a percentage.

Commissioner Storter Long stated she was not comfortable leaving the amount blank.

Attorney Pringle suggested using \$134,000.00 as the Guaranteed Maximum Price and if it needed to be adjusted it could be addressed at the Board's next night meeting.

ON MOTION of Commissioner Pryor seconded by Commissioner Storter Long the Board approved the First Addendum to the Agreement for CDBG Engineering Services for

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Washington Park Improvements Project CDBG Grant No. 18DG-OM-09-32-01-N19; including a Guaranteed Maximum Price in an amount not to exceed \$134,000.00; authorized the Chairman to negotiate any additional terms and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

11. Glades County Caloosahatchee River & Estuary Area Wastewater Grant

County Manager Murphy stated this resolution would authorize the Chairman to execute a grant agreement with the Florida Department of Environmental Protection in the amount of \$891,848.00. He stated this project was being administered through the County and the City. He stated this resolution would specifically authorize the County to enter into an agreement for funding with the State. He stated future agreements would be handled by the City County Public Works Authority.

Chairman Ahern stated Mrs. Vanassche was present if the Board had any questions.

Commissioner Storter Long suggested changing the Grant Manager to County Manager Murphy instead of Susan Whidden.

It was the consensus of the Board to change Grant Manager to County Manager Murphy.

Mrs. Vanassche stated that once this agreement was executed by the County and the State, the Notice to Proceed would be issued.

ON MOTION of Commissioner Stanley seconded by Commissioner Strenth the Board approved the State of Florida Department of Environmental Protection Glades County Caloosahatchee River & Estuary Area Wastewater Grant; changed the Grant Manager to County Manager Murphy; and authorized the Chairman to sign on behalf of the Board.

Motion carried by 5 – 0 vote.

CONSTITUTIONAL OFFICERS

Chief Pottorff stated there were currently 461 inmates at the jail facility.

COUNTY ATTORNEY

Attorney Pringle stated the notice for consideration of imposing an EMS assessment next year had been advertised with a meeting date of December 18th. He stated the notice would be published once a week for 4 consecutive weeks. He stated he was continuing to work on several Planning & Zoning Board matters that had come up in the last 3 months. He stated these would come before the Board in the next few months.

Chairman Ahern stated the hotel contract was coming along as well.

Attorney Pringle stated he had provided Mr. Cortez's lawyer with a deal point's letter. He stated he had not yet heard back from them. He stated the deal points would apply

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regardless of whether a ground lease arrangement or a formal agreement where there would be a deeding of the property to the developer. He stated he was also looking at the declaration of covenants, conditions, and restrictions and some different things that would have to be done eventually to protect the County.

Commissioner Storter Long asked what mandates the County had to provide Public Safety.

Attorney Pringle stated by default the County, as the local government agency, had authority over those services and the responsibility to provide those services, unless there is an independent special district that has been created or there is a municipality providing those services.

Commissioner Storter Long stated when there was a mutual aid agreement the other fire departments or ambulances did not just show up, they would have been dispatched by our departments.

Attorney Pringle stated this was correct. He stated there was a separate statute that dealt with intergovernmental affairs. He stated the State of Florida legislature expected government agencies to work together through interlocal agreements. He stated the County was the service provider by default and had interlocal agreements with other agencies to provide mutual aid. He stated these agreements would dictate the parameters for calling, need for the call, who calls, need for the call, who goes, and who would respond.

COUNTY MANAGER

County Manager Murphy stated it was time for the Board to prepare its legislative packet for the 2018/19 legislative session. He stated he did not have a date as of yet. He stated he would like the Commissioners to begin reviewing what had been done in the past. He passed out copies of last year's legislative issues (Exhibit B). He asked that the Commissioners review the packet.

Chairman Ahern suggested the item be placed on the next agenda for consideration. He stated he had talked with Ben Albritton, who had been elected our Senator and he had indicated that Representative Pigman would be the Chairman this year and the date had not yet been set.

County Manager Murphy stated AIM Engineering had submitted a formal request for the Moore Haven Canal Project. He stated 4,000 feet of the total project was completed in Phase I. He stated the current permit would expire February 25, 2019 and he was hoping to get a prompt response that the permit had been extended. He stated the Personnel Policy Committee met on October 31st. He stated the final revised RFP was advertised and distributed to multiple vendors. He stated the submission deadline was November 23, 2018. He stated the application for boating/speed zone signs was submitted to the Florida Fish and Wildlife Commission on October 5th. He stated this should be the last agency needed for approval to put the signs up. He stated the South Florida Water

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Management District had begun mechanically harvesting seed from the Vance Whidden site for use on a District wetland restoration project. He stated the harvesting dates were subject to the weather and seed readiness. He stated the Board had approved demolition of the structure located at 1163 Latum Bell Street on December 12, 2017. He stated there were actually 2 very dilapidated buildings located on the property. He stated one of the two encroached on the adjacent lot. He stated Mr. Branch was trying to make contact with the adjacent property owner to get their approval for removal of the part of the structure that was sitting on their property. He stated preliminary estimates showed a cost of approximately \$2,600.00 - \$3,000.00. He stated he had participated in a "Go To" meeting on November 8th with the Army Corps of Engineers, WMD, and FDOT to review an alignment study and evaluate potential alignment alternatives prior to beginning design for the proposed pedestrian bridge along Lake Okechobee Scenic Trail (the Lost Trail) over the Harney Pond Canal. He stated the Technical Memorandum regarding this project was available in his office if anyone wished to review it.

PUBLIC INPUT ON NON-AGENDA ITEMS

There was none.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Storter Long stated the Ortona Community Association had enjoyed a very successful Fall Festival on Saturday. She stated approximately 78 people had attended. She thanked County Manager Murphy for his update on current projects. She stated she was very pleased with the recent election and thanked the public for their support.

Commissioner Pryor stated he would not be in attendance at the November 26th meeting. He stated he would try to attend by phone. He commented on the legislative delegation issues.

Commissioner Strenth thanked County Manager Murphy and stated he was doing a great job. He commented on some complaints he had received about speeding in Palmdale.

Vice Chairman Stanley gave an update on the access road issue in Buckhead Ridge. He stated he and County Manager Murphy had met with WMD and the Army Corps of Engineers about the access road. He stated the County had asked for a ½ buffer zone along Highway 78; however, the WMD and Corps was indicating that unless the County eased up on that request they would not give up the access road. He commented on the reservoir. He stated they had indicated that they would work with the County on the buffer zone. He stated the whole development depended on the access road. He asked the Board to consider what should be negotiated and discuss the matter at the next meeting.

Chairman Ahern stated he was glad the election was finished. He stated he looked forward to moving on and working with the Board and County Manager Murphy on the County's priorities for the next few years.

ADJOURN

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ON MOTION Commissioner Pryor seconded by Commissioner Strenth the Board adjourned the meeting.

Motion carried by 5 – 0 vote.

There being no further discussion, Chairman Ahern adjourned the meeting at 9:52 a.m.

John Ahern, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: November 26, 2018

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