

MINUTES OF THE GLADES COUNTY BOARD OF COUNTY COMMISSIONERS
MEETING ON TUESDAY, JANUARY 14, 2014 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, January 14, 2014 at 9:00 a.m. with the following Commissioners present:

Donna Storter Long, Chairman
Dennis Griffin, Vice Chairman
Paul Beck
Tim Stanley
Russell Echols

Others present:

Julie Mann Braddock, Administrative Secretary
Richard Pringle, County Attorney
Paul Carlisle, County Manager
Stuart Whiddon, Glades County Sheriff
Bob Jones, Public Safety Director
Avant Brown, Road Superintendent
Brenda Choban, Finance Director
Mary Ann Whitney, Human Resources Director
Terri Anascavage, E911 Coordinator
Tracy Whirls, Executive Director – Glades EDC
Gary Ritter, South Florida Water Management District
James Hull, Johnson Engineering
Matthew Howard, Johnson Engineering
Ellen Beers, Planning & Zoning Board member
Missie Barletto, AIM Engineering
8 citizens

Chairman Storter Long called the meeting back to order at 9:00 a.m.

PRAYER

Commissioner Beck gave the invocation.

PLEDGE

Commissioner Stanley led the Pledge of Allegiance.

AGENDA AMENDMENTS

There were none.

PRESENTATIONS / AWARDS

There were none.

PUBLIC INPUT ON AGENDA ITEMS

There was none.

PUBLIC HEARINGS

1. Company Specific Tax Abatement Ordinance for Grencore, LLC

Attorney Pringle stated the Ordinance had been properly noticed regarding the granting of a company specific tax abatement for Grencore, LLC. He stated Grencore, LLC had submitted their application and he had reviewed it and was of the opinion that the operation, number of jobs created, the salaries being paid, and the costs of the improvements all together scored out between 100-115 points. He stated under the County scoring matrix the Commission could approve 100% tax abatement on the value of the improvements for years 1 – 8; then 90% abatement in the ninth year and 80% abatement in the tenth year. He stated the Ordinance had been left blank regarding the percentages. He stated his recommendation would be to use these percentages based upon Grencore, LLC's score. He stated the application was sufficient and reminded the Chairman to call for public input.

Chairman Storter Long called for public input. There was none.

Chairman Storter Long read the title of Ordinance 2014-1 into the record.

ON MOTION of Commissioner Echols seconded by Commissioner Stanley the Board adopted Ordinance 2014-1 approving a site specific ad valorem tax abatement for Grencore, LLC which grants a 100% ad valorem tax abatement for the new improvements for year one through year eight (2014-2021) and 90% ad valorem tax abatement for year nine (2022) and 80% ad valorem tax abatement for year ten (2023). The Board further approved that Glades County is authorized to enter into the attached Ad Valorem Tax Abatement Agreement with Grencore, LLC.

Motion carried by 5 – 0 vote.

CONSENT AGENDA

2.

- A. Approve County Warrants. (See Exhibit A)
General Fund: 72603 – 72709
SHIP: 1573 – 1575
Intergovernmental Radio: 10227
Courthouse Facilities Grant: 1369 - 1373**
- B. Approve the Minutes of the November 25, 2013 Regular Meeting.**
- C. Approve the Minutes of the December 10, 2013 Regular Meeting.**

ON MOTION of Commissioner Echols seconded by Vice Chairman Griffin the Board approved the Consent Agenda items.

Motion carried by 5 – 0 vote.

BUSINESS AGENDA

3. Adopt Safety Manual

Chairman Storter Long stated Mrs. Whitney, Chairperson of the Safety Committee, had requested that this updated manual be approved and disbursed among the employees. She introduced Paul Carlisle as the new County Manager and welcomed him to Glades County.

Paul Carlisle, County Manager, explained that the County received rebates based on the Safety Program. He stated this Safety Manual was the last step to be completed to justify the rebates from the County's Insurance Carrier and the State. He asked that the Board approve the manual.

Chairman Storter Long read Resolution 2014-1 into the record.

ON MOTION of Commissioner Beck seconded by Stanley the Board adopted Resolution 2014-1 relating to the adoption of the Glades County Employee Safety Manual and instructed the Human Resources Director/Chairperson of the Safety Committee to distribute it to all employees.

Motion carried by 5 – 0 vote.

4. Glades County Other Postemployment Benefits Program

Brenda Choban, Finance Director, explained that this report must be prepared in order to comply with GASBY 45 and the report would become a part of the County's financial statement. She stated Foster & Foster had been used for the past 4 years.

ON MOTION of Commissioner Beck seconded by Commissioner Stanley the Board approved a new contract with Foster & Grant in the amount of \$8,000.00 and authorized them to prepare the Actuarial Valuation of Other Post-employment Benefits Report for October 1, 2012.

Motion carried by 5 – 0 vote.

5. Consider Purchase of Property Places on the List of Lands Available for Taxes

Chairman Storter Long stated Sandra H. Brown, Clerk of Court, had prepared a list of properties from the November 21, 2013 tax deed sale that had not sold and were now available for the County to purchase if they wished to do so. She stated the County could purchase these lands for the amount of the opening bid. She called attention to

2012-37 and stated the Board may need to consider postponing a decision on this property.

County Manager Carlisle stated the Board needed to consider purchasing any of these properties or if they wished to allow the properties to remain on the list of lands available and possibly revert back to the County at a later date if no one purchased them. He stated 2012-37 had a road running through it and the City of Moore Haven was interested in purchasing this property.

Attorney Pringle stated there was a 90 day time period in which the County could purchase the property for the opening bid amount or they could waive their opportunity to purchase the property. He stated if the County waived this right then any other person or governmental unit could purchase the property from the Clerk without further notice or advertising. He stated the City of Moore Haven may have an interest in purchasing one of the lots because of a street located on it. He explained that if the County did not purchase that property they would need to waive their right in order to allow the City to purchase. He stated because the Board did not know whether or not the City was ready to purchase the property today, recommended that the Board postpone or continue that particular parcel. He stated once the County waived their right to purchase the property would be immediately available for purchase.

Chairman Storter Long questioned when the 90 days had begun.

County Manager Carlisle stated the 90 days had begun on December 16, 2013.

ON MOTION of Commissioner Echols seconded by Commissioner Beck the Board waived the purchasing of all the property listed on the List of Lands Available for sale except for Tax Deed 2012-37, a parcel that the City of Moore Haven is interested in purchasing.

Chairman Storter Long read a letter from Ms. Brown regarding the City's interest in purchasing 2012-37 (Sunstyle's Custom Homes) into the record. The letter stated "Mr. Pringle, One of the parcels that I will be presenting to the Board on Tuesday is in the City Limits. When the roads were paved last year this road was paved through this lot. Maxine Brantley, City Clerk, called me and said they wanted to acquire the lot. John Ahern also called and asked if the Board would work with them on the price. The opening bid amount is \$6,045.41. He asked if the Board could waive the taxes. I know the Board can waive omitted years taxes, however, there are no omitted taxes on this parcel. Would FS 197.447 apply to this lot since it is a road?"

Motion carried by 5 – 0 vote.

6. Director of Planning and Development Position

GLADES COUNTY COMMISSION – JANUARY 14, 2014

County Manager Carlisle stated this had been a vacant position when he came on board. He requested that the Commission, at the very least, authorize the job description so that when they were ready to fill the position this step was already done. He stated the hiring terms could be discussed at a later date.

Commissioner Echols asked if any major changes had been made to the description of the prior position.

County Manager Carlisle stated he had requested that Florida experience be added to the description and the other changes were simply typographical.

Chairman Storter Long stated the County was currently using the services of Alexis Crespo, Planner - Waldrop Engineering and had not had very many Planning & Zoning meetings this past year. She stated the County was however, anticipating more issues coming forward for growth in the near future.

Attorney Pringle stated Mrs. Crespo was currently under contract with the County and would continue to perform services until the position was filled.

OM MOTION of Commissioner Echols seconded by Commissioner Beck the Board accepted the job description, advertising, and hiring for the position of Director of Planning and Development within the specified salary range and authorized County Manager Carlisle to fill the position.

Vice Chairman Griffin asked for clarification of the motion. He questioned if the Board was authorizing the filling of the position.

Commissioner Beck stated this was correct.

Vice Chairman Griffin stated he did not agree with hiring someone for the position at this time. He stated the job could be contracted out for \$2,000.00/month – a total of \$24,000.00/year versus \$70,000.00 - \$100,000.00/year. He stated the work load was just not there right now. He did agree that the job description needed to be approved.

Commissioner Echols stated his motion on the floor would stand.

Chairman Storter Long stated there was certainly more than just the Planning & Zoning Board applications to consider.

Commissioner Beck stated the County was also anticipating growth and development in the near future. He stated the County would need someone competent and to be on top of these matters on a daily basis.

Motion carried by 4 – 1 vote.

Vice Chairman Griffin dissented.

7. Vacant Land Lease

Chairman Storter Long stated she had appointed Commissioner Echols to work on any County land leases.

County Manager Carlisle stated the County currently owned some vacant lands located by the Road Department. He stated there had been some interest in leasing the property out for some type of agricultural activity such as cattle or hay. He stated this would bring in some revenue for the County and would alleviate some of the mowing and maintenance that the Road Department was currently doing. He asked that the Board consider leasing the property and setting out some perimeters as to what they would like to see done with the property.

Commissioner Echols stated he would like to open the property up to as many possibilities as possible. He stated hay and cattle may not be the only interest. He stated there was a large amount of acreage out there. He stated the mowing of the property was expensive and these employees could be doing something elsewhere.

Attorney Pringle stated County Manager Carlisle wanted something more formal than a consensus. He stated if the Board wanted to do some type of lease arrangement, statute required that the County go through a competitive selection process.

Commissioner Echols stated the lease would have to be a longer term if cattle were placed on the property because of the fencing cost. He suggested that the Board look at time frames. He stated he would like the chance to discuss the possibilities with Avant Brown, County Road Superintendent, and County Manager Carlisle and bring the matter before the Board at the night meeting.

Chairman Storter Long concurred.

Commissioner Beck stated he would not oppose row crop farming. He stated the leasee or farmer could put in a well for water. He stated the soil was some of the best bell pepper soil he had ever seen. He stated he did not want to create any type of waste on the property. He stated the property would also need to be leveled back out and planted in some type of grass at the expiration of the lease. He stated there were a lot of considerations that needed to be reviewed. He stated a row crop farmer would also want a longer term because of the improvements that he would have to do to operate.

Commissioner Echols stated the herbicides and pesticides use would be governed by the Department of Agricultural Best Management Practices. He expressed concern with

the considerations regarding herbicides and pesticides and the surrounding property uses.

ON MOTION of Commissioner Echols seconded by Commissioner Beck the Board continued this item to the January 28, 2014 meeting.

Motion carried by 5 – 0 vote.

8. Clerk of Courts Storage Building

County Manager Carlisle stated he had opened the bids on January 3rd. He stated only 3 bids had been received: Johnson, Sullivan, and Marmer. He stated the bids had been divided out among the lowest bidder on each item. He asked the Board how they wanted to award the bids.

Vice Chairman Griffin stated he would abstain from voting on this matter due to a conflict of interest. He stated it was good to see a local contractor who would hire local people get the jobs. He questioned if Marmer was considered a local bidder and if the 5% would exclude Johnson from getting the block bid.

County Manager Carlisle stated the current Local Purchasing Ordinance read that the range would be between \$50,000.00 and \$250,000.00. He stated under \$50,000.00 the preference was not referenced. He stated the local preference would not apply if the jobs were broken out. He stated if the Board wanted to lump the jobs together then Johnson would be within the \$50,000.00 - \$250,000.00; which would be within the 3%. He stated he had done some research and made sure that Marmer did hold the proper licenses to do the job.

Vice Chairman Griffin stated he would like to keep the bids awarded to local bidders.

Chairman Storter Long stated it was about \$5,000.00 difference if the Board went with the lowest total overall – Sullivan Construction. She commented on the Ortona Community Association's building being built by several different contractors and the extended time it took to complete. She stated she would prefer to award the bids to one contractor.

Commissioner Beck stated Sullivan Construction had not even bid on the soffit/facia work or the roof work.

County Manager Carlisle stated the difference in awarding to one contractor versus breaking it out would be \$6,772.00.

Chairman Storter Long questioned if there was a time limit on the expenditure of the funds.

Bob Jones, Public Safety Director, stated there was no time limit.

Commissioner Beck stated he would like to award the bids to the lowest bidder on all jobs except for the soffit/facia work where Marmer was the lowest bidder. He stated he would like to award the soffit/facia work to Johnson.

ON MOTION of Commissioner Beck seconded by Commissioner Echols the Board awarded the contract to the lowest bidder on all items except for the soffit/facia work which was awarded to Johnson. (See Exhibit B)

Commissioner Stanley asked what this project would cost the County to be the Construction Manager.

County Manager Carlisle stated Tom Fischer, Building Inspector/Official, would be doing most of the scheduling on this project and it would be some added time.

Commissioner Stanley stated the Board should ensure that they were getting everything they needed in this building.

Mr. Jones stated the only thing that would be needed would be the shelving for the records. He stated fire suppression was not required for this building.

Motion carried by 4 – 0 vote.

Vice Chairman Griffin abstained from the vote. (See Exhibit D)

CONSTITUTIONAL OFFICERS

There was no discussion.

COUNTY ATTORNEY

Chairman Storter Long asked Attorney Pringle who determined was licensed with the County to do business. She asked if the local Planning & Zoning Board handled these matters.

Attorney Pringle stated he did not recall that any matter regarding licensing had come before the Planning & Zoning Board for years. He stated he believed that the Planning & Zoning Board was the licensing board. He stated there had been prior discussions with Gail Jones, Tax Collector, about terminating the occupational licensing within the County. He stated recently he and Vice Chairman Griffin had been reviewing a possible reimplementaion of the occupational licensing.

Attorney Pringle wished the Board a Happy New Year and stated he looked forward to 2014. He gave a review on the following items: 1 - Impact Fees – He stated the Board currently had 4 Impact Fee Ordinances and had taken action for several years to

suspend the collection of the Impact Fees for all 4 categories. He stated the current Ordinance suspending the collection of these fees would expire in February. He stated staff would notice a public hearing on an Ordinance to continue the suspension of the collection for additional term. He stated the Board could determine whether or not they wished to adopt, reject, or terminate the suspension at the public hearing. 2 – AEM – He stated he had not received any revised paperwork since the last time he reported on this issue. He stated the funds were still in the bank.

Avant Brown, County Road Department, suggested that the Board decide whether or not they wished to seek damages from AEM. He stated this decision would help speed up the final payment process.

Chairman Storter Long asked what would constitute the damages that the County suffered because of the delay.

Attorney Pringle stated the contract language stated if AEM was late then liquidated damages would be paid. He stated the County would be damaged by any delay in the completion of the project. He stated the damages were based upon several grounds: the County's out of pocket costs, engineering and legal fees. He stated the County had the ability to make a claim against the money based upon the delays in completion. He stated any expenses that the County had paid for legal services, engineering fees, professional services, additional costs to DOT, or additional permitting fees needed to be totaled. He stated these would clearly be damages incurred by the County and removed from any claim amount received from AEM. He stated the question would then be what part of the remainder of the funds would be dispersed to AEM.

Chairman Storter Long stated she would like to know what these additional funds totaled before deciding whether or not to go for the penalty for the delay in completion.

Attorney Pringle stated he would gather all of this information and present it to the Board for consideration.

Commissioner Echols asked how the contact with AEM was being made. He asked if they had an attorney.

Attorney Pringle stated all contact had been direct and limited. He stated he had allowed AEM to initiate contact.

Commissioner Beck stated he would not support paying AEM for any extra materials that they removed. He stated this item could be removed from the list.

Attorney Pringle stated he had already pointed out the terms of the contract to AEM and advised them that there was a guaranteed maximum price therefore no additional payments would be made for this work. 3 – Community Association Management

Agreements – He stated these had been forwarded to each association in good standing. He stated the term of the agreement would be 5 years. He stated termination language had been included and Exhibit “C” indicating which payments the County would continue to pay. 4 – Wright Construction Contract – He stated at the Board’s direction he had contacted Wright and informed them they had been selected for negotiation of a contract. He stated he had prepared an agreement with the contents as directed by the Board and forwarded it to Wright for review. He stated Wright had agreed that any work performed prior to the entering of the second addendum to the contract would be done without payment. He stated Wright was moving ahead without any delay on the bidding out to the sub-contractors. He stated was waiting to hear back from them.

Vice Chairman Griffin questioned using the local bidder preference on the bidding process when federal funds were being used.

Commissioner Echols stated he did not believe the local bidder preference could be used when the funding source was someone else.

Attorney Pringle stated he had not looked at the funding agreement recently but did not believe there was a reference to the local bidder preference in the document. 5 – Cypress Knee Museum Lease – He stated he had been negotiating the lease revisions with DEP and had received the most recent provisions from them last week. He stated he believed he was pretty close to having a document to present to the Board for approval.

Chairman Storter Long asked that this item be added to the January 28, 2014 meeting agenda.

COUNTY MANAGER & DEPARTMENT HEADS

County Manager Carlisle stated he was pleased to be here and to be working with everyone. He stated he had met with staff and most of the Commissioners. He stated everyone had been very supportive and provided him with lots of information. He stated the County had a great staff. He stated he had met with Dale Milita, Lobbyists, and Tracy Whirls, Executive Director – EDC, about getting some grant funding for Americas Gateway and some other projects within the City and the County. He stated he would be diligently searching for available funding. He stated he would be meeting with the TPO in Highlands County next week. He stated he believed networking was important. He stated he had spoken with the Hendry County’s Manager and would be collaborating with him on certain issues.

Chairman Storter Long stated it had been a pleasure getting acquainted with County Manager Carlisle and looked forward to working with him. She inquired about the meeting with Gary Ritter, SFWMD, concerning the dirt that may be available for use at the EOC site.

County Manager Carlisle stated this had been determined and he had signed the waiver of liability so that fill could begin being moved to the site. He stated he believed Mr. Brown was still waiting for Wright Construction to review the parameters of the site.

Mr. Brown stated he was meeting with Wright Construction today at 1:00 p.m. regarding this issue.

Commissioner Echols suggested contacting Andy Powell, Wright Construction, and having him involved with this issue.

PUBLIC INPUT ON NON-AGENDA ITEMS

There was none.

COMMISSIONERS ITEMS AND COMMENTS

Commissioner Stanley stated he would be working with County Manager Carlisle regarding the mowing of a large parcel off of Lake Drive in Buckhead Ridge.

Commissioner Echols stated he had been in twice to talk with County Manager Carlisle and believed he was the right man for the job and looked forward to working with him in the future.

Commissioner Beck welcomed County Manager Carlisle to Glades County. He stated he believed County Manager Carlisle had some good and refreshing ideas that would help Glades County. He stated he looked forward to working with him. He invited everyone to purchase a dinner ticket from the Moore Haven Scholarship Foundation in the amount of \$8.00. He stated the dinner included Bar-b-que chicken, baked beans, coleslaw, and a roll. He stated the dinners would be available on Friday. He thanked everyone for their support of the Foundation.

Chairman Storter Long asked if Rick Brown was handling the Code Enforcement duties at this time. Mr. Jones stated this was correct. Chairman Storter Long asked if the Board wanted to consider going forward with hiring someone full-time.

County Manager Carlisle stated he was in discussions regarding some other opportunities for Code Enforcement that he would be bringing back to the Board in the near future.

Chairman Storter Long stated she had given each Commissioner a copy of their Board assignments. (See Exhibit C) She stated if there were any issues to please let her know and she would make other arrangements. She asked that the Cypress Knee Museum Lease be placed on the next agenda whether or not the lease agreement had been signed. She invited everyone to a free luncheon today at the Ortona Community Association's new building dedication. She stated 205 people had been served at their

GLADES COUNTY COMMISSION – JANUARY 14, 2014

spaghetti dinner last week. She stated they were so grateful for their new building. She stated the luncheon would begin at noon.

ADJOURN

ON MOTION of Commissioner Beck seconded by Commissioner Stanley the Board moved to adjourn the meeting.

There being no further discussion, Chairman Storter Long adjourned the meeting at 10:20 a.m.

Donna Storter Long, Chairman

ATTEST:

Sandra H. Brown, Clerk of the Circuit Court

Approved: January 27, 2014

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