



## Minutes of the Board of County Commissioners Okeechobee County, Florida

Thursday, January 12, 2017

### *Regular Session*

The Board met this date in a Regular Session in the Okeechobee County Historic Courthouse in the "Judge William L. Hendry Courtroom", Room 270, at 304 NW 2nd Street in Okeechobee, Florida at 9:00 AM.

#### Roll Call

Attendee Name	Title	Status	Arrived
Terry Burroughs	Chairman	Present	
Bryant Culpepper	Commissioner	Present	
Kelly Owens	Commissioner	Present	
David Hazellief	Commissioner	Present	
Bradley G. Goodbread	Commissioner	Present	
Robbie Chartier	County Administrator	Present	
John Cassels	County Attorney	Present	
Jeff Shain	Deputy Clerk	Present	

#### I. Commencement

Chairman Terry Burroughs called the meeting to Order. Father Shevlin offered the invocation, after which Commissioner Bryant Culpepper led the Pledge of Allegiance.

#### II. Public Comments

Ms. Bobbie J. Carpenter representing fisherman using the Lock 7 Pier, addressed the Board and discussed the closure of the Pier at midnight. Ms. Carpenter also discussed lights at the Lock 7 Pier.

County Administrator Robbie Chartier stated the reason for the Lock 7 Pier closing at midnight was because of vandalism.

Mr. Wilson addressed the Board and also discussed the Lock 7 Pier closing.

Commissioner Bryant Culpepper stated we are looking for different ways to help solve the problem at the Pier.

Ms. Libby Pigman of SFWMD addressed the Board and stated she wanted to share two things with the public. SFWMD will be closing the S127 Lock at Buckhead Ridge for emergency repair 01/23/2017 through 02/07/2017. The water level on the Kissimmee River at SR 98 is very low because of the back filling.

Mr. Mark Worley addressed the Board and discussed the Lock 7 Pier closing because of vandalism.

Several residence of the Viking Subdivision addressed the Board and discussed preserving the Okeechobee way of life. Issues discussed were the residence riding bikes and ATVs on their own land, ownership of the roads and their concern of being treated as outsiders by the police. Asked the Commission to consider the land owners and solve the problem.

#### 1. Motion: Motion to close Public Comments

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	1 of 9 January 12, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryant Culpepper, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

### III. Revisions

County Administrator Robbie Chartier addressed the Board and asked to add an item to declare certain property as surplus.

**Motion:** Motion to accept revision to the agenda.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryant Culpepper, Commissioner
<b>SECONDER:</b>	Kelly Owens, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

### IV. Agenda

#### 1. Consent Agenda

Items 1a through 1b were approved by the Board to include the Additional Warrants.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelly Owens, Commissioner
<b>SECONDER:</b>	Bryant Culpepper, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**a. MINUTES: DECEMBER 29, 2016 REGULAR SESSION**

Requested Action: Approve Minutes from December 29, 2016 Regular Session.

**b. WARRANTS 2017-01**

Requested Action: Approve Warrants List 2017-01.

#### 2. Proclamations/Public Hearings

**RESOLUTION 2017- DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO DISPOSE OF SAME**

County Administrator Robbie Chartier addressed the Board Section 274.05, 274.06 & 274.07 Florida Statutes, provide that a local government may classify as surplus and dispose of any of its property that is obsolete or the continued use of which is uneconomical or serves no useful function. A list of such property, which currently appears on the County's Inventory, is attached for the Boards review as "Exhibit A".

**Requested Action:** Approve Resolution 2017-02 declaring certain County office furniture as listed in Exhibit A as surplus and authorize the County Administrator to dispose of this property.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryant Culpepper, Commissioner
<b>SECONDER:</b>	David Hazellief, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**a. 9:00 A.M. PUBLIC HEARING, PETITION B-2016-0064, SIZEMORE CORPORATION, PROPERTY OWNER AND APPLICANT. REQUEST TO ABANDON AN ALLEY RIGHT-OF-WAY IN RIVERSIDE PARK SUBDIVISION**

Community Development Director Bill Royce addressed the Board and stated Public Hearing, Petition R-2016-0064, Sizemore Corporation, property owner and applicant. Request to abandon an alley right-of-way in Riverside Park subdivision. Block 13 of Riverside Park is located on the north side of State Road 70 East, adjacent to the city limit boundary. The entire south half of the block, Lots 7-12, is owned by the Sizemore Corporation. The property is developed with a small strip center, currently housing a mattress store and a church.

Chairman Terry Burroughs opened the Public Hearing.

**Requested Action:** Conduct a public hearing and accept input from interested parties.

<b>RESULT:</b>	<b>CONDUCTED</b>
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**Motion:** Motion to close the Public Hearing.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelly Owens, Commissioner
<b>SECONDER:</b>	Bryant Culpepper, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**Motion:** Motion to adopt Resolution 2017-01 vacating and abandoning an alley right-of-way in Riverside Park subdivision.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bradley G. Goodbread, Commissioner
<b>SECONDER:</b>	David Hazellief, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**b. 9:00 A.M. PUBLIC HEARING, PETITION R-2016-0705, CHANGE IN ZONING: JOHN A. WILCOX, JR. AND JUDY T. WILCOX, PROPERTY OWNERS AND**

**APPLICANTS. REQUEST FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE FAMILY (RSF) TO AGRICULTURE (A).**

Community Development Director Bill Royce addressed the Board and stated Public Hearing, Petition R-2016-0705, Change in zoning: John A. Wilcox and Judy T. Wilcox, property owners and applicants. Request for a change in zoning from the existing classification of Residential Single Family (RSF) to the proposed classification of Agriculture (A). The property address is 115 NE 131st Lane.

Chairman Terry Burroughs opened the Public Hearing.

Mr. Steve Dobbs representing the owners addressed the Board and stated he would answer any questions.

**Requested Action:** Conduct a public hearing and accept input from interested parties.

<b>RESULT:</b>	<b>CONDUCTED</b>
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**Motion:** Motion to close the Public Hearing.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelly Owens, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**Motion:** Motion to grant Petition R-2016-0705, request for a change in zoning from Residential Single Family (RSF) to Agriculture (A).

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Hazellief, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**3. General Business**

**a. B.A.S.S ELITE SERIES TOURNAMENT HOST AGREEMENT**

Tourism Coordinator Sharie Turgeon addressed the Board and stated she was contacted via email by Michael Mulone, Director of Event Partnership of B.A.S.S., LLC, to propose bringing the 2017 Elite Series Tournament to Okeechobee County. The Okeechobee County TDC continues to have a lasting relationship with B.A.S.S. as a host of many of their major fishing tournaments. With this in mind and the proposed economic impact as seen when the event came in 2012, Okeechobee County TDC was thrilled to hear that they were interested in coming back.

The 2017 Bassmaster Elite Series event in Okeechobee County will take place February 23-26, 2017 and includes the following: Wednesday, February 22, 2017 -

Anglers Registration and meeting at the Okeechobee KOA. Thursday through Sunday, February 23-26, 2017 - Tournament at C. Scott Driver Park. Tournament weigh-ins will take place everyday at 3 PM and additional activities for the community with a festival on Saturday and Sunday. This event will be advertised through national publications, websites, broadcast via a live leader board, streaming video online and a 1 hour taped show will be produced for broadcast on an ESPN Network.

**Requested Action:** Approve and authorize the Chairman to execute a Host Agreement with B.A.S.S., LLC for the 2017 B.A.S.S. Elite Series Tournament, February 23-26, 2017 in the amount of \$40,000.00 as reviewed by the County Attorney and up to \$10,000.00 for additional event deliverables as approved by the Tourist Development Council.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelly Owens, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**b. SPECIAL EVENT REQUEST FOR ALCOHOLIC BEVERAGES ON PREMISES AT C. SCOTT DRIVER RECREATION AREA FOR THE 2017 BASSMASTER ELITE / BASS BASH**

Tourism Coordinator Sharie Turgeon addressed the Board and stated in July, 2011 a discussion began regarding alcohol policy on the property of C. Scott Driver Park. At this time the policy of no alcoholic beverages remains in place for the Park. In March, 2012, the Board of County Commissioners approved a one-time exception to this policy for the 2012 Bassmaster Elite Series event.

Due to the upcoming 2017 Bassmaster Elite Series and Bass Bash, staff is requesting approval, to allow alcoholic beverages at the one-time 2017 Bassmaster Elite Series Tournament / Bass Bash event

**Requested Action:** Approve a request to allow alcoholic beverages at C. Scott Driver recreation area for the 2017 Bassmaster Elite Series tournament and Bass Bash event based upon the recommended guidelines.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bradley G. Goodbread, Commissioner
<b>SECONDER:</b>	Bryant Culpepper, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**c. COUNTY'S ANNUAL SCOP/SCRAP SUBMISSION**

Public Works Director Lee Evett addressed the Board and stated annually, FDOT requests road funding application requests from District 1 counties for FDOT's SCOP and SCRAP program. The entire process changed last year when FDOT requested significantly more data and justification. Working with the new system the County submitted 12 applications, the narrative for each is attached except for last years number one priority - Lofton Road - which FDOT funded for \$7.2 million in FY 21/22.

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The Board agreed Berman Road is priority #1.

**Requested Action:** Approve the submission of South Berman Road as the County's first priority submission for FDOT SCRAP funding.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kelly Owens, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**Motion:** for staff to submit a spreadsheet of roads needing repair to the Board before the next meeting so the Board can prioritize at the 01/24/2017 BOCC Meeting.

<b>RESULT:</b>	<b>CONCENSUS OF THE BOARD</b>
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**d. CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT REPORT - JOHN GURNEY**

Chairman Terry Burroughs stated John Gurney, Economic Development Director, Chamber of Commerce of Okeechobee overview of the economic development accomplishments for the 2016 calendar year will be moved to the next BOCC Meeting.

**Requested Action:** Defer to next meeting January 24, 2017, a report from John Gurney on the accomplishments of the Chamber of Commerce on Economic Develop activities for the 2016 calendar year.

<b>RESULT:</b>	<b>DEFERRED</b>
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**e. ACOUSTICAL CRITERIA FOR MUSIC FESTIVALS AT SUNDANCE TRAILS RESORT - RESOLUTION 2017-**

Community Development Director Bill Royce addressed the Board and stated Sundance Trails Resort was approved in 2015 to develop as a vacation resort by a change in zoning to the Planned Development zoning district. The Sundance Trails Resort Planned Development District, recently amended by Ordinance R-2016-0270, includes a provision allowing for multi-day music and other festivals. The ordinance also includes a provision allowing the Board of County Commissioners to establish by resolution specific acoustical criteria for music festivals. As submitted, the proposed resolution establishing such criteria would apply to any music or other festivals at Sundance Trails Resort, including the upcoming Okeechobee Music and Arts Festival scheduled for March 2-5, 2017.

Mr. Robert M. Likendey of RML Acoustics addressed the Board and discussed the Environmental Acoustic Assessment of sound levels around the Festival site.

The Board discussed the inconvenience of the noise for residence living near the Festival.

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Attorney Tom Conley representing Soundslinger addressed the Board and stated nothing has changed, Soundslinger will abide to all the rules of the County. Mr. Kevin Collinsworth CEO of Soundslinger addressed the Board and discussed their sound mitigation action plan. The Board asked questions of Mr. Collinsworth. Mr. Collinsworth stated he needs 120 minutes of the higher DB levels each day.

Attorney Katie Edwards representing Mr. & Mrs. Lizama, addressed the Board and discussed issues with the agreed upon sound levels and hoped they would be revisited after the next Music Festival.. Ms. Patty Lizama addressed the Board and thanked them for considering the issue with the noise levels.

**Requested Action:** Approve Resolution 2017-03 establishing acoustical criteria for music and other festivals at Sundance Trails Resort. With addition of 120 minutes per day for four sessions at higher db levels and the mutually agreed upon parameters for the db ranges.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryant Culpepper, Commissioner
<b>SECONDER:</b>	Bradley G. Goodbread, Commissioner
<b>AYES:</b>	Burroughs, Culpepper, Owens, Hazellief, Goodbread

**f. 1:30 PM WORKSHOP ON SUNSHINE LAW, ADMINISTRATIVE FORM OF GOVERNMENT, AND RELATED TOPICS**

The County Attorney's office scheduled a Workshop on the Sunshine Law and the Administrative Form of Government, including a review of the powers of the Board members, the powers of the Administrator, and civility. In addition to the presentation, it is anticipated that there will also be an opportunity for "question and answer" on these, and related, topics (such as the Public Records Law).

Virginia "Ginger" Delegal is the General Counsel for the Florida Association of Counties and has been in that position since April 2003. She is an honors graduate of the Mercer University School of Law and a *summa cum laude* graduate of Salem College in North Carolina.

Ms. Virginia Delegal addressed the Board and conducted the Workshop.

**Requested Action:** Conduct a Workshop on the Sunshine Law, Administrative Form of Government, and related topics.

<b>RESULT:</b>	<b>CONDUCTED</b>
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**4. Administration Report**

- a. County Administrator Robbie Chartier discussed the following:
  1. County luncheon tomorrow Jan 13, 2017 at the Civic Center.
  2. County offices are closed Monday for observance of Martin Luther King Jr.

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Holiday.

3. Dairy Tour is on Tuesday Jan, 17, 2017.
4. Saturday January 21, 2017 is the Centennial Kickoff.
5. Commissioners are invited to stop by the Blue Grass Festival at the Agri-Civic Center today through Sunday.
6. The Okee-Tantie RFP is out.
7. The size of the Public Works Building will be coming back to the Board for review.

**5. Commissioner Reports**

**a. COMMISSIONER OWENS: DECORUM OF COMMISSIONERS AND MEETINGS**

Commissioner Kelly Owens discussed the Decorum of the Commission. Specific Questions and to build consensus on the Board are as follows:  
 Expectations fellow Board members have of the Chairman and of each other?  
 Process for getting agenda items placed on the Agenda by a Commissioner?  
 Communication protocols with the County Administrator and Department Heads?

The Board discussed protocols and rules to live by. There was a discussion on how Commissioners add agenda items. County Administrator Robbie Chartier suggested because the Board changes, this item should be brought up at the BOCC Organizational Meeting in November. Staff was asked to find any prior rule in writing if one exists, to review at another meeting.

**Requested Action:** Conduct discussion regarding proper decorum of Commissioners, meetings, agendas and communication.

<b>RESULT:</b>	<b>CONDUCTED</b>
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- b. Commissioner Bradley G. Goodbread discussed the following:
  1. How a Commissioner gets an item on the agenda.
- c. Commissioner Bryant Culpepper discussed the following:
  1. Excited about how the Board and the staff interacts.
  2. Status of the Basswood sidewalk project.
- d. Commissioner David Hazellief discussed the following:
  1. Have we notified OUA that they need to place on hold the funds for the people doing the underground road work in Bet-Her Acres.
  2. Follow-up on Pine Ridge Park, complaints from the home owners on the condition of the road.
  3. Music Festival update to the Board. There was a discussion by the Board to get an update from all departments ie. Sheriff, Fire Chief, Planning , etc.
- e. Chairman Terry Burroughs discussed the following:
  1. Public Service Coordinating Counsel priorities for 2017.
  2. Heartland Regional Planning Counsel update.



3. We all have to figure out how to work together as a group and be successful.

**6. Additional Documents, If Any, Presented At Meeting**

**V. Adjournment**

There being no further business to come before the Board, Chairman Terry Burroughs declared the Regular Session of the Board of County Commissioners adjourned at 4:42 p.m.

BOARD OF COUNTY COMMISSIONERS  
OKEECHOBEE COUNTY, FLORIDA

By:   
Terry W. Burroughs - Chairman

ATTEST:

Sharon Robertson  
Clerk of the Circuit Court & Comptroller

By:   
Deputy Clerk

Approved: 01/24/2017



Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	9 of 9 January 12, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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