



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

Thursday, February 9, 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. Associate Pastor Kay Muller offered the invocation, after which Commissioner Bryant Culpepper led the Pledge of Allegiance.

### II. Public Comments

Kathy Scott addressed the Board and discussed the Okeechobee County Happy 100th Birthday Extravaganza Saturday May 6, 2017 from 1 pm- 9 pm at the Agri-Civic Center.

Mr. James Griffith addressed the Board and discussed the easements and right of ways in the Prairie in regards to the Sheriff's Office writing tickets and possible confiscation to people riding ATVs on private property and possible lawsuit.

Chairman Burroughs advised Mr. Griffith this matter is scheduled on the February 23, 2017 agenda; no action would be taken today.

**Motion:** Motion to close Public Comments.

<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

### III. Revisions

County Attorney John Cassels asked to add a discussion on Medical Marijuana; added Item g.1.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	1 of 9 February 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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County Administrator Robbie Chartier asked for a discussion and possible Resolution opposing Senate Bill 10 for the sale of land at the south side of the lake; added Item g.2.

**Motion:** Motion to approve the amendments to the agenda.

<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

**IV. Agenda**

**1. Consent Agenda**

Items 1a through 1c were approved by the Board to include the amended warrants.

<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

**a. MINUTES: JANUARY 24, 2017 REGULAR SESSION**

Requested Action: Approve Minutes from January 24, 2017 Regular Session.

**b. WARRANTS 2017-03**

Requested Action: Approve Warrants List 2017-03.

**c. BUDGET RESOLUTION & AMENDMENT BA17-06 COUNTY CENTENNIAL SPONSORSHIPS**

Requested Action: Approve Resolution 2017-06 amending the 2016-2017 fiscal budget to appropriate unanticipated Centennial Contributions in the General Fund providing an effective date and approve BA 17-06 in the amount of \$14,100.

**2. Proclamations/Public Hearings**

**3. General Business**

**a. SHERIFF'S OFFICE - ASPCA GRANT FOR ANIMAL CRUELTY INVESTIGATIONS**

Sheriff Noel Stephen addressed the Board and discussed Okeechobee County Sheriff's Office Animal Control Service applied for and received funding from the ASPCA for Cruelty Investigation Training Stipends. These funds may only be used for classes relating to the investigation of animal cruelty.

**Requested Action:** Approve acceptance of the receipt of the American Society for the Prevention of Cruelty to Animals (ASPCA) Grant in the amount of \$11,000.00 to

help cover costs of Cruelty Investigation Training. The Okeechobee County Sheriff's Office has amended their FY2016/2017 Budget to include receipt of this grant.

<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. REQUEST TO ABANDON CERTAIN UTILITY EASEMENTS IN PALM VILLAGE RANCH SUBDIVISION**

Community Development Director Bill Royce addressed the Board and stated Petition B-2017-0065, Billy and Bobbie Jo Pelfrey, applicants; request to abandon public utilities easements in Palm Village Ranch subdivision.

Mr. and Mrs. Pelfrey would like to combine lots 167 and 168 in Palm Village Ranch to build a house. In Palm Village Ranch, a "five (5) foot wide easement for public utilities" is reserved on all side lot lines. These public utility easements must be abandoned in order for the Pelfrey's to be able to build the house in the desired location in the middle of the combined lots. The public utility easements considered for abandonment would be the 5 foot easement on the south side lot line of Lot 167 and the 5 foot easement on the north side lot line of Lot 168. As established on the plat, these side easements are for public utilities only, not drainage or other purposes.

**Requested Action:** Approve to scheduled a public hearing for Thursday, March 9, 2017 at 9:00 a.m. to consider whether to abandon certain utility easements in Palm Village Ranch subdivision.

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

**c. MENTAL HEALTH INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESS IN THE COUNTY JAIL**

Commissioner Terry Burroughs gave a presentation regarding the implementation of a new program to reduce the number of people with mental illnesses in jail.

Attorney Diamond Litty, head of Public Defender's Office for the 19th Circuit addressed the Board and discussed the Implementation Plan.

Sheriff Noel Stephen addressed the Board and discussed his support for the initiative.

Judge Elizabeth Metzger, Chief Judge of the 19th Circuit Court addressed the Board and discussed the Mental Health Court.

Ms. Lisa Fontaine with the Public Defenders Office addressed the Board and discussed the process.

Ms. K. C. Rodgers with Narcotics Anonymous addressed the Board and discussed drugs and mental health.

The Board discussed funding the project, budget and possible grants.

**Requested Action:** Receive comments from Commissioner Burroughs regarding the implementation of a new program to reduce the number of people with mental illnesses in jail.

<b>RESULT:</b>	<b>RECEIVED</b>
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**Motion:** Motion to authorize funding to support implementation of the plan up to \$20,833 for the remainder of fiscal FY16/17 and authorize budget transfer 17-57 from General Fund Reserves in the amount of \$20,833 for the same purpose.

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

**d. NW 8TH AVENUE**

County Administrator Robbie Chartier addressed the Board and stated in order to formally close a portion of NW 8th Avenue which is currently used by the Road Department for the storage of materials and access to the fueling facility, the Hamrick Estate would require to be paid 95 cents a square foot. The road is 49,000 square feet, therefore the cost would be \$46,550.

The Board discussed whether to purchase or use the land at no cost. The Board decided to wait for a Road Department Master Plan before deciding this issue.

**Requested Action:** No Action Taken to authorize the purchase of a portion of NW 8th Avenue from the Hamrick Estate in the amount of \$46,550.

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>
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**e. ACCEPTANCE OF QUOTE FROM MOHAWK CONSTRUCTION**

Public Works Director Lee Evett addressed the Board and stated in 1993, Okeechobee County and the predecessor of Waste Management Inc. entered into an agreement resulting in the sale of the county landfill to the entity that has become Waste Management, Inc. Part of the agreement provided that the purchaser make certain improvements to Berman Road and the drainage system for Berman Road. Among the improvements were four ponds to be constructed as stormwater treatment areas with weirs and outfall structures to transmit the water to Cypress Creek. The county agreed to maintain the improvements in perpetuity so the South

Florida Water Management District (SFWMD) construction permit was issued to the County.

**Requested Action:** Approve the quote from Mohawk Construction in the amount of \$30,090.00 in accordance with Exemptions 8, 10 and 11 of the Purchasing Manual to complete the construction obligation of Okeechobee County resulting from the sale of the county landfill in 1994 and authorize the issuance of a Purchase Order to Mohawk Construction.

<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

**f. SPORTS COMPLEX SWIMMING POOL FENCE REPLACEMENT PROJECT  
AWARD BID # 2016-28**

Community Services Director Albie Scoggins addressed the Board and stated the County received Bids on January 27, 2017 for the Swimming Pool Fence Replacement at the Okeechobee County Sports Complex. The current fence at the pool is over twenty (20) years old and is a residential grade fence.

We received a total of two (2) bids and only one (1) of the two (2) bids were from local vendors. The local company, Adron Fence Company (\$33,000) did not meet the Local Vendor Preference requirements outlined in our Purchasing Procurement Policy as they were not within 5% of the low bid to qualify for the opportunity to match the low bid. Adron Fence was 19.73% higher than the low bidder. Therefore Delaney Fence Company, Inc. (\$27,560.65) of Lake Placid, FL was the low bidder.

**Requested Action:** Approve Bid No. 2016-28 to Delaney Fence Company, Inc. in the lump sum amount of \$27,560.65 for the Swimming Pool Fence Replacement at the Okeechobee County Sports Complex.

<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

**g. DISCUSSION RE: RENAMING OF THE COUNTY SPORTS COMPLEX**

County Administrator Robbie Chartier addressed the Board and stated Commissioner Burroughs has requested the Board entertain a discussion regarding the renaming of the County Sports Complex to the Darrell Enfinger Sports Complex. The Board has Administrative Regulation 8.03 (attached for reference), which is a policy regarding Naming of County Streets, Parks and Other Facilities, should the Board want to propose something other than currently in the policy, it is recommended the Board take formal action to set the policy aside for this one instance.

Judge Bryant addressed the Board and gave his support for the renaming of the County Sports Complex.

**Requested Action:** Approve renaming the County Sports Complex to Darrell Enfinger Sports Complex and, determine when to do the renaming.

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

**g.1. Medical Marijuana discussion**

County Attorney John Cassels addressed the Board and discussed the expanded conditions of Medical Marijuana and the meeting County Administrator Chartier and he attended. With the passing of Amendment 2, the County had set a six (6) month moratorium.

County Attorney Cassels discussed his ideas on zoning. He suggested the County should renew the moratorium for another six (6) months.

**Motion:** Motion to direct the County Attorney to schedule a Public Hearing on extending the moratorium on the sale of Medical Marijuana for another six (6) months.

<b>RESULT:</b>	<b>CONCENSUS OF THE BOARD</b>
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**g.2. Purchase of land south of the Lake**

County Administrator Robbie Chartier addressed the Board and discussed the purchase of land at the south end of the lake for water storage.

**Motion:** Motion to oppose supporting Senate Bill 10.

<b>RESULT:</b>	<b>CONCENSUS OF THE BOARD</b>
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**Motion:** Motion to adopt Resolution 2017-07 opposing Florida Senate Bill 2017-10 which seeks to expedite the acquisition of land for a project to construct above ground reservoirs locate south of Lake Okeechobee.

<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

**h. 1:00 PM - 5:00 PM INTERVIEW ENGINEERING FIRMS FOR COUNTY ENGINEER**

County Administrator Robbie Chartier addressed the Board and stated there will be interviews of four Engineering Firms. Each firm will be allotted 15 minutes to make a

presentation to the Commission and then the Board will have 30 minutes to ask questions of the engineering firm, there will be a 15 minute break between each interview to allow time for the next firm to setup for their presentation.

1:00 PM - Culpepper and Terpening, Inc. , presentation by Stefan Matthes - PE and Marcelo Dimitriou - PE

The Board asked questions of the team from Culpepper and Terpening, Inc. (Stefan Matthes - PE, Marcelo Dimitriou - PE, Thomas Kieman - PSM, Joseph DeFronzo - PE and Dennis Murphy)

2:00 PM - Craig A. Smith & Associates, presentation by Gene Schriener - PE, President and Jim Orth - PE.

The Board asked questions of the team from Craig A. Smith & Associates (Gene Schriener - PE, Jim Orth - PE, Bryce Contento - IT and Bob Keener - PSM)

3:00 PM - Johnson Engineering, presented by Andy Tilton - PE and Ryan Bell - PE.

The Board asked questions of the team from Johnson Engineering (Andy Tilton - PE, Ryan Bell - PE, Matt Howard - PSM and James Lofton)

4:00 PM - Civil Surv Design Group, Inc., presented by Jack Breed - President, John Howle - PE, and Chris Murphy - PE.

The Board asked questions of the team from Civil Surv (Jack Breed - President, John Howle - PE, Hetty Harmon - AICP, Bill Smith - PE, Chris Murphy - PE)

County Administrator Robbie Chartier stated all the Commissioners submitted their rating and read the scores.

Culpepper and Terpening, Inc. = 208

Craig A. Smith & Associates = 204

Johnson Engineering = 185

Civil Surv Design Group, Inc., = 214

**Requested Action:** Conduct interviews of four(4) confirmed ranked Engineering firms, whose rank was confirmed by the BOCC, for County Engineer; and following the interviews, rank the firms.

<b>RESULT:</b>	<b>CONDUCTED</b>
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**Motion:** Motion to authorize the County Administrator to begin negotiations with the top ranked firm Civil Surv Design Group, Inc.,

<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

**4. Administration Report**

No report.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	7 of 9 February 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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## 5. Commissioner Reports

- a. Commissioner Kelly Owens discussed the following:
  1. Asked County Attorney Cassels if the Resolution does oppose the purchase of land at the south end of the Lake. Mr. Cassels stated yes.
  2. FAC Training last week. Best part was building relationships with Commissioners outside of Okeechobee County.
  
- b. Commissioner Bradley G. Goodbread discussed the following:
  1. Opposing Senate Bill 10, purchasing of land at the south end of the lake for water storage.
  2. Attended Treasure Coast Council of Local Governments Meeting.
  3. Would like to see Okeechobee be part of the Treasure Coast rather than Career Source Heartland. The Board had conversation on which would be better.
  4. Signage "Welcome To Okeechobee" placed at entrance to Okeechobee on SR 70 East, same as on Hwy. 441 North, coming South.
  5. County Administrator Robbie Chartier and Commissioner Kelly Owens explained why Okeechobee went to Career Source Heartland from Career Source Treasure Coast.
  
- c. Commissioner Bryant Culpepper discussed the following:
  1. Where we stand on the project of constructing sidewalks in Basswood.
  
- d. Commissioner David Hazellief discussed the following:
  1. Request for having an archery club from 4H and FFA members, checking the Ordinance on weapons.
  2. Bring back to the Board the fixing of Wolf Road construction project.
  3. Road Department Building, possibility of rehabilitation of the old building. The County Administrator suggested bringing back that discussion to the Board.
  4. Ranking the current County Buildings for replacement or rehabilitation.
  
- e. Chairman Terry Burroughs discussed the following:
  1. Approached by Main Street to purchase the horse for the County. Consensus to put on the Agenda for discussion, whether the Board would accept the Horse as a donation from Main Street.
  2. Resolution in the investment process from years ago, what the Board could invest in outside investments, is it limited to 5 million dollars.

## 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 5:10 p.m.

BOARD OF COUNTY COMMISSIONERS

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	8 of 9 February 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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OKEECHOBEE COUNTY, FLORIDA

By: Terry W. Burroughs  
Terry W. Burroughs - Chairman

ATTEST:

Sharon Robertson  
Clerk of the Circuit Court & Comptroller

By: Sharon Robertson  
Deputy Clerk



Approved: 2/23/2017

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