



Minutes of the Board of County Commissioners Okeechobee County, Florida

Thursday, March 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	Absent	
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 Bradley G. Goodbread led the Pledge of Allegiance.

II. Public Comments

Ms. Bobbie J. Carpenter addressed the Board representing the fisherman at the Lock 7 Pier. Ms. Carpenter stated the fisherman would like the rules changed from a max of 3 poles to a max of 5 poles.

Motion: Motion to close Public Comments.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

III. Revisions

County Administrator asked the Board to add items to the agenda:

1. Received an additional application for the OUA Board for item 3a, Derek Tremain.
2. Add item 3f Alton Chandler Civic Center Glass and Window Replacement Bid.
3. Add item 3g continuance of Craig A. Smith Engineering Contract.
4. Add item 3h emergency cleaning of outside bathrooms.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	1 of 10 March 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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Motion: Motion to accept revisions to the Agenda.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bradley G. Goodbread, Commissioner
SECONDER:	David Hazellief, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

IV. Agenda

1. Consent Agenda

Chairman Terry Burroughs discussed the Warrants, Bass Masters check, asked staff to investigate if there is a return on investment for the \$40,000 invested. Items 1a through 1f were approved by the Board to include the amended warrants.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	David Hazellief, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

a. WARRANTS 2017-05

Requested Action: Approve Warrants List 2017-05.

b. MINUTES: FEBRUARY 23, 2017 REGULAR SESSION

Requested Action: Approve Minutes from February 23, 2017 Regular Session.

c. RESOLUTION DECLARING COUNTY EQUIPMENT AS SURPLUS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO DISPOSE OF SAID SURPLUS PROPERTY

Requested Action: Adopt Resolution 2017-10 declaring certain County Equipment as listed in Exhibit "A" as surplus and authorize the County Administrator to dispose of said surplus property as defined in Chapter 274, Florida Statutes.

d. RESOLUTION & BUDGET AMENDMENT 17-07 FOR REIMBURSEMENT FOR CERTAIN EXPENDITURES RELATED TO OKEECHOBEE MUSIC FESTIVAL

Requested Action: Approve Resolution 2017-11 amending the 2016-2017 fiscal budget to appropriate additional unanticipated reimbursements for certain expenditures related to acoustics for the Okeechobee Music Festival in the Unincorporated Service Fund - Planning Department operating area providing an effective date, approve BA 17-07 in the amount of \$10,000.

e. FOURTH ANNUAL CONTRACT RENEWAL WITH ANDERSEN ANDRE CONSULTING ENGINEERS, INC. (ACE) FOR PROFESSIONAL SERVICES - GEOTECHNICAL AND MATERIALS TESTING SERVICES

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Requested Action: Approve the fourth annual contract renewal with Andersen Andre Consulting Engineers, Inc. (AACE) to provide Professional Services for Geotechnical and Material Testing Services with a term of March 14, 2017 to March 13, 2018 under the same terms and conditions.

f. RENEWAL OF LYNCH PAVING CONTRACT

Requested Action: Approve and authorize the Chairman to execute a Renewal of Independent Contractor's Agreement (as prepared by the County Attorney) with Lynch Paving for a period of one (1) year beginning March 17, 2017 and ending March 16, 2018, with an option to renew for up to one (1) additional one (1) year term; anticipated expenditures under this contract will be \$1,100,000 as budgeted in the Transportation Trust Fund.

2. Proclamations/Public Hearings/Presentations

a. 9:00 A.M. PUBLIC HEARING; PETITION B-2017-0065; REQUEST TO ABANDON CERTAIN PUBLIC UTILITIES 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 utilities easements must be abandoned in order for the Pelfreys to be able to build the house in the desired location in the middle of the combined lots. The public utilities 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 for drainage or other purposes.

Chairman Terry Burroughs opened the Public Hearing.

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

RESULT:	CONDUCTED
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Motion: Motion to close Public Hearing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

Motion: Motion to Adopt Resolution 2017-12 to abandon certain public utilities easements in Palm Village Ranch subdivision.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	3 of 10 March 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Hazellief, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

b. PROCLAMATION - AMERICAN RED CROSS MONTH 2017

Commissioner Kelly Owens read while Chairman Terry Burroughs presented Mr. and Mrs. John DeBose, Sarah Ruwe, Tonya Morgan and Eileen Haityn with a Proclamation designating March 2017 as American Red Cross Awareness Month in Okeechobee, Florida.

Ms. Sarah Ruwe and Ms. Peggy DeBose addressed the Board and discussed volunteers and projects.

Requested Action: Present a Proclamation designating March 2017 as American Red Cross Awareness Month in Okeechobee, Florida.

RESULT:	PRESENTED
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Motion: Motion to Issue the Proclamation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Hazellief, Commissioner
SECONDER:	Kelly Owens, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

c. MS. LORETTA TOTH - PROCLAMATION CHILDREN'S WEEK

Commissioner Kelly Owens read while Chairman Terry Burroughs presented Ms. Migdalia Rosado, Interim CEO Early Learning Coalition, a Proclamation designating March 26 - 31, 2017 as Children's Week in Okeechobee County, Florida.

Ms. Migdalia Rosado addressed the Board and thank the Board for the Proclamation.

Requested Action: Present a Proclamation designating the week of March 26 - 31, 2017 as Children's Week in Okeechobee County, Florida.

RESULT:	PRESENTED
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Motion: Motion to Issue the Proclamation.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

3. General Business

a. OKEECHOBEE UTILITY AUTHORITY (OUA) BOARD APPOINTMENT

County Administrator Robbie Chartier addressed the Board and stated she received an additional application from Mr. Terrain.

Ms. Chartier stated the Board appointed Michael Myers as a regular voting member and Philip J. Baughman as the alternate voting member on February 23, 2017. While the Board was still in session, Mr. Baughman came forward and declined the appointment, creating a vacancy for the alternate voting member.

The Board took action and appointed Thomas Markham as the alternate. Mr. Markham stated that he had requested to be appointed as the regular voting member on his application, as he has already served a little over a year on the Board. If there cannot be a change to the designation of which slot he is appointed to, and it remains as the alternate, then he respectfully declines the appointment.

There is one (1) member and one (1) alternate member vacancy on the Okeechobee Utility Authority Board, terms to expire March 1, 2017.

The three (3) applications received, forth application received at last meeting for appointment are as follows:

- Thomas W. Hoover (I)
- Thomas Markham (A)
- Michael Myers (N)
- Derek Tremain (N)

- (I) indicates an incumbent member of the OUA Board
- (A) indicates an alternate member of the OUA Board
- (N) indicates a new applicant

Thomas Markham addressed the Board and discussed why he should be the primary member and Michael Myers as an alternate.

It was the consensus of the Board that they already have a Regular Member to the OUA Board.

County Attorney John Cassels addressed the Board and stated that he is not aware of a policy that moves the Alternate Board Member to the Regular Member position, nor a policy to just remove someone from a Board.

Requested Action: Approve appointment of Derek Tremain as alternate member to the Okeechobee Utility Authority; term to expire March 1, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Hazellief, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

b. APPROVAL OF FDOT MAINTENANCE AGREEMENT - SIDEWALKS AT VARIOUS LOCATIONS - U.S. 441 AND SR 78

Public Works Director Lee Evett addressed the Board and stated FDOT is planning to construct a 5 foot wide sidewalk from the top of the Lake Okeechobee Dike to the U.S. 441 and SR 78 intersection. In order for FDOT to undertake this project, a Transportation Post Project Maintenance Agreement must be executed by the County. An accompanying Resolution authorizing the Chairman to execute this agreement must also be adopted.

Requested Action: Approve a Florida Department of Transportation Agreement, required by the Federal Highway Administration, that obligates the County to maintain the constructed sidewalk improvements at various locations in the area of the U.S. 441 and SR 78 intersection in perpetuity and adopt Resolution 2017-13 authorizing the Chairman to enter into said Agreement

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Hazellief, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

c. LOCK 7 CONCEPTUAL MASTER PLAN

Facilities Maintenance & Development Director Donnie Oden addressed the Board and stated in 1986 Okeechobee County was issued a Consent to Easement (CTE) to use the CORPS of Engineers Right of Way in the area better known as Lock 7 by the Department of the Army. The land, as described in the CTE, is thirty (30) acres more or less. The CTE incorporates the County owned and maintained Parking Area and Bathroom Facility constructed in 2015.

After the improvements of the Bathroom Facility and Parking Area, staff continued to initiate the development of a Master Plan for the Lock 7 area that included discussions with the Florida Game and Fish Commission (FWC), The United States Army Corp of Engineers (USACOE) and various other agencies that were recommended to us by FWC. Currently we are working with FWC and they are providing a grant valued at approximately \$30,000.00 to furnish and plant trees on the east end of the park. The County also was awarded a \$50,000 FRDAP grant, July, 2016 to provide a pavilion and observation platform.

Mr. Oden gave a presentation to the Board.

The Board had a discussion on how to pay for the project, i.e. grants.

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Requested Action: Receive review of the Lock 7 Conceptual Master Plan and it was the consensus of the Board to move forward in the design for permitting.

RESULT:	RECEIVED
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d. RESOLUTION OPPOSING PREEMPTION OF COUNTY HOME RULE POWERS

County Administrator Robbie Chartier addressed the Board and stated this Resolution urges members of the Florida Legislature to oppose HB 17 AND SB 1158 which preempt the Home Rule power of local governments to take certain actions that are deemed by local officials to be the best interest of the residents of the local community unless expressly authorized by the Florida Legislature. The Resolution authorizes transmission of the Resolution to the Local Legislative Delegation and other interested parties.

In 1968, Florida voters amended the state constitution conferring broad Home Rule powers to counties and municipalities. These constitutional powers authorize local officials to pass local ordinances and exercise all powers not specifically prohibited by law.

County Attorney John Cassels addressed the Board and discussed the concept.

Requested Action: Approve Resolution 2017-14 Opposing Preemption of County Home Rule Powers as proposed by the Florida Legislature.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	David Hazellief, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

e. STRATEGIC PLAN GOAL 2.0 INFRASTRUCTURE & CAPITAL ASSET MANAGEMENT

County Administrator Robbie Chartier addressed the Board and stated staff recommends the Board engage in discussion and provide staff direction of the Board's intent and expectations regarding Infrastructure & Capital Asset Management.

Ms. Chartier reviewed the 2.0 Infrastructure and Capital Asset Management chart with the Board.

2.1 Maintain integrity of County technology and telecommunications systems.

2.2 Develop and maintain roadway and stormwater drainage systems to reduce potential for flooding.

2.3 Support OUA's efforts to expand wastewater system to reduce the number of homes on septic tanks.

2.4 Evaluate County facility needs.

There was a round table discussion by the Board covering the above topics.

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Requested Action: Conduct discussion and define the goals of Infrastructure & Capital Asset Management.

RESULT:	CONDUCTED
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f. ALTON CHANDLER CIVIC CENTER GLASS AND WINDOW REPLACEMENT BID

Community Services Director Albie Scoggins addressed the Board and stated the County received Bids on March 3, 2017 for the Replacement of the Windows at the Alton Chandler Civic Center. The current window at the facility are over twenty (20) years old and do not meet current codes for wind and energy efficiency. We had four (4) contractors attend the mandatory pre-bid meeting on February 15, 2017 but only received one (1) bid. There were not any bids submitted by our local vendors although we had one (1) local vendor attend the pre-bid meeting.

Commissioner David Hazellief stated he was uncomformable with only having one bid and also thought if the entire project was done at one time, it would be less expensive.

Staff agreed after replacing the windows, all other improvements to the Civic Center will be done under one project, to expedite the process.

Requested Action: Approve Bid No. 2017-02 to Envision Glass & Aluminum LLC in the lump sum amount of \$29,725.00 for the Replacement of the Windows at the Alton Chandler Civic Center.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

g. Continuance of Craig A. Smith Engineering Contract

County Administrator Robbie Chartier addressed the Board and discussed the Craig A Smith Engineering Contract, how to move forward.

The Board discussed continuing the contract with time and materials for a maximum of one year to finish remaining ongoing projects and consulting with the new Engineering Firm.

Instructed County Attorney to remove the wording of County Engineer.

Motion: Motion to rescind the motion for non renewal of Craig A. Smith contract.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	8 of 10 March 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kelly Owens, Commissioner
SECONDER:	David Hazellief, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

h. Emergency cleaning of outside bathrooms

County Administrator Robbie Chartier addressed the Board and discussed the emergency cleaning of outside bathrooms.

Motion: Motion to hire Scott's Cleaning for three (3) weeks at a rate of \$670.50 per week then hire a full time cleaning person.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Hazellief, Commissioner
SECONDER:	Bradley G. Goodbread, Commissioner
AYES:	Terry Burroughs, Kelly Owens, David Hazellief, Bradley G. Goodbread
ABSENT:	Bryant Culpepper

4. Administration Report

- a. County Administrator Robbie Chartier discussed the following:
 - 1. Replacement of Corey Wheeler's Budget Director position with Kelley Conrad.
 - 2. DOT very responsive on doing the left turn lane at the Post Office.
 - 3. Closing bridge and re-route at SR 70.
 - 4. Handrails on SR 70 West installed.
 - 5. Meeting with DOT on SR 710 extension and Berman Road extension.
 - 6. Re-striping and resurfacing and Stop Signs on Berman Road.
 - 7. Meeting with Mr. Hayford to setup agenda for meeting with Okeechobee County, OUA, Okeechobee City and Glades County. Chairman Burroughs stated he would like OUA to update our Board on a quarterly basis.

5. Commissioner Reports

- a. Commissioner Kelly Owens discussed the following:
 - 1. Commend first responders at the Music Festival.
 - 2. All the activities going on this weekend.
- b. Commissioner Bradley G. Goodbread discussed the following:
 - 1. Issue with Bet-Her Acres, don't want it to fall through the cracks.
 - 2. Treasure Coast Council of Local Government voted to oppose HB-17 and SB-816.
 - 3. Music Festival, first responders did a great job. Festival was positive for the County.

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- c. Commissioner David Hazellief discussed the following:
 - 1. Wants to know the cost to the County for providing county personnel for the Music Festival.

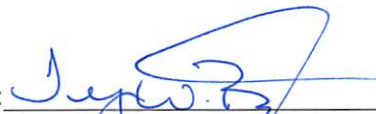
- d. Commissioner Terry Burroughs discussed the following:
 - 1. Would like to know how much money we received from Soundslinger tickets vs how many hours staff spent on working towards the Music Festival.
 - 2. Overview of the Music Festival from an economic impact.
 - 3. Agreement with Soundslinger on resolving the sound levels, but did not happen.
 - 4. In the future have a Commissioner on the Music Festival Committee.
 - 5. Policy of interviewing Board Members applying to serve on committees.

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 2:48 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: 3/23/2017



Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	10 of 10 March 9, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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