

City of Port St. Joe  
Regular Meeting  
Planning, Development & Review Board  
January 3, 2023

**Minutes**

**Pledge of Allegiance and Moment of Silence**

**Roll Call of the Board**

<b>Present</b>		<b>Absent</b>	
<b>Board</b>	<b>Staff</b>	<b>Board</b>	<b>Staff</b>
Jay Rish	Jim Anderson	Travis Burge	Bo Creel
Phil Earley	Charlotte Pierce	Rawlis Leslie	
Hal Keels	Mike Lacour	Letha Mathews	
Minnie Likely	Clinton McCahill		
	Kristin Ayala-Crane		

After ascertaining that a quorum was present, Chairman Rish called the meeting to order. Travis Burge and Rawlis Leslie notified City Staff, that due to illness, they would not be able to attend the meeting today.

**Consent Agenda**

*August 2, 2022, Regular Meeting Minutes.*

A Motion was made by Phil Earley, second by Hal Keels, to approve the Minutes. All in favor; Motion carried 4-0.

Attorney McCahill read the Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers as provided by Chairman Rish from the August 2, 2022, Meeting where he abstained from voting because it would be an inured to his special private gain or loss.

**Business Items**

*Special Exception Request – Phil Earley, 122 Gulf Coast Circle:*

Mr. Earley left the dais to represent himself in requesting a 5' encroachment of the North property line for a portable hot tub. A Motion was made by Minnie Likely, second by Hal Keels, to grant the Special Exception. All in favor; Motion carried 3-0. Mr. Earley returned to the dais. Mr. Earley abstained from voting and Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers was completed by Mr. Earley. A copy is attached to these minutes.

*Development Order Request – Rish Family Plaza Parcels 04830-006 R through 04830-016R:*

Chairman Rish stated that he would be abstaining from voting on this issue and passed the chair to Mr. Earley.

Jack Husband, representing the Rish Family, reviewed the Development Order Request with the Board. A Motion was made by Minnie Likely, second by Hal Keels, to recommend approval of the Development Order Request to the City Commission. All in favor; Motion carried 3-0. Mr. Earley returned the chair to Chairman Rish. Mr. Rish abstained from voting and Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers was completed by Chairman Rish. A copy is attached to these minutes.

*Development Order Request – St. Joe Company, Windmark Beach North Townhomes, Parcel #04227-000R*

Josh Baxley, representing the St. Joe Company reviewed the Development Order Request with the Board. The request is for 78 Townhomes on the East side of Highway 98. These units are covered under the 1662 Units in the original DRI.


A Motion was made by Phil Earley, second by Hal Keels, to recommend approval of the Development Order Request to the City Commission.

There being no further business to come before the Board, a Motion was made by Hal Keels, second by Phil Earley, to adjourn the meeting at 4:15 P.M. All in favor; Motion carried 4-0.

  
\_\_\_\_\_  
Charlotte M. Pierce City Clerk

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jay Rish, Chairman

  
\_\_\_\_\_  
Date

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>EARLEY B. Philip</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Port St. Joe Planning, Development, and Review Board
MAILING ADDRESS <b>P.O. Box 131</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <b>PST JOE</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Gulf <b>GULF</b>	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
DATE ON WHICH VOTE OCCURRED <b>1/3/23</b>	MY POSITION IS:
	<input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, B Philip FARLEY, hereby disclose that on 1 - 3, 2023

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1/3/23

Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Rish, Jr William</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Port St. Joe Planning, Development, and Review Board
MAILING ADDRESS <i>Box 9</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Port St. Joe</i>	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
COUNTY Gulf	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <i>1-3-23</i>	

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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, William J. Rose, Jr, hereby disclose that on 1-3-23, 20 23:

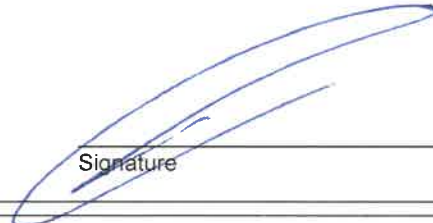
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- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
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1-3-23  
Date Filed

  
Signature

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