

City of Port St. Joe
Regular Meeting
Planning, Development & Review Board
March 1, 2022

Minutes

Pledge of Allegiance and Moment of Silence

Roll Call of the Board

Present		Absent	
Board	Staff	Board	Staff
Jay Rish Phil Earley Minnie Likely Letha Mathews	Jim Anderson Charlotte Pierce Mike Lacour Clinton McCahill	Travis Burge Hal Keels Rawlis Leslie	Bo Creel

After ascertaining that a quorum was present, Chairman Rish called the Meeting to Order at 4:05 P.M. Hal Keels, Travis Burge, and Rawlis Leslie notified City Staff they would not be able to attend the meeting today.

Consent Agenda

A Motion was made by Minnie Likely, second by Letha Mathews, to approve the Minutes of the January 4, 2022, Meeting. All in favor; Motion carried 4-0.

Business Items

Special Exception Request - Michael and Jana McCormack, 1401 Constitution Drive, Parcel# 05527-000R

Mrs. McCormack requested a Special Exception to allow an encroachment of 9' to reduce the 14th Street Side Setback from 25' to 16'. A Carriage House is being added to the property and the extra space is needed for a turn-around drive through to the alley of their property.

An email of objection was received from Kerri and Matt Burrows, 1401 Monument Avenue, and read at the meeting for the record.

A Motion was made by Phil Earley, second by Minnie Likely, to approve the Special Exception Request for Michael and Jana McCormack. All in favor; Motion carried 4-0.

Development Request Order – Palmetto Bluff Subdivision 90 Units, Long Avenue Partners LLC

Chairman Rish stated that he would be abstaining from voting on this issue. Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers as completed by Chairman Rish is attached.


The Chair was passed to Vice Chairman, Phil Early.

Caleb Brown, representing Ralph Rish, requested approval of the Development Order.


A Motion was made by Minnie Likely, second by Letha Mathews, to recommend approval to the City Commission with the attached contingences. All in favor; Motion carried 3-0 with Chairman Rish abstaining.

The Chair was returned to Chairman Rish.

A Motion was made by Letha Mathews, second by Phil Earley, to adjourn the Meeting at 4:30 P.M.


Charlotte M. Pierce, City Clerk

6/14/22
Date


Jay Rish, Chairman

6-14-22
Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>William J. Rook, Jr.</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE 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 Port St. Joe, FL	COUNTY Gulf
DATE ON WHICH VOTE OCCURRED <i>3-1-22</i>	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
	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, William J. Ron, Jr., hereby disclose that on 3-1, 20 22 :

(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.

3-1-22
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.

Date: February 28, 2022

To: City of Port St. Joe
Jim Anderson

From: Ralph Rish

Re: Palmetto Bluff Subdivision

Dear Mr. Anderson,

Please see my response to the items of concern you provided to Caleb Brown with Dewberry via email on February 25, 2022.

1. **Development Order Application Fee.**

Fee has been provided to the City.

2. **Easement and/or legal on the plans for the line between the subdivision and Sacred Heart Lift Station.**

Sacred Heart has agreed to reinstate the sewer easement down the Eastern Boundary. Prior to constructing the off-site sewer improvements, we will provide proof of the easement to the City.

3. **Easement between lots 74 & 75 are still a concern.**

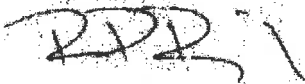
Removing the easement between lots 74 & 75 and separating the lot lines would cause the two lots to not meet the requirements on the recorded P.U.D. for minimum lot frontage. Ultimately, this would result in the loss of the two subject lots. However, the plat will describe the easement as a utility easement dedicated to the utility owners. Furthermore, the covenants and restrictions will place the property owners with the responsibility of removing or replacing improvements within the easement.

4. **Letter saying the developer will guarantee the sacred heart lift station will achieve 250 gpm and the City must be provided an official start-up report by Dewberry prior to any C.O. being issued.**

As you are aware, Dewberry is currently designing upgrades to the Sacred Heart Lift Station as the subject development's wastewater system will tie into the lift station. Prior to a C.O. being issued, we will ensure the lift station upgrades have been completed and conduct a start up to ensure achievement of the 250 GPM flow requirement. We will provide an official start-up report to the City for verification.

If you have any questions, please do not hesitate to contact me at 850.227.5137.

Sincerely,



Ralph Rish