

City of Port St. Joe
Special Meeting
Planning, Development & Review Board
July 11, 2023

Minutes

Pledge of Allegiance and Moment of Silence

Roll Call of the Board

Present		Absent	
Board	Staff	Board	Staff
Jay Rish	Jim Anderson	Travis Burge	Bo Creel
Phil Earley	Charlotte Pierce		
Hal Keels	Mike Lacour		
Rawlis Leslie - 4:05 P.M.	Clinton McCahill		
Minnie Likely	April Thompson		

After ascertaining that a quorum was present, Chairman Rish called the meeting to order at 4 P.M. Mr. Burge notified staff that he was out of town and would be unable to attend today's meeting.

Consent Agenda

June 6, 2023, Regular Meeting

A Motion was made by Hal Keels, second by Phil Earley, to approve the Minutes of the June 6, 2023, meeting. All in favor; Motion carried 4-0.

Business Items

Mr. Leslie joined the meeting at 4:05 P.M.

Special Exception Request – James and Elizabeth Martin, 1001 Woodward Avenue, Parcel #05324-000R

Jim Martin spoke on behalf of his project. Mr. Anderson stated that there is a 5' setback from the alley and Mr. Martin asked for a special exception of 2' into the rear setback.

A Motion was made by Phil Earley, second by Rawlis Leslie to grant the 2' encroachment into the rear setback. All in favor; Motion carried 5-0.

Plat Approval Request - Long Avenue Partners LLC, Parcel #06076-015R

Chairman Rish passed the gavel to Mr. Earley and stated he would be abstaining from voting because this issue could be inured to his special private gain or loss. Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, as completed by Mr. Rish, is attached to these Minutes as Exhibit A.

Caleb Brown, Dewberry Engineering, stated they were asking for conditional approval and are requesting the release of lot number 49-65 and 86-106 for a total of 37 lots. Attached, as Exhibit B, is a letter from Ralph Rish stating the clarifications for this project.

Mr. Anderson noted that the lots referenced above that are not being approved need to be shaded out on the plat for the mayor's signature.

A Motion was made by Rawlis Leslie, second by Hal Keels, to recommend approval of the plat with the clarifications from Mr. Rish and shading of the lots not being approved to the City Commission. All in favor; Motion carried 4-0 with Chairman Rish abstaining.

Mr. Earley returned the gavel to Chairman Rish.

There being no further business to come before the Board, Chairman Rish adjourned the meeting at 4:11 P.M.



Charlotte M. Pierce City Clerk

10/3/23
Date



Jay Rish, Chairman

10-3-23
Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Rosh, Jr William Joseph</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Port St. Joe Planning, Development, and Review Board</i>	
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>	COUNTY <i>Gulf</i>	NAME OF POLITICAL SUBDIVISION: <i>City of Port St. Joe</i>	
DATE ON WHICH VOTE OCCURRED		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. Rish, Jr, hereby disclose that on 7-11-23, 20 :

(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.

7-17-23
Date Filed

[Signature]
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: July 11, 2023
To: City of Port St. Joe
Jim Anderson
From: Ralph Rish
Re: The Retreat at Palmetto Bluff

Dear Mr. Anderson,

It is our understanding that the planning board may need some clarification in regards to the final plat submitted for the Retreat at Palmetto Bluff Subdivision and what we are asking for a conditional approvals. Please see the clarifications below.

1. The full "Retreat At Palmetto Bluff" plat shall be submitted but we are only requesting the release of the lot numbers 49-65 and 86-106 for a total of 37 Lots.
2. The remainder of the lots in this plat shall be resubmitted for release in another application after construction of any remaining aspects have been completed.
3. The Homeowner Association (HOA) and Covenants and Restrictions will be completed.
4. The FDEP Permits for Water and Sewer apply to the full completion of both the Cove and the Retreat phases of the Palmetto Bluff Subdivision. A Partial clearance for the Cove portion was completed. The full clearance for the remainder of the entirety of the Palmetto Bluff Subdivision will be approved prior to the release of the requested lots.
5. The proposed upgrades to the Sacred Heart Lift Station that were required as a conditional approval of the Cove Plat have been made and approved by City Staff.
6. The road is proposed to have two (2) 1-inch lifts of asphalt for final completion. Prior to the signing of the plat, one (1) 1-inch lift will be completed. We acknowledge that we will still be responsible for the final lift of asphalt prior to the road dedication to the city.
7. The H.O.A Stormwater Management Facilities certification will be completed prior to the last submittal to release the remaining lots.

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

Sincerely,



Ralph Rish
RRish@Dewberry.com
850-227-5137