



Board of County Commissioners Meeting Agenda

02-18-09 Regular BoCC Meeting

February 18, 2009 Regular BoCC meeting

PRESENT: Sam Johnson District No. 5, Chairman
 Bob English District No. 1, Vice Chairman
 Randy Wilkinson District No. 2
 Edwin V. Smith District No. 3
 Jean Reed District No. 4

ALSO PRESENT: Mike Herr County Manager
 Michael Craig County Attorney
 Stacy Butterfield Director of Finance and Accounting to BoCC

The Board convened pursuant to adjournment taken on February 4, 2009.

CALL TO ORDER - 9:00 a.m. (SAM JOHNSON, CHAIRPERSON)

INVOCATION

1. [Lea Ann Thomas, Assistant County Manager](#)

PLEDGE OF ALLEGIANCE (SAM JOHNSON, CHAIRPERSON)

A. APPROVE CONSENT AGENDA

2. [Consent Agenda.](#)

Minutes:

County Manager Mike Herr stated an item was withdrawn from the February 4, 2009, Consent Agenda because there were issues regarding the recording of a Maintained Right-of-Way Map for Crews Lake Drive. He announced that all outstanding issues have

been resolved and this item appears on today's Consent Agenda for Board approval.

Chief Right-of-Way Agent Wade Allen responded to questions regarding the width of Crews Lake Drive and the need for utility relocations.

County Surveyor Sam Thomas said there is room to relocate the utility lines, if need be, in the utility easement behind the homes.

Mr. Allen stated the developers donated the appropriate amount of right-of-way at the time the plats were filed. He stated the map being presented for Board approval today is correct.

In response to Commissioner Reed's question regarding whether it is permissible for the developer of a Planned Development (PD) which was approved for 50 houses to then build 52 houses, Ben Dunn, Growth Management, stated as long as the number of houses was not a condition of approval of the PD, a 10 percent increase is allowed.

County Attorney Michael Craig said density is a different issue from filing of a Right-of-Way map, and the Consent Agenda item in question concerns Board approval to file a Right-of-Way map only. Discussion followed.

Motions:

Approve Consent Agenda. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

B. PRESENTATIONS and RECOGNITIONS

3. [Scott Shimberg, District Chair of the Urban Land Institute's Tampa Bay District Council, on behalf of ONE BAY to discuss land use, transportation, the environment and how to best meet the needs of the 3.2 million new residents expected in the seven-county Tampa Bay Region by the year 2050.](#)

Attachment: [OB - VOICE IT Findings EXECUTIVESUMMARY- 12-02-08.pdf](#)

Attachment: [One Bay Overview PP Presentation.pdf](#)

Minutes:

Mr. Shimberg said the visioning team known as One Bay is made up of public and private leaders from five organizations. He gave historical information regarding population, employment and land use in the Tampa Bay area dating back to 1972. He discussed future projections through 2050, and emphasized that the Tampa Bay region must be able to compete nationally and globally.

Mr. Shimberg said the Polk County portion of this visioning process focuses on water needs, mass transit and employment.

There was discussion regarding One Bay's affect on the Poinciana area, Tampa Bay Area Regional Transportation Authority (TBARTA), the possibility of development of a Central Florida Commuter Rail system and the alignment between One Bay and myregion.org for visioning.

4. [Timothy G. Townsend, Ph.D., P.E. University of Florida Environmental Engineering Sciences Professor, to discuss the mutual benefits of our research partnership.](#)

Minutes:

Mr. Townsend discussed the successful and ongoing partnership between Polk County and the University of Florida which, he said, strives to protect the environment and treat the County's solid waste. He said Bioreactor landfills actively treat the County's household and commercial solid waste. He discussed future disposal of e-waste and research being conducted on Plasma Arc Gasification. He said funding has been obtained to purchase a plasma torch to test whether this method is a viable alternative for use in treating solid waste in Polk County.

5. [Presentation of check from Bank of America for the 2008 purchasing card rebate.](#)

Minutes:

Bank of America representative Ed Tullis thanked the Board for its continued partnership through the Purchasing Card program. He presented the Board with a check in the amount of \$242,537.58.

Director of Purchasing Buddy Storey said last year \$88,500.00 was returned to the County from this program, and the increase this year is the result of the cooperative bid for the purchasing program. He said other entities are interested in joining the program and an increase in volume should increase the rebate.

C. PROCLAMATIONS

6. [Proclaim March 10, 2009 as ELECTION WORKER APPRECIATION DAY. Lori Edwards,](#)

[Supervisor of Elections, will accept the proclamation.](#)

Attachment: [Election Worker Appreciation.pdf](#)

Motions:	
Issue Proclamation.	- PASS
Vote Results	
Motion: Sam Johnson	
Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Not Present

7. [Proclaim March 2009 as PURCHASING MONTH. Buddy Storey, Polk County Purchasing Director, will accept the proclamation.](#)

Attachment: [Purchasing Month.pdf](#)

Motions:	
Issue Proclamation.	- PASS
Vote Results	
Motion: Bob English	
Second: Jean Reed	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Not Present

D. ACCOUNTANT, AUDITOR and CLERK TO THE BOARD (RICHARD WEISS)

8. [Disbursements.](#)

Attachment: [Disbursements02-18-09.pdf](#)

Motions:

Approve and ratify disbursements. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

9. [Minutes of Regular Board Meeting held on February 4, 2009.](#)

Attachment: [020409.MIN.pdf](#)

Motions:

Approve minutes. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY

10. [Minutes from North Ridge CRA meeting held on February 4, 2009.](#)

Attachment: [North Ridge CRA minutes.pdf](#)

Minutes:

See separate minutes for the February 18, 2009, North Ridge Community Redevelopment Agency (CRA) meeting.

11. [CSA No. 06-233-04 with URS Corporation Southern \(Consultant\) for the Ernie Caldwell Boulevard Section 2A and Pine Tree Trail Projects.](#)

- Attachment: [ECB Sec 2A Pine Tree Trail Contract 18Feb09.pdf](#)
- Attachment: [ECB Sec 2A Pine Tree Trail Approvals 18Feb09.pdf](#)
- Attachment: [02-18-09 Public Works Fiscal Impact Info Form.pdf](#)
- Attachment: [Ernie Caldwell Map3.pdf](#)

Minutes:

See separate minutes for the February 18, 2009, North Ridge Community Redevelopment Agency (CRA) meeting.

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

12. [Public Hearing to consider approval of a mediated settlement with the landowner in the case of Polk County v. Peace, et al., Parcel No: 123](#)

Attachment: [02-18-09 Parcel 123 Backup.pdf](#)

Minutes:

County Attorney Michael Craig reviewed the mediated settlement and recommended approval.

Motions:

(1) approve the mediated settlement with the landowners, Dr. and Mrs. Hyde, for a total of \$508,000, including all fees and costs, in settlement for Parcel 123; (2) authorize the deposit of \$298,400 into the Registry of the Court pursuant to the Stipulated Order of Taking; (3) authorize issuance of a check in the amount of \$209,600 to the trust account of Fowler White Boggs, P.A. in full payment of the balance of the settlement; and (3) authorize the County Attorney or outside counsel to take all steps necessary to conclude litigation with this landowner through the entry of a Stipulated Final Judgment. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Not Present

13. [Public Hearing to consider approval of a mediated settlement with the landowner in the case of Polk County v. Latter, et al., Parcel No: 142](#)

Attachment: [02-18-09 Parcel 142 Backup.pdf](#)

Minutes:

County Attorney Michael Craig reviewed the mediated settlement and recommended approval.

Motions:

(1) approve the mediated settlement with the landowners, Mr. and Mrs. Pearson, for a total of \$67,945, including all fees and costs, in settlement for Parcel 142 (2) authorize the deposit of \$41,500 into the Registry of the Court pursuant to the Stipulated Order of Taking; (3) authorize issuance of a check in the amount of \$26,445 to the trust account of Brigham, Moore, P.A. in full payment of the balance of the settlement; and (3) authorize the County Attorney or outside counsel to take all steps necessary to conclude litigation with this landowner through the entry of a Stipulated Final Judgment. - PASS

Vote Results

Motion: Edwin Smith	
Second: Jean Reed	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Not Present

14. [Public Hearing to consider approval of a mediated settlement with the landowner in the case of Polk County v. Latter, et al., Parcel Nos: 145 and 807](#)

Attachment: [02-18-09 Parcel 145 Backup.pdf](#)

Minutes:

County Attorney Michael Craig reviewed the mediated settlement and recommended approval.

Motions:

(1) approve the mediated settlement with the landowners, Mr. and Mrs. Herndon, for a total of \$203,000, including all fees and costs, in settlement for Parcels 145 and 807; (2) authorize payment of the total amount of \$203,000 either through deposit into the Registry of the Court pursuant to a Stipulated Order of Taking or through a closing, to be determined at the discretion of the Chief Right-of-Way Agent; (3) and authorize the County Attorney or outside counsel to take all steps necessary to conclude litigation with this landowner either through the entry of a Stipulated Final Judgment or dismissal of the parcels upon closing.

- PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

G. COUNTY ATTORNEY (MICHAEL CRAIG)

15. [Resolution of Necessity authorizing condemnation for Transportation Improvements to Lakeland Highlands Road from CR 540A to south of the Polk Parkway.](#)

Attachment: [RN165.pdf](#)

- Attachment: [RN706.pdf](#)
- Attachment: [RN806.pdf](#)
- Attachment: [RN126.pdf](#)
- Attachment: [RN127.pdf](#)
- Attachment: [RN143.pdf](#)
- Attachment: [RN721.pdf](#)
- Attachment: [RN122.pdf](#)
- Attachment: [RN142.pdf](#)
- Attachment: [RN164.pdf](#)
- Attachment: [RN715.pdf](#)
- Attachment: [RN145.pdf](#)
- Attachment: [RN719.pdf](#)
- Attachment: [RN118.pdf](#)
- Attachment: [RN168.pdf](#)
- Attachment: [RN805.pdf](#)
- Attachment: [RN702A.pdf](#)

Minutes:

County Attorney Michael Craig said the eminent domain laws of the State of Florida require adoption of Resolutions of Necessity. He recommended the Board adopt all of the Resolutions of Necessity.

Motions:

Adopt Resolutions of Necessity Nos. 09-008 through 09-024 authorizing condemnation of the above-listed parcels and authorize the County Attorney's office to bring to bear the resources necessary to the full and final disposition of the parcels. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

16. [Resolution of Necessity authorizing condemnation for transportation improvements to Harden Blvd., West Pipkin Road and Old Highway 37 \(Project No. 0300003\).](#)

Attachment: [RNHB103.pdf](#)

- Attachment: [RNHB105.pdf](#)
- Attachment: [RNHB700.pdf](#)
- Attachment: [RN100001.pdf](#)
- Attachment: [RNHB102.pdf](#)
- Attachment: [RNHB111.pdf](#)
- Attachment: [RNHB804.pdf](#)
- Attachment: [RNHB101.pdf](#)
- Attachment: [RNHB104.pdf](#)
- Attachment: [RNHB139.pdf](#)

Minutes:

County Attorney Michael Craig recommended approval of the Resolutions of Necessity.

Motions:

Adopt Resolutions of Necessity Nos. 09-025 through 09-034 authorizing condemnation of the above-listed parcels and authorize the County Attorney's office to bring to bear the resources necessary to the full and final disposition of the parcels. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

- Bob English - Aye
- Sam Johnson - Aye
- Jean Reed - Aye
- Edwin Smith - Aye
- Randy Wilkinson - Aye

H. COUNTY MANAGER (MICHAEL HERR)

17. [Resolution approving Polk County's amended Local Housing Assistance Plan \(LHAP\) for Fiscal Years 2008-09, 2009-10, and 2010-11.](#)

- Attachment: [LHAP Exhibits.pdf](#)
- Attachment: [LHAPRsltn.pdf](#)
- Attachment: [LHAPCrtfctn.pdf](#)
- Attachment: [Amended LHAP.pdf](#)

Minutes:

County Manager Mike Herr reviewed the provisions of the Local Housing Assistance Plan and recommended adoption of the Resolution.

Motions:

Adopt Resolution No. 09-035, approve Certifications and direct the Housing and Neighborhood Development Division to transmit the amended LHAP to the Florida Housing Finance Agency. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes: Elba Cherry discussed the strategies to encourage affordable housing.

18. [Board Resolution to approve the Best Value Procurement process.](#)

Attachment: [best value resolution.pdf](#)

Minutes:

County Manager Mike Herr outlined the benefits of the Best Value Procurement process and recommended approval by adopting the Resolution.

Director of Purchasing Buddy Storey emphasized that when members of the vendor community were surveyed, they responded favorably noting that this is a very good process. He said this structured process is a hybrid between the bid and Request for Proposal (RFP) process and takes into account a number of factors which he discussed. He said the main objective is to find high-performing contractors to do business with the County. He stated this will modify the practice of awarding bids based only on the lowest bidder. He said in 50 percent of the cases, the low bidder will be the successful contractor anyway.

CRAC member Susan McDuffy stated the County's Community Relations Advisory Council (CRAC) works to improve the participation of minorities and women in procurement. She stated the CRAC was not apprised of this proposed change to the Best Value Procurement process. She emphasized that there is a lack of communication

between County Purchasing staff and CRAC. She asked if past performance is addressed in this new process and questioned why it is necessary to build into the system what sounds like an advantage to vendors who are already doing business with the County while creating hurdles for new vendors. She questioned the fundamental fairness of this proposed process and stated more work needs to be done before it is implemented.

Sam Killibrew, contractor, said this positive program has been discussed in local contractor round table discussions. He said once contractors understand the program, most of them like it. He stated qualified contractors can win bids; it's not solely based on the lowest price. He said contractors work hard to maintain a good reputation, and granting an advantage to young or new vendors is not fair. He urged the Board to approve this process.

In response to Board questions, Mr. Storey said this process will not be used on every procurement; a pilot project in Utilities will be used first as a test, and if it has a positive outcome, then the process will be used on more bids. He said once the process is tested, staff can give a report on its results to the Board. He said by going through the educational process, vendors can go from low-performing to high-performing because it gives all vendors a fair advantage. Discussion followed.

Upon question, Mr. Storey stated the City of Miami Beach has been using this process for several years, and the University of Minnesota and other national entities also use it.

There was discussion regarding using this process on two pilot or test projects, one from Utilities Division and one from Facilities Management Division.

Motions:

Adopt Resolution No. 09-036 to provide for the Best Value Procurement process to be utilized by the Purchasing Division. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Nay

Motion Minutes:

19. [Appointments to the Citizen's Transit Advisory Committee for Polk Transit Authority](#)

Attachment: [Transit Advisory Committee Nominees.pdf](#)

Minutes:

County Manager Mike Herr reviewed the criteria for membership in the Citizen's Transit Advisory Committee.

Motions:

Appoint Vanita Saunders and Roleigh Newman to the Citizen's Transit Advisory Committee for the Polk Transit Authority. Each will serve three-year terms expiring December 31, 2011. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

20. [Comments.](#)

Minutes:

Jim Lee, CPA, said several national retailers would like to locate in Polk County, but the County's high impact fees are a deterrent. He said the impact fees charged by neighboring counties give them an advantage when businesses consider where they will locate.

County Manager Mike Herr reviewed the impact fees charged by Orange County for a single family residential.

Mr. Lee discussed the impact fee estimates for a 4,950 square foot restaurant in Polk County and compared these fees to those fees charged by Volusia and Orange Counties. He stated Polk County is not competitive. He said two restaurants would like to locate in

Polk County with construction to begin in April 2009, but this is subject to impact fees.

Upon question, Mr. Herr stated impact fee studies are being conducted and the Transportation Study is 96 percent completed. He stated a workshop could be scheduled to update the Board. He said the remaining impact fee studies commenced in January and drafts of those studies will be available in March.

There was discussion regarding the infrastructure deficit and the danger in comparing Polk County to other counties.

Commissioner Wilkinson proposed a 50 percent reduction in impact fees for one year.

Mr. Lee stated since these businesses are going to build somewhere in Florida, it should be in Polk County. Discussion followed.

County Attorney Michael Craig stated impact fees must be applied uniformly; the County can not reduce commercial impact fees without reducing residential impact fees also.

County Manager Mike Herr stated a workshop will be scheduled in early March to review the Road Impact Fee Study.

21. [Comments:](#)

Minutes:

Hussein Zebdowie stated he received the copy of the County's Transportation CIP which he requested previously. He discussed four intersection projects in the CIP. He discussed intersections which he considers to be "hot spots" within Polk County where signals are needed. He discussed the operating budget for four signal design projects.

22. [Comments:](#)

Minutes:

Jeff Hancock distributed a copy of the U.S. Attorney's Office Complaint Sheet and the Notice of Nolle Prosequi issued in the case of the State of Florida versus Paula S. Smith, Case No. 53I-2003-CF-003497-01XX-XX of the Circuit Court of the Tenth Judicial Circuit in and for Polk County, Florida, dated September 2006. He said he expects the complaint forms to be filled out and submitted.

Upon question, Mr. Craig stated the State Attorney's Office has chosen not to prosecute this case. He said Mr. Hancock's mother has an ongoing civil case against the Sheriff. He said the County handles the liability defense for the Sheriff and this is funded by the General Fund.

23. [Comments:](#)

Minutes: James Abercrombie read a list of ethics issues and concerns regarding County proceedings and policies.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)

24. [Comments.](#)

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

25. [Discuss fire sprinkler system requirements.](#)

Attachment: [Fire Sprinkler System.pdf](#)

Minutes:

Commissioner Wilkinson read a letter from former Commissioner Neil Combee regarding the County's policy on fire sprinkler systems.

Fire Chief David Cash distributed a handout of responses to questions on this issue. He read the questions and answers and made comments. He said these responses will be sent to Mr. Combee.

26. [Discuss Ethics Policy.](#)

Minutes:

Commissioner Wilkinson distributed a packet of information regarding the way other counties handle issues of ethics. Discussion followed.

County Attorney Michael Craig distributed the State Commission on Ethics - Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees. Discussion followed.

Motions:

Schedule a workshop on ethics issues. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Jean Reed

Bob English	- Nay
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Nay
Randy Wilkinson	- Aye

27. [Bartow disconnecter and bike path bridge.](#)**Minutes:**

Commissioner Wilkinson stated he calls the bridge over the Bartow Connector the "Bartow Disconnecter" because it doesn't connect Bartow to anything; it's really a bypass. He said he doesn't want any funds expended on the bridge until it is known positively that the road is going to go in. He said if CSX doesn't happen, this so-called Bartow Connector road should be pulled.

County Manager Mike Herr gave the status of Phase I of the Bartow Northern Connector which runs from US 98 to State Road 17. He stated to date \$535,000.00 has been spent on the alignment study of the entire corridor from US 98 to State Road 60. He reported that the amount spent on design so far for the section from US 98 to State Road 17 is \$465,000.00. He said no funds have been expended at this point for right-of-way acquisition. He said design will be completed this fall and acquisition will start this summer, with construction planned to begin in 2011.

Mr. Herr stated at a previous Board Meeting, the Board considered design alternatives regarding a bridge versus an at-grade crossing, and the Board gave staff direction to advise the Consultant to incorporate, as part of the design plans, the bridge overpass, and that is what has been done to date.

Upon question, Mr. Herr stated no design work has begun on the bridge.

Commissioner Wilkinson stated he would like to hold off on this for at least six weeks.

Discussion followed, and Mr. Deardorff gave information regarding the need for the Bartow Bypass. He stated this type of parallel facility has been in the Transportation Planning Organization's long range plan since 2000, and the Florida Department of Transportation (FDOT) has been looking at some type of parallel facility for at least 20 years. He said the Bartow Northern Connector is the only solution to relieve traffic congestion on Van Fleet Drive, and that is why FDOT gave \$5 million for that project under the TRIP project. He stated the need for the Bartow Northern Connector pre-dates the CSX project and stands alone.

Mr. Deardorff stated the developers of Clear Springs have indicated that they cannot mitigate the traffic impacts of their project unless there is a Bartow Northern Connector. He stated Clear Springs may be willing to construct the second phase of the Bartow Northern Connector as a mitigation agreement at no charge to the County. He said this could be the first true public-private partnership for road construction and this would help with truck traffic if CSX comes in.

Motions:

Delay the expenditure of any funds for the bridge bypass until June 1, 2009. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Jean Reed

Bob English - Nay

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

Mr. Herr asked if the motion was to stop design on the bridge only, but not the collector road itself, and Commissioner Wilkinson said yes.

Commissioner Reed stated staff has said the design cannot be stopped on the bridge without stopping the road. She asked for clarification.

Director of Public Works Bruce McNab stated to have the pedestrian bridge, the design must be done before the road can be built; therefore by stopping it for several months now, the entire schedule for the road will be extended. He said the rest of the project can be designed, but will not be able to commence until the first part is done.

Commissioner Wilkinson stated the design of the bridge is a lot less complex.

28. [Comment:](#)

Minutes:

Commissioner Wilkinson showed pictures of power poles on Crews Lake Drive.

Upon question, County Manager Mike Herr said when this issue was discussed earlier today he made the statement that no trees would have to be moved in the easements, and staff hopes not to have to relocate any power poles to resurface the roadway. He said where possible, the road would be widened to improve safety.

Commissioner Wilkinson read from the Kimley Horn report which was part of the back-up material for the Consent Agenda item presented for Board approval on February 4, 2009, regarding the recording of the Right-of-Way Map for Crews Lake Drive. He also read from a letter he received on this issue from Planning Commissioner Sue Nelson questioning the number of lots built in a Planned Development. Discussion followed.

Mr. Herr stated this is a policy matter set forth in the Land Development Code (LDC), and to change that provision in the LDC requires an amendment to the Ordinance.

County Attorney Michael Craig stated in this instance for the development in question on Crews Lake Drive, a specific lot count was not part of the Planned Development approval, and through a minor modification, the developer was able to add up to ten percent at final design.

Growth Management Director Tom Deardorf concurred with Mr. Craig. He said when a project is being approved as a Planned Development, that project has not been fully designed; therefore, the number of units the project will support is unknown. He discussed the policy of adding units through a minor modification.

Upon question, Mr. Craig said once the Right-of-Way map is approved for recording, staff can discuss with the utility provider, Lakeland Electric, the issue of moving the utility poles.

Commissioner Wilkinson stated he is seeking clarification, and Chairman Johnson asked Mr. Deardorff to meet with Commissioner Wilkinson to provide the needed information.

Commissioner Reed recommended discussing this issue at the upcoming Joint Workshop with the Planning Commission in March.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

29. [Comments.](#)

M. COMMISSIONER DISTRICT 4 (JEAN REED)

30. [Comments.](#)

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON, CHAIRPERSON)

31. [Discuss Board Appointments to Results Teams](#)

Minutes:

Following discussion regarding whether appointments to the Budgeting for Outcomes Results Team need to be voted on, the consensus of the Board was not to vote, but to make the appointments.

Commissioner English appointed Linda Ivell, David Barnhill, Kyle Storey and Dee Dee Chiavuzzi.

Todd Bond, Director of Budget and Management, stated Commissioner Smith's Results Team citizens are Tim Steinmetz, Tracy L. Garcia, Floyd Perkins and Shirley Perkins.

Chairman Johnson stated his appointments are Mark Wilson, Rob Kincart, Bill Dorman and Jeff Kincart.

Commissioner Reed appointed Patty Schmidt, Glen Reynolds, Leda Epstein and Brian Yates.

Commissioner Wilkinson appointed Jim Grass, Dan Santangelo, John Long and Clinton Horne.

The Board appointed Ed White as the one at-large member to the Results Team.

32. [Polk County Builders Association's request for a \\$5,000.00 contribution toward a public outreach and education initiative for water conservation and Florida Friendly Plants.](#)

Minutes:

Scott Columbe, Polk County Builder's Association, discussed the Southwest Florida Water Management District (SWFWMD) program outlining nine principles for Florida Friendly landscaping. He asked for County funding assistance in the amount of \$5,000.00 to purchase plant materials to be used when the Builder's Association gives demonstrations on Florida friendly lawns. He stated the first demonstration will be at Outpost 27.

Upon question, County Manager Mike Herr reviewed the funding source from General Fund Reserves.

Motions:

Approve funding in the amount of \$5,000.00 to the Polk County Builder's Association for the purchase of plant materials. - PASS

Vote Results

Motion: Bob English	
Second: Randy Wilkinson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

33. [Report on Washington DC Trip](#)

Minutes:

Chairman Johnson said several Board members traveled to Washington, D.C. recently to meet on an individual basis with several of Polk County's Legislative. He said this gave the Delegation a better understanding of the needs of Polk County.

34. [Comments.](#)

Minutes:

Commissioner Wilkinson appointed Violeta Salud and William Alexander to the Impact Fee Advisory Committee.

Chairman Johnson appointed Larry Hilton, David Green and Neil Combee to the Impact Fee Advisory Committee.

35. [Comment:](#)

Minutes:

County Attorney Michael Craig discussed the upcoming work session on Ethics, and Chairman Johnson stated if any commissioner has anything to be included in this work, that commissioner should give the information to Mr. Craig.

Commissioner Smith stated he does not want to duplicate State law.

O. LAY BOARD APPOINTMENTS

***** RECESS - The Board of County Commissioners will recess from 12:30 p.m. until 1:30 p.m. or soon thereafter. *****

P. PUBLIC HEARINGS

36. [LDC 09T-06 to consider the Adoption of an ordinance amending Section 223.B, Overgrown Lots Creating a Nuisance, of the Land Development Code.](#)

Attachment: [LDC 09T 06 Draft Ordinance.pdf](#)

Attachment: [LDC 09T 06 Staff Report.pdf](#)

Minutes:

Michael Craig, County Attorney, explained the proceedings for the hearings. He swore in those present who will be speaking at any of the hearings.

John Bohde, Land Development Division, reviewed the staff report regarding overgrown lots. He stated this Land Development Code (LDC) amendment reduces the acceptable height of grass from 18 inches to 12 inches, and this applies to lots one acre or less.

Commissioner Smith explained his reasons for requesting this change to the Land Development Code (LDC).

The Chairman opened a public hearing; no one spoke.

County Attorney Michael Craig explained that no Board action is required at this time since this is the first of two hearings on this LDC amendment.

37. [Transmittal of an Ordinance adopting CPA 09A-01 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A01 Staff Report.pdf](#)

Attachment: [CPA 09A 01 Ordinance.pdf](#)

Minutes:

Amiee Bailey, Land Planning, reviewed the staff report noting that both the Planning Commission and staff recommend approval. She showed slides of the area. Discussion followed.

Robert Stantz, property owner and applicant, stated he has been working with staff almost three years. He said the property used to be a strawberry farm and now there are three homes on the property. He gave background information. He said there are two residential wells and one agricultural well on the property.

The Chairman opened a public hearing.

Those individuals speaking in opposition were: Laura Wachack and John Thruss.

Upon question, Ms. Bailey described the possible uses for the site.

The Chairman closed the public hearing, and discussion followed.

Motions:

Approve transmittal of CPA 09A-01 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

38. [Transmittal of an Ordinance adopting CPA 09A-02 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 02 Staff Report.pdf](#)

Attachment: [CPA 09A 02 Ordinance.pdf](#)

Minutes:

Thado Hays, Land Planning, reviewed the staff report and gave background information. He showed slides of the area noting that the Planning Commission and staff both recommend approval. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-02 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

Bob English - Aye

Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

39. [Transmittal of an Ordinance adopting CPA 09A-03 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 03 Staff Report.pdf](#)

Attachment: [CPA 09A 03 Ordinance.pdf](#)

Minutes:

Aaron Flint, Land Planning, reviewed the staff report and showed slides of the area. He reported that the Planning Commission and staff both recommend approval. He explained the proposed uses.

The Chairman opened a public hearing.

Merle Bishop, Kimley Horn, stated he represents the applicant. He spoke in support of this amendment.

The Chairman closed the public hearing.

Motions:

Approve transmittal of CPA 09A-03 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

40. [Transmittal of an Ordinance adopting CPA 09A-04 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 04 Staff Report.pdf](#)

Attachment: [CPA 09A 04 Ordinance.pdf](#)

Minutes:

Albert Frederick, Land Planning, reviewed the staff report noting that the Planning Commission and staff both recommend approval. He showed slides of the area.

Jack Brandon, attorney for the law firm of Peterson & Myers, stated he represents the applicant and the owner. He said the parcel is 43 acres and the change is from Phosphate Mining to Industrial. He showed slides of the area as well as area businesses.

Ken Theo stated he is with Chastain Skillman. He discussed the flood hazard map and the flood study which was reviewed by the County and sent to the Federal Emergency Management Agency (FEMA) for review. He also discussed traffic capacity.

Mr. Brandon stated that fairly intense development is allowed on this site. He said this meets all the requirements to the site plan and he requested transmittal. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-04 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

41. [Transmittal of an Ordinance adopting CPA 09A-05 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 05 Staff Report.pdf](#)

Attachment: [CPA 09A 05 Ordinance.pdf](#)

Minutes:

Albert Frederick, Land Planning, reviewed the staff report and showed slides of the area. He reported the Planning Commission and staff both recommend approval.

Laura Newling spoke in support of the change.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-05 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

42. [Transmittal of an Ordinance adopting CPA 09A-06 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 06 Staff Report.pdf](#)

Attachment: [CPA 09A 06 Ordinance.pdf](#)

Minutes:

Thado Hays, Land Planning, gave the staff report and reported that the Planning Commission and staff both recommend approval. He showed slides of the area.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-06 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Edwin Smith

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson	- Aye
Jean Reed	- Nay
Edwin Smith	- Aye
Randy Wilkinson	- Aye

43. [Transmittal of an Ordinance adopting CPA 09A-07 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 07 staff report.pdf](#)

Attachment: [CPA 09A 07 ordinance.pdf](#)

Minutes:

Erik Peterson, Land Planning, reviewed the amendment noting that this comes to the Board from the Farmworker Housing Task Force. He explained the importance of farmworker housing to Polk County and gave background information. He reviewed H-2A, H-2B, and H-2C land use designations. He said farmworker housing is an agricultural use and can stand alone. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-07 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

44. [Transmittal of an Ordinance adopting CPA 09A-08 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 08 staff report.pdf](#)

Attachment: [CPA 09A 08 ordinance.pdf](#)

Minutes:

Tom Wodridge, Current Land Planning Division, reviewed the staff report and showed slides of the Ridge Scenic Highway area. He showed area maps. He said the Planning Commission recommended approval. Discussion followed.

Jack Brandon, attorney with the law firm of Peterson & Myers, said he represented several owners through this process and there has been healthy debate and discussion on all the recommendations coming before the Board. He asked that the Board transmit this CPA.

The Chairman opened a public hearing; no one spoke.

Commissioner Reed expressed her concern regarding no public hearing, and Mr. Wodridge explained the process for the incentive. He said through the community meetings, all concerns were addressed. He said there will be scenic views without public cost.

Commissioner Reed asked who will be making these decisions, especially in the future.

Tom Deardorff, Director of Growth Management, said this was a grass roots effort with a great deal of landowner and community participation. He said protecting the heritage or natural resources in this corridor was considered by all.

Motions:

Approve transmittal of CPA 09A-08 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

45. [Transmittal of an Ordinance adopting CPA 09A-09 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 09 Staff Report.pdf](#)

Attachment: [CPA 09A 09 Ordinance.pdf](#)

Minutes:

Albert Fredrick, Land Planning, reviewed the staff report noting that the Planning

Commission and staff both recommend approval. He showed slides of the area.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-09 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

46. [Transmittal of an Ordinance adopting CPA 09A-10 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 10 Staff Report.pdf](#)

Attachment: [CPA 09A 10 Draft Ordinance.pdf](#)

Minutes:

Bridgette D'orville, Land Development, gave the staff review noting that the Planning Commission and staff recommend approval. She showed slides of the area.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve transmittal of CPA 09A-10 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

47. [Transmittal of an Ordinance adopting CPA 09A-11 to the Florida Department of Community Affairs](#)

Attachment: [CPA09A-11.BAD_Updated_with_Memo.pdf](#)

Attachment: [Draft Ordinance Part 1.pdf](#)

Attachment: [Draft Ordinance Part 2.pdf](#)

Minutes:

Ben Dunn, Long Range Planning, presented the staff report. He showed slides of the area.

Commissioner Reed said she visited the site on her own and spoke with one person. Commissioner English said he also visited the site. Chairman Wilkinson stated he knows the area very well. Commissioner Smith said he received e-mails and phone calls regarding this issue, and Commissioner Wilkinson said the same.

George Lindsay said he is representing Highland Cassidy in this matter. He spoke in support of this change noting the changes the applicant made to conform to County requirements. He requested approval.

The Chairman opened a public hearing.

The following individuals spoke in opposition to the change: Linda Bailey, Janet Kleniack, Ginny Jennings, Armando Fuentes, Chuck Stevenson, Mitchell Calagridis, and Shannon Allen.

Mr. Lindsay spoke in response to comments made by others.

The Chairman closed the public hearing, and discussion followed.

Motions:

Approve transmittal of Part I of CPA 09A-11 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson	- Aye
Jean Reed	- Nay
Edwin Smith	- Aye
Randy Wilkinson	- Nay

Motions:

Approve transmittal Part II of CPA 09A-11 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion:

Second:

Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Nay
Edwin Smith	- Aye
Randy Wilkinson	- Nay

48. [Transmittal of an Ordinance adopting CPA 09A-12 to the Florida Department of Community Affairs](#)

Attachment: [CPA 09A 12 TransmittalStaffReport.pdf](#)

Attachment: [CPA 09A 12 Draft Ordinance.pdf](#)

Minutes:

Ana Martinez-Hubert, Land Planning, reviewed the staff report noting that the Planning Commission and staff both recommend approval.

Mike Gallaher, attorney, stated he represents the applicant. He said his client purchased this property in 1986. He said the County neglected to recognize his client's business at the time the Comprehensive Plan was adopted, and he would like to rectify this.

The Chairman opened a public hearing.

Dale Evans said the road is a dust bowl and the neighbors have been trying to get it paved. He would not like to see an entrance made on this road into this property.

Ms. Martinez-Hubert said the road would have to be paved before it could become an entrance to commercial property.

The Chairman closed the public hearing.

Motions:

Approve transmittal of CPA 09A-12 to the Florida Department of Community Affairs. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

49. [Removal of equipment from inventory as listed on Blanket Removal Form 1829.](#)

Attachment: [Blanket Removal Form 1829.pdf](#)

COUNTY ATTORNEY

50. [Sidewalk Easements along Saddle Creek Road](#)

Attachment: [02_18_09 CoAtty TENEROC Sidewalk Easements_Backup.pdf](#)

Attachment: [02_18_09 CoAtty TENEROC Sidewalk Easements_Fiscal Impact_DS.pdf](#)

51. [SET HEARING DATE to consider Petition to Vacate Right-of-Way. \(Suggested hearing date: March 18, 2009 at 1:30 p.m.\)](#)

52. [Authorize the Conveyance of the County's Interest in Parcel ID Number 262607-000000-034110 by County Deed to Kevin A. Dorsett and Kimberly S. Dorsett](#)

Attachment: [02_18_09 CoAtty_CountyDeedDorsett_FiscallImpact_CP.pdf](#)

Attachment: [02_18_09 CoAtty_CountyDeedDorsett_Backup.pdf](#)

53. [Drainage Easement for the Buoy Street drainage project](#)

Attachment: [Buoy Street drainage esmt backup 021809.pdf](#)
Attachment: [Buoy Street Drainage Esmt Fiscal Impact 021809.pdf](#)

54. [Record maintained right-of-way map for Capps Road](#)

Attachment: [02 18 09 CoAtty_MROW_Capps Road_Fiscal.pdf](#)
Attachment: [02 18 09 CoAtty_MROW_Capps Road_Backup.pdf](#)

55. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 144](#)

Attachment: [02 18 09 CoAtty_AddIRW_CR37B_Pcl 144_Hallam Estates_Fiscal Impact_SRL.pdf](#)
Attachment: [02 18 09 CoAtty_AddIRW_CR37B_Pcl 144_Hallam Estates_Backup_SRL.pdf](#)

56. [Reimbursement Agreement with Florida Gas Transmission Company, LLC, for Level "B" facility cost estimate for the removal and Relocation of the Lakeland North Meter Station, Lakeland North Take-Off Value, and a portion of the Lakeland North Lateral Pipeline, CR 35 A \(Kathleen Road\)](#)

Attachment: [02 18 09 CO ATTY Kathleen Rd Ph 2 Fla Gas Fiscal Impact.pdf](#)
Attachment: [02 18 09 COATTY Backup_Fla Gas Trans_Kathleen Rd Ph II_cmp.pdf](#)

57. [Record maintained right-of-way map for Crews Lake Drive](#)

Attachment: [02 18 09 CoAtty_MROW_CrewsLakeDr_Backup.pdf](#)
Attachment: [02 04 09 CoAtty_MROW_Crews Lake Dr_Fiscal.pdf](#)

58. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project](#)

Attachment: [02 18 09 CoAtty_KathleenRdPh2_Steinmentz_Fiscal.pdf](#)
Attachment: [02 18 09 CoAtty_KathleenRdPh2_Steinmetz_Backup.pdf](#)

59. [SET HEARING DATE to consider adoption of an ordinance amending Ordinance No. 08-015, Polk County Fire Department Burn Ban. \(Suggested hearing date: March 4, 2009, at 1:30 p.m.\)](#)

Attachment: [Ordinance AM08_015_Sec5.pdf](#)
Attachment: [AM08_015FIREDEPTBURNBAN_SEC5_NOTOFINTENT.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

60. [Polk County Tourism and Sports Marketing Agreement with The Lakeland Center for Marketing Assistance](#)

Attachment: [Marketing Assistance The Lakeland Center.v2.pdf](#)
Attachment: [The Lakeland Center Marketing Assistance_MA01 A-AA.pdf](#)
Attachment: [The Lakeland Center Marketing Assistance_pink-purple.pdf](#)

61. [Polk County Tourism and Sports Marketing Sponsorship Agreement for five \(5\)](#)

Special Events taking place from March 2009 through July 2010

- Attachment: [09-CITRUS SPORTS LLC, Cycling Classic.pdf](#)
- Attachment: [09-DOG AGILITY COMPETITION OF FL, DACOF 2009 Competition.pdf](#)
- Attachment: [09-ICBDA, Intl Annual Int'l Conv..pdf](#)
- Attachment: [2-18-09 Exhibit A.pdf](#)
- Attachment: [09-FLORIDA HOBY, Hoby Mid-floridai.pdf](#)
- Attachment: [09-RACE FOR THE KIDS FOUNDATION, Race for the Kids.pdf](#)

62. Sports Marketing "Sports Partner" Corporate Sponsorship One Year Agreement with The Club at Eaglebrooke

- Attachment: [Eaglebrooke Agreement 2009.pdf](#)
- Attachment: [The Club at Eaglebrooke MVP 2009 Addendum.pdf](#)
- Attachment: [Eaglebrooke Agreement 2009_pink-purple.pdf](#)

63. Polk County Tourism and Sports Marketing Partnership Agreement with the Detroit Tigers

- Attachment: [Detroit Tigers Promotional 2009.pdf](#)
- Attachment: [Detroit Tigers Promotional 2009_pink-purple.pdf](#)

ENVIRONMENTAL RESOURCES

64. Caretaker Agreement for the Itchepackesassa Creek Property on Walker Road in Lakeland

- Attachment: [Revocable License.pdf](#)

65. First Amendment to Cooperative Funding Agreement No. 08CS0000033 between Southwest Florida Water Management District and Polk County for the Lake Gwyn Surface Water Restoration and Flood Protection Project

- Attachment: [FirstAmendmentLakeGwynProject.pdf](#)

66. CSA No. 02-97-11, Modification No. 2, with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J), for additional engineering design services for a new paved driveway related to the Sun Ray Wastewater Treatment Facility Expansion

- Attachment: [PBSAndJ_CSA_02_97_11_Mod_2_Contract.pdf](#)
- Attachment: [PBSAndJ_CSA_02_97_11_Mod_2_Approvals.pdf](#)

67. Approval of an Amended and Restated Exchange and Assignment of Water and Wastewater Capacity Credits Agreement with Polo Groves

- Attachment: [PoloGrovesAgreementApprovals.pdf](#)
- Attachment: [PoloGrovesAgreementContract.pdf](#)

68. Acceptance of donated easement from Anne Eszterhas, Bruce Craigie and Judith Eszterhas

Attachment: [EszterhasEasementBackup.pdf](#)

69. [Hazen and Sawyer, P.C., CSA No. 07-83-03, Biosolids Management Plan – Dewatering Facilities Engineering and Construction Administration Services](#)

Attachment: [HazenAndSawyerCSA_07_83_03_Approvals.pdf](#)

Attachment: [HazenAndSawyerCSA_07_83_03_Contract.pdf](#)

70. [Construction Manager-At-Risk Authorization No. 06-036-06 with Vogel Brothers Building Company for modifications and improvements to the South County Jail Water Treatment Plant](#)

Attachment: [VogelBrothersCMARApprovals.pdf](#)

Attachment: [Vogel BrothersCMARContract.pdf](#)

71. [Interlocal Agreement with the City of Polk City for Solid Waste Disposal](#)

Attachment: [Interlocal Agreement with the City of Polk City.pdf](#)

72. [Interlocal Agreement with the City of Mulberry for Solid Waste Disposal](#)

Attachment: [Interlocal Agreement The City of Mulberry.pdf](#)

GROWTH MANAGEMENT

73. [SET HEARING DATE to consider LDC 09T-04 amending Section 932 of the Land Development Code \(Suggested hearing dates: March 4, 2009, and March 18, 2009\)](#)

74. [SET HEARING DATE to consider LDC 08T-13 amending Sections 920 and 921 of the Land Development Code \(Suggested hearing dates: March 4, 2009, and March 18, 2009\)](#)

75. [Aldea Release of Surety](#)

Attachment: [Aldea Reserve.pdf](#)

76. [Bretton Ridge Release of Surety](#)

Attachment: [Bretton Ridge.pdf](#)

77. [Grand Pines East Phase Two Release of Surety](#)

Attachment: [Grand Pines East Phase Two.pdf](#)

78. [Timbers North Release of Surety](#)

Attachment: [Timbers North.pdf](#)

79. [Charles Lane Estates Release of Surety](#)

Attachment: [Charles Lane Estates.pdf](#)

80. [SET HEARING DATE to consider LDC 08T-10 amending Chapter 7, Section 760, Signs, to eliminate the prohibition of Electronic Message Boards. Suggested hearing dates, April 8, 2009, first hearing, April 22, 2009, second hearing, at 1:30 p.m.](#)

HUMAN SERVICES

81. [Approve Amendment 003, OAA-2008-POLK between the Board and the West Central Florida Area Agency on Aging, Inc. for the period January 1, 2008, through December 31, 2008.](#)

Attachment: [OAA Amend 003 2008.pdf](#)

82. [Satisfaction of Liens between Polk County and the following listed clients.](#)

Attachment: [Satisfaction of Lien CE004799 and 055822.pdf](#)

83. [Imposition of Lien for demolition of dilapidated structure\(s\) within the Municipality of the City of Winter Haven to recover costs associated through the County's Demolition and Clearance Program.](#)

Attachment: [02-18-08 Municipality Lien CE 2008-005.pdf](#)

84. [Section 8 Housing Assistance Payments \(HAP\) contracts for the families listed.](#)

Attachment: [Section 8 Contracts.pdf](#)

85. [Tenant-Based Rental Assistance \(TBRA\) Payments Contracts for the families listed.](#)

Attachment: [TBRA Contracts.pdf](#)

PUBLIC WORKS

86. [Final payment and Close Out for County Road 54 \(Ronald Reagan Parkway\) Phase I and associated CIP Amendment and Budget Transfer](#)

Attachment: [Budget Revision Journal CR54 PH1.pdf](#)

Attachment: [PWF1 Info Form.pdf](#)

Attachment: [CR 54 Map.pdf](#)

SUPPORT SERVICES

87. [Current Procedural Terminology \(CPT\) Distribution License Agreement renewal \(Contract No. 09-053-CHSS\) between the Board and the American Medical Association.](#)

Attachment: [CPT_DistributionLicenseAgreement_09_053_CHSS.pdf](#)

88. [Health Council of West Central Florida, Inc., Contract for Services for MedNet Program \(Contract No. 09-132-RM\)](#)

Attachment: [HealthCouncilOfWestCentralFloridaInc_09_132_RM.pdf](#)

89. [Selection Committee's recommendation on RFP No. 09-010-MAR, Medical Director for The Rohr Home](#)

90. [Master Consulting Agreements, Civil Engineering for Facilities Management.](#)

Attachment: [kimley.pdf](#)

Attachment: [pbsj.pdf](#)

91. [Report Bid Award by Purchasing Director](#)

Attachment: [overlook drive and carl floyd rd bid analysis 09030.pdf](#)

92. [Report Bid Award by Purchasing Director](#)

Attachment: [saddlebag lake phase 2 outfall bid analysis 09036.pdf](#)

The Chairman adjourned the meeting at 6:15 p.m.