



Board of County Commissioners Meeting Agenda

01-21-09 Regular Board Meeting

January 21, 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
Richard M. Weiss	Clerk and Ex-Officio Auditor

The Board convened pursuant to adjournment taken on January 7, 2009.

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

INVOCATION

1. [Jim Bell, Public Safety Director](#)

PLEDGE OF ALLEGIANCE (SAM JOHNSON, CHAIRPERSON)

A. APPROVE CONSENT AGENDA

2. [Consent Agenda](#)

Minutes:

Motions:

Approve Consent Agenda. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

B. PRESENTATIONS and RECOGNITIONS

3. [Presentation of service certificates to Victoria "Vicky" Holley; Harrold Likens, II; Larry Martin; James Whitlow; Carol Barnes; Terry Wilson; and Harvey Green.](#)

Attachment: [2009BoardPresentationsJanuary.pdf](#)

Minutes: The Board presented service certificates to the employees named above.

4. [Jim Bell, Public Safety Director and Dr. Greg White, Emergency Medical Services Medical Director to give a presentation on the Medical Priority Dispatch System.](#)

Attachment: [Priority Dispatch Presentation 01 21 09.pdf](#)

Minutes:

Director of Public Safety Jim Bell commented on three articles which have appeared in newspapers recently which have painted a dismal picture of State-wide 9-1-1 EMS operations. He assured the Board and the citizens that Polk County's EMS program is operating efficiently. He said mistakes and human error will occur, and when they do, the EMS Department deals with them appropriately. He emphasized that the safety of the citizens is the number one priority of Polk County Public Safety.

Polk County Medical Director Dr. Greg White stated he is a board certified medical physician with 25 years experience as Polk County's Medical Director. He said he is proud of the County's EMS program. He outlined the Dispatch System. He reviewed the Response Matrix and said it will increase response times and achieve better use of equipment and resources. Discussion followed.

5. [Fleet Management - Long Term Vehicle Purchase Program Overview](#)

Attachment: [PurchaseOverview.pdf](#)

Minutes:

Director of Fleet Management Bob Stanton gave an overview of the Long-Term Vehicle

Purchasing Program which, he said, has been in effect for eight years. He said as a result of the very successful partnership between the County and Weikert Ford, the County has received price concessions from additional rebates totaling \$540,833.00 to date.

Bob Weikert, President and owner of Weikert Ford, Inc., presented a check in the amount of \$54,431.00 to the Board for price concessions which occurred during the year. He said he is proud to be able to support Polk County. Discussion followed.

C. PROCLAMATIONS

6. [Proclaim January 21, 2009 as FLORIDA 4-H CENTENNIAL COMMEMORATION DAY. Nicole Walker, representing the Polk County Cooperative Extension Services 4-H Youth Program, will accept the proclamation.](#)

Attachment: [Florida 4H Centennial Proclamation.pdf](#)

Motions:

Issue Proclamation - PASS

Vote Results

Motion: Edwin Smith

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

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

7. [Disbursements.](#)

Attachment: [Disbursements 012109.pdf](#)

Motions:

Approve and ratify disbursements. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

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

8. [Minutes of Regular Board Meeting held on January 7, 2009.](#)

Motions:	
Approve minutes.	- PASS
Vote Results	
Motion: Edwin Smith	
Second: Jean Reed	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

POLK COUNTY SHERIFF

9. [Returning of excess funds in the amount of \\$5,780,378 and approve allocation of excess funds.](#)

Attachment: [Sheriff Letter to Board.pdf](#)

Motions:	
Accept the Polk County Sheriff's Office return of \$5,780,378 in excess funds to the County; and approve allocation of \$1,000,000 to be added to the Polk County Sheriff's Office Aviation Reserve Fund, and \$2,267,378 to be used for the replacement of vehicles.	- PASS
Vote Results	

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

NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY

10. [North Ridge CRA minutes from the December 17, 2008, meeting.](#)

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

Minutes:

See separate minutes of North Ridge Community Redevelopment Agency Board Meeting.

11. [Modification No. 7 to CSA No. 00-19-06 with PB Americas, Inc. \(Consultant\) for the Ernie Caldwell Boulevard Project.](#)

Attachment: [21Jan09 Mod CO Summary Spreadsheet.pdf](#)

Attachment: [21Jan09 ECB Mod 7 CSA 001906 Approvals.pdf](#)

Attachment: [21Jan09 ECB Mod 7 CSA 001906 Contract.pdf](#)

Attachment: [Ernie Caldwell Map3.pdf](#)

Attachment: [21Jan09 PWFI Info Form.pdf](#)

Minutes:

See separate minutes of North Ridge Community Redevelopment Agency Board Meeting.

POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT AGENCY

12. [Polk Commerce Centre CRA minutes from the July 9, 2008 meeting](#)

Attachment: [Polk Commerce Centre CRA minutes.pdf](#)

Minutes:

See separate minutes of Polk Commerce Centre Community Redevelopment Agency Board Meeting.

13. [Approve Outside Counsel Agreement to retain legal services of the lawfirm of Valenti, Campbell, Trohn, Tamayo & Aranda, P.A. to represent CRA in pending litigation.](#)

Attachment: [OUTSIDE COUNSEL AGREEMENT PCC CRA 2009.pdf](#)

Minutes: See separate minutes of Polk Commerce Centre Community Redevelopment Agency Board Meeting.

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

14. [Approve Settlement Agreement with Defendant, Nancy Montgomery Ware in the code enforcement foreclosure case of Polk County v. Paul Ware and Nancy Montgomery-Ware \(53-2008CA-003716-0000-00\).](#)

Attachment: [Polk vs Nancy Ware.pdf](#)

Minutes:

County Attorney Michael Craig reviewed the proposed settlement agreement and recommended approval.

Motions:

Approve the settlement and authorize the County Attorney's Office to conclude litigation through final judgment and foreclosure sale. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

G. COUNTY ATTORNEY (MICHAEL CRAIG)

H. COUNTY MANAGER (MICHAEL HERR)

15. [Bartow Northern Connector Project: Request for Board's direction to select a preferred alternative for the Fort Fraser Trail Intersection Bartow Northern Connector Project:](#)

Attachment: [Ft Fraser Trail Ariel Map.pdf](#)

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

Attachment: [BNCpresentation120508.pdf](#)

Minutes:

John Cerreta, Consultant with Post Buckley Schuh & Jernigan, gave an overview of the project and outlined the three pedestrian crossing alternatives including 1.) At-Grade crossing; 2.) Overpass crossing; and 3.) Underpass crossing. He reviewed the advantages and disadvantages of each alternative noting that the substantial differential is the construction cost. He reviewed the trail use and the expected daily vehicle/traffic count. Maintenance of the Fort Fraser Trail was discussed. Discussion followed.

Motions:

Approve Alternative No. 2, Overpass crossing, not to exceed \$1,189,542.00. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English - Aye

Sam Johnson - Nay

Jean Reed - Aye

Edwin Smith - Nay

Randy Wilkinson - Aye

16. [Provide direction for Budgeting for Outcomes \(BFO\) process.](#)

Attachment: [CA LIST UPDATED.pdf](#)

Attachment: [CFDC BOARD MEMBERS.pdf](#)

Attachment: [TDC MEMBERS.pdf](#)

Minutes:

County Manager Mike Herr asked the Board for direction as to whether the Board wished to use the Budgeting for Outcomes (BFO) process for the General Fund only, or for all funds. He also asked for direction as to whether the Board wants to retain the current rankings for another year, or re-rank the programs and entertain new offers.

Commissioner English moved to stick to Alternate No. 1, concentrate on the General Fund and look at the other operating funds at the Board's leisure. The motion died for lack of a second.

Following discussion, the consensus of the Board was to use the BFO process for the General Fund only.

Mr. Herr recommended appointing two citizens to the Results Team rather than the current policy of one citizen. He reviewed the current citizen appointments and vacancies. He recommended adding citizen representation for the agriculture industry. Following discussion, the consensus of the Board was to appoint three citizens to each Results Team

category and keep the County staff and expert representation the same.

The current Guidance Team makeup was discussed, and Mr. Herr recommended that the Board appoint five members for the Guidance Team.

Director of Financial and Strategic Planning Fran McAskill requested that the Board members make their appointments at the February 4, 2009, Board meeting. She said each Board member needs five names, four of which will be appointed and then the Board will appoint one at large from the remaining candidates. She outlined the time commitment which the appointees must be willing to make as well as the criteria for serving.

17. [Discuss projects for Federal Stimulus Package](#)

Attachment: [EconomicStimulusPackage_PavementManagement.pdf](#)

Attachment: [stimulus pkg.pdf](#)

Attachment: [economic stimilus projects_resurfacing \(2\).pdf](#)

Minutes: Mike Herr, County Manager, asked if the Board wanted to include collector roads and resurfacing to the Federal Stimulus package. He said staff recommends approval. Discussion followed.

Motions:

Approve list of collector roads to be included in the Polk County federal stimulus package. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

18. [Discuss Economic Stimulus package for USF Expansion/Innovation Center.](#)

Attachment: [USF Polytechnics.pdf](#)

Minutes:

Mike Herr, County Manager, gave background information on this item noting that it is his understanding that USF and USF Polytech have prepared a list of projects for the Legislative Delegation and want the Board to include that list with its own package.

David Steele, USF Polytechnic, thanked the Board for its support.

Motions:

Approve including the USF Expansion/Innovation Center in the Board's Economic Stimulus package. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Sam Johnson - Aye

Edwin Smith - Aye

Bob English - Aye

Jean Reed - Aye

Randy Wilkinson - Aye

19. [Request Board approve the appointments of County Commissioner Bob English to a three year term, County Commissioner Jean Reed to a two year term, and County Commissioner Ed Smith to a two-year term on the Polk Transit Authority Board.](#)

Attachment: [PTA Legislation.pdf](#)

Minutes:

Mike Herr, County Manager, asked the Board to approve the proposed appointments to the Polk Transit Authority Board. He gave background information.

Paul Simmons, Transit Director, explained the terms of the appointments.

Motions:

Approve the appointments to the Polk Transit Authority Board of County Commissioner Bob English to a three year term (2008-2011) and County Commissioner Jean Reed to a two year term (2008-2010). In addition recommend the appointment of County Commissioner Ed Smith to a two year term (2009-2011) as Commissioner Sam Johnson's replacement on the Polk Transit Authority Board. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

20. [Dennis Dutcher, Regional Director, United Waterfowlers of Florida, Inc., to discuss waterfowl hunting at Circle B Bar Reserve.](#)

Attachment: [CircleBBar.pdf](#)

Minutes:

Dennis Dutcher, Central Regional Director, United Waterfowlers, distributed a document entitled "A Case for Waterfowl Hunting at Circle B Bar Ranch". He gave a brief synopsis of the document.

21. [Comments.](#)

Minutes:

Joseph Francis said his mobile home is located on Fort Meade Road and is only thirty-two feet from the road. He said the truck traffic has increased by 100 percent on Fort Meade Road. He reported that the vibration caused by this heavy truck traffic has caused the cement culvert in front of his home to sink and has caused his home to be pushed off balance.

Commissioner Reed recommended that the County place a "No Thru Truck Traffic" sign on this road.

County Manager Mike Herr said staff will review this issue.

22. [Comments.](#)

Minutes:

Ghassan Zebdaoui said he is a licensed engineer and is speaking as a citizen's advocate. He requested that the Board waive any fees for copies of records of public information regarding crash history reports. He discussed the intersection of Crossover Road and old Bartow Road and said the County should install dual turning lanes and traffic signals at this intersection. He asked that other public records be made available to him. Discussion followed.

23. [Comments.](#)

Minutes:

M. T. Sharp said the taxes on his 15 acre property increased \$600.00. He said he talked to someone from the Property Appraiser's Office and she laughed at him.

Chairman Johnson said he would personally contact the Property Appraiser's Office and call Mr. Sharp back with the information he received.

24. [Comments.](#)

Minutes:

Sylvia McRae said the Verizon office in Lake Wales has been closed, and now people have to go to Winter Haven to pay their telephone bills or get service. She asked the Board to assist her.

Chairman Johnson stated the Board could try to contact the primary contact person for Verizon and report back to Ms. McRae.

25. [Comments.](#)

Minutes:

Hermon Mouldon stated the document presented by Mr. Dutcher is eloquent; however, duck hunting is not a proper and suitable activity at the Circle B Bar Reserve. He stated the noise of the firearms affects the eagles immediately after the hunts. He listed his objections to the hunts. He emphasized that the main purpose of this facility is education.

26. [Comments.](#)

Minutes:

Jeff Hancock discussed the Federal side of the Hidaway Kennel case. He said the Polk County Sheriff's Office violated Article 14 and Article 5 of the United States Bill of Rights and read those Articles from this historic document written December 15, 1791. He said a cover-up has occurred, and asked the elected and appointed leaders of Polk County to act on these violations. Discussion followed.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)

27. [Comments.](#)

Minutes:

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

28. [Comments.](#)

Minutes:

Motions:

Appoint Robert MacConnal to the Farm Labor Task Force. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

29. [Lay Board Appointment - Alternate Member, Planning Commission](#)

Attachment: [PC Artman bio 3.pdf](#)

Minutes:

Motions:

Appoint Stuart D. Artman, P.E. to serve as an Alternate Member of the Planning Commission for the three-year term beginning 01/21/2009 and ending 01/20/2012. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

30. [Comments.](#)

Minutes:

Commissioner Smith stated on January 13th, he and five staff members met with citizens and Motis Engineering to hear their concerns and answer questions about drainage and the condition of the streets in the Inwood community. He said the Community feels better knowing that someone is paying attention to their concerns.

Commissioner Smith suggested the Board hold a Town Hall meeting sometime in April or May at the Sheriff's Sub-station on Avenue G in Winter Haven.

Following discussion, County Manager Mike Herr recommended holding a small neighborhood meeting rather than a Town Hall Meeting.

Commissioner Smith said that some commissioners like to attend church on Wednesday nights and suggested moving the meeting to Tuesday or Thursday.

Mr. Herr said the Board used to meet on Tuesdays. He said he will meet with staff and report back to the Board.

In an effort to shorten meetings, there was discussion regarding the need to reduce irrelevant speaking and refrain from workshopping every issue.

Motions:

Construct and install a color replica of the seal of Polk County on the wall behind the Board in the Commission Bordroom. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

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

M. COMMISSIONER DISTRICT 4 (JEAN REED)

31. [Lay Board Appointment - Citizens' Health Care Oversight Committee](#)

Attachment: [CHCOC OToole bio 4.pdf](#)

Motions:

Appoint Gabrielle O'Toole as a member of the Citizens' Health Care Oversight Committee, representing Children's Interests, for the remainder of the two-year term ending 09/30/2009. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

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

32. [Discuss Committee Assignments.](#)

Attachment: [BoCCAssignmts.pdf](#)

Minutes:

Commissioner Reed briefly discussed the Impact Fee Advisory Committee. She said she has two appointments, and it is recommended that she appoint someone from the Institutions category.

Mike Herr, County Manager, said at the next Agenda Briefing, staff will give a briefing on the current status of the membership of the Impact Fee Advisory Committee. Discussion followed.

Commissioner Reed said she is on OneBay which is not a problem, but questioned why she

is not more associated with Myregion.org. She mentioned other committee assignments, and discussion followed.

Chairman Johnson said he tried to place highest priority first, and he tried to keep the assignments even. He said he will discuss assignments further under his section of the agenda.

33. [Comments.](#)

Minutes:

Commissioner Reed stated there was a scrivener's error in the written order for Case No. CU 08-26.

County Attorney Michael Craig said a corrected order has been prepared and recommended that the Board approve it. He read the change that needed to be made.

Motions:

Approve corrected written order for CU 08-26. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON, CHAIRPERSON)

34. [Comments.](#)

Minutes:

Chairman Johnson said there is a conflict with the several committee assignments. He said Commissioner Smith will be taken off the Value Adjustment Board (VAB) and will be assigned to the Community Relations Advisory Council (CRAC). He took Commissioners Reed and Smith off the Regional Transportation Organization that's no longer in existence

due to the Polk Transit Authority.

Chairman Johnson said OneBay had been assigned to Commissioner Wilkinson, but this will now be the Chairman's assignment and Commissioner Wilkinson will be assigned to the Workforce Development Board instead. Commissioner Reed is also on OneBay.

County Manager Mike Herr said the Chairman serves as the Board's liaison to the Citizens Healthcare Oversight Committee. He said there is a vacancy on this committee for a private sector insurance representative, which is Chairman Johnson's appointment.

Commissioner English said he is no longer on the water committee but he has been appointed by the Governor to the Peace River Basin Management Advisory Committee. He said he is also a member of the Ten County Coalition which is a group of 10 counties that meet in Okeechobee County quarterly to discuss the Kissimmee River and Lake Okeechobee, and Polk County is becoming a player in that the Kissimmee River runs along Polk County.

Upon question, Commissioner English said he would like to serve on the Water Management Districts Committee, and Chairman Johnson said that Commissioner Smith will be removed from that committee.

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

35. [LDC 09T-05 \(Landscape Revision\) to consider the Adoption of an ordinance amending Sections 226, 702, 704, 720, 932, Chapter 10 and Appendix B of the Land Development Code. \(Continue to March 4, 2009, at 1:30 p.m. and March 18, 2009, at 1:30 p.m.\)](#)

Minutes:

Deputy County Manager Jim Freeman explained why this public hearing needs to be continued.

Motions:

Continue to March 4, 2009, at 1:30 p.m., and
March 19, 2009, at 1:30 p.m. - PASS

Vote Results

Motion: Edwin Smith

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

36. [Joint Planning and Interlocal Service Boundary Agreement Between Haines City and Polk County](#)

- Attachment: [Exhibit A Joint Planning Area Boundary.pdf](#)
- Attachment: [Haines City CityView JPA.pdf](#)
- Attachment: [Exhibit C Proposed Transfer from County.pdf](#)
- Attachment: [Exhibit D Candidate Road Impact Fee Projects.pdf](#)
- Attachment: [Haines City JPA Exhibit B.pdf](#)

Minutes:

County Attorney Michael Craig swore in those planning to speak.

Tom Deardorff, Director of Growth Management, reported that staff has coordinated with the stakeholders and the staff from the City of Haines City to prepare the recommended changes to the Joint Planning Agreement (JPA). He discussed the proposed changes: Review of Annexations; Protection of Existing Agricultural Uses; and the Current Boundary of the JPA. He said some residents along Snell Creek Road do not want to become a part of Haines City; he said a homesteaded parcel does not have to be involuntarily annexed into the City. He said staff recommends approval of the JPA, including the changes he recommended.

Commissioner Smith said he would like to see the term "availability for utilities" clarified. Discussion followed on response time to changes requested. He mentioned a section which allows septic tanks and discussion followed.

Tom Cloud stated he is an attorney with the law firm of Grey Robinson and is the City Attorney for the City of Haines City. He discussed capacity of the City's utilities.

Commissioner English said it is his understanding that if this JPA is approved, it will be effective for five years and then it will come before the Board again and Mr. Craig said this is correct; changes could be agreed to by both parties; and the agreement can be terminated with one year's notice.

Following discussion Mr. Cloud read Section 5.4 and stated he wrote the language for this Section. Discussion followed on the availability and/or capacity of utilities.

The Chairman opened a public hearing.

Robert Condor asked that his property be excluded from the JPA, and Mr. Cloud said Mr. Condor's property could be excluded.

Mike Mahoney said his land was taken off the Selected Area Plan (SAP). He expressed his concerns.

Pastor Micky Carter of Landmark Church said that the spot of green on the map of the JPA includes a youth camp. He said he was assured that it was taken off the map because he doesn't want to be in the group.

Sherry Mahoney spoke about the future intentions of Haines City. She discussed smart growth and large piece of land which she feels should not be on the map.

Mark Bennett, Planning Manager for the City of Haines City, said the property excluded from the JPA shows the City's intent not to annex the property referenced by Ms. Mahoney.

Mark White said he owns 73 acres in Haines City and he likes the planning that occurred. He said this will stop haphazard development.

Paul Senft, Economic Development for Haines City, said this is a good plan. He said those who want out should be excluded and those who want in should be included.

Dan McIntee said he is a part of the landfill lawsuit and he appreciates this planning. He said cities and counties should plan together in the future.

Ann Toney-Deal, City Manager of Haines City, read several letters into the record in support of the JPA. She responded to comments made by others.

Brianna Mahoney said she attended the public hearing and it was opened and closed without looking to see if anyone wished to speak. At the next meeting there were many people, but if you missed a meeting you were not invited to the next meeting.

The Chairman closed the public hearing, and discussion followed.

Motions:

Approve the Joint Planning and Interlocal Service Boundary Agreement Between Haines City and Polk County with the following changes: Paragraph 5.3, Short Term Proposed Annexations shall be deleted. The addition of the following language to new Paragraph 5.3 entitled Protection of existing Rural and Suburban Land Uses at the end of the paragraph: The parties further recognize the importance of the agriculture industry and the need to support the continuation of existing agricultural uses. Accordingly, the Parties agree that the related provisions of the Polk County Comprehensive Plan's Agricultural Objective 2.121-A and Policy 2.131-A4 shall be applicable within the JPA. The addition of the following clauses within new Paragraph 5.4, Provision of Utilities in the JPA, in the fifth sentence after "policies" insert clause "(within 200 feet of the property requiring water or wastewater service)". After the 5th sentence "unless otherwise prohibited

- PASS

by State law, this agreement shall not prohibit the use of wells and septic tanks for owners of land creating 4 or fewer lots when the land is not within 200 feet of City utilities" and at the end of Paragraph 7.1, insert "in the event a party fails to provide comments within the time frames set forth above, the other party may subsequently ignore any such comments received after said time period." Finally, the following parcel numbers shall be removed from the JPA map presented today: 272726-000000-021080 and 272726-000000-021070.

Vote Results

Motion: Bob English

Second: Randy Wilkinson

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

37. [DA 06-09M - Ridgewood Lakes Development Agreement Modification](#)

Attachment: [DA 06 09M Development Agreement.pdf](#)

Attachment: [DA 06 09M Staff Report.pdf](#)

Minutes:

Director of Concurrency and Entitlements Quinn Wilson gave the staff report and background information. He reviewed the concerns contained in letters of opposition. He showed a map of the area involved. He reviewed the changes to the agreement as follows: Page 1, update the land ownership; Page 3, added Paragraph 1.3; Paragraph 3.13, Pages 4,5 changing access and fixed the time period; Paragraph 3.14 changes the name; Paragraph 4.2.2, changing the contact person and the company name; Pages 16, 17, 19 reflect the change in the company name and contact person. He said staff recommends approval and the Planning Commission also recommends approval.

The Chairman opened a public hearing.

Bob Wisheart asked that these changes be approved and he explained his reasons. Discussion followed.

Jack Brandon stated he represents the applicant who would be executing this agreement. He said his client supports the amendments. He said as the development moves forward and is completed, there will be multiple access points.

The Chairman closed the public hearing.

Motions:

Approve DA 06-09M. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

38. [Consider adoption of an ordinance amending Ordinance No. 70-02, as amended, regarding Polk County Retiree Benefits Program.](#)

Attachment: [HEALTH INSURANCE ORDINANCEFinal \(2\)12-08-08.pdf](#)

Minutes:

Michael Craig, County Attorney, gave background information and reviewed the proposed changes to Ordinance No. 70-02, as amended. He said this is a cost saving measure. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No. 09-001 amending Ordinance No. 70-02, as amended. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Nay

Randy Wilkinson

- Aye

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

39. [Removal of equipment from inventory as listed on Blanket Removal Form 1827.](#)

Attachment: [Blanket Removal Form 1827.pdf](#)

40. [Minutes of the August 5, 2008, meeting of the Golden Lakes Community Development District.](#)

41. [Minutes of the August 20, 2008, meeting of the Poinciana West Community Development District.](#)

42. [Lands available from Tax Deed Sale.](#)

Attachment: [Lands Available List.pdf](#)

43. [Modification to current contract with Point and Pay, Inc. regarding fees per transaction for the electronic payment processing of major credit cards and electronic checks.](#)

Attachment: [Point and Pay Amendment.pdf](#)

44. [Appoint Property Custodian for Growth Management/Long Range Planning.](#)

Attachment: [Property Custodian James.pdf](#)

45. [Investment Policy modification.](#)

Attachment: [Clerks Investment Policy.pdf](#)

COUNTY ATTORNEY

46. [Authorize the County Attorney's Office to file suit against Jean Luxain to recover damages resulting from a vehicle colliding with a guardrail driven by Jean Luxain.](#)

47. [Declare Surplus and Authorize the Public Sale of Remnant Parcels Associated with Griffin Road Improvement Project](#)

Attachment: [1-21-09 Griffin surplus.pdf](#)

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

Attachment: [RW Kathleen Phase 2 Deslaurier.pdf](#)

Attachment: [RW Kathleen Phase 2 Deslaurier Fiscal Impact.pdf](#)

49. [Consider Resolution authorizing negotiations required by Florida Statute §73.015 to be undertaken by the County Chief Right-of-Way Agent and his designated agents, subject to](#)

[final Board Approval, for acquisitions necessitated by new Transportation CIP Projects.](#)

Attachment: [Resolution authorizing negotiations re various proj.pdf](#)

50. [Accept amendments to Revised Suntrust Standby Advice No. U901885, implementing amendments to Irrevocable Standby Letter of Credit No. 91897689, issued in favor of the Board, by BNP Paribas Houston.](#)

Attachment: [LOHCRAamend1.pdf](#)

Attachment: [LOHCRAamend2.pdf](#)

51. [Adopt a written order for Case No. CU 01-18M.](#)

Attachment: [orderboardCU0118M.pdf](#)

52. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 167 and TCE Parcel 720](#)

Attachment: [01 21 09 CO ATTY Addl RW CR 37B Pcls 167 and 720 Diamond Sr Living Backup.pdf](#)

Attachment: [01 21 09 CO ATTY Addl RW CR 37B Pcls 167 and 720 Diamond Sr Living Fiscal Impact SL.pdf](#)

53. [Adopt a written order for Case No. CU 08-17.](#)

Attachment: [orderboardCU0817denovo.pdf](#)

54. [Right-of-Way Purchase for Thompson Nursery Road Improvement Project](#)

Attachment: [01_21_09](#)

[CoAtThompsonNurseryRd_Campbell_FiscalImpact_DR.pdf](#)

Attachment: [Thompson Nursery Road Campbell ROW.pdf](#)

55. [Adopt a Resolution authorizing the Conveyance of County owned property to the City of Mulberry](#)

Attachment: [01 21 09 CoAtty_TransferToCityOfMulberry_Backup_CP.pdf](#)

Attachment: [Resolution re Private Sale of Property.pdf](#)

56. [Quit Claim Deed from Thomas L. Miller for Property Being Donated for Conservation](#)

Attachment: [01_21_09 Co Atty_Donation_Miller_FiscalImpact_CP.pdf](#)

Attachment: [01_21_09 Co Atty_Donation_Miller_Backup.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

57. [Amended Promotional Agreement with Polk County Tourism and Sports Marketing and Florida Southern College](#)

Attachment: [FSC Agreement Pink-Purple.pdf](#)

Attachment: [FSC Event Agreement.pdf](#)

ENVIRONMENTAL RESOURCES

58. [First Amendment to Agreement No. 08C0000021 between the Southwest Florida Water Management District \(SWFWMD\) and Polk County for the Christina Watershed Management Program Implementations of Best Management Practices \(L967\)](#)

Attachment: [ChristinaWatershedFirstAmendment_ImplementationBMPsL967.pdf](#)

59. [Florida Fish and Wildlife Conservation Commission, Contract No. FWC08228, Cooperative Funding Phase II, Lake Gwyn Surface Water Restoration and Flood Protection Project](#)

Attachment: [LakeGwynRestorationProject_FWCContract08228.pdf](#)

60. [Change Order No. 1 to Construction Quote No. 08-007, and Budget Transfer and Community Investment Program \(CIP\) Amendment Increasing the Forestbrook and Forestgreen Drainage Improvement CIP Project](#)

Attachment: [ForestbrookForestgreenMap.pdf](#)

Attachment: [ForestbrookForestgreenChangeOrder.pdf](#)

Attachment: [ForestbrookForestgreen_BudgetRevisionJournal.pdf](#)

61. [Amendment to the currently adopted Utilities Five-Year Expansion Community Investment Program \(CIP\) budget and the Utilities Five-Year Renewal and Replacement CIP budget](#)

Attachment: [Utilities_CIP_BudgetAmendment_Att_B_Backup.pdf](#)

Attachment: [UtilitiesBudgetAmendBudgetRevJournal_CIP.pdf](#)

Attachment: [Utilities_CIP_BudgetAmendment_Att_A_BackupREV.pdf](#)

Attachment: [Utilities_CIP_BudgetAmendment_Att_A_REV.pdf](#)

Attachment: [UtilitiesBudgetAmendBudgetRevJournal_RandR.pdf](#)

Attachment: [Utilities_CIP_BudgetAmendment_Att_C.pdf](#)

Attachment: [Utilities_CIP_BudgetAmendment_Att_B.pdf](#)

GROWTH MANAGEMENT

62. [Kinny Harmon Road Improvements Amendment to Surety](#)

Attachment: [Kinny Harmon Road Improvement.pdf](#)

63. [Victor Posner City Center 1F Amendment to Surety](#)

Attachment: [Victor Posner City Center Phase 1F.pdf](#)

64. [Solivita Phase I Release of Surety](#)

Attachment: [Solivita Phase I.pdf](#)

HUMAN SERVICES

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

Attachment: [Satisfaction Order Imposing Lien for Demo.pdf](#)

66. [SHIP Program Satisfaction of Mortgage and Security Agreements for John G. Clark and Barbara A. Clark.](#)

Attachment: [John Clark SHIP.pdf](#)

67. [State Housing Initiatives Partnership \(SHIP\) Program Satisfaction of Rehabilitation/Reconstruction Lien Agreement for Betty Seay.](#)

Attachment: [Seay.pdf](#)

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

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

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

Attachment: [TBRA Contracts.pdf](#)

PUBLIC SAFETY

70. [Division of Forestry Cooperative Equipment Loan Agreement](#)

Attachment: [Cooperative Equipment Loan Agreement.pdf](#)

PUBLIC WORKS

71. [Change Order No. 8 to Contract No. 06-137 with Cherry Hill Construction, Inc. \(Contractor\) for the CR 54 \(Ronald Reagan Parkway\) Phase I Road Widening Project.](#)

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

Attachment: [CO-MOD SUMMARY.pdf](#)

Attachment: [01-21-09 Public Works Fiscal Impact Info Form.pdf](#)

Attachment: [CO 8 Contract 06 137.pdf](#)

72. [Joint Project Agreement \(JPA\) between Polk County and the City of Auburndale to include the construction of water, wastewater, and effluent force main facilities within the construction limits of the CR 655 \(Berkley Road\) Phases 2 and 3 Improvement Project.](#)

Attachment: [Map CR655 Ph 2 and 3.pdf](#)

Attachment: [JPA COA CR 655 Ph 2 and 3.pdf](#)

SUPPORT SERVICES

73. [Modification No. 1 for CSA No. 06-06-01 with Wade Trim Inc. for Loyce E. Harpe Park Environmental Assessment Services](#)

Attachment: [060601timeext.pdf](#)

74. [Polk HealthCare Plan Provider Agreement renewals](#)

Attachment: [MondelloFamilyClinic_09_128_RM.pdf](#)

Attachment: [RandolphHunter_09_129_RM.pdf](#)

Attachment: [JacobolamaMD_09_008_RM.pdf](#)

Attachment: [RadiologyImagingSpecLkldPA_09_127_RM.pdf](#)

75. [Healthy Start Coalition of Hardee, Highlands and Polk Counties, Inc., Contract for Services for Teen Pregnancy Prevention Program \(Contract No. 09-130-RM\)](#)

Attachment: [HealthyStartCoalition_09_130_RM.pdf](#)

The Chairman adjourned the meeting at 5:30 p.m.