

05-06-09 Regular BoCC Meeting Minutes

May 6, 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
Dee Dee Beaver Chief Staff Accountant

The Board convened pursuant to adjournment taken on April 22, 2009.

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

INVOCATION

1. [Reverend Ron Gifford, Apostolic Church of Willow Oak in Mulberry.](#)

PLEDGE OF ALLEGIANCE (SAM JOHNSON, CHAIR)

A. APPROVE CONSENT AGENDA

2. [Approve Consent Agenda.](#)

Minutes:

Commissioner Smith moved approval of the Consent Agenda. Commissioner English seconded the motion.

Following discussion, County Manager Mike Herr announced that Consent Agenda Item No. 79 - Authorize the Public Sale of 13 County owned mobile homes from the Kathleen Road Phase II Road Widening Project to the highest bidder, is being withdrawn from the Consent Agenda.

Commissioner Smith, maker of the motion, amended his motion to withdraw Item No. 79 from the Consent Agenda and move it to the County Manager's portion of the Regular Agenda.

Commissioner English, second to the motion, agreed.

Motions:

Approve Consent agenda without Item No. 79 and move Item No. 79 to the County Manager's portion - PASS of the Regular Agenda.

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. [Recognize employee Chris Calabro for his money saving SHINE suggestion.](#)

Minutes:

The Board recognized Mr. Calabro for his participation in the SHINE Program.

Director of Organization and Employee Development (OED) Linda McDonnell said SHINE Program suggestions have contributed significantly to the County's cost savings and have also increased safety. She reported that the SHINE Program is now in its ninth year and the implemented employee suggestions have resulted in a savings to the County of more than \$6.7 million.

Ms. McDonnell outlined the suggestion submitted by Mr. Calabro, Emergency Management. She reported that the first year net savings to the County for implementing this suggestion will be \$97,273.00.

4. [Recognize employee Steve McMillan for his money saving SHINE suggestion entitled "Custodial Services."](#)

Minutes:

The Board recognized Mr. McMillan for his participation in the SHINE Program.

Director of Organization and Employee Development (OED) Linda McDonnell outlined the suggestion submitted by Mr. McMillan, CIP Construction Manager, Facilities Management. She reported that the first year net savings to the County of this suggestion will be \$98,220.00.

5. [Recognize Firehouse Subs Foundation for a \\$25,000.00 grant to Polk County Fire Rescue.](#)

Minutes:

County Manager Mike Herr stated Polk County Fire and Rescue has received a \$25,000.00 grant from the Firehouse Subs Public Safety Foundation.

Fire Chief David Cash said the Hurst tool, more commonly known as the Jaws of Life, is a heavy and awkward piece of equipment to use. He explained how the hydraulic lines are connected and disconnected to this equipment, and can be dangerous to the firemen using this equipment. He stated new equipment became available which would make this operation safer, but it would cost approximately \$33,000.00 to retrofit the County's entire fleet of Hurst tools. He announced that these retrofits have been purchased using a \$25,000.00 grant from Firehouse Subs Public Safety Foundation.

Deputy Fire Chief of Operations Tony Crouse, gave information about Firehouse Subs and the Firehouse Subs Public Safety Foundation. He described the streamlined coupling connectors needed for the retrofit noting that the new equipment is simple, convenient and safe to use.

Chief Cash and Deputy Chief Crouse presented a plaque expressing the County's appreciation for this generous contribution to Cork, owner of Firehouse Subs on South Florida Avenue in Lakeland.

Chief Cash recognized Jeremiah Gilley, Fire Services Battalion Chief, for pursuing these grant funds.

C. PROCLAMATIONS

6. [Proclaim May 1, 2009 as NATIONAL SILVER STAR FAMILY DAY](#). Jamie Brown will accept the proclamation.

Attachment: [Silver Star Family Day.pdf](#)

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

7. [Proclaim May 3-9, 2009 as NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK \(NAOSH\) and May 6, 2009 as OCCUPATIONAL SAFETY AND HEALTH PROFESSIONAL DAY](#). Heather Earl, representing the American Society of Safety Engineers, will accept the proclamation.

Attachment: [NAOSH.pdf](#)

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

8. [Proclaim May 2009 as OLDER AMERICANS MONTH](#). Hope Jones, Polk County Elderly Services Director, will accept the proclamation.

Attachment: [Older Americans Month.pdf](#)

Motions:

Issue Proclamation. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

9. [Proclaim May 9-17, 2009 as TOURISM WEEK. Mark Jackson, Tourism/Sports Marketing Director, will accept the proclamation.](#)

Attachment: [Tourism Week.pdf](#)

Motions:

Issue Proclamation. - PASS

Vote Results

Motion:

Second:

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

10. [Proclaim May 17-23, 2009 as EMERGENCY MEDICAL SERVICES WEEK. Harvey Craven, Polk County Emergency Medical Services Director, will accept the proclamation.](#)

Attachment: [EMS Week.pdf](#)

Motions:

Issue Proclamation. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

11. [Proclaim May 21, 2009 as COMMUTER SERVICES DAY IN POLK COUNTY. Jan Parham, representing the Florida Department of Transportation, and Christine Diaz, representing the Commuter Services Program, will accept the proclamation.](#)

Attachment: [Commuter Services Day.pdf](#)

Motions:

Issue Proclamation. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

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)

12. [Disbursements.](#)

Attachment: [Disbursements 050509.pdf](#)

Motions:

Approve and ratify disbursements for Payroll Checks, Direct Deposits and Wire and Electronic Fund Transfers. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motions:

Approve disbursements for Invoice Checks. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

13. [Minutes of Regular Board meeting held on April 22, 2009.](#)

Attachment: [042209.MIN.pdf](#)

Motions:

Approve minutes. - PASS

Vote Results

Motion: Jean Reed

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

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

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

14. [Public Hearing to consider approval of a mediated settlement with the landowner in the case of Polk County vs. Latter, et al., Parcel No: 119,703.](#)

Attachment: [5 6 09 Parcel 119 Backup.pdf](#)

Minutes:

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

The Chairman opened a public hearing; no one spoke.

Motions:

(1) approve the mediated settlement with the landowners, Mr. and Mrs. Latter and All Creatures Animal Clinic, Inc., for a total of \$533,078, including all fees and costs, in settlement for Parcels 119 and 703; (2) authorize issuance of a check in the amount of \$364,678 to the trust account of Troiano & Roberts, 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: Bob English

Second: Edwin Smith

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

Randy Wilkinson - Aye

15. [Public Hearing to consider approval of a mediated settlement in the case of Polk County vs. Turbeville, et al, an eminent domain lawsuit filed to acquire needed rights-of-way for Lakeland Highlands Blvd.](#)

Attachment: [05-06-09 Parcel 145 backup.pdf](#)

Minutes:

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

The Chairman opened a public hearing; no one spoke.

Motions:

(1) Approve the mediated settlement with the landowners, James and Robbie Boatwright, in the total amount of \$191,847; (2) authorize payment in the amount of \$67,747 to the law firm of Bella Y. Patel, P.A. on behalf of the owners; and (3) authorize the County Attorney or outside counsel to bring this litigation to a close with the entry of a Stipulated Final Judgment with the landowners. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

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)

16. [Report on Housing & Neighborhood Development's Affordable Housing Specifications.](#)

Minutes:

County Manager Mike Herr said the Polk County Builders Association (PCBA) notified him that the County is currently requiring eight building specifications for construction of its Affordable Housing units which exceed the Florida Building Code and these specifications add between \$5,850.00 and \$8,000.00 to the cost of an Affordable Home. He stated Building Department staff has investigated the issue and has determined that the information presented by PCBA was correct. He stated staff recommends that the County continue to require Specification Nos. 3 and 6, but no longer require the other six specifications. He stated these two specifications have to do with energy conservation which will save the homeowners on electric bills. He asked for the Board's concurrence. Discussion followed.

Upon question, Jim Legee, Building Division, stated Polk County has adopted the Florida Building Code, and homes built to this Code will be cost efficient. He said there will be no substantial cost benefit in building to a higher standard. He said the Affordable Housing Advisory Council (AHAC) has been apprised of the items which will no longer be required.

Director of Human Services Dr. Elba Cherry stated while the AHAC did not formally vote on removing these six items, it is in agreement with staff's recommendations.

Upon question, Interim Director of Housing and Neighborhood Development Greg Alpers stated Energy Star equipment is used in the County's Affordable Homes. He explained that the money for these homes comes from SHIP funds.

Dr. Cherry said the cost of building these Affordable Homes will be less using these less restrictive standards; thus the final cost of the homes will be less.

Mr. Bona, PCBA, said he is proud of the County for agreeing to make these changes. He said Polk County has the finest Building Department in the State of Florida. He said eliminating these specifications will allow additional Affordable Housing units to be built for those who need them in the County.

Motions:

Approve continuing to require Specifications No. 3 and 6 and no longer require the remaining six specifications which exceed the Florida Building Code for Affordable Housing. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

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

17. [Adopt Resolution for the Appropriation of \\$32,000.00 as Local Participation in Support of Colorado Boxed Beef Company's Qualified Target Industry \(QTI\) Tax Refund.](#)

Attachment: [CBBC_QTI_Approval.pdf](#)

Attachment: [CBBC_Resolution.pdf](#)

Minutes: County Manager Mike Herr reviewed the proposed Resolution and recommended approval.

Motions:

Adopt Resolution No. 09-079 approving \$32,000.00 as local participation in support of Colorado Boxed Beef Company's QTI Tax Refund. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

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

18. [Resolution adopting a Substantial Change to the FY 2008-2009 Consolidated Action Plan for the 2009 Recovery Act Grant Funding.](#)

Attachment: [2008 2009 Action Plan.pdf](#)

Attachment: [Proposed Budget.pdf](#)

Minutes:

Interim Director of Housing and Neighborhood Development Greg Alpiers recommended approval.

Motions:

Adopt Resolution No. 09-080 adopting a Substantial Change to Fiscal Year 2008-2009 Action Plan, and authorize the Polk County Housing and Neighborhood Development (HND) Division to transmit the Plan to the United States Housing and Urban Development (U.S. HUD). - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

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

116. [Authorize the public sale of 13 County owned mobile homes](#)**Minutes:**

County Manager Mike Herr explained the normal process for selling County-owned property is to authorize the sale to the highest bidder or bidders at or above the minimum bid value, and authorize the Chief Right-of-Way Agent to execute the documents on behalf of the County to provide for the title exchange. He stated the City of Auburndale is interested in acquiring two of these mobile homes to be placed on or around the Lake Myrtle Complex. He asked for Board direction on the request.

Chief Right-of-Way Agent Wade Allen recommended that as they come vacant, the Board authorize these 13 County-owned mobile homes from the Kathleen Road Phase II Road Widening Project to be placed on Purchasing Division's Surplus list and/or donate two of them to the City of Auburndale. He explained that the winning bidders are responsible for moving and permitting the mobile homes. He stated removing these mobile homes will allow the County to clear its right-of-way and lessens the expense of clearing the right-of-way for the roadway project.

He restated the staff recommendation as follows: Declare the 13 mobile homes surplus, authorize the transfer of title, at no cost to the City of Auburndale, of two of the manufactured homes, and authorize the public sale of the remaining 11 mobile homes to the highest bidder or bidders at or above minimum bid value and authorize the proceeds from the sale to be deposited in the 317 Road Projects Fund for the future use of road projects, and approve the Chief Right-of-Way Agent to execute the documents.

Upon question, Mr. Allen stated the minimum bid is expected to be \$1,500.00 per trailer.

Discussion followed

Motions:

Donate two homes to the City of Auburndale and then sell the remaining eleven as outlined by the Chief Right-of-Way Agent. - PASS

Vote Results

Motion: Bob English

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

19. [Comments.](#)

Minutes:

Jeff Hancock read a statement regarding federal violations to Article 14 and 5 of the Bill of Rights by Sheriff Grady Judd for the purpose of garnering votes. He said he would like to meet with Commissioners Reed and Smith regarding this issue since they were not in office when the incident occurred.

County Attorney Michael Craig stated a civil law suit is currently pending which brings into play the County's and Constitutional Officers insurance pool. He said in his opinion it is inappropriate for the Commissioners to meet with someone whose family member has an outstanding legal case.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)

20. [Comments.](#)

Minutes: Commissioner English stated he has nothing to discuss today.

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

21. [Comments.](#)

Minutes:

Commissioner Wilkinson discussed the "tea party" demonstration held recently in Bartow regarding no new taxes. He said there is a growing number of the population taking an active interest in government.

Commissioner Wilkinson discussed several recent newspaper articles regarding government budget trends and property tax revenue for 06/07, 07/08, 08/09 and 09/10.

Commissioner Wilkinson discussed the drop in the number of building permits issued as well as the total adopted budgets from 1997 to 2009. He also discussed taxes budgeted by object number from 2003 to 2009 and the plan for 2010.

At a time later in the meeting County Manager Mike Herr responded to Commissioner Wilkinson's earlier question with respect to an article in The Ledger. He said Commissioner Wilkinson asked if the 1 Mill for Roads, Libraries MSTU and Parks MSTU were included in the figure for 2008/2009 of \$185.1 million and 2009/2010 for \$166.6 million. He said the answer is no.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

22. [Comments.](#)

Minutes: Commissioner Smith stated he has nothing to discuss today.

M. COMMISSIONER DISTRICT 4 (JEAN REED)

23. [Comments.](#)

Minutes:

In response to Commissioner Reed's question as to whether the Board of Adjustment is

having trouble getting a quorum for its meetings, County Attorney Michael Craig stated there were some openings on this Board, making it hard to assemble a quorum. He reported that the open positions have now been filled.

Commissioner Reed asked if the Board wants to take a stand on library funding by sending a letter to the Legislature emphasizing how the elimination of State funds for libraries will affect this community and supporting State aid for libraries.

Director of Communications and Legislative Affairs Cindy Rodriguez stated the County's advocacy team in Tallahassee has been working on this issue. She said as of today, the Senate version of the funding for libraries prevailed. She reported that funding for libraries was cut, and on the local level, libraries may face budgetary adjustments. She stated this Board has consistently advocated for either consistent funding or enhanced funding for libraries.

Commissioner Reed asked Ms. Rodriguez to draft a letter of support to Senator Alexander for the Board's consideration later in the meeting.

Commissioner Reed asked the status of free market insurance and Ms. Rodriguez stated she will check on that issue and report back.

Ms. Rodriguez stated she has drafted a sample letter in support of Polk County's Charter County Transit Surtax legislation.

Commissioner Reed asked about funding for the colleges, and Ms. Rodriguez stated that is still in budget negotiations.

There was discussion on the DROP, and Ms. Rodriguez stated she believes the DROP program remains intact in this year's State budget.

Commissioner Reed said the purpose statement on the Energy program passed by the Board at the last meeting was to assist eligible entries in implementing strategies that maximize benefits for local and regional communities. She asked for an interpretation of that purpose.

In response, County Manager Mike Herr said the State is not advocating any particular system; rather innovative concepts are being endorsed. He said the County has systems which are very costly to maintain and an energy audit will identify various types of technology. He said the County has selected projects which are eligible to receive stimulus dollars. Discussion followed.

Director of Facilities Management Terry Pittman referenced a report authored by the Executive Director of National Association of Counties (NACO) pertaining to the overall American Reinvestment and Recovery Act which has to do with stimulus dollars. He mentioned specific projects by counties in various states which are included in this NACO report. He said the projects identified by Polk County for these stimulus dollars will create or retain jobs and all will be in full compliance with the grant application.

Sylvia Carson, concerned citizen, said the final decision on the stimulous dollars has not yet been made; therefore, she feels it is premature for the Board to specify projects for these dollars. She said the stimulous dollars are to be used for saving citizens money. She said the system she is proposing can be adapted to existing air conditioning systems

and does not cost a lot of money. She said it addresses quality air, saves energy, and filters outside air by purging bad air and cooling attics. She emphasized that this system is not just suited to County buildings; it will bring jobs to the air conditioning industry.

Mr. Carson discussed the technical analysis of this energy saving system. He asked for a full hearing before the Board so it can look at alternatives for the grant money. He said it will impact the whole community and have a lasting effect.

Commissioner Reed stated she would like to form a "Green Council" or a committee to give suggestions and recommendations on environmentally friendly building.

Upon question, Mr. Pittman said the existing performance contract details the energy use.

Commissioner Reed asked the County Attorney to begin the process to get a Green Committee started and present the purpose and parameters in a Resolution for Board consideration.

There was discussion on the County's current energy equipment and Commissioner Wilkinson outlined additional information he wants regarding the energy audit and the current equipment before the project is started to tether down the figures so that if the County gets the grant, it can be determined how effective it is going to be.

Mr. Pittman stated he will provide that information to the Board.

Following discussion, Chairman Johnson stated by the next Board Meeting County Attorney Michael Craig will prepare an item for Board consideration regarding forming a Green Committee.

Commissioner Reed reported that yesterday she attended the Say No to Drugs 5th Grade Assembly. She stated last weekend she went to the TPO/NPO conference in Tampa and it was very informative.

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON, CHAIR)

24. [Comments.](#)

Minutes:

Chairman Johnson stated he went to Annie Roberts Elementary School last week for a patriotic choral presentation.

He asked the Commissioners come to the next Board Meeting prepared to make their appointments to the Charter Review Commission.

O. LAY BOARD APPOINTMENTS

25. [Reappoint Samuel L. Garber to the Contractor Licensing Board.](#)

Attachment: [Samuel L. Garber Bio.pdf](#)

Minutes:

Chairman Johnson asked the County Attorney if the Lay Board appointments and reappointments can be done all at once.

County Attorney Michael Craig stated yes, if the motion incorporates all of them at the same time.

Motions:

Approve all Lay Board appointments including the following: Re-appoint Samuel Garber to the Contractor Licensing Board for a three-year term expiring December 31, 2011. Appoint Larry Fairchild to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Timothy Jackson to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Mike LaPan to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Robert F. Lusa, Jr. to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Michael A. Micallef, Jr. to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Dr. Alice Murray to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Joe Ouellette to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Jane Patton to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Anthony Rodriguez to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Edna B. Rohland to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Mark Thomas to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Erlinda Rada-Pilkington to the Workforce Development Board for a three-year term beginning May 6, 2009 Appoint Steven hall to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Colleen

- PASS

Burton to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Dr. Eileen Holden to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Rebecca Rodgers to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Edith Tienchen to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Phillip E. Walker to the Workforce Development Board for a three-year term beginning May 6, 2009 Re-appoint Laura L. Taylor to the Workforce Development Board for a three-year term beginning May 6, 2009

Vote Results

Motion: Randy Wilkinson

Second: Bob English

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

26. [Appoint James Barnes, Business Manager, International Brotherhood of Boilermakers, to the Workforce Development Board.](#)

Attachment: [James Barnes Bio.pdf](#)

Minutes:

See item No. 26 - One vote taken affirming all Lay Board Appointments.

27. [Appoint Larry Fairchild, General Manager, Packaging Corporation of America to the Workforce Development Board.](#)

Attachment: [Larry Fairchild Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

28. [Appoint Timothy Jackson, Chief Operating Officer, Nujak Companies, to the Workforce Development Board.](#)

Attachment: [Timothy Jackson Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

29. [Appoint Mike LaPan, Director, The Lakeland Center, to the Workforce Development Board.](#)

Attachment: [Mike LaPan Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

30. [Appoint Robert F. Lusa, Jr., Treasurer, R. F. Lusa & Sons Sheetmetal, Inc., to the Workforce Development Board.](#)

Attachment: [Robert Lusa Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

31. [Appoint Michael A. Micallef, Jr., President, Chief Executive Officer, Community Southern Bank, to the Workforce Development Board.](#)

Attachment: [Michael Micallef Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

32. [Appoint Dr. Alice Murray, Associate V.P. Campus Planning & Facilities Operations, University of South Florida Polytechnic, to the Workforce Development Board.](#)

Attachment: [Alice Murray Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

33. [Appoint Joe Ouellette, Director of Administration, ALDI, Inc., to the Workforce Development Board.](#)

Attachment: [Joe Ouellette Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

34. [Appoint Jane Patton, President, Haines City-Northeast Polk County Regional Chamber of Commerce, to the Workforce Development Board.](#)

Attachment: [Jane Patton Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

35. [Appoint Anthony Rodriguez, Human Resources Director, The Ledger Publishing Company, to the Workforce Development Board.](#)

Attachment: [Anthony Rodriguez Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

36. [Appoint Edna B. Rohland, Community Affairs Manager, Bright House Networks, to the Workforce](#)

Development Board.

Attachment: [Edna Rohland Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

37. [Appoint Mark Thomas, Senior Consultant, Blackmon Roberts Group, to the Workforce Development Board.](#)

Attachment: [Mark Thomas Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

38. [Appoint Erlinda Rada-Pilkington, Director of Physician, Community and Government Relations, Heart of Florida Regional Medical Center, to the Workforce Development Board.](#)

Attachment: [Erlinda Rada-Pilkington Bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

39. [Appoint Steven Hall, Business Representative, International Union of Painters & Allied Trades, to the Workforce Development Board.](#)

Attachment: [Steven Hall Nomination Form.pdf](#)

Attachment: [Steven Hall bio.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

40. [Reappoint Colleen Burton, Executive Director, Polk Vision, Inc. to the Workforce Development Board.](#)

Attachment: [Colleen Burton.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

41. [Reappoint Dr. Eileen Holden, President, Polk Community College, to the Workforce Development Board.](#)

Attachment: [Eileen Holden.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

42. [Reappoint Rebecca Rodgers, Campus President, Keiser University - Lakeland Campus, to the Workforce Development Board.](#)

Attachment: [Rebecca Rodgers.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

43. [Reappoint Edith Tiencken, President, Staff Builders, Inc., to the Workforce Development Board.](#)

Attachment: [Edith Tiencken.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

44. [Reappoint Phillip E. Walker, Agency Principal, Phillip E. Walker/Allstate Insurance Co., to the Workforce Development Board.](#)

Attachment: [Phillip Walker.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all Lay Board Appointments.

45. [Reappoint Laura L. Taylor, Assistant Director, Lakeland Economic Development Council, to the Workforce Development Board.](#)

Attachment: [Laura Taylor.pdf](#)

Minutes: See item No. 26 - One vote taken affirming all 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

46. [Consider a Petition from John C. Husted and Richard D. Orrock to adopt a Resolution to vacate the easterly and southerly portions of a 15-foot easement reserved for public highway purposes, near Lake Wales.](#)

Attachment: [05 06 09 PH_Esmt_HustedOrrock_Backup.pdf](#)

Minutes:

Wade Allen, Chief Right-of-Way Agent, reviewed the staff report noting that there were no objections to the closure. He showed slides of the area and stated that staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-081 to vacate the easterly and southerly portions of the 15-foot easement reserved for public highway purposes, - PASS as fully described in the legal description attached to the Petition.

Vote Results

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

47. [Consider a petition from the Senior Kerns Family Trust to adopt a Resolution to vacate the southerly portion of a 15-foot easement reserved for public highway purposes, near Lake Wales.](#)

Attachment: [05 06 09 PH_Esmt_KernsFamilyTrust_Backup.pdf](#)

Minutes:

Wade Allen, Chief Right-of-Way Agent, reviewed the staff report noting that there were no objections to the closure. He showed slides of the area and stated that staff recommends approval. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-082 to vacate the southerly portion of the 15-foot easement reserved for public highway purposes, as fully described in the legal description attached to the Petition. - PASS

Vote Results

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

48. [By Board's own motion, adopt a Resolution to vacate maintained, right-of-way known as Mullinsville Church Road, near Frostproof.](#)

Attachment: [05 06 09 PH_MullinsvilleChurchRd_Backup.pdf](#)

Minutes:

Wade Allen, Chief Right-of-Way Agent, reviewed the staff report noting that there were no objections to the closure. He showed slides of the area and stated that staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-083 to vacate maintained, right-of-way known as Mullinsville Church Road, as fully described in the legal description attached to the petition. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

49. [NCU 08 01 Rosalie Marina Legal Non Conforming Use Appeal.](#)

Attachment: [NCU 08 01 Determination.pdf](#)

Attachment: [NCU 08 01 Appellant Statement.pdf](#)

Minutes:

Michael Craig, County Attorney, reviewed the procedures for public hearings. He swore in those present wishing to speak.

Chandra Frederick, Director of Land Development, reviewed the Non-Conforming Use Determination and gave background information. She said the applicant is John Kniffen, Lake Rosalie Marina, Inc. She showed slides of the general vicinity and site specific slides, and reported that the Determination has been appealed by Jonathon Thiele, attorney representing Russ and Gloria Tullis, appellants. Discussion followed.

Jonathon Thiele said he is an attorney representing Russ and Gloria Tullis, the appellants. He said the Tullis' live at the bend in the canal and have lived there for 42

years. He said airboats are very regulated by Polk County. He addressed the regulations. He said the Determination lists an airboat tour operation as a continuation and incidental expansion of the non-conforming use. He mentioned the number of times the tour boats travel up and down the canal. He showed a video of a tour boat through the canal. He said his clients want the Board to change the decision made in the determination because the use is an intensification of noise and traffic. Discussion followed.

The Chairman opened a public hearing.

John Kniffen said he is the applicant. He said there are 2.2 tours a day average; he said 5 is the most that can be done in a day. He said the tour boat operator breaks no laws in the running of his boats. He said if he loses another tenant, he will lose his business. He said airboater organizations clean up the lake; no other organization does.

Don Jones said he lives on Camp Roosalie Road and he owns Camp Rosalie. He discussed running of airboats. He said most airboats have one or two people, but the tour boat holds more people which uses more power and makes more noise. He said it is the noise that bothers him. He said the crane nests are being destroyed when the tour boat takes off.

Fred Nightlayers said he used to run an airboat. He said the tour boat has been made as quiet as possible. He said the video volume was turned up loud. He said airboats have been there a long time.

Bob Taylor said he lives close to the marina. He said the sound doesn't bother him and there is no disturbance.

Daniel Gonzales said the peace and quiet of the neighborhood has been interrupted by the tour boats.

Marvin Lock said he lives on the marina. He said the marina was all grown up but since Mr. Kniffen bought the property, it has been cleaned up. He said the airboat tours do not bother him.

Rick Fields said he finds airboats to be extremely obnoxious, especially the noise. However, he said, everyone needs to be tolerant. He said we're talking about something quite different with the airboat tours, and the noise is ear-splitting.

Josh Coleman said he lives in the area and he spoke in support of the marina.

Wayne Nightlinger said he is the owner of Captain Fred's. He explained how many trips he had for each month since January. He said the maximum is five per day, and he does this by appointment only. He said the tour takes one and a half hours. Discussion followed.

Dale Mitchell said he manages an RV park adjacent to the canal. He said he depends on tourists. He said he has no objections to the airboats. He said in the video, the boat was no louder than the people talking.

Jerry Robertson said he lives on the other side of the lake. He said he has eagles on his property and the tour boats chased the eagles away because the driver comes too close.

He said airboats are loud and the tour boat is exceptionally loud.

Jerry Metzger said he has lived on Lake Rosalie for 20 years. He said Lake Rosalie is a certified airport. He said airplanes on water are noisy, just like airboats.. He said the quality of life on Lake Rosalie is nice.

Jerry Harvey said there have been a lot of exaggeration on both sides today. He said airboats are noisy. He said the tour boat is very noisy.

Russ Tullis said he is the culprit that started all this. He said he is not in favor of airboats on the canal. He would like to see the tours removed from the canal.

The Chairman closed the public hearing.

Mr. Theile spoke in rebuttal to the comments of others.

Motions:

Uphold NCU 08-01, Rosalie Marina, as issued by the Land Development Director. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Aye

Randy Wilkinson - Aye

50. [LDC 09T-15 \(Plaza Signs\) to consider the Adoption of an Ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 15 Ordinance.pdf](#)

Attachment: [LDC 09T 15 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, stated that this is the first of two public hearings. He said the second hearing is scheduled for May 20, 2009. He reviewed the staff report and showed slides. He said the Planning Commission and staff recommend approval.

The Chairman opened a public hearing.

Pete Bell, Land Planner with Ridge Professional Group, said he represents the applicant. He said staff did a good job in coming up with a solution to this problem. Discussion followed.

The Chairman closed the public hearing.

51. [LDC 09T-13 \(Nomenclature Change\) to consider the Adoption of an Ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 13 Ordinance.pdf](#)

Attachment: [LDC 09T 13 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, stated this is a staff-initiated request. He said today is the first hearing, and the second hearing is scheduled for May 20, 2009.

Mr. Bohde reviewed the proposed changes which, he said, reflect the changes to the Board's organizational chart. He said the Planning Commission and staff recommend approval.

The Chairman opened a public hearing; no one spoke.

52. [LDC 09T-09 \(RS Multifamily Reference\) to consider the Adoption of an Ordinance amending the Land Development Code.](#)

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

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

Minutes:

John Bohde, Land Development, stated this is a staff initiated request to delete the reference to multi-family and add single-family in the Residential Suburban land use district. He said the Planning Commission and staff recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No. 09-018 adopting LDC 09T-09 (RS Multifamily Reference) - 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

53. [LDC 09T-10 \(Conditional Use Definition\) to consider the Adoption of an Ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 10 Ordinance.pdf](#)
Attachment: [LDC 09T 10 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, reviewed the staff report noting that this is an amendment to add a definition for Conditional Use. He reviewed the proposed definition noting that the Planning Commission and staff recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No. 09-019 adopting LDC 09T-10 (Conditional Use Definition). - PASS

Vote Results

Motion: Edwin Smith
Second: Randy Wilkinson

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

54. [LDC 09T-11 \(Scrivener's Error\) to consider the Adoption of an Ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 11 Staff Report.pdf](#)
Attachment: [LDC 09T 11 Ordinance.pdf](#)

Minutes:

John Bohde, Land Development, reviewed the staff report noting that this amendment is to correct scrivener's errors, which she enumerated. He said that the Planning Commission and staff recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No. 09-020 adopting LDC 09T-11 (Scrivener's Error). - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

55. [LDC 09T-08 \(Waivers\) to consider the Adoption of an ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 08 Ordinance.pdf](#)

Attachment: [LDC 09T 08 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, reviewed the staff report. He said this proposed amendment is to clarify who has the authority to grant waivers and to clarify and codify the approval process for waivers. He said the Planning Commission and staff recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No. 09-021 adopting LDC 09T-08 (Waivers). - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

56. [Removal of equipment from inventory as listed on Blanket Removal form 1834.](#)

Attachment: [Blanket Removal Form 1834.pdf](#)

57. [Approve Satisfaction of Assessment Lien for Lois Jean Leslie.](#)

Attachment: [Satisfaction-Leslie.pdf](#)

58. [Southwest Florida Water Management District's Comprehensive Annual Financial Report \(CAFR\) for fiscal year ended September 30, 2008.](#)

59. [Report No. 2009-183, Polk Community College Financial Audit for Fiscal Year June 30, 2008.](#)

60. [Minutes of Polk County Industry Community Advisory Panel of March 24, 2009.](#)

61. [Fiscal Year 2009-2010 Budget for Saddle Creek Community Development District.](#)

62. [Minutes of the Board of Supervisors of the Golden Lakes Community Development District dated November 11, 2008.](#)

63. [List of Lands Available for taxes.](#)

Attachment: [Lands Available for Taxes 041609.pdf](#)

COUNTY ATTORNEY

64. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 128 and Easement Parcel 807.](#)

Attachment: [AddIRW CR37B Saxena Backup.pdf](#)

Attachment: [050609 CoAtty AddIRW CR37B Saxena Fiscal Impact.pdf](#)

65. [Additional Right-of-Way for Ewell Road at Yates Road Intersection, Parcel 101 and TCE Parcel 701.](#)

Attachment: [050609 CoAtty AddIRW Ewell at Yates Zebendon Fiscal Impact.pdf](#)

Attachment: [050609 CoAtty AddIRW Ewell at Yates Zebendon Backup.pdf](#)

66. [SET HEARING DATE to consider Petitions to vacate rights-of-way in Florida Development Co. Tract and Subdivision of Blocks 5, 13 and 17, Homeland, Polk County, Florida. \(Suggested hearing date: May 20, 2009, at 1:30 p.m.\)](#)

67. [Utility Easement to the City of Bartow.](#)

Attachment: [050609 CoAtty UtilityEsmt SmithLn FiscalImpact.pdf](#)

Attachment: [050609 CoAtty Utility Esmt SmithLn Backup.pdf](#)

68. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 114 Easement Interest.](#)

Attachment: [050609 CoAtty AddIRW CR37B Boro HOA Fiscal Impact.pdf](#)

Attachment: [050609 CoAtty AddIRW CR37B Boro HOA Backup.pdf](#)

69. [Additional Right-of-Way for Ernie Caldwell Boulevard Phase I, Parcels 103B and 804.](#)

Attachment: [050609 CoAtty Addl RW ECBlvdPh1 Pcl 103B 804 Backup.pdf](#)

Attachment: [050609 CoAtty Addl RW ECBlvdPh1 Pcl 103B 804 Fiscal Impact.pdf](#)

70. [Approve Supplemental Utility Easement with Progress Energy.](#)

Attachment: [5 6 09 Progress Energy Easement.pdf](#)

Attachment: [Progress Energy Easement backup.pdf](#)

71. [Agreement to transfer ownership, maintenance and liability responsibility for Providence Road to the City of Lakeland.](#)

Attachment: [050609 CoAtty Road Transfer Providence Road Backup.pdf](#)

Attachment: [050609 CoAtty Road Transfer Providence Rd Fiscal.pdf](#)

72. [Accept an Instrument for additional right-of-way as requested through the Development Review Process.](#)

Attachment: [050609 CoAtty DRC CR555 Mosaic Backup.pdf](#)

Attachment: [050609 CoAtty DRC CR555 Mosaic Fiscal.pdf](#)

73. [Right-of-Way Purchase for Harden Boulevard Improvement Project, Parcel 105.](#)

Attachment: [AddIRW Harden Blvd Pcl 105 Sosa Fiscal Impact.pdf](#)

Attachment: [AddIRW Harden Blvd Pcl 105 Sosa Backup.pdf](#)

74. [Right-of-Way Purchase for Harden Boulevard Improvement Project Parcels 100 and 700.](#)

Attachment: [CoAtty AddlRW HardenBlvd Pcl 100-700 Laporte Backup.pdf](#)

Attachment: [CoAtty AddlRW HardenBlvd Pcl 100-700 Laporte Fiscal.pdf](#)

75. [Right-of-Way Purchase for Harden Boulevard Improvement Project Parcel 111.](#)

Attachment: [AddlRW Harden Blvd Pcl 111 Rodriguez Backup.pdf](#)

Attachment: [AddlRW Harden Blvd 111 Rodriguez Fiscal Impact.pdf](#)

76. [Record Maintained Right-of-Way Map for Hinson Avenue at 30th Street.](#)

Attachment: [050609 CoAtty MROW 30th Hinson Backup.pdf](#)

Attachment: [050609 CoAtty MROW Hinson Ave 30th St Fiscal.pdf](#)

77. [SET HEARING DATE to consider Petition to vacate a portion of a platted utility easement in Leisure Shores Subdivision. \(Suggested hearing date: June 3, 2009, at 1:30 p.m.\)](#)

78. [Donation of additional right-of-way to the City of Auburndale for improvements to Lake Myrtle Park Drive and to convey the right-of-way by means of a County Deed.](#)

Attachment: [050609 Crown Road Transfer Backup.pdf](#)

Attachment: [050609 Crown Road Transfer FiscalImpact.pdf](#)

79. [Authorize the Public Sale of 13 County owned mobile homes from the Kathleen Road Phase II Road Widening Project to the highest bidder.](#)

Attachment: [050609 CoAtty Surplus Public Kathleen Rd Ph 2 MHs Backup CP.pdf](#)

Attachment: [050609 CoAtty Surplus Public Kathleen Rd Ph 2 MHs Fiscal Impact CP.pdf](#)

80. [SET HEARING DATE to consider Petition to vacate a portion of a platted utility and drainage easement in Poinciana Neighborhood 3 South, Village 7. \(Suggested hearing date: June 3, 2009, at 1:30 p.m.\)](#)

81. [Right-of-Way purchase for Garden Grove Drainage, Tax ID Number 352826-662500-000746.](#)

Attachment: [050609 CoAtty AddlRW Garden Grove Dierker Backup.pdf](#)

Attachment: [050609 CoAtty AddlRW Garden Grove Dierker Fiscal.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

82. [Revenue Sharing Agreement with Polk County, the City of Auburndale and Florida Youth Soccer Association.](#)

Attachment: [Lake Myrtle Agreement Revenue Sharing.pdf](#)

Attachment: [Lake Myrtle Revenue Sharing-Pink Purple.pdf](#)

ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

83. [Interlocal Agreement between Polk County and the Polk County Workforce Development Board, Inc.](#)

Attachment: [Interlocal Agreement.pdf](#)

ENVIRONMENTAL RESOURCES

84. [Amendment to the Utilities Five-Year Expansion Community Investment Program \(CIP\) budget and the Utilities Five-Year Renewal and Replacement CIP budget, and correction of Scrivener's Errors in agenda item approved by Board on January 21, 2009.](#)

Attachment: [BudgetAmendApproval.pdf](#)

Attachment: [BudgetAmendAttAandB.pdf](#)

Attachment: [BudgetRevJournal.pdf](#)

85. [Approval of Settlement Agreement with Infrastructure Services, Inc., doing business as Water Company of America.](#)

Attachment: [WCA Agenda Approvals.pdf](#)

Attachment: [WCA Attachment A Spreadsheet.pdf](#)

Attachment: [WCA Agreement Contract.pdf](#)

GROWTH MANAGEMENT

86. [SET HEARING DATE to consider transmittal of CPA 09DRI-01 and associated ordinances \(A/RR to PM\). \(Suggested hearing date: May 20, 2009, at 1:30 p.m.\)](#)

87. [SET HEARING DATE to consider a Notice of Proposed Change \(NOPC 09-01\) to the South Fort Meade Mine Development of Regional Impact \(DRI\). \(Suggested hearing date: May 20, 2009, at 1:30 p.m.\)](#)

88. [SET HEARING DATE to consider the adoption of an Ordinance \(LDC 09T-17\) amending Section 930, Variances and Special Exceptions, of the Land Development Code. \(Suggested hearing dates: May 20, 2009 and June 3, 2009\)](#)

89. [Drayton Preston Woods at Providence Parcels A,B and C Subdivision Re-Plat Conditional Approval.](#)

Attachment: [Drayton Preston Replat.pdf](#)

90. [Tierra Del Sol Subdivision Surety Renewal.](#)

Attachment: [Tierra Del Sol.pdf](#)

HUMAN SERVICES

91. [Contract amendment between the Board and Pro Tech Monitoring, Inc. to allow the lease of new active and passive electronic monitoring equipment; decrease daily cost of active equipment; and increase allowance towards replacement equipment.](#)

Attachment: [ProTechContractAmend.pdf](#)

92. [Approve the Edward Byrne Memorial Justice Assistance Grant Program Certificate of Participation, between the Board and the Florida Department of Law Enforcement, agreeing for the Board to serve as the coordinating unit of government for allotment of American Recovery and Reinvestment Act funds designated for Polk County.](#)

Attachment: [FDLE Certificate of Participation.pdf](#)

93. [Amendment 003 2008/2009 Home Care for the Elderly HCE-08/09-POLK.](#)

Attachment: [Amend 003 HCE 08-09.pdf](#)

94. [HOME Investment Partnership Down Payment Assistance Program Satisfactions of Mortgage and Security Agreements for the families listed.](#)

Attachment: [HOME DPA Sat 5609.pdf](#)

95. [State Housing Initiatives Partnership \(SHIP\) Program Satisfactions of Mortgage and Security Agreements for the families listed. These families were assisted by the SHIP Down Payment Assistance Program.](#)

Attachment: [SHIP DPA Sat 5609.pdf](#)

96. [State Housing Initiatives Partnership \(SHIP\) Program Satisfaction of Rehabilitation/Reconstruction Lien Agreement and Promissory Note for Thelma Reeves, aka Thelma H. Reeves, fka Thelma Graham.](#)

Attachment: [Reeves Thelma 5609 SHIP Sat.pdf](#)

97. [State Housing Initiatives Partnership \(SHIP\) Program Rehabilitation/Replacement Agreements for James Albert Connell and Debra D. Connell.](#)

Attachment: [Connell James 5609 SHIP.pdf](#)

98. [State Housing Initiatives Partnership \(SHIP\) Program Rehabilitation/Replacement Agreements for Maria C. Hernandez, aka Cristina Hernandez, aka Maria Christina Hernandez.](#)

Attachment: [Hernandez Maria 5609 SHIP.pdf](#)

99. [HOME Rehabilitation/Replacement Agreements for Clarence Whitfield, aka Clarence Willie Whitfield.](#)

Attachment: [Whitfield Clarence 5609 HOME.pdf](#)

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

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

101. [HOME Rehabilitation/Replacement Agreements for Haze Blissett, aka Haze B. Blissett, aka Haze Bernard Blissett and Evelyn Jones Chadwick.](#)

Attachment: [Blissett Haze 5609 HOME.pdf](#)

102. [Order Rescinding Demolition Lien.](#)

Attachment: [05-06-09 Release of Order Imposing Lien.pdf](#)

103. [Grant application for 21st Century Community Learning Centers Program.](#)

Attachment: [Proposal to Board Walker revision.pdf](#)

Attachment: [21st CCLC Grant Narrative 2009-10.pdf](#)

Attachment: [Polk 21st CCLC Funding Request Winter Haven Area.pdf](#)

Attachment: [Appendix D_2.pdf](#)

Attachment: [100A Project Application.pdf](#)

Attachment: [Appendix D_1.pdf](#)

Attachment: [Polk 21st CCLC Funding Request Haines City area.pdf](#)

Attachment: [Polk 21st CCLC Funding Request Lake Wales area.pdf](#)

104. [Hurricane Housing Recovery \(HHR\) Program Rehabilitation/Reconstruction Agreements for George H. Berrien.](#)

Attachment: [Berrien George 5609 HHR.pdf](#)

105. [State Housing Initiatives Partnership \(SHIP\) Program Rehabilitation/Replacement Agreements for Elizabeth Gordon.](#)

Attachment: [Gordon Elizabeth 5609 SHIP.pdf](#)

106. [Approve Amendment 001 2009/2010, Emergency Home Energy Assistance for the Elderly Program \(EHEAP\).](#)

Attachment: [Amend 001 EH-09-10-POLK.pdf](#)

PUBLIC WORKS

107. [Adopt Resolution setting Parking Restrictions on Crystal Lake Drive North and Mount Airy Avenue \(near Lakeland\).](#)

Attachment: [Parking Restrictions Crystal Lake Drive North.pdf](#)

Attachment: [Parking Restructions Fiscal Impact.pdf](#)

Attachment: [Parking Restrictions Request for Legal Services.pdf](#)

Attachment: [Resolution for Parking Restrictions.pdf](#)

Attachment: [Parking Restrictions Mount Airy Avenue.pdf](#)

108. [Modification No. Three to CSA No. 03-94-12 with Furr & Wegman Architects, PA for a total cost not to exceed \\$79,000.00 for additional design services at the Polk County Public Safety Complex.](#)

Attachment: [09 0506 PSC CSA Mod 3 FWA CSA appr.pdf](#)

- Attachment: [09 0506 PSC CSA Mod 3 FWA map.pdf](#)
- Attachment: [09 0506 PSC CSA Mod 3 FWA Oracle.pdf](#)
- Attachment: [09 0506 PSC CSA Mod 3 FWA purple.pdf](#)
- Attachment: [09 0506 PSC CSA Mod 3 FWA PW FI .pdf](#)
- Attachment: [09 0506 PSC CSA Mod 3 FWA Contract.pdf](#)

109. [Lease extensions to the leases between the Board and Babson Park \(Lease No. 107-2\), Grape Hammock \(Lease No. 107-3\) and Willow Oak \(Lease No. 107-9\) Volunteer Fire Departments \(the "Lessors"\) to lease buildings for use by Polk County Fire Services to house personnel and equipment.](#)

- Attachment: [09 0506 Lease 107s Vol Fire Depts PW FI .pdf](#)
- Attachment: [09 0506 Lease 107s Vol Fire Depts contracts w maps.pdf](#)
- Attachment: [09 0506 Lease 107s Vol Fire Depts fisc appr.pdf](#)
- Attachment: [09 0506 Lease 107s Vol Fire Depts lgl.pdf](#)
- Attachment: [09 0506 Lease 107s Vol Fire Depts Oracle.pdf](#)

110. [Adopt Resolution setting Speed Limit on Myrtlewood Drive \(near Lakeland\).](#)

- Attachment: [Speed Limits Request for Legal Services.pdf](#)
- Attachment: [Speed Limits Resolution.pdf](#)
- Attachment: [Speed Limits Fiscal Impact.pdf](#)
- Attachment: [Speed Limits Myrtlewood Drive.pdf](#)

SUPPORT SERVICES

111. [Report Bid Award by Purchasing Director for Walker Road Grazing Lease for the Natural Resources Division.](#)

- Attachment: [Walker Road Cattle Grazing Lease.pdf](#)

112. [Report Bid Award by Purchasing Director for Lake Blue Park PH.I Improvements for the Leisure Services Division.](#)

- Attachment: [Bid analysis 09-047-BJS.pdf](#)
- Attachment: [Lake Blue Park Scope of Work.pdf](#)

113. [Selection Committee's recommendation on RFP No. 09-026-MAR , Electrical Contractors for Utilities Electrical Systems Maintenance.](#)

- Attachment: [RFP 09 026 MAR.pdf](#)

114. [Polk HealthCare Plan Provider Agreements.](#)

- Attachment: [John A Cottam MD PA 09 138 RM.pdf](#)
- Attachment: [Advanced Internal Medicine Care 09 136 RM.pdf](#)
- Attachment: [Pulmonary Disease Specialists PA 09 137 RM.pdf](#)

The Chairman adjourned the meeting at 3:45 p.m.