



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

**Motions:**

Elect Jean Reed as Chairperson.	-
---------------------------------	---

**Vote Results**

Motion: Randy Wilkinson  
Second: Jean Reed

**Motion Minutes:** Commissioner Wilkinson withdrew his motion.

3. [Elect a Vice Chairperson.](#)

**Motions:**

Elect Edwin Smith as Vice Chairperson.	- PASS
--	--------

**Vote Results**

Motion: Sam Johnson  
Second: Edwin Smith

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

**Motions:**

Elect Jean Reed as Vice Chairman	-
----------------------------------	---

**Vote Results**

Motion: Randy Wilkinson  
Second: Jean Reed

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

**Motion Minutes:**

Commissioner Wilkinson withdrew his motion.

4. [Resolution authorizing banks to honor and cash warrants signed by new Chairperson and the Clerk, effective November 18, 2009.](#)

Attachment: [EL-RES.pdf](#)

<b>Motions:</b>	
Adopt Resolution No. 09-216 effective November 18, 2009.	- PASS
<b>Vote Results</b>	
Motion: Edwin Smith	
Second: Sam Johnson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

**A. APPROVE CONSENT AGENDA**

- 5. [Approve Consent Agenda.](#)

<b>Motions:</b>	
Approve Consent Agenda.	- PASS
<b>Vote Results</b>	
Motion: Sam Johnson	
Second: Randy Wilkinson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

**B. PRESENTATIONS and RECOGNITIONS**

- 6. [Present service certificates to: Brian Jenkins; Donna Kay-Matlock; Stephen Pugh; Arvel Bradley, Jr.; Cassandra Lewis; Belinda Goins; Mavis Lancaster; Sharon Murphy; Carol Tomlinson; and Robert O'Berry, Jr.](#)

Attachment: [2009BoardPresentionsNovember 17 2009.pdf](#)

**Minutes:** The Board presented certificates to employees who have served the County for 20 or more years.

- 7. [Recognize the Germain Family for being named the 2009 Sunshine State Games Athletes of the Year.](#)

**Minutes:**

The Board recognized the Germain Family for being named the 2009 Sunshine State Games Athletes of the Year for their competition and technical support in the sport of Judo.

Mark Jackson, Director of Sports Marketing, gave background information on the Sunshine State Games, highlighted the economic impact and mission of the Games. He said Polk County has hosted the Summer State Games for three years. He said family competition is growing.

8. [Lakes Access Advisory Committee Chairman, David Hupp, to present a status briefing on Committee activities to date.](#)

Attachment: [LAAC Status Briefing.pdf](#)

**Minutes:**

Lakes Access Advisory Committee (LAAC) Chairman David Hupp reviewed the history and accomplishments of the Polk County Lakes Access Advisory Committee. He recognized the members of the Committee who were present.

Mr. Hupp announced that Lake Juliana will soon have a boat ramp and small park; the acquisition is underway and this project will provide access to Lake Mattie as well as Lake Juliana. He highlighted the Lake Otis project.

Paul Thomas, LAAC member, stated Polk County is the Bass fishing capitol of the State. He said the annual economic value of recreational fishing and boating to Polk County is between \$22 million and \$53 million. He said Polk County sells more resident and non-resident fishing licenses and has more boats per citizen than any other county in Florida.

Mr. Hupp outlined the Lakes Access Grading System. He listed the stakeholders, and discussed outreach efforts to local fishing clubs and community organizations. He said the municipalities give input on potential lake access points.

17. [Consider adoption of a resolution creating the Polk County Lakes Access Advisory Committee as an on-going standing committee with staggered member terms.](#)

Attachment: [resolutionbocclakesaccess.pdf](#)

Attachment: [resolution08057.pdf](#)

**Minutes:** Senior Assistant County Attorney Anne Gibson reviewed the proposed Resolution and recommended approval.

**Motions:**

Adopt Resolution No. 09-217. - PASS

**Vote Results**

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**C. PROCLAMATIONS**

10. [Proclaim November 15-21, 2009 as NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK. Richard Johnson, President of the Homeless Coalition of Polk County, will accept the proclamation.](#)

Attachment: [Hunger and Homelessness Awareness.pdf](#)

**Minutes:**

**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

**Motion Minutes:**

Commissioner Reed stated the Florida Association of Counties has appointed a Technical Advisory Committee to consider homelessness and there has been discussion regarding the desire to have a representative from Polk County serve on this Technical Advisory Committee.

Commissioner Wilkinson stated he would like to be the County's representative to this Committee, and the consensus was to submit Commissioner Wilkinson's name when the Florida Association of Counties meets in December.

11. [Proclaim November 20-26, 2009 as FARM-CITY WEEK. Larry Black, Polk County Farm Bureau President, will accept the proclamation.](#)

Attachment: [Farm City Week.pdf](#)

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

12. [Proclaim November 2009 as EPILEPSY AWARENESS MONTH. The proclamation will be mailed to Epilepsy Services of West Central Florida, Inc.](#)

Attachment: [Epilepsy Awareness.pdf](#)

<b>Motions:</b>	
Issue Proclamation.	- PASS
<b>Vote Results</b>	
Motion: Bob English	
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)**

13. [Disbursements.](#)

Attachment: [11.17.09 Disbursements.pdf](#)

<b>Motions:</b>	
Approve and ratify disbursements.	- PASS
<b>Vote Results</b>	
Motion: Sam Johnson	
Second: Jean Reed	
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye
Bob English	- Aye
Sam Johnson	- Aye

14. [Minutes of Regular Board meeting held on November 4, 2009.](#)

Attachment: [110409Minutes.pdf](#)

<b>Motions:</b>	
Approve minutes.	- PASS
<b>Vote Results</b>	
Motion: Sam Johnson	
Second: Edwin Smith	
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**

15. [Approve \\$6,000,000 payment to Polk County Sheriff from the Sheriff General Fund FYE Funds Returned account for the Integrated System Solution \(ISS\) project.](#)

Attachment: [Sheriff ISS project funds request.pdf](#)  
Attachment: [Sheriff March 2008 Agenda.pdf](#)

**Minutes:** Polk County Sherriff's Chief of Staff Gary Hester outlined the need for the allocation and recommended approval.

<b>Motions:</b>	
Approve the \$6,000,000 payment to the Polk County Sheriff's Office from the Sheriff General Fund FYE Funds Returned account for the Integrated System Solution Project.	- PASS
<b>Vote Results</b>	
Motion: Sam Johnson	
Second: Edwin Smith	
Sam Johnson	- Aye

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

**F. PUBLIC HEARING TO CONSIDER SETTLEMENT**

16. [Public Hearing to consider approval of a settlement in the case of Sean Anthony Nunley vs. Grady Judd, Case No. 2008CA-0010770.](#)

Attachment: [Stipulation.pdf](#)

**Minutes:**

County Attorney Michael Craig reviewed the settlement and recommended approval.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Approve the mediated settlement in the amount of \$75,000. - PASS

**Vote Results**

Motion: Jean Reed

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**G. COUNTY ATTORNEY (MICHAEL CRAIG)**

104. [Announce date and time of Closed Board Meeting.](#)

**Minutes:** County Attorney Michael Craig announced that, in accordance with Chapter 286.011 of the Florida Statutes, the Board of County Commissioners will meet in Closed Session in Room 407 of the Neil Combee Administration Building at 1:00 p.m. today, November 17, 2009, to discuss pending litigation in the case of Polk County v Thiele, et al., Case No. 53-2009CA-006875, Parcels 101 and 705. He listed the names of the persons who may attend this Closed Session.

**H. COUNTY MANAGER (MICHAEL HERR)**

18. [Port Hatchineha Proposed Boat Ramp Fees and Payment Procedure, and RFP for Retail / Restaurant Operations.](#)

Attachment: [EXHIBIT A Proposed Boat Ramp Fees and Payment Procedure.pdf](#)

Attachment: [Exhibit B RFP Document.pdf](#)

**Minutes:**

County Manager Mike Herr recommended approval of the proposed fee schedule, payment procedure and issuance of an RFP for Retail/Restaurant operations.

Parks and Recreation Manager Mike Calendar gave historical information regarding the purchase and the services provided at the Port Hatchineha facility. He outlined the proposed fees and collection procedure. He recommended approval.

Discussion followed and the memers of the Lakes Access Advisory Committee who were in the audience voiced their approval.

**Motions:**

Approve Port Hatchineha boat ramp fees and payment procedure. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:** There was discussion regarding issuance of the RFP

**Motions:**

Approve Port Hatchineha modified RFP for Retail / Restaurant Operations. - PASS

**Vote Results**

Motion: Jean Reed

Second: Edwin Smith

Bob English - Nay

Sam Johnson - Nay

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

19. [Automated Fire and EMS Staffing Program.](#)

Attachment: [TeleStaff License Agreement.pdf](#)

**Minutes:**

County Manager Mike Herr outlined the proposal for an automated system for Fire and EMS staffing and recommended approval.

**Motions:**

Approve Telestaff License Agreement with Principal Decision Systems International (PDSI). - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

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

20. [Proposed Resolution to adopt Board Policy pertaining to the Issuance of Waivers for distribution and consumption of alcohol at specified County recreational facilities.](#)

- Attachment: [policy and procedure.pdf](#)
- Attachment: [Alcohol Waiver Application.pdf](#)
- Attachment: [Alcohol Policy Resolution.pdf](#)
- Attachment: [Waiver checklist.pdf](#)
- Attachment: [quote sheet.pdf](#)
- Attachment: [Board Presentation.pdf](#)

**Minutes:**

Recreation Superintendent Derek Harpe reviewed the facilities which would be eligible for waivers and the proposed Policy. He outlined the application process and recommended approval.

Discussion followed.

**Motions:**

Limit the venue to the Historical Courthouse for a one year trial period, have a bracelet system with a two drink maximum, events should be adequately policed. -

**Vote Results**

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

**Motion Minutes:**

County Attorney Michael Craig stated the Ordinance requires the waiver policy be set out in a Resolution. He said if this is the consensus of the Board, he recommends that staff bring a Resolution addressing the items to the next Board meeting.

Chairman English stated the County Attorney is suggesting that the Board deny this Resolution with instructions for legal staff to bring back another resolution.

Following discussion, Commissioner Wilkinson withdrew his motion and Commissionr Reed withdrew her second.

21. [Letter of Agreement \(LOA\) from Polk County Health Department, Request for Match Funds.](#)

- Attachment: [Polk County 9 5 SFY 0910 LOA.pdf](#)

**Minutes:**

County Manager Mike Herr outlined the Letter of Agreement for matching funds and recommended approval.

**Motions:**

Approve the Letter of Agreement (LOA) from the State of Florida Department of Health, Polk County Health Department requesting

Matching Funds in the amount of \$9,550,939.00 for the Low Income - PASS  
Pool (LIP) funds for Department of Health Centers per Senate Bill  
2600.

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

22. [Amendment No. 2 to the Agreement between the Southwest Florida Water Management District and Polk County for the Polk County Watershed Management Plan \(L672\), Budget Transfer and CIP Amendment.](#)

Attachment: [Second Amendment PC WMP L672.pdf](#)

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

Attachment: [Budget Rev Journal.pdf](#)

**Minutes:**

County Manager Mike Herr reviewed the amendment and recommended approval.

**Motions:**

Approve Amendment No. 2 to the Agreement between the Southwest Florida Water Management District and Polk County for the Polk County Watershed Management Plan (L672), and approve the required Budget Transfer from General Fund Reserves and CIP Amendment, both increasing the Water Shed Management Plan CIP Project. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

9. [Shelley Lauten, President, myregion.org, to discuss new phase of study related to determining opportunities and issues related to working better together as a Super Region.](#)

**Minutes:**

Ms. Lauten, President of myregion, org., highlighted the partnership between Tampa Bay and Central Florida super-region and the value of bringing together the assets of the 13 counties who make up the region.

Professor Jonathan Barnett, Director of the Urban Design Program at the University of Pennsylvania, discussed how a comparison of a trend model and an alternative model could determine the best future growth pattern for the super-region. He

outlined master design projects he has managed as a partner in a consulting firm. He reviewed a potential three-phase visionary planning project of the super-region. He stated a high speed rail system is essential to global competitiveness. Discussion followed on the need for both local transit and high speed rail.

24. [Park Hill Square Agreement for Conditional Driveway Approval.](#)

Attachment: [PHS Driveway Agreement Aerial with Site Plan.pdf](#)

Attachment: [Exhibit B.pdf](#)

Attachment: [Park Hill Square Agreement.pdf](#)

**Minutes:**

County Manager Mike Herr gave background information and outlined a proposed agreement for the Park Hill Square shopping center.

Paul Groce, Director of Traffic Engineering and Operations, responded to questions regarding access to the shopping center.

Bill Drost, Century Anchor Investments, clarified issues of the agreement noting that any costs incurred as a result of the agreement are the responsibility of Century Anchor Investments. He said the County will be indemnified and a letter of credit will be issued. He addressed safety concerns noting that the current access conditions are unsafe. Discussion followed.

**Motions:**

Approve Park Hill Square Agreement. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

23. [Transfer from reserves within the FY08/09 budget for Employee Health Insurance Fund.](#)

**Motions:**

Approve the transfer from the Employee Health Insurance Fund Reserve for Contingencies in the amount of \$2,750,000.00 to the appropriate operating account. - PASS

**Vote Results**

Motion: Sam Johnson

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**

25. [Comments.](#)

**Minutes:**

Ghassan Zebdaoui stated he was fired without reason. He read a statement regarding corruption in Polk County government.

105. [James Abercrombie](#)

**Minutes:**

James Abercrombie discussed the Whistle Blower Act. He discussed allegations by an attorney hired by Polk County stating that Mr. Zebdaoui is a terrorist. He discussed public records requests from Sue Nelson, Planning Commission member. He said the employees in this building should band together to stop corruption now.

**J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)**

26. [Comments.](#)

**K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)**

27. [Reappoint Eric Hinshaw to the Polk County Industrial Development Authority for a three-year term of February 6, 2009 through February 5, 2012.](#)

Attachment: [Eric Hinshaw Resume.pdf](#)

**Minutes:**

Commissioner Wilkinson discussed sending a letter of support regarding a special session for high speed rail. Discussion followed.

Commissioner Reed discussed light rail and the need for connectivity.

Chairman English stated that not supporting local light rail could prevent the County from acquiring future funds for high speed rail. Discussion followed.

Commissioner Reed questioned how counties along the S-line are negatively affected with future commuter rail. Discussion followed.

Commissioner Smith spoke in opposition to a special session for high speed rail. He noted that the special session will be costly.

**Motions:**

Reappoint Eric Hinshaw to serve as Member Number 4 on the Industrial Development Authority for a three-year term beginning 02/06/2009 and ending 02/05/2012. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motions:**

Send letter of support, at the consensus of the Cabinet, for a special session regarding high speed rail to Speaker of the House, President of Senate, the Governor, each cabinet member, legislative delegation, and Senator Paula Dockery. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Nay

Randy Wilkinson - Aye

**Motion Minutes:** Commissioner Wilkinson discussed a meeting he attended with the Polk Works Executive Board, and noted that he is dissatisfied with the revenue accounting.

- 28. [Appoint Patricia Strickland as a member of the Citizens Oversight Health Care Committee.](#)

Attachment: [Patricia Strickland.pdf](#)

**Motions:**

Appoint Patricia Strickland to serve on the Citizens Health Care Oversight Committee for the term beginning 11/17/09 and ending 11/16/11. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)**

- 29. [Comments.](#)

**M. COMMISSIONER DISTRICT 4 (JEAN REED)**

- 30. [Appoint Brian S. Boyce as a member of the Polk County Industrial Development Authority, for the three-year term of January 23, 2009 through January 22, 2012.](#)

Attachment: [IDA Boyce bio 4.pdf](#)

**Minutes:**

**Motions:**

Appoint Brian S. Boyce, MBA, as a member of the Polk County Industrial Development Authority for the three-year term beginning January 23, 2009 and ending January 22, 2012. - PASS

**Vote Results**

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:**

- 31. [Conduct one-time particulate diesel air monitoring to obtain background data in the Sundance Subdivision.](#)

Attachment: [AirMonitoringCost.pdf](#)

Attachment: [ProposedScopeofWork.pdf](#)

**Minutes:**

Director of Parks and Natural Resources Jeff Spence discussed a recommendation for approval to conduct a base-line particulate study at an approximate cost of \$7,000.00.

Susan McDonough, Technical Director for S. E. McDonough & Associates, Inc., stated many studies provide data to support the health hazards of particulate matter in the air. She said a base-line study would identify potential risks. She discussed emissions standards for trucks versus locomotives.

**Motions:**

Conduct a one-time background air monitoring for diesel particulate matter in the Sundance Subdivision at an approximate cost of \$7,000.00. - FAIL

**Vote Results**

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Nay

Sam Johnson - Nay

Jean Reed - Aye

Edwin Smith - Nay

Randy Wilkinson - Aye

- 32. [Discuss Operation Care and Cheer - for our Troops and Veterans.](#)

**Minutes:**

Commissioner Reed stated that she brought Christmas cards for the Commissioners to sign and send to troops.

# 11-17-09 Regular BoCC Meeting Minutes

Commissioner Reed reminded the audience about boxes placed throughout the Neil Combee Administration Building for Operation Care and Cheer.

Commissioner Reed discussed roadside vending in Poinciana that is obstructing traffic.

Upon question, County Attorney Michael Craig stated that an ordinance can be created regarding roadside vending. Discussion followed.

Commissioner Johnson suggested addressing roadside vending with the Sheriff's Office directly. Discussion followed.

Commissioner Reed noted that this past Sunday was National Recycling Day. She stated that recycling is not occurring in local parks. Discussion followed on increasing recycling.

Commissioner Reed stated she attended the Veterans Day Ceremony in Mulberry, Mackai Estates Opening, Chili Cookoff at Polk County Family Week in Lakeland, and the dedication of the Lake Hamilton Firestation.

## N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

33. [Appoint Ann Toney-Deal to the Impact Fee Advisory Committee for a term beginning November 17, 2009, and ending February 18, 2013.](#)

Attachment: [Ann Toney-Deal.pdf](#)

### Motions:

Appoint Ann Toney-Deal to the Impact Fee Advisory Committee for a term beginning November 17, 2009, and ending February 18, 2013. - PASS

### Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

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

34. [Comments.](#)

### Minutes:

Commissioner Johnson discussed the importance of recycling and energy efficient lights. Discussion followed.

## O. LAY BOARD APPOINTMENTS

35. [Appoint Royal A. Brown III as a member of the TPO Citizen's Advisory Committee, for a three-year term beginning November 17, 2009.](#)

Attachment: [Application TPO CAC Brown.pdf](#)

### Minutes:

### Motions:

Appoint Royal A. Brown III as a member of the Transportation Planning Organization (TPO) Citizen's Advisory Committee, for a three-year term beginning November 17, 2009. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

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

36. [Appoint Louis Campanelli as a member of the TPO Citizen's Advisory Committee, for a three-year term beginning November 17, 2009.](#)

Attachment: [Application Campanelli.pdf](#)

**Motions:**

Appoint Louis Campanelli as a member of the Transportation Planning Organization (TPO) Citizen's Advisory Committee, for a three-year term beginning November 17, 2009. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

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

37. [Appoint Sheila Rios as a member of the Community Relations Advisory Council for a three-year term ending November 23, 2012.](#)

Attachment: [Rios Bio.pdf](#)

**Motions:**

Appoint Sheila Rios to the Community Relations Advisory Council for a three-year term beginning November 23, 2009 and ending November 23, 2012. - PASS

**Vote Results**

Motion: Edwin Smith

Second: Jean Reed

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

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

**P. PUBLIC HEARINGS**

38. [DA 06-09M - Consider a Modification to the Ridgewood Lakes Development Agreement](#)

- Attachment: [DA 06 09M DA Attachments 11 17 09.pdf](#)
- Attachment: [DA 06 09M Staff Report 11 17 09 Attachments.pdf](#)
- Attachment: [DA 06 09M Comments 11 17 09.pdf](#)
- Attachment: [DA 06 09M Staff Report 11 17 09.pdf](#)
- Attachment: [DA 06 09M DA Underline Strikeout Version 11 17 09.pdf](#)

**Minutes:**

County Attorney Michael Craig reviewed the procedures for Public Hearings. He swore in those who plan to speak this afternoon.

Quen Wilson, Concurrency and Entitlements Director, reviewed the proposed modification to amend the existing Ridgewood Lakes Development Agreement. He noted that the modification will extend the time frames for the construction of the secondary access road to Forest Lake Drive and for the availability of the water, waste water and transportation capacities. He stated that staff recommends approval and the Planning Commission voted 5/2 to recommend approval.

Mike Gallagher, attorney with Peterson & Myers representing the applicant, gave background information on the site and the agreement. He spoke in support of the modification and showed slides of the area.

Commissioner Johnson suggested sending a letter to Florida Department of Transportation (FDOT) to encourage the placement of a stoplight at the entrance of the site. Discussion followed.

The Chairman opened a public hearing.

Robert Banks, Ridgewood Lakes resident, spoke in opposition of the modification and expressed his concerns for citizens traveling on US Highway 27.

The Chairman closed the public hearing.

Upon question, Mr. Gallagher stated it would take approximately \$600,000-800,000 to complete the construction project.

**Motions:**

Adopt Development Agreement DA 06-09M, a modification to the Ridgewood Lakes Development Agreement and send letter to FDOT requesting a traffic light at Ridgewood Lakes. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Nay

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:**

Discussion followed on secondary access to the site.

Upon question, Mr. Wilson stated that the original secondary access was agreed upon in the initial Development Agreement.

39. [LDC 09T-34 \(Recreation in the Green Swamp ACSC\) to consider the Adoption of an ordinance amending the Land Development Code.](#)

Attachment: [LDC 09T 34 Staff Report.pdf](#)  
Attachment: [LDC 09T 34 Ordinance.pdf](#)

**Minutes:**

John Bohde, Land Development, reviewed the proposed text amendment to the Land Development Code to amend the standards for land use districts in the Green Swamp Area of Critical State Concern (ACSC). He showed slides of the area and stated that this is a staff initiated request. He stated that the Planning Commission approved the proposed amendment.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Ordinance No. 09-066 adopting LDC 09T-34. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

40. [Consider Ordinance adopting CPA 09 CIE 01.](#)

Attachment: [CPA 09 CIE 01 Staff Report.pdf](#)  
Attachment: [Exhibit III Project Detail Sheets Polk County FY 09 14 Backup Data.pdf](#)  
Attachment: [Exhibit II.pdf](#)  
Attachment: [Exhibit IV Polk County School Board Work Plan District.pdf](#)  
Attachment: [CPA 09 CIE 01 Ordinance.pdf](#)

**Minutes:**

Albert Frederick, Long Range Planning, reviewed the proposed ordinance to update the text of the Capital Improvements Element and the Five-Year Schedule of Capital Improvements for FY 2009/2010 - 2013/2014. He stated that this is a staff initiated request. He noted that the Planning Commission recommends approval, with the deletion of two items found on page 80 of 102 (lines 11 and 12) in Exhibit I.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Ordinance No. 09-067 adopting CPA 09 CIE 01. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson

- Not Present

41. [Consider adoption of an Ordinance Combining the Manors of Nottingham and Manors of Nottingham Addition Street Lighting Districts at the request of the property owners in those subdivisions.](#)

Attachment: [MAN and MAN ADD Ord 2009.pdf](#)

**Minutes:**

County Attorney Michael Craig reviewed the proposed ordinance combining the Manors of Nottingham and the Manors of Nottingham Addition Street Lighting Districts.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Ordinance No. 09-068 combining the Manors of Nottingham and Manors of Nottingham Addition Street Lighting Districts. - PASS

**Vote Results**

Motion: Jean Reed

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

**Q. CONSENT AGENDA ITEMS**

**ACCOUNTANT, AUDITOR and CLERK TO THE BOARD**

42. [Removal of equipment from inventory as listed on Blanket Removal Form 1847.](#)

Attachment: [Blanket Removal Form 1847.pdf](#)

43. [Minutes of the Polk County Industry Community Advisory Panel dated September 29, 2009.](#)

**COUNTY ATTORNEY**

44. [Declare surplus and authorize the private conveyance of the County's interest in Parcel ID Number 242821-239510-019071 to Janet Lynn Sauls.](#)

Attachment: [11 17 09 CoAtty Surplus Private Sauls Backup SCL.pdf](#)

45. [Approve payment of attorney's fees for apportionment issues in the case of Polk v. Latter, Parcels 133 and 800, an eminent domain taking for the Harden Blvd. Project.](#)

46. [SET HEARING date to consider requests to vacate rights-of-way. \(Suggested hearing date: Tuesday, December 1, 2009, at 1:30 p.m.\)](#)

47. [Additional Right-of-Way for County Line Road, Parcel 105.](#)

Attachment: [AddLRW County Line Rd Pcl 105 Warren.pdf](#)

Attachment: [AddLRW County Line Rd Pcl 105 Warren.pdf](#)

48. [SET HEARING date to consider adoption of an Ordinance amending, restating, and consolidating the Polk County Local Business Tax Ordinance. \(Suggested hearing date: December 1, 2009, at 1:30 p.m.\)](#)

Attachment: [Local Business Tax ord NOT 2009.pdf](#)

49. [Authorize partial payment of expert costs incurred in the defense of Polk County vs. Peace, Parcels 129 and 132, an eminent domain lawsuit filed to acquire necessary rights-of-way for the Harden Blvd. Project.](#)

50. [Accept an instrument for donated Right-of-Way on County maintained Paul Road.](#)

Attachment: [RW Donation Paul Rd.pdf](#)

Attachment: [RW Donation Paul Rd.pdf](#)

51. [Quit Claim Deed from The Shunk Family Trust for property being donated for Conservation.](#)

Attachment: [Donation Shunk.pdf](#)

Attachment: [Donation Shunk.pdf](#)

52. [Right of Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 182.](#)

Attachment: [11 17 09 Kathleen Rd Ph2 Prescott 182.pdf](#)

Attachment: [11 17 09 Kathleen Rd Ph2 Prescott 182.pdf](#)

53. [Authorize the Public Sale of three County owned mobile homes from County Road Projects to the highest bidder.](#)

Attachment: [Surplus Public 3 Mobile Hms.pdf](#)

54. [Ratify Consultant Agreement between Polk County Charter Review Commission and Kurt Spitzer.](#)

Attachment: [Consultant Agreement.pdf](#)

55. [SET HEARING date to consider adoption of an ordinance amending Section 2 of Ordinance No. 70-2, as amended by Ordinance No. 06-071 and 09-001. \(Suggested hearing date: December 01, 2009, at 1:30 p.m.\)](#)

Attachment: [Notice Amending Ordinance.pdf](#)

#### **ASSISTANT COUNTY MANAGER**

56. [Polk HealthCare Plan Provider Medical Services Agreement renewals](#)

Attachment: [Cen Fla Health Care 10022 RM.pdf](#)

Attachment: [Pain Med 10104 RM.pdf](#)

Attachment: [First Help Urg Care 10028 RM.pdf](#)

Attachment: [Med Assoc Cen Fla 10116 RM.pdf](#)

Attachment: [R Nobo MD 10078 RM.pdf](#)

Attachment: [J Johnson MD 10072 RM.pdf](#)

Attachment: [Fam Med Cen 10027 RM.pdf](#)

Attachment: [J Umesh MD 10051 RM.pdf](#)

Attachment: [Doctor Today 10024 RM.pdf](#)

Attachment: [Polk Card Ser 10061 RM.pdf](#)

#### **CENTRAL FLORIDA DEVELOPMENT COUNCIL**

57. [Event Sponsorship Agreement with Sun 'n Fun Inc. to conduct the 2010 Sun 'n Fun Fly-In.](#)

Attachment: [Sun n Fun 2010 Legal.pdf](#)

Attachment: [Sun n Fun 2010 Agreement.pdf](#)

58. [Sponsorship Funding Assistance for International Choreographed Ballroom Dance Association.](#)

Attachment: [Intl Choreographed Ballroom Dance Assn Agreement.pdf](#)

Attachment: [Intl Choreographed Ballroom Dance Assn Legal.pdf](#)

59. [Sponsorship Funding Assistance for 58 Special Events taking place from April through September 2010.](#)

Attachment: [Agreements 58 Special Events.pdf](#)

Attachment: [Exhibit A 58 Special Events.pdf](#)

Attachment: [58 Special Events Legal.pdf](#)

#### **INFRASTRUCTURE MANAGEMENT**

60. [Memorandum of Agreement annual renewal with Corporation for National and Community Service to continue AmeriCorps\\*VISTA Project Number 06VSSFL008.](#)

Attachment: [Memorandum of Agreement VISTA.pdf](#)

61. [Florida Department of State, Division of Library and Information Services' FY 2009-2010 State Aid to Libraries Grant Application and Agreement to provide operating funds for the Polk County Library Cooperative.](#)

Attachment: [State Aid Libraries Grant App and Agreement.pdf](#)

62. [Termination Notice for Lease Agreement No. 267 between the Board and Ashley Ramcharran for the house \(the Premises\) located at 421 Smith Road in Lake Hamilton.](#)

Attachment: [09 1117 Lease 267 Contract ReqForLgl noPWFI noOracle.pdf](#)

63. [Acceptance of the Park Square Enterprises, Inc., Quit-Claim Deed for Tract Q and Tract R, associated with the wastewater improvements at the Watersong Phase One subdivision.](#)

Attachment: [Watersong Quit Claim Deed Backup.pdf](#)

64. [Change Order No. 4 with Vogel Bros. Building Co. for the New Oak Hills Water Production Facility \(WPF\) and Storage Tanks.](#)

Attachment: [Vogel Bros Change Order Approvals.pdf](#)

Attachment: [Vogel Bros Change Order Contract.pdf](#)

65. [Mitigation Purchase Agreements between Polk County and Earthbalance Corporation \(Seller\) for the Bartow Northern Connector Project.](#)

Attachment: [BNC BRMB Agrmt.pdf](#)

Attachment: [BNC Map.pdf](#)

Attachment: [BNC MPA PWFI Form.pdf](#)

Attachment: [BNC MPA Approvals.pdf](#)

Attachment: [BNC PRMB Agrmt.pdf](#)

#### **GROWTH MANAGEMENT**

66. [SET HEARING date to consider adoption of 2009B Large Scale Comprehensive Plan Amendments \(CPA 09B-01, CPA 09B-02, CPA 09B-04 through CPA 09B-11, and CPA 09B-13\) and associated ordinances. \(Suggested Hearing Date is December 1, 2009, at 1:30 p.m\).](#)

67. [SET HEARING date to consider adoption of LDC 09D-03, a request to change the LDC Sub-district on 15.63 +/- acres from RL-1X to RL-4X in the North U.S. 27 Selected Area Plan \(SAP\). \(Suggested Hearing Date is December 1, 2009, at 1:30 p.m\).](#)

68. [Lily Lake Golf & R.V. Resort Phase III C Subdivision Plat Release of Surety.](#)

Attachment: [Lily Lake Golf and RV Resort Phase III C.pdf](#)

69. [Victor Posner City Center 1F Draw Down of Irrevocable Letter of Credit.](#)

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

#### **HUMAN SERVICES**

70. [Amendment 002, Older Americans Act, OAA-2009-POLK.](#)

Attachment: [OAA Amend 002 2009.pdf](#)

Attachment: [Legal Request OAA Amend 002 2009.pdf](#)

71. [Hurricane Housing Recovery \(HHR\) Program Change Order and Addendum No. 1 to the Rehabilitation/ Reconstruction Agreements for Paul W. Donnelly.](#)

Attachment: [Donnelly Checklist.pdf](#)

Attachment: [Donnelly Change Order No 1.pdf](#)

Attachment: [Donnelly Addendum No 1.pdf](#)

72. [Imposition of Liens to recover costs associated with demolishing dilapidated structures through the County's Demolition and Clearance Program.](#)

Attachment: [111709 Order Imposing Liens.pdf](#)  
Attachment: [111709 Demo Lien Checklist 1.pdf](#)  
Attachment: [111709 Demo Lien Checklist 2.pdf](#)

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

Attachment: [SHIP DPA 111709.pdf](#)  
Attachment: [Checklist SHIP DPA 111709.pdf](#)

74. [Community Development Block Grant \(CDBG\) Imposition of Lien for demolition of dilapidated structure\(s\) within the Municipality of the City of Bartow to recover costs associated through the County's Demolition and Clearance Program.](#)

Attachment: [City of Bartow Demo Lien Checklist 2.pdf](#)  
Attachment: [CE 2009 003 Lien.pdf](#)  
Attachment: [City of Bartow Demo Lien Checklist 1.pdf](#)

75. [Community Development Block Grant \(CDBG\) Imposition of Lien for demolition of a dilapidated structure within the Municipality of the Town of Lake Hamilton to recover costs associated through the County's Demolition and Clearance Program.](#)

Attachment: [CE 2009 006 Lien.pdf](#)  
Attachment: [Town of Lake Hamilton Demo Lien Checklist 1.pdf](#)  
Attachment: [Town of Lake Hamilton Demo Lien Checklist 2.pdf](#)

76. [Community Development Block Grant \(CDBG\) Satisfaction of Rehabilitation Lien Agreement for Deloris Vivian Robinson, aka Deloris Johnson Robinson, aka Deloris Wynter.](#)

Attachment: [Checklist Wynter 111709.pdf](#)  
Attachment: [CDBG Wynter 111709.pdf](#)

77. [Community Development Block Grant \(CDBG\) Satisfaction of Rehabilitation Lien Agreement for Freda L. Freeman.](#)

Attachment: [Checklist Freeman 111709.pdf](#)  
Attachment: [CDBG Freeman 111709.pdf](#)

78. [HOME Investment Partnership Program Satisfaction of Rehabilitation Lien Agreement for James Bradshaw.](#)

Attachment: [HOME Bradshaw 111709.pdf](#)  
Attachment: [Checklist Bradshaw 111709.pdf](#)

79. [HOME Investment Partnership Program Agreement between Polk County and The Keystone Challenge Fund, Inc. for the American Dream Down Payment Initiative \(ADDI\) set aside funds.](#)

Attachment: [ADDI Contract 111709.pdf](#)  
Attachment: [Checklist ADDI 111709.pdf](#)

80. [HOME Investment Partnership Program Addendum No. 1 for Robert Stanley Krupa and Ruth A. Krupa.](#)

Attachment: [HOME Krupa 111709.pdf](#)  
Attachment: [Checklist Krupa 111709.pdf](#)

81. [Community Development Block Grant \(CDBG\) Agreement Addendum No. 2 between Polk County and the City of Lake Alfred.](#)

Attachment: [Lake Alfred Addendum 2 Checklist.pdf](#)  
Attachment: [CDBG Agmt Addendum 2 Lake Alfred.pdf](#)

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

Attachment: [TBRA Contracts.pdf](#)  
Attachment: [TBRA Checklist.pdf](#)

83. [Housing Choice Voucher \(Section 8\) Housing Assistance Payments \(HAP\) Contracts for the families listed.](#)

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

84. [Interlocal Agreement between the Board and the Center for Urban Transportation Research.](#)

Attachment: [BoCC - CUTR Interlocal Agreement.pdf](#)  
Attachment: [Request for Legal Services.pdf](#)

85. [Community Development Block Grant \(CDBG\) Satisfaction of Demolition Liens between Polk County and the clients listed.](#)

Attachment: [111709 Demo Satisfactions of Lien Checklist 2.pdf](#)  
Attachment: [111709 Demo Satisfactions of Lien Checklist 1.pdf](#)  
Attachment: [111709 Demo Satisfactions.pdf](#)

86. [Transfer from Reserves in the Special Revenue Grant Funds to the 10596 fund.](#)

Attachment: [BRJ 10596 FY10.pdf](#)  
Attachment: [Fully Executed JPA.pdf](#)

#### **PUBLIC SAFETY**

87. [Verizon Wireless Tower Lease Agreement and Memorandum for tower space at the Public Safety Complex.](#)

Attachment: [Verizon Tower Lease.pdf](#)  
Attachment: [Verizon Tower Lease Memorandum.pdf](#)

88. [Agreement between Lake County and Polk County for Shared Public Service Radio Communications Facilities for the Fire Station 112 Tower.](#)

Attachment: [Interlocal with Lake County.pdf](#)  
Attachment: [Attach A and B.pdf](#)

89. [County Grant Application, Resolution and Request for Grant Fund Distribution, Florida Department of Health, Bureau of Emergency Medical Services \(EMS\). Total amount of grant funds to be received is \\$165,510.00.](#)

Attachment: [EMS Award Grant.pdf](#)

90. [Contract with Polk State College \(PSC\) to permit Emergency Medical Services \(EMS\) program students to gain clinical experience by riding on county operated transport ambulances.](#)

Attachment: [EMS PSC Contract.pdf](#)

#### **SUPPORT SERVICES**

91. [Transfer from Reserves within the FY 08/09 Budget for the Rohr Home Fund.](#)

92. [Modification No. 2 for CSA No. 06-80-02 with Faller Davis & Associates for Wilson Acres Drainage Improvements.](#)

Attachment: [06 80 02 time extension.pdf](#)

93. [Fuelmaster Fuel Management System Limited Maintenance Agreement with Syn-Tech Systems, Inc.](#)

Attachment: [syn tech systems agreement.pdf](#)

94. [Approve Interlocal Agreement with Houston-Galveston Area Council \(H-GAC\) Buy.](#)

Attachment: [hgac interlocal agreement.pdf](#)

95. [Clear loan from the Fleet Replacement Fund to the Fleet Maintenance Fund.](#)

96. [Amend the Agreement with Dr. Nancy Davis-King, M.D. Medical Director/Medical Review Officer, of the Employee Health Services \(formerly Occupational Health & Wellness Center\).](#)

Attachment: [Nancy King Amendment reduce rate Oct 07.pdf](#)  
Attachment: [Nancy King MD Medical Director Oct 2006.pdf](#)  
Attachment: [Nancy King Amendment Oct 2009.pdf](#)

97. [Eco-Driving - Employee Fuel Incentive Program.](#)

98. [Modification No. 1 for Consultant Service Authorization \(CSA\) 07-88-02 with Reiss Engineering, Inc.](#)

## 11-17-09 Regular BoCC Meeting Minutes

Attachment: [07 88 02 1.pdf](#)

99. [Modification No. 1 for Consultant Service Authorization \(CSA\) 02-97-15 with Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS & J.](#)

Attachment: [02 97 15 01.pdf](#)

100. [Report Bid Award by Purchasing Director for Bid No. 09-114-MAR and request CIP Amendment.](#)

Attachment: [bid analysis 09 114 mar loma linda.pdf](#)

Attachment: [budget revision journal 09 114 mar loma linda.pdf](#)

101. [Adopt the two attached Resolutions to amend both Resolution 09-206 for the Community Development Block Grant-Recovery \(CDBG-R\) funds and Resolution 09-207 for the Homeless Prevention and Rapid Re-Housing Program \(HPRP\) grant funds, both of which contained a scrivener's error on Regular Agenda items No.23, and No. 24 respectively, which were both approved by the Board on October 21, 2009.](#)

Attachment: [CDBG R BUDGET RESOLUTION.pdf](#)

Attachment: [HPRP BUDGET RESOLUTION.pdf](#)

### **POLK COUNTY SHERIFF**

102. [Approve a \\$53,466 State Criminal Alien Assistance Program Award from the Bureau of Justice Assistance.](#)

Attachment: [Sheriff SCAAP Award.pdf](#)

### **POLK COUNTY SUPERVISOR OF ELECTIONS**

103. [Approve the Federal Election Activities Grant from the Florida Department of State, Division of Elections in the amount of \\$59,037; and also approve transfer from the Special Revenue Grant Fund Reserve for Contingency in the amount of \\$59,037 and transfer from the Special Revenue Grant Fund matching grant reserve to provide a 15% match in the amount of \\$8,856.](#)

Attachment: [Federal Election Grant.pdf](#)

The Chairman adjourned the meeting at 3:20 p.m.