

10-07-09 Regular BoCC Meeting Minutes

October 7, 2009 Regular BoCC meeting

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

ALSO PRESENT: Mike Herr County Manager
Michael Craig County Attorney
Richard M. Weiss Clerk and Ex Officio Auditor

The Board convened pursuant to adjournment taken on September 16, 2009.

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

INVOCATION

1. [Reverend M. Wayne Blackburn - Victory Church - Lakeland](#)

PLEDGE OF ALLEGIANCE (SAM JOHNSON, CHAIR)

A. APPROVE CONSENT AGENDA

2. [Approve Consent Agenda.](#)

Minutes:

Commissioner Reed stated Consent Agenda Item No. Q.86 is a good news item and she would like to move it from the Consent Agenda to the Regular Agenda for discussion.

Motions:

Approve Consent Agenda after moving Consent Agenda Item No. Q.86 for discussion. - PASS

Vote Results

Motion: Jean Reed

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

B. PRESENTATIONS and RECOGNITIONS

3. [Recognize the Polk County Fire Rescue Combat Challenge Team.](#)

Minutes:

Polk County Fire Chief David Cash recognized the members of the Fire Rescue Combat Challenge Team noting that this Team recently received third place in the State competition in Kissimmee. He outlined upcoming national competitions in which the Team will participate in the next few months.

4. [Recognize the Polk County Fire Rescue Sharpshooter Team.](#)

Minutes:

Polk County Fire Chief David Cash recognized the eight members of the Fire Rescue Sharpshooter Team.

Chief Cash stated this Team supports the annual General Norman Swartzkoff Childrens Home Charity Event.

5. [Recognize Anne Trefz Gibson for meeting the Florida Bar Standards of Certification for Board Certification as a specialist in City, County and Local Government Law from August 1, 2009 to July 31, 2014.](#)

Attachment: [Certificate.pdf](#)

Minutes:

County Attorney Michael Craig stated Senior Assistant County Attorney Anne Gibson has completed her certification as a specialist in City, County and Local Government law. He said only 193 attorneys in the State of Florida have achieved this certification, and only two attorneys, other than Ms. Gibson, in Polk County have received this distinction.

6. [Cathy Hatch, Executive Director of NAMI Polk County, to recognize Lt. Brian Garrett, Polk County Sheriff's Office, for winning the CIT \(Crisis Intervention Training\) Advocate of the Year for his past and current work promoting Crisis Intervention Training for law enforcement officers.](#)

Attachment: [Lt. Brian Garrett recognition.pdf](#)

Minutes:

Ms. Hatch outlined some of Lt. Garrett's many accomplishments which contributed to his winning the CIT Advocate of the Year Award.

Lt. Garrett stated Polk County is progressive in mental health care. He said the goal of the CIT program is to keep people out of jail.

7. [Cathy Hatch, Executive Director of NAMI Polk County, to recognize PGTV for winning the Media Appreciation Award given by NAMI Florida for outstanding media coverage.](#)

Attachment: [PGTV recognition.pdf](#)

Minutes:

Ms. Hatch explained that PGTV received the Media Appreciation Award for promoting knowledge of mental health and mental illness issues. She stated PGTV has aired 232 episodes of NAMI events during the last 15 months.

8. [Recognition of Managers who graduated from the Florida Certified Public Managers Program, administered by the Florida Center for Public Management, Florida State University.](#)

Attachment: [CPM BIOS 10.07.09.pdf](#)

Attachment: [MHerr.agendapresentation.10.07.09.pdf](#)

Minutes:

County Manager Mike Herr outlined the requirements for completing the Florida Certified Public Manager's Program. The Board presented Certificates of Completion to the 2009 graduates.

9. [Richard M. Weiss, Clerk of the Courts, to recognize the Clerk's Managers who graduated from the](#)

[Florida Certified Public Managers Program, administered by the Florida Center for Public Management, Florida State University.](#)

Minutes:

Mr. Weiss presented Certificates of Completion to the recent Clerk of Courts graduates of the Florida Certified Public Managers Program. He said these employees demonstrate excellence in performance of their duties.

C. PROCLAMATIONS

10. [Proclaim October 4-10, 2009 as Mental Illness Awareness Week. Cathy Hatch, Executive Director of NAMI Polk County, will accept the proclamation.](#)

Attachment: [Mental Illness Awareness.pdf](#)

Motions:

Issue Proclamation. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

11. [Proclaim October 4-10, 2009 as Fire Prevention Week. Wes Hayes, Polk County Fire Marshal, will accept the proclamation.](#)

Attachment: [Fire Prevention Week.pdf](#)

Minutes: Chairman Johnson stepped down as Chairman in order to move approval of the proclamation.

Motions:

Issue Proclamation. - PASS

Vote Results

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

Motion Minutes: Chairman Johnson resumed his position as Chairman.

12. [Proclaim October 2009 as Red Ribbon Month. Angie Ellison, representing InnerAct Alliance, Susan Hurley, representing USF Polytechnic and Jeanette Wallace, representing MidFlorida, will accept the proclamation.](#)

Attachment: [Red Ribbon Month.pdf](#)

Motions:
Issue Proclamation. - PASS

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

13. [Proclaim October 2009 as Let's Talk Month. Terri Chambers, Teen Pregnancy Prevention Coordinator of the Healthy Start Coalition, will accept the proclamation.](#)

Attachment: [Let's Talk Month.pdf](#)

Motions:
Issue Proclamation. - PASS

Vote Results
Motion: Edwin Smith

Second: Randy Wilkinson

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

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

14. [Disbursements.](#)

Attachment: [100709 Warrants.pdf](#)

Motions:

Approve and ratify disbursements. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

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

15. [Minutes of Regular Board meeting held on September 16, 2009.](#)

Attachment: [091609 MIN.pdf](#)

Motions:

Approve Minutes. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English	- Aye
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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

16. [Public Hearing to consider approval of a mediated settlement in the case of Polk v. Gold, et al, Parcels 162 and 163, an eminent domain lawsuit filed to acquire needed rights-of-way for Lakeland Highlands Blvd.](#)

Attachment: [10 7 09 Backup Parcel 162 163.pdf](#)

Minutes:

Deputy County Attorney Linda McKinley reviewed the proposed mediated settlement and demonstrated the location of Parcels 162 and 163. She recommended approval.

The Chairman opened a public hearing; no one spoke.

Motions:	
Approve the mediated settlement with Lakeland Highlands Properties, LLC in the total amount of \$1,560,482; (2) authorize payment of \$281,782 to the trust account of Miller, Crosby and Miller, 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: Jean Reed	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

G. COUNTY ATTORNEY (MICHAEL CRAIG)

17. [Resolution designating the Central Florida Development Council as the primary and lead agency representing Polk County 's interests in the super region between the Tampa Bay and the Metro Orlando areas.](#)

Attachment: [CFDCRESOLUTION.pdf](#)

Minutes: County Attorney Michael Craig reviewed the proposed resolution and recommended approval.

Motions:

Adopt Resolution No. 09-200. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

Commissioner Reed stated other regions appoint representatives differently.

Chairman Johnson stated the scope of the representatives is visionary, and the elected officials have the final say on issues. He said the representatives will not take a side on an issue without the approval of the Board of County Commissioners.

Commissioner Reed stated she wants Polk County to be fairly represented at the Super Region meetings and perhaps it should have more than one representative.

Commissioner Wilkinson asked about confidentiality, and County Manager Mike Herr stated all Super Region meetings will be noticed, and issues discussed such as funding for high speed rail, regional water supply, and how the areas of the Region grow together will be openly discussed. Discussion followed.

H. COUNTY MANAGER (MICHAEL HERR)

18. [Consider a pilot program providing non-emergency medical care for dependents of employees covered on the County's self-insured health plan beginning January 1, 2010.](#)

Attachment: [Lab test cost savings.pdf](#)

Attachment: [Employee Health Services DEPENDENT CARE 2009 PILOT.pdf](#)

Minutes:

County Manager Mike Herr stated the goal of this pilot program is to control costs. He said the pilot program will be carried out with no additional staff.

Director of Risk Management Mike Kushner gave background information and reviewed the services provided at the Wellness Center. He said a survey was conducted in March 2008, to see if employees would take advantage of the services for dependents, and the responses to the survey were positive. He reviewed the Aetna Health Plan costs versus Wellness Center costs for four services. He said in order to defray rising costs for diagnostic testing, the County has contracted with Bartow Hospital for direct billing for radiology and lab testing.

Mr. Kushner stated dependents age 12 years and older can participate in this pilot program which puts an emphasis on prevention to realize savings in health care. Upon question, he stated the pilot program includes retirees.

Motions:

Approve pilot program starting January 1, 2010, offering health care services to eligible dependents of employees who are covered under the County's self-insured health plan. - PASS

Vote Results

Motion: Bob English

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

86. [Florida Home Buyer Opportunity Program \(FHOP\) Agreement between Polk County and the Keystone Challenge Fund, Inc.](#)

Attachment: [FHOP Contract.pdf](#)

Attachment: [FHOPcklst.pdf](#)

Minutes:

Jeff Bagwell, Keystone Challenge Fund, Inc., reviewed the Florida Home Buyer Opportunity Program (FHOP) and recommended approval.

Motions:

Approve the Florida Home Buyer Opportunity Program (FHOP) Agreement between Polk County the Keystone Challenge Fund, Inc. - PASS

Vote Results

Motion: Edwin Smith

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

19. [Jeff Hancock to discuss Hideaway Kennels and stopping Polk County officials from closing businesses.](#)

Minutes: Mr. Hancock was not present and this item was not discussed.

20. [Frances Hardee to request fees be waived for a Small Scale Comprehensive Plan Map Amendment \(CPA\) to change 5 acres of land from Agriculture Residential Rural to Commercial enclave.](#)

Attachment: [Hardee Property Fee Waiver Request.pdf](#)

Minutes:

Ms. Hardee stated recently she became aware that her property was downgraded from commercial to residential, and she believes this was done in error. She stated if she has to apply for a small scale amendment to change the land use, the application fee will be \$1,300.00 and the advertising cost will be \$400.00 as well the additional cost of studies and engineering plans. She asked the Board to waive the \$1,700.00 for the

application fee and advertising costs.

Aaron Flint, Long Range Planning, stated this was formerly zoned C2 (Neighborhood Commercial), and it may have been mapped residential in error.

Motions:

Waive the \$1,700.00 in fees to apply for a CPA map change. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

102. [Comments](#)

Minutes:

Bill Landis discussed his recent trip to Washington, D.C., as well as the e-Verify program to qualify employees doing business in the United States.

103. [Comments](#)

Minutes:

Ghassan Zebdaoui stated he is acitizen's advocate and a former County employee. He stated the \$11 million Helena Road Realignment and Bridge Replacement Community Improvement Program (CIP) Project is an example of wasteful spending of taxpayer's money and is not warranted.

104. [Comments](#)

Minutes:

James Abercrombie stated citizens have a right to redress of grievances. He said he has asked for dialoge on several issues. He said staff should be required to issue a Final Decision on all cases. He said he filed a complaint August 2nd and has not received a reply to his complaint. Discussion followed.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)

21. [Re-appoint Dale Rossman to the Industrial Development Authority for a term beginning February 20, 2009, and ending February 19, 2012.](#)

Attachment: [Dale Rossman.pdf](#)

Motions:

Re-appoint Dale Rossman to the Industrial Development Authority for a term beginning February 20, 2009, and ending February 19, 2012. - PASS

Vote Results

Motion: Bob English

Second: Randy Wilkinson

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

22. [Property Tax Abatement ballot question 2010 general election.](#)

Minutes:

Commissioner English said the proposed ballot language is as follows:

Shall the Board of County Cmmissioners of this county be authorized to grant, pursuant to s. 3 Art. VII of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses?

___ Yes – for authority to grant exemptions.

___ No - Against authority to grant exemptions.

Motions:

Approve putting the Property Tax Abatement question on the 2010 General Election Ballot with the following language: Shall the Board of County Commissioners of this county be authorized to grant, pursuant to s. 3 Art. VII of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses? ___ Yes – for authority to grant exemptions. ___ No - Against authority to grant exemptions. - PASS

Vote Results

Motion: Bob English

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

23. [Appoint Trish Pfeiffer as a full member to the Planning Commission for a three-year term ending October 24, 2012.](#)

Attachment: [2009 - Trish Pfeiffer.pdf](#)

Motions:

Appoint Trish Pfeiffer to serve on the Planning Commission as a full member for a three-year term beginning October 25, 2009 and ending October 24, 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

24. [Football concession stand regulations.](#)

Minutes:

Commissioner Wilkinson stated some high school band associations are losing revenue because they are not being allowed to cook in concession stands if the stands do not have the equipment required by the County fire regulations.

Fire Chief David Cash said violations of the fire code have been an ongoing issue at some concession stands throughout the County.

Fire Marshal Wes Hayes said staff has worked with the School Board for about nine years to bring concession stands into compliance, and now it is time to take a stand for for the safety of the public. He quoted State Statutes and said liability is at stake.

Chief Cash said if variances are granted to Band Associations, they would also have to be granted in other similar situations.

Upon question, Director of Building John Hall stated fire suppression systems are required in County facilities.

Jack English, Director of Maintenance for the Polk County School Board, said the School Board wants to comply with laws regarding grease laden vapors. He said some Band Parent Associations have made alliances with local restaurants and are making more income and doing less work than when they were cooking in the concession stands. He stated protection of students, parents and citizens is paramount. He stated a concession stand handbook has been developed.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

25. [Appoint Augustine Fragala to the Impact Fee Advisory Committee for a term beginning October 8, 2009, and ending February 4, 2013.](#)

Attachment: [AugustineFragala.pdf](#)

Motions:

Appoint Augustine Fragala to the Impact Fee Advisory Committee for a term beginning October 8, 2009, and ending February 4, 2013. - PASS

Vote Results

Motion: Edwin Smith

Second: Bob English

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

M. COMMISSIONER DISTRICT 4 (JEAN REED)

26. [Appoint Michael J. Yungmann, CHE, to serve as the Hospital Executive representative to the Polk County Citizens Healthcare Oversight Committee.](#)

Attachment: [CHCOC Yungmann.pdf](#)

Minutes:

Motions:

Appoint Michael J. Yungmann, CHE as the Hospital Executive representative of the Polk County Citizens Health Care Oversight Committee for the two-year term of October 1, 2009 through September 30, 2011. - PASS

Vote Results

Motion: Jean Reed

Second: Bob English

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

Edwin Smith	- Aye
Randy Wilkinson	- Not Present

Motion Minutes:

Commissioner Reed stated John Wild wrote to her expressing his concerns that County vehicles are using Citgo gasoline stations to fill up their vehicles with Venezuelan oil. She said she talked to Fleet Management and the Sheriff's Office and was told this happens very rarely and probably occurred when the Sheriff's vehicle needed gas and the Citgo station was the closest place to fuel up.

Commissioner Reed stated she has enjoyed her canoe trips down the Peace River the last couple of weekends.

Commissioner Reed reported that this past Saturday she walked around Lake Silver in Winter Haven in support of St. Vincent de Paul's Friends of the Poor fund raiser.

At a time later in the meeting, Commissioner Reed said she attended the Art Museum's annual Corporate Breakfast on September 18, at which time the Board of County Commissioners was given a certificate of recognition for its support. She said the certificate will be hung in a prominent place in this building.

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON, CHAIR)

O. LAY BOARD APPOINTMENTS

27. [Appoint Gary Zipprer as a regular member to the Conservation Land Acquisition Selection Advisory Committee \(CLASAC\).](#)

- Attachment: [CLASAC Approval.pdf](#)
- Attachment: [CLASAC Roster.pdf](#)
- Attachment: [CLASAC ByLaws.pdf](#)
- Attachment: [Gary Zipprer.pdf](#)

Minutes:

Upon question, Gaye Sharpe, Natural Areas Manager, stated candidates for appointment to CLASAC are recommended to the BoCC by the CLASAC committee members, and appointments are not made by specific Commissioners; they are general appointments.

Motions:

Appoint Gary Zipprer as a regular member of CLASAC for a term beginning October 7, 2009. - PASS

Vote Results

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

28. [Appoint Thomas Jackson as an Alternate member to the Conservation Land Acquisition Selection Advisory Committee \(CLASAC\).](#)

Attachment: [CLASAC ByLaws.pdf](#)
Attachment: [Thomas Jackson.pdf](#)
Attachment: [CLASAC Approval.pdf](#)
Attachment: [CLASAC Roster.pdf](#)

Motions:

Appoint Thomas Jackson as an alternate on the CLASAC committee for a term beginning October 7, 2009. - PASS

Vote Results

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

29. [Appoint Alex Comstock as an Alternate member to the Conservation Land Acquisition Selection Advisory Committee \(CLASAC\).](#)

Attachment: [CLASAC Approval.pdf](#)
Attachment: [CLASAC Roster.pdf](#)
Attachment: [CLASAC ByLaws.pdf](#)
Attachment: [Alex Comstock.pdf](#)

Motions:

Appoint Alex Comstock as an alternate member to CLASAC for a term beginning October 7, - PASS

2009.

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

30. [Appoint Brent Burris as an Alternate to the Conservation Land Acquisition Selection Advisory Committee \(CLASAC\).](#)

Attachment: [CLASAC Roster.pdf](#)
Attachment: [CLASAC ByLaws.pdf](#)
Attachment: [CLASAC Approval.pdf](#)
Attachment: [Brent Burris.pdf](#)

Motions:

Appoint Brent Burris as an alternate member of CLASAC for a term beginning October 7, 2009. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

31. [Appoint Debbie Zimmerman to the Citizens Health Care Oversight Committee for a two-year term ending September 30, 2011.](#)

Attachment: [Zimmerman bio.pdf](#)

Minutes:

At a time earlier in the meeting, and upon question by Commissioner Reed, County

Manager Mike Herr stated Ms. Zimmerman will be the appointment for the category of School Board as recommended by Superintendent McKenzie, and this appointment must be confirmed by the BoCC as a whole.

Motions:

Appoint Debbie Zimmerman, representing School Board, to the Citizens Health Care Oversight Committee for a two-year term ending September 30, 2011. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

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

P. PUBLIC HEARINGS

32. [Vacate a portion of maintained right-of-way, known as Evans Road, near Polk City.](#)

Attachment: [PH ROW Evans Rd Bd Motion Backup.pdf](#)

Minutes:

Count Attorney Michael Craig reviewed the procedures for Public Hearings. He swore in those who will be speaking today.

Wade Allen, Chief Right-of-Way Agent, gave background information and showed slides of the property. He stated there are no objections to the vacation and staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-201 to vacate a portion of maintained right-of-way known as Evans Road. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

33. [Vacate a portion of maintained right-of-way, known as Hunt Brothers Road, near Lake Wales.](#)

Attachment: [PH ROW Hunt Bros Rd Bd Motion Backup.pdf](#)

Minutes:

Wade Allen, Chief Right-of-Way Agent, gave background information and showed slides of the property. He stated there are no objections to the vacation and staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-202 to vacate a portion of maintained right-of-way known as Hunt Brothers Road. - 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

34. [Vacate portions of platted utility easements shown on the plat of Pines West Phase 2, near Davenport.](#)

Attachment: [PH Pines West Ph 2 Saynay Backup.pdf](#)

Minutes:

Wade Allen, Chief Right-of-Way Agent, gave background information and showed slides of the area. He stated there are no objections to the vacation and staff recommends approval. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 09-203 to vacate portions of the 5-foot platted utility easements located along the northern and eastern sides of Lot 65, as shown on the plat of Pines West - Phase 2. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

35. [Consider adoption of a Joint Planning Area Interlocal Agreement between the City of Auburndale and Polk County. This item was continued from September 16, 2009.](#)

Attachment: [Joint Planning Area Interlocal Agreement.pdf](#)

Attachment: [Public Comments.pdf](#)

Attachment: [LetterFromAuburndaleMayor.pdf](#)

Minutes:

Chanda Bennett, Long Range Planning, reviewed the Joint Planning Area Interlocal Agreement (JPA) between the County and the City of Auburndale. She presented slides and said this had been continued from September 16th. She stated that staff recommends approval. Discussion followed.

The Chairman opened a public hearing.

Dr. Bill Sterling, Mayor of the City of Auburndale, stated that he sent a letter recommending approval of the JPA. He stated that the proposed JPA will serve as a guide to increase growth and changes can be made to the agreement as needed. Discussion followed.

Elijah Dukes questioned if the proposed changes would change his property taxes.

Following discussion, staff said Mr. Dukes taxes would not be affected by this JPA.

Ron Holesman, Auburndale resident, questioned if citizens would be involved with the JPA. Discussion followed.

Jack Brandon, attorney with the law firm of Peterson & Myers representing the Lanier family, stated that the Lanier family supports this Joint Planning Area Interlocal Agreement. He discussed different areas for growth and development for citizens. He talked about Gapway Road and said he wanted to protect the interests of his client.

Sans Lassiter, Lassiter Transportation Group, noted that the proposed JPA will accommodate commercial development in the future.

Pete Bell, resident of Auburndale and Land Planner representing the Lanier family, described the area affected by the JPA. He stated that the proposed JPA will benefit citizens by providing better roadways for transportation.

Mr. Brannen requested that the interests of the residents be considered fairly.

Tim Campbell, representing the String family, stated his client recommends approval. He discussed the intersection of CR 559. Discussion followed.

Tom Wizzerick and Angel Symes, Auburndale residents, spoke in support of the agreement.

The Chairman closed the public hearing.

Motions:

Adopt the Joint Planning Area Interlocal Agreement between Polk County and the City of Auburndale. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

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

Motion Minutes:

Commissioner English suggested that the motion should also include that the intersection of CR 559 and Gapway Road should be considered as a study area for future commercial development.

Commissioner Smith spoke in support of the agreement and noted that the agreement is flexible. He discussed possible future uses of the intersection of Gapway Road. Discussion followed.

Tom Deardorff, Growth Management Director, suggested that the City of Auburndale designate the intersection of CR 559 and Gapway Road as a future commercial activity center. He also suggested that staff and the City of Auburndale work together to determine the potential of an activity center in the future. He noted that the JPA is a flexible planning tool and that the City of Auburndale wants to maintain the residential character of the area. Discussion followed.

36. [LDC 09T-20 \(Polk County Technical Standards Manual Amendment\) to consider the Adoption of an ordinance amending the Land Development Code.](#)

- Attachment: [LDC 09T 20 Staff Report.pdf](#)
- Attachment: [LDC 09T 20 Ordinance Attachment A.pdf](#)
- Attachment: [LDC 09T 20 Ordinance.pdf](#)

Minutes:

John Bohde, Land Development, showed slides and reviewed the proposed changes noting they are the result of meetings with the Polk County Contractors Roundtable. He said staff and the Planning Commission recommend approval. Discussion followed.

Upon question, County Engineer Ron Terrell, discussed the uses of recycled pavement.

The Chairman opened a public hearing; no one spoke.

Motions:
Adopt Ordinance No. 09-061 adopting LDC 09T-20 - PASS
Vote Results
Motion: Edwin Smith

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

37. [Ordinance adopting CPA 09S-02 to change the Future Land Use on 3.33+/- acres from Linear Commercial Corridor \(LCC\), Residential Medium \(RM\), and Agriculture/ Residential-Rural \(ARR\) to Industrial \(IND\).](#)

Attachment: [City of BartowLetter.pdf](#)
Attachment: [CPA 09S 02 Ordinance.pdf](#)
Attachment: [CPA 09S 02 Staff Report.pdf](#)

Minutes:

Aaron Flint, Long Range Planning, showed slides and reported that this is an applicant initiated request to change the Future Land Use designation. He reviewed the proposed changes and stated that staff and the Planning Commission recommend denial. He noted that the City of Bartow also recommends denial. Discussion followed.

The Chairman opened a public hearing.

Jack Brandon, attorney with the law firm of Peterson & Meyers representing the applicant KMR Concrete, Inc., reviewed the proposed changes. He discussed the improvements made to the site. He showed slides and reviewed the land use history of the site.

Bart Allen, attorney with the law firm of Peterson & Myers, showed slides and reviewed the surrounding areas and the site activities of KMR Concrete, Inc.

Susan McDonough, S.E. McDonough and Associates, showed slides and gave background information on the applicant. She stated the company is not a risk to the environment.

Mr. Brandon noted that the truck parking has been moved away from the facility.

Commissioner Reed stated that she has met with the applicant and visited the site. The other Commissioners stated they had done this also.

Tracy Dover, resident of Peace River Park, spoke in opposition to the proposed changes to the Comprehensive Plan.

Jim Lions, Orlando resident spoke on behalf of Matt High and Kari Hammi, in support of the proposed land changes.

Kyle Cline, Rodda Construction, spoke in support of KMR Concrete, Inc.

Cora Griffin discussed the health issues associated with homeowners who live in surrounding areas of the site.

Geraldine Walsh, resident, spoke in opposition to the proposed ordinance and discussed health issues that have affected her family.

Don Van Steed, Administrative Director of Tri-County Human Services, discussed permits for pollution and dry sweeping of a parking lot.

Jackie Henderson, Tri-County Human Services, discussed the pollutants in the environment surrounding KMR Concrete, Inc. and requested the Board deny the proposed land use changes.

Bob Rihn, Executive Director of Tri-County Human Services, spoke against land use change.

Bobby Fagers, Palm Creek Inc., spoke in opposition of the proposed changes.

Danny McCray, spoke in opposition and discussed the pollution.

Matt Hittal, spoke in rebuttal to public comment. Upon question, he reviewed the methods of disposing unused concrete.

Ms. McDonough spoke in rebuttal to public comment. She further discussed the National Pollutant Discharge Elimination System (NPDES) permits and street sweeping. She stated that KMR Concrete, Inc. is in compliance with regulations. Discussion followed.

Upon question Aaron Flint, reviewed the staff report findings.

Mr. Brandon reviewed the surrounding businesses and discussed their compatibility with KMR Concrete, Inc. Discussion followed.

Commissioner English stated his concerns with the future land use changes if the company were to go out of business.

Mr. Brandon suggested a restrictive covenant with the following provision: the land use would be limited to the current activity, no expansion of the site, best management practices, compliances with all environmental permits, and if the business ceased to operate, it would be required by the applicant to file a land use change application to return to a less intense land use classification which, in turn, would have to be approved by the Board of County Commissioners. Discussion followed.

Upon question, County Attorney Michael Craig stated that the Board can rely on the applicant's good faith that they will record a restrictive covenant at the end of the expiration of the appeal period.

The Chairman closed the public hearing.

Motions:

Adopt Ordinance No. 09-062 adopting CPA 09S-02 with the request of the Board that the applicant record the restrictive covenant at the end of the appeal period. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Bob English

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

Commissioner Smith stated that he believes KMR Concrete, Inc. has responded to complaints and has made improvements. He stated that he did not see any evidence of dust and that the location is appropriate for industrial land use.

Commissioner Reed stated she has visited the site four or five times and that the only noise she heard was a sprinkler and she stated that when she saw a truck being loaded she did not see any dust. She also noted that she is taking into consideration the needs of citizens and the Tri-County facility.

38. [Ordinance adopting CPA 09S-10 to change the Future Land Use on 1.24 +/- acres from Agriculture/ Residential-Rural \(ARR\) to Commercial Enclave \(CE\).](#)

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

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

Minutes:

Ana Martinez-Hubert, Long Range Planning, explained that this is an applicant initiated request to change the Future Land Use designation. She showed slides and reviewed the proposed change and stated that staff and the Planning Commission recommend approval. Discussion followed.

The Chairman opened a public hearing.

Algarene Richards, Vice President of Highland Park Manor Community Association, Inc., discussed how changing the land use would increase crime in the area.

Sylvia MacRay, Lake Wales resident, spoke in opposition of the proposed land use changes. She discussed the decrease in property value.

Millie Mae Faircloth, Lake Wales resident, discussed the increase in crime that will occur if the land use is changed to Commercial Enclave.

Ashley Sing, Davenport resident, spoke in support of the proposed land use changes.

The Chairman closed the public hearing.

Ms. Martinez-Hubert reviewed the staff recommendation of approval and the Planning Commission's 7-0 approval. Discussion followed.

Upon question Ms. Martinez-Hubert displayed a slide of the different permitted and conditional uses for Commercial Enclave. Discussion followed.

Motions:

Deny without prejudice CPA 09S-10. - PASS

Vote Results

Motion: Bob English

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Nay

Randy Wilkinson - Aye

39. [Ordinance adopting CPA 09S-11 to change the Future Land Use on 1.44 +/- acres from Residential Low \(RL\) to Commercial Enclave \(CE\).](#)

Attachment: [CPA 09S 11 Staff Report.pdf](#)

Attachment: [CPA 09S 11 Ordinance.pdf](#)

Minutes:

Albert Frederick, Long Range Planning, stated that this is an applicant initiated request to change the Future Land Use designation. He reviewed the proposed changes and stated that staff and the Planning Commission recommend approval.

The Chairman opened a public hearing.

Tim Wilburn, Frontier Engineering representing the applicant, spoke in support of the proposed ordinance.

The Chairman closed the public hearing.

Motions:

Adopt Ordinance No. 09-063 adopting CPA 09S-11. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

40. [Removal of equipment from inventory as listed on Blanket Removal Form 1844.](#)

Attachment: [Blanket Removal Form 1844.pdf](#)

41. [Approve Satisfaction of Road Improvement Lien for Maurice G. Moore.](#)

Attachment: [Moore Satisfaction of Assessment.pdf](#)

42. [Accept list of Lands Available for Taxes.](#)

Attachment: [Lands Available List 10-07-09.pdf](#)

43. [The Annual Meeting Schedules for Southwest Florida Water Management District, Housing Finance Authority of Polk County, Poinciana West Community Development District, West Lakeland Water Control District, Lake Region Lakes Management District, Saddle Creek Community Development District, Oakmont Grove Community Development District, Westridge Community Development District and City Center Community Development District.](#)

44. [Public input meetings for update to schedule for Establishment of Minimum Flows and Levels for Southwest Florida Water Management District.](#)

45. [Annual Financial Audit Report for Oakmont Grove Community Development District.](#)

47. [Internal Audit Report No. 09-01 on Consultants Labor Billing II.](#)

Attachment: [Internal Audit Report No. 09-01.pdf](#)

46. [Tentative Budget Submission for Southwest Florida Water Management District.](#)

COUNTY ATTORNEY

48. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcel 802.](#)

Attachment: [CoAtty AddIRW 559A Pcl802 Burke FiscallImpact NP.pdf](#)

Attachment: [CoAtty AddIRW 559A Pcl802 Burke Backup.pdf](#)

Minutes:

49. [Accept instruments for Additional Right-of-Way as requested through the Development Review Process.](#)

Attachment: [CoAtty DRC Multiple Parcels.pdf](#)

Attachment: [10 07 09 CoAtty DRC Multiple Parcels FisacIImpact.pdf](#)

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

Attachment: [10 07 09 CoAtty AddIRW Thompson Nursery Rd Moran-Royal Parcel Backup SCL.pdf](#)

Attachment: [10 07 09 CoAtty AddIRW Thompson Nursery Rd Moran-Royal Parcel Fiscal Impact SCL.pdf](#)

51. [Authorize payment of statutory attorney's fees in the case of Polk v. Peace, Case No: 53-2008CA-01168, Parcels 129 and 132](#)

Attachment: [PWFI Info Form - Polk vs Peace.pdf](#)

52. [Accept an instrument for Additional Right-of-Way as requested through the Development Review Process.](#)

Attachment: [10 07 09 CoAtty DRC Dunson Road Fiscal Impact.pdf](#)

Attachment: [10 07 09 CoAtty DRC Dunson Road Backup.pdf](#)

53. [Reimbursement Agreement with Florida Gas Transmission Company, LLC for the Removal and Relocation of Existing Facilities associated with the Lakeland North Meter Station, CR 35A \(Kathleen Road\) Phase II.](#)

Attachment: [CoAtty Reimb Agmt FGT Kathleen Rd Ph 2 Fiscal.pdf](#)

Attachment: [CoAtty Reimb Agmt FGT Kathleen Rd Ph 2 Backup.pdf](#)

54. [Agreement for Traffic Control on Private Roads for North Lake Buffum Shores Homeowners Association, Inc.](#)

Attachment: [N Lake Buffum Shores Agreement.pdf](#)

55. [SET HEARING to consider adoption of an ordinance creating Waters Edge Special Street Lighting District. \(Suggested hearing date: November 4, 2009, at 1:30 p.m.\)](#)

Attachment: [WatersEdge.pdf](#)

Attachment: [NoticeWatersEdge.pdf](#)

56. [Approve payment to landowner of Parcel 169 for acquisition of easements necessary for Skyview Utilities Water and Wastewater System Improvement Project.](#)

Attachment: [Mediated Agreement Parcel 169.pdf](#)

Attachment: [View of parcel 169.pdf](#)

57. [SET HEARING to consider adopting an amendment to Polk County Ordinance 77-9, as amended by 81-12, allowing for a waiver to the no alcohol policy in county parks. \(Suggested hearing date: October 21, 2009, at 1:30 p.m.\)](#)

58. [Record Maintained Right-of-Way for Clubhouse Road.](#)

Attachment: [Clubhouse RD 1.pdf](#)

Attachment: [08 05 09 CoAtty MROW Clubhouse Rd Fiscal.pdf](#)

59. [Ratify Outside Counsel Agreement between Polk County Charter Review Commission and C. Allen Watts.](#)

Attachment: [Outside Counsel Agreement CRC.pdf](#)

ASSISTANT COUNTY MANAGER

60. [Approval to add the position of Health Plan Financial Analyst for the Polk HealthCare Plan Program, which contained a scrivener's error regarding this position on consent agenda item No. 101, which was approved by the Board on July 8, 2009.](#)

61. [Medical Office Facilities Impact Fee Mitigation, Dr. Timothy Knight, Monarch Center, LLC, 6500 N. Socrum Loop Road, Lakeland, 2 story medical office complex.](#)

Attachment: [Medical Office Impact Fee Mitigation Dr. Timothy Knight.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

62. [Polk County Tourism & Sports Marketing Ticket Sales Agreement with Fantasy of Flight](#)

Attachment: [Fantasy of Flight_Sales Admission Agreement 2009-2010_pink purple.pdf](#)

Attachment: [Fantasy of Flight_Sales Admission Agreement 2009-2010.pdf](#)

63. [Sports Marketing "Sports Partner" Corporate Sponsorship Two Year Agreement with Ridgewood Lakes Golf Club.](#)

Attachment: [Ridgewood Lakes Golf Club Agreement 2009.pdf](#)

Attachment: [Ridgewood Lakes Golf Club_2 year-pink purple.pdf](#)

Attachment: [Ridgewood Lakes Golf Club 2009-2011.pdf](#)

64. [Promotional Agreement with Polk County Tourism & Sports Marketing and Florida Youth Soccer Association for 2009.](#)

Attachment: [FYSA Promotional Agreement-pink purple.pdf](#)

Attachment: [FYSA promotional agreement 2009.pdf](#)

65. [Florida Sports Foundation Grant Awards to Sports Marketing for the Paintball Sports Promotion 2009 World Cup.](#)

Attachment: [FL Sports Foundation - pink sheet.pdf](#)

Attachment: [FL Sports Foundation - purplesheet.pdf](#)

Attachment: [contract FlaSports.pdf](#)

INFRASTRUCTURE MANAGEMENT

66. [First Amendment to Agreement No. 09C0000048 between the Southwest Florida Water Management District and Polk County for Implementation of BMP's – Saddle Creek Watershed \(N122\).](#)

Attachment: [First Amendment Saddle Creek Watershed BMPs Approval.pdf](#)

Attachment: [First Amendment Saddle Creek Watershed BMPs.pdf](#)

67. [Lease Agreement between the Board and the City of Lake Wales for property to be used for construction of the parking lot and storm water system for the new Lake Wales Adult Day Care Center.](#)

Attachment: [09 0916 Lease City of LW Prop at LW ADC PWFI Oracle Req for Lgl.pdf](#)

Attachment: [09 0916 Lease City of LW Prop at LW ADC contract map.pdf](#)

68. [Approval of an Easement Agreement with Orange Lake Country Club.](#)

Attachment: [STOPR Easement Agreement Contract.pdf](#)

Attachment: [STOPR Easement Agreement Approvals.pdf](#)

69. [Approval of an Entry and Access License Agreement with The Nature Conservancy.](#)

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

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

70. [Acceptance of the Poitras Estates subdivision potable water and wastewater utility systems.](#)

Attachment: [Poitras Estates Backup.pdf](#)

71. [Acceptance of the Greens at Providence \(Heritage Green\) subdivision potable water and wastewater utility systems.](#)

Attachment: [Greens at Providence \(Heritage Green\) Backup.pdf](#)

72. [Acceptance of the Deer Creek Commercial North fire protection system improvements.](#)

Attachment: [Deer Creek Backup.pdf](#)

GROWTH MANAGEMENT

73. [Krenson Woods Conditional Plat Re-Approval.](#)

Attachment: [Krenson Woods.pdf](#)

74. [Approve Neighborhood Sign Maintenance Agreement Between Polk County and Shepherd Oaks Homeowners' Association, Inc. to permit a neighborhood identification sign in the right-of-way.](#)

Attachment: [Shepherd Oaks Sign Maintenance Agreement.pdf](#)

75. [Orlando South Development Draw Down of Irrevocable Letter of Credit.](#)

Attachment: [Orlando South Development.pdf](#)

HUMAN SERVICES

76. [Distribute Available Funds to Organizations Participating in FY 2009/10 Choose Life Specialty License Plate Program.](#)

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

Attachment: [SHIP DPA 100709.pdf](#)

Attachment: [SHIPstisfctnscklst.pdf](#)

78. [HOME Investment Partnership Program Rehabilitation/Replacement Agreements for Carol Brown.](#)

Attachment: [HOME-Browncklst.pdf](#)

Attachment: [Brown Carol 100709 HOME.pdf](#)

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

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

Attachment: [Section8cklst.pdf](#)

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

Attachment: [TBRACKlst.pdf](#)

Attachment: [TBRA Contracts.pdf](#)

81. [Transit Operator Agreement between the Board and Lakeland Area Mass Transit District \(LAMTD\) through September 30, 2010.](#)

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

Attachment: [WHAT Operator Agreement.pdf](#)

82. [Interlocal Agreement between the Board and the City of Winter Haven for the provision of public transit services within the city from the Winter Haven Area Transit system through September 30, 2010.](#)

Attachment: [Winter Haven Interlocal Agreement - WHAT.pdf](#)

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

83. [Interlocal Agreement between the Board and the City of Auburndale for the provision of public transit services within the city from the Winter Haven Area Transit system through September 30, 2010.](#)

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

Attachment: [Auburndale Interlocal Agreement - WHAT.pdf](#)

84. [Interlocal Agreement between the Board and the City of Lake Alfred for the provision of public transit services within the city from the Winter Haven Area Transit system through September 30, 2010.](#)

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

Attachment: [Lake Alfred Interlocal Agreement - WHAT.pdf](#)

85. [Interlocal Agreement between the Board and the City of Lake Wales for the provision of public transit services within the city from the Winter Haven Area Transit system through September 30, 2010.](#)

Attachment: [Lake Wales Interlocal Agreement - WHAT.pdf](#)

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

87. [Policy and Procedures for Negotiated Settlements and release of liens in Short Sale Transactions.](#)

Attachment: [Short Sale Policy.pdf](#)

Attachment: [ShortSalecklst.pdf](#)

PUBLIC SAFETY

88. [Resolution naming the previously unnamed roadway, Torgersen Lane.](#)

Attachment: [Torgersen Lane Resolution.pdf](#)

Attachment: [Attachment 1 Map Torgersen Lane.pdf](#)

89. [Emergency Management Preparedness and Assistance Subgrant Agreement No. 10-BG-25-07-63-01 and transfer from Special Revenue Grants Fund Reserve for Contingency.](#)

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

Attachment: [2009 2010 EMPA Base Grant Contract.pdf](#)

90. [State Homeland Security Grant Program Subrecipient Agreement.](#)

Attachment: [Polk County Grant Program Subrecipient Agreement.pdf](#)

91. [Contract with Greg R. White, M.D., to provide continued Medical Direction.](#)

Attachment: [EMS.Dr Whites Contract.pdf](#)

SUPPORT SERVICES

92. [License Agreement for Performance Based Procurement System \(PBPS\) with Arizona Science and Technology Enterprises, LLC dba Arizona Technology Enterprises.](#)

Attachment: [bestvalue.pdf](#)

93. [Report Bid Award by Purchasing Director for Bid No. 09-124-CAR.](#)

Attachment: [PWFI Yates at Ewell.pdf](#)

Attachment: [Bid 09-124 Yates Rd at Ewell Rd bid analysis.pdf](#)

94. [Schedule 3 to License Agreement for Maintenance Support for Novatus Software.](#)

Attachment: [novatus.pdf](#)

95. [Amendment No. 5 to Agreement No. 04-04 with Gordon Kettle.](#)

Attachment: [Gordon Kettle Agreement Extension.pdf](#)

96. [Reiss Environmental, Inc. name change to Reiss Engineering, Inc.](#)

Attachment: [07 88 1 Reiss Name Change.pdf](#)

97. [Request language changes in the Employee Handbook Sections 8.08 - Use and Request for Sick Leave; and 12.01 - Safety Violations.](#)

Attachment: [SAFETY VIOLATIONS.pdf](#)

98. [Collective Bargaining Agreement between the Board and the Polk County Professional Firefighters I.A.F.F., Local 3531 \(EMS District Chiefs and Medical Supervisors\) effective for one year beginning October 1, 2009.](#)

Attachment: [Final Draft EMS Chiefs and Supervisors.pdf](#)

99. [Collective Bargaining Agreement between the Board and the International Association of EMTs and Paramedics Local R5-917-SEIU/NAGE effective for one year beginning October 1, 2009.](#)

Attachment: [Final EMS CBA.pdf](#)

100. [Memorandum of Understanding between the Board and the Federation of Public and Private Employees \(AFL-CIO\) effective for one year beginning October 1, 2009.](#)

Attachment: [MOU.pdf](#)

POLK COUNTY TAX COLLECTOR

101. [Tax Collector requests Board approve extension of 2009 Tax Roll.](#)

Attachment: [Joe Tedder letter.pdf](#)

The Chairman adjourned the meeting at 5:50 p.m.