

Edwin Smith	- Aye
Randy Wilkinson	- Aye

B. PRESENTATIONS and RECOGNITIONS

- 3. [Present the Board a plaque from the US Census Bureau in appreciation for their support in helping to ensure a successful Census 2010 campaign.](#)

Minutes:

Director of Growth Management Tom Deardorff reported that Polk County had a 73% participation rate in the 2010 Census, and this rate was up from 57% in the 2000 Census. He thanked those who served on the Complete Count Committee as well as County staff who played a key roll in completing the Census by updating addressing and mapping. He said the County has received a plaque of appreciation from the U.S. Census Bureau for successful completion of the Census 2010 campaign.

Commissioner Smith recommended placing this plaque in the lobby of the Neil Combee Administration Building.

C. PROCLAMATIONS

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

- 4. [Disbursements.](#)

Attachment: [101810 Disbursements.pdf](#)

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

- 5. [Minutes of Closed Board meeting held on July 30, 2010, Closed Board meeting held on August 4, 2010, and Regular Board meeting held on August 4, 2010.](#)

Attachment: [080410 MIN.pdf](#)
Attachment: [080410S MIN.pdf](#)
Attachment: [073010S MIN.pdf](#)

Minutes:

Motions:	
Approve minutes.	- PASS
Vote Results	
Motion: Edwin Smith	
Second: Randy Wilkinson	

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

6. [Adopt a Resolution authorizing the issuance of Utility System Revenue Bonds.](#)

Attachment: [Polk Utility Award Resolution.pdf](#)
Attachment: [Polk Utility Sunshine.pdf](#)

Minutes: In Clerk to the Board Richard Weiss' absence, Chief Accountant/Projects Manager DeeDee Beaver recommended that the Board adopt a Resolution authorizing the issuance of Utility System Revenue Bonds, Series 2010A and Utility System Revenue Bonds, Series 2010B in an aggregate principal amount not to exceed \$60,000,000.00.

Motions:

Adopt Resolution No. 10-117 authorizing the issuance of Utility System Revenue Bonds, Series 2010A and Utility System Revenue Bonds, Series 2010B (Federally Taxable-Build America-Bonds-Direct Subsidy) in an aggregate principal amount not to exceed \$60,000,000.00. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

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

Motion Minutes:

Upon question by Commissioner Smith, Ms. Beaver said the estimated interest rate for these bonds is 4.75% including all costs.

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

G. COUNTY ATTORNEY (MICHAEL CRAIG)

92. [Announce Closed Session](#)

Minutes: County Attorney Michael Craig requested that the Board of County Commissioners hold a closed session on September 1, 2010, at 8:30 a.m. in Room 407 for the purpose of discussing pending litigation in the following two cases: T. Mims Corp., MIMS/ALAFIA, LLC, and MIMS Investments, LLC vs. Polk County; and Susan McDuffie et al. vs. Polk County and T. MIMS Corp.

7. [Consider approval of an Agreement for Sale and Purchase between Lake Hancock Partners, LLLP and Polk County for the purchase of 2.17 acres needed to construct and operate a water treatment plant in Polk County Utilities Southwest Regional Utility Service Area. \(\\$345,000.00 one-time expense\)](#)

Attachment: [Valley View Gus Stewart WPF Backup.pdf](#)

Minutes:

08-18-2010 Regular BoCC Meeting Minutes

Chief Right-of-Way Agent Wade Allen recommended that the Board approve the Agreement for Sale and Purchase with Lake Hancock Partners, LLLP.

Motions:

Approve the Agreement for Sale and Purchase with Lake Hancock Partners, LLLP and authorize the issuance of a check in the amount \$345,000.00 to American Government Services Corporation for the purchase. Also authorize the Chief Right-of-Way Agent to execute the documents on behalf of the Board at closing and record the documents needed to transfer title. - PASS

Vote Results

Motion: Edwin Smith

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

8. [Consider approval of an Agreement for Sale and Purchase between Christina Animal Hospital, Inc. and Polk County for the purchase of Parcel ID No. 232923-000000-044060 needed to upgrade Lift Station 99, a waste water lift station in Polk County Utilities Southwest Regional Utility Service Area. \(\\$220,000.00 one-time expense\)](#)

Attachment: [Christina Animal Hosp Backup.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen recommended that the Board approve the Agreement for Sale and Purchase with Christina Animal Hospital, Inc.

Motions:

Approve the Agreement for Sale and Purchase with Christina Animal Hospital, Inc. for the purchase of Parcel ID No. 232923-000000-044060, and authorize the issuance of a check in the amount \$220,000.00 to American Government Services Corporation for the purchase. Also authorize the Chief Right-of-Way Agent to execute the documents on behalf of the Board at closing and record the documents needed to transfer title. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

08-18-2010 Regular BoCC Meeting Minutes

9. Agreement between the Polk County Board of County Commissioners (BOCC), the Polk County Sheriff's Office (SHERIFF), North American Youth Foundation Services, Inc. (NAYFS) and HOPE NOW for contract for services.

Attachment: [HOPEAgrmt.pdf](#)

Minutes:

County Attorney Michael Craig endorsed this Agreement and introduced Justin Fennell, President of HOPE NOW.

Mr. Fennell stated this Agreement will allow HOPE NOW to develop a Transition Center, operated with no taxpayer dollars, to provide training, support and opportunity for recently released inmates to get a new start on life.

Mr. Fennell said this one year-program will consist of a 24 hour, live in facility where participants will contribute to the cost of the program by sharing in the labor of a farm, welding and repair shop and other industries. He said this cooperative private/public partnership will produce desired outcomes. He expressed his appreciation to the Board for its vision by participating in the HOPE NOW Transition Center for Men, and said there is a vision to develop a similar program for women.

Upon question, Mr. Fennell stated more information about this program is available on the HOPE NOW website, www.hopenowfl.org.

Discussion followed, and Mr. Fennell stated many employers are eager to help by offering apprenticeships and training opportunities.

HOPE NOW Executive Director Todd Knaack, Counselor Dr. D. Lee Spell and Dr. Jim Lumberson were recognized from the audience.

Motions:

Approve the Agreement with the Sheriff, North American Youth Foundation Services and HOPE NOW. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

Mr. Fennell invited the Board and public to attend a HOPE NOW fund raiser on August 19, 2010, at 5:30 p.m at the former Work Camp. He said Sheriff Judd will speak at the event.

H. COUNTY MANAGER (MICHAEL HERR)

10. Establish holiday and Board meeting schedule for 2011.

Attachment: [ResolutionSch2011.pdf](#)

Attachment: [agendacalendar11summary.pdf](#)

Minutes: County Manager Mike Herr recommended that the Board adopt a resolution setting the 2011 Holiday and Board Meeting Schedule.

Motions:

Adopt Resolution No. 10-118 approving the 2011 Holiday and Board Meeting Schedule. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

11. [Lease agreement with Winter Haven Hospital, Inc., owner of the Gil Jones Campus facility, for approximately 39,906 square feet of office space to serve as the Northeast Polk County Government Center. \(Option A - \\$481,768.32 annual rent; Option B - \\$448,144.38; or Option C - \\$419,013.00\)](#)

Attachment: [10 0818 Lease 219 WH Hosp NE Govt Ctr 1 yr Amend 4.pdf](#)

Attachment: [10 0818 Lease WH Hosp NE Govt Ctr Lgl.pdf](#)

Attachment: [10 0818 Lease new WH Hosp NE Govt Ctr new 10 yr w Approp SecNbrs.pdf](#)

Attachment: [10 0818 Lease WH Hosp NE Govt Ctr PWFIsBudget.pdf](#)

Attachment: [10 0818 Lease new WH Hosp NE Govt Ctr new 5 yr w Approp SecNbrs.pdf](#)

Minutes:

County Manager Mike Herr discussed the Board's three options for leasing office space from Winter Haven Hospital, Inc. for the Northeast Government Center. He listed the government offices which currently occupy the Gil Jones Campus facility.

Facilities Management Director David Peach said staff has investigated the availability and rental rates of other buildings in the surrounding area with similar square footage. He said it would cost between \$3 and \$4 million to build out the needed space. He reported that the County has renovated the existing facility at a cost of approximately \$1.7 million. He discussed the taxes paid by Winter Haven Hospital.

Upon question, Mr. Peach stated the Northeast Government Center currently houses branch offices of the Clerk of Courts, including courtroom facilities, Community Health and Social Services Division, County Probation, Court Administration, Elderly Services, Healthy Families, Polk County Health Department, Property Appraiser, Public Defender, State Attorney, and Supervisor of Elections, and Utilities Customer Service. He stated currently the County leases 39,900 square feet from Winter Haven Hospital, Inc.

Mr. Peach outlined the provisions and cost differences of the following three lease options: Option 1 - Renew existing lease for one additional year through March 31, 2011; Option 2 - Execute a new five-year lease; or Option 3 - Execute a new ten-year lease.

Upon question, Mr. Peach said staff recommends Option 3.

Motions:

Approve Option C: New ten-year lease with Winter Haven Hospital, Inc., effective August 1, 2010 to July 31, 2020, at a 13% discount with an annual Consumer Price Index (CPI) increase capped at 4%, - PASS beginning in year four (\$419,013.00 annual rent, plus \$134,796.00 annual utilities expense).

Vote Results

Motion: Edwin Smith

Second: Sam Johnson

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

Jean Reed - Aye

Motion Minutes:

Upon question, County Attorney Michael Craig outlined the clause in the Lease Agreement which would allow the County to opt out of the Lease Agreement early. He said this option should be used only in very extreme circumstances, and if it is used, Winter Haven Hospital, Inc. would be made whole for the discounts it granted to the County.

Commissioner Reed asked if any of the square footage could be sublet tenants other than Polk County Government, and Mr. Craig stated no.

12. [Selection Committee Recommendation for RFP 10-076, Digital Voice Logging System. \(\\$127,777.00 one-time expense\)](#)

Attachment: [10076.pdf](#)

Minutes: County Manager Mike Herr stated the cost of the Digital Voice Logging System will be shared between the Polk County Sheriff's Office and the BoCC 9-1-1 fund, with the County's share being \$70,000.00, because the 9-1-1 fund can only be used for the portion of the system that records telephone calls. He recommended approval.

Motions:

Approve the Selection Committee's recommendation and authorize staff to negotiate an agreement with Replay Systems of Fort Lauderdale, Florida for RFP 10-076, Digital Voice Logging System. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

13. [Letter of Agreement from Polk County Health Department, Request for Match Funds. \(\\$249,990.00 one-time expense\)](#)

Attachment: [Polk County CHD LIP LOA 1011_2_.pdf](#)

Minutes:

County Manager Mike Herr reviewed the Letter of Agreement with the Polk County Health Department for matching funds in the amount of \$249,990.00 to cover the period of July 1, 2010, through June 30, 2011. He recommended approval.

Director of Polk HealthCare Plan Jan Howell said this is the third year the County has entered into this Agreement with the Health Department. She outlined the projects which will be included.

There was discussion regarding the funding the Health Department receives from the State of Florida, and Ms. Howell stated Florida's Medicaid Program is unique and severely challenged because funding is based on sales tax revenues. She explained that a five-year federal pilot project provides funds for programs, but a local match is required to access these funds.

Ms. Howell said the State's Health Departments are underfunded, and while the County is not obligated to contribute to the Polk County Health Department's budget, certain programs will not exist if the County does not approve this Agreement; it is a collaborative solution to the health needs of the community.

Motions:

Approve the Letter of Agreement from the State of Florida Department of Health, Polk County Health Department, for matching funds per House Bill 5001. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

14. [The Human Services Department requests permission to apply for \\$100,000 from the IMPACT Health Care \(competitive\) Grant Program funded by the Blue Cross and Blue Shield Foundation. These funds would be used to develop a comprehensive community education program including interactive education opportunities such as webinars. \(No fiscal impact\)](#)

Minutes:

County Manager Mike Herr recommended approval to apply for the IMPACT Health Care Grant. He reviewed the scope of the Grant.

Motions:

Approve submission of IMPACT Health Care Grant application by Human Services Department. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

Bob English - Not Present

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

15. [Agreement with Ring Power Corporation for Equipment and Vehicle Maintenance and Asset Management and Lease Agreement for Waste Resource Management Division \(WRM\). \(\\$728,500.00 first year maintenance expense\)](#)

Attachment: [ring.pdf](#)

Attachment: [Ringpower lease.pdf](#)

Minutes: County Manager Mike Herr reviewed the Agreement and Lease. He recommended approval.

Motions:

Approve the Equipment and Vehicle Maintenance and Asset Management Agreement for RFP No. 09-094-CJC and Lease Agreement for Waste Resource Management with Ring Power Corporation of Lakeland, Florida. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

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

16. [Selection Committee's recommendation on RFP No. 10-079, Vehicle Purchase Agreement. \(Projected \\$1,500,000.00 expense per year for 3 years\)](#)

Attachment: [RFP 10 079 Vehicle Purchase Agreement Selection Committee Mtg Minutes.pdf](#)

Minutes:

County Manager Mike Herr recommended approval of the Vehicle Purchase Agreement with Weikert Ford.

Director of Fleet Management Bob Stanton clarified that the cost of this Agreement is \$500,000.00 per year for three years for a total of \$1,500,000.00.

Upon question, Mr. Stanton said the County will purchase approximately 20 to 25 vehicles, based on its needs.

Motions:	
Approve the Selection Committee's recommendation and authorize staff to negotiate the Vehicle Purchase Agreement with Weikert Ford, Inc., of Lake Wales, Florida for RFP No. 10-079, Vehicle Purchase Agreement at a not-to-exceed price of \$1,500,000.00.	- PASS
Vote Results	
Motion: Jean Reed	
Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

Motion Minutes: Mr. Weikert, owner of Weikert Ford, thanked to Board.

17. [Discuss HUD OIG Report.](#)

Minutes:

Director of Human Services Dr. Elba Cherry said the Office of Inspector General (OIG) Report focused on a survey and audit of the Polk County Housing and Neighborhood Development Division's HOME Investment Program and the Neighborhood Stabilization Program. She said staff successfully satisfied all concerns addressed in the survey.

Bruce Lions, CEO of Swan Advisers, outlined the Polk County Neighborhood Stabilization Program and explained how the funds have been obligated. He gave a breakdown of the investments made in properties all over the County to provide affordable single-family homes for low income families. He said the buyers must occupy the homes. He said more information can be obtained by going to the web site at www.polkhousing.com.

County Attorney Michael Craig commended Mr. Lions and Brian Bagwell of Keystone Challenge Fund for designing an innovative program to provide housing for needy families in Polk County.

Director of Housing and Neighborhood Development Greg Alpers commented on the survey.

County Manager Mike Herr stated the OIG Report found no abuse, fraud or waste in the County's programs, and the County was given clearance to proceed. He said a final report is forthcoming.

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

18. [Larry Powell, on behalf of the Angels Care Center of Eloise, a free faith-based medical clinic, to discuss a fee waiver.](#)

Minutes:

Mr. Powell said Angels Care Center is a mission project to provide a free faith-based medical clinic for the people living in the Eloise Community. He said when they applied for a building permit to renovate part of a church building to house this clinic, they were told the property is zoned Industrial which does not allow medical clinics. He asked the Board to waive the fees to apply for a zoning change.

Motions:

Waive application and advertising fees in the amount of \$1,800.00 for mission to apply for zoning change the to allow a medical clinic to be built in Eloise. - 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:

Upon question, Erik Peterson stated the \$1,800.00 waiver would cover the \$100.00 pre-application fee, \$1,300.00 application fee and \$400.00 advertising cost.

Commissioner Johnson asked that this application be expedited.

19. [Bill Landes to discuss Employment Verification \(E-Verify\).](#)

Minutes:

Mr. Landes stated he is the State Chairman of the Minutemen of Florida. He asked the County to place information about using E-Verify in business license renewal notices and provide this information to business owners applying for new business licenses.

Upon question, County Attorney Michael Craig stated business licenses are administered and renewed through the Polk County Tax Collector's Office, and there would be a cost associated with complying with Mr. Landes' request.

County Manager Mike Herr stated he will discuss this issue with Polk County Tax Collector Joe Tedder.

Discussion followed, and Mr. Craig stated the County complies with immigration laws and advises vendors doing business with the County of the option of using E-Verify. He said the County deals with registered vendors and reputable companies, and he is not aware of there being a problem with illegal immigrants working for Polk County.

Mr. Landes stated since the unemployment rate in Polk County is 12%, American employees should be hired. Discussion followed.

20. [Mildred McMillon to discuss funding for Faith in Action/North Lakeland, Inc.](#)

Attachment: [BOCC.pdf](#)

Minutes:

Ms. McMillon asked the Board to reconsider her request for \$25,000.00 to fund an office assistant for Faith in Action/North Lakeland, Inc.

Chairman English asked Dr. Cherry, Director of Human Services, if funds could be found for this request, and Dr. Cherry stated she has been unsuccessful in finding funds for this purpose.

Deputy County Manager Jim Freeman stated reductions have been made across the board in an effort to develop a balanced budget, and he has no solution at this time; however, it is a priority decision to be made by the Board.

Ms. McMillon stated grant funds can be obtained for many services, but administrative services are not included in the scope of the grants. She stated office assistance is needed. Upon question, she said United Way is not an funding option.

Upon question, Mr. Freeman stated the tentative budget does not include any available funds for outside agencies, and a \$25 million deficit is projected for next fiscal year.

Ms. McMillon stated people wanting to contribute to Faith in Action/North Lakeland, Inc. can write to 1123 Omohundro Avenue, Lakeland, FL 33805, and the phone number is 863 686-0009.

21. [Comments.](#)

Minutes:

Dennis Bear stated he is a County resident serviced by the Mt. Olive Utility System. He reported that since Polk County turned this Utility System over to the City of Polk City two years ago, his utility rates have more than doubled. He emphasized that this system is not regulated by the Public Service Commission. He asked the County to take the Mt. Olive Utility System back from Polk City because the finances of this municipality are being mis-managed.

Deputy County Manager Jim Freeman said rate protection for customers in unincorporated Polk County is of paramount concern to County Administration, and the County Manager will seek direction from the Board on the following two issues at the September 15, 2010, Board meeting: 1.) Status of the Mt. Olive Utility System; and 2.) Collection of Impact Fees from the City of Polk City.

Mr. Bear discussed an assessment of approximately \$300.00 which he said will appear on residents' tax bill for this Utility System.

Commissioner Smith asked if this assessment is legal, and County Attorney Michael Craig summarized this assessment process.

* * * * *

Troy Britt, Frostproof resident, explained that when the USDA purchased 40 acres of his property for a retention pond, and the County purchased the other 80 acres, he built a new home for his family. He reported that he paid \$9,763.00 in Impact Fees in May 2010, on the new home, and now there is a moratorium on Impact Fees. He asked the County to consider refunding these impact fees.

Mr. Freeman stated he will work with Mr. Britt on this issue and report back to the Board at the next Board meeting.

Commissioner Smith stated the moratorium does not affect collection of School Impact Fees.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH, CHAIR)

22. [Comments.](#)

Minutes: Chairman English stated he has nothing to discuss at this time.

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

23. [Restriction on Pain Clinics from becoming "pill mills."](#)

Attachment: [Pinellas County Ord.pdf](#)
Attachment: [Hillsborough County Ord 10 8E.pdf](#)
Attachment: [Pinellas County minutes.pdf](#)

Minutes:

Commissioner Wilkinson stated pain clinics are infiltrating Florida because the street value of the prescription drugs is less here than in other states. He said there are reputable pain clinics, but other clinics create a public nuisance.

County Attorney Michael Craig said he is working closely with legal staff at the Polk County Sheriff's Office to bring a proposed ordinance to the Board for its consideration on September 15, 2010, and a super majority vote of the Board will be needed to adopt this proposed ordinance. He said legitimate pain clinics will be recognized in the ordinance.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

24. [Appoint Capt. James D. Guth, United States Navy, Retired, as a member of the Polk County Board of Adjustment, for a three-year term expiring August 31, 2013.](#)

Attachment: [BOA Guth Bio 3.pdf](#)

Minutes:

Motions:

Appoint Capt. James D. Guth, United States Navy, Retired, as a member of the Polk County Board of Adjustment, for the three-year term beginning September 1, 2010, and ending August 31, 2013. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

93. [Impact Fee Moratorium](#)

Minutes:

Commissioner Smith asked if the Impact Fee moratorium is accomplishing the desired goal of encouraging commercial expansion and job creation in Polk County.

Deputy County Manager Jim Freeman reviewed a chart listing the 2010 New Development Review Pre-Applications and Level 2 Reviews. He emphasized that it may be too early to draw any conclusions from this data.

John Bohde, Long Range Planning, stated the number of Level 2 Reviews are a better indicator of the impact the moratorium is having because Pre-Applications are not always required.

Upon question regarding any requests for refunds of Impact Fees, County Attorney Michael Craig stated these requests would be taken on a case-by-case basis in light of the Ordinance.

Following discussion, Commissioner Smith reiterated that the moratorium was meant to add stimulus to the business community

and make a difference in the unemployment rate.

M. COMMISSIONER DISTRICT 4 (JEAN REED)

25. [Discussion on abandoned or infested orange groves.](#)

Minutes:

Commissioner Reed explained that the Citrus Health Response Program (CHRP) Assessment Policy for Polk County is an initiative intended to address the issue of abandoned groves. She said the County should encourage dialog between the Polk County Property Appraiser, citrus growers and other stakeholders to support agriculture.

Commissioner Reed stated recently she toured Legoland with the new General Manager, Adrian Jones. She reported that on August 5, 2010, she attended the groundbreaking ceremony for the new building for Lighthouse for the Blind in Winter Haven. She said she has attended two cancer events, and recently she canoed Reedy Creek with the Sierra Club. She reported that yesterday she attended the Investiture ceremony for Judge Harlan, Judge Hofstad and Judge Durden.

Commissioner Reed said on August 11 and 12, 2010, Joint Town Hall Meetings were held in Poinciana with Osceola County, and one additional Town Hall Meeting is coming up in September 2010.

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

26. [Appoint Frank R. Satchel, Jr. as a member of the Polk County Housing Finance Authority for the four-year term expiring November 30, 2011.](#)

Attachment: [Bio for Frank Satchel.pdf](#)

Minutes:

Motions:

Appoint Frank R. Satchel, Jr. as a member of the Polk County Housing Finance Authority for the four-year term beginning December 1, 2007, and ending November 30, 2011. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

94. [Draft Comprehensive Plan Amendment](#)

Minutes:

Commissioner Johnson asked if there is interest in amending the Polk County Comprehensive Plan to provide for an appeal process for water and sewer hookups.

Deputy County Manager Jim Freeman noted that there is currently no waiver process in the Comprehensive Plan.

County Attorney Michael Craig stated a variance procedure would need to be added to the Comprehensive Plan; however, the Department of Community Affairs (DCA) may challenge this type of Amendment to the Comprehensive Plan. He said if it is the

direction of the Board to draft an amendment, he would enlist outside counsel.

Chairman English stated he would be in favor of drafting such an amendment.

Upon question, Mr. Freeman stated staff can conduct a survey of other counties and move forward with drafting a staff-initiated Comprehensive Plan Amendment for the next cycle over the next several months.

O. LAY BOARD APPOINTMENTS

27. [Reappoint Frank Johnson as a member of the Tourist Development Council to serve a four-year term expiring August 31, 2014.](#)

Attachment: [FRANK JOHNSON.pdf](#)

Minutes:

Motions:

Reappoint Frank Johnson to the Tourist Development Council to serve another four-year term beginning September 1, 2010, and ending August 31, 2014. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes: Following discussion, the maker of the motion withdrew it.

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

P. PUBLIC HEARINGS

28. [Adopt a Resolution to vacate a portion of a platted utility easement lying within Lot 9, Block N, shown on the plat of Jan Phyl Village Unit Ten. \(No fiscal impact\)](#)

Attachment: [PH Jan Phyl Vill Ut 10 Collins.pdf](#)

Minutes:

County Attorney Michael Craig reminded the audience of the procedures for public hearings and swore in those who plan to speak this afternoon.

Chief Right-of-Way Agent Wade Allen reviewed the proposed resolution. He stated that there are no objections to the vacation. He recommended approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No.10-119 vacating a portion of a platted utility easement lying within Lot 9, Block N, shown on the plat of Jan Phyl - PASS

Village Unit Ten.

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

29. [Adopt a Resolution to vacate a portion of unmaintained, platted right-of-way shown as Bonnieview Road on the plat of Eloise Woods, Lake Roy Unit. \(No fiscal impact\)](#)

Attachment: [PH Eloise Woods Lk Roy Unit Daniel.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen reviewed the proposed resolution. He stated that there are no objections to the vacation. He recommended approval. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 10-120 vacating a portion of unmaintained, platted right-of-way shown as Bonnieview Road on the plat of Eloise Woods, Lake Roy Unit. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

30. [CU 10-01 \(Expansion of the Imperial Lakes Water Treatment Plant\). \(No fiscal impact\)](#)

Attachment: [CU 10 01 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, discussed the proposed Conditional Use to expand the Imperial Lakes Water Treatment Plant. He showed slides of the area and noted that the applicant wants to expand water treatment capacity from 1.1 million gallons per day to 2.3 million gallons per day. He noted that staff recommends approval and the Planning Commission recommends approval with conditions.

The Chairman opened a public hearing; no one spoke.

Motions:

Approve CU 10-01. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

Randy Wilkinson - Aye

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

31. [CU 10-08 \(Martin Marietta Mulberry Aggregate Transfer Facility\). \(No fiscal impact\)](#)

Attachment: [CU 10 08 Staff Report.pdf](#)

Minutes:

Commissioner Reed stated she has driven around the site and has met with the applicant and/or applicant's representative. She said that meeting with the applicant will not affect her decision.

Chairman English, Commissioner Smith, and Commissioner Johnson disclosed that they have been briefed by the applicant's attorney.

Commissioner Wilkinson stated he has spoken with citizens for and against the proposed Conditional Use.

Tom Wodrich, Land Development, discussed the proposed Conditional Use for a new railroad spur, railroad yard, and storage and transfer facility. He showed slides of the area and noted that staff recommends approval and the Planning Commission recommends approval with conditions. He noted that portions of Prairie Mine Road are in need of repair, but the road is able to accommodate traffic. He outlined the conditions added to the proposed Conditional Use.

Commissioner Smith questioned how many hours are available for CSX to unload materials and Mr. Wodrich stated CSX has 12 hours to unload. Mr. Wodrich stated that shakers will be used on rail cars.

Commissioner Smith discussed concerns with the noise levels associated with rail car shakers. Discussion followed on truck traffic in the Fuller Heights Subdivision.

Upon question, Mr. Wodrich clarified where the loading and unloading of rail cars occur on the site.

Commissioner Reed commented on the site the hours of operation and recommended limiting truck loading hours.

Upon question, Tim Campbell, representing the applicant stated that the applicant has agreed to install proper signage surrounding the site to prevent truck traffic flow in the Fuller Heights Subdivision. Discussion followed.

Discussion followed on the hours of handling aggregate materials on the site.

Upon question, Mr. Wodrich stated that water is sprayed into the air for irrigation purposes and the water quality will be tested due to a history of water contamination.

County Attorney Michael Craig outlined the procedures for DeNovo hearings.

Mr. Campbell stated the applicant has agreed to place proper directional signs to the site. He reviewed the daily operations of Martin Marietta Materials, Inc. and noted that the proposed Conditional Use is in compliance with the Comprehensive Plan. He said County staff and the Planning Commission recommend approval.

Dan Scissile, Manager Martin Marietta Materials, Inc., presented videos that illustrated low noise on the site. He gave an overview of the functions of Martin Marietta Materials, Inc. and the variety of services they provide. He stated that approximately 100 trucks per day will access the site. He showed a second video that illustrated how the shakers function.

Mr. Campbell said the noise levels, dust levels and light levels are minimal. He stated a wall buffer will be constructed to decrease noise levels. He outlined how the proposed Conditional Use will enhance Polk County.

Augie Fragala, applicant, outlined the various land uses for the site. He demonstrated locations where signs will be placed to direct traffic. He showed the location of companies near the site that are designated as industrial. He discussed how the

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proposed Conditional Use is consistent with the Comprehensive Plan. He pledged to comply with the proposed conditions and requested Board approval. Discussion followed.

Upon question by Commissioner Smith, Mr. Fragala stated that noise level studies will be completed and noise sampling meters will be placed on site. He stated that companies adjacent to the site cannot exceed 75 decibels at the property line.

Mr. Campbell confirmed that a buffering wall will be constructed on site where the rail cars are unloaded.

Chris Wilson, Engineering firm representing the applicant, responded to questions from Commissioner Reed regarding elevation of the site in comparison with residential areas near the site.

Mr. Campbell outlined modifications to condition numbers four, seven and thirteen.

County Attorney Michael Craig discussed concerns with condition number eleven regarding the transfer of the parcel listed and recommended removal of this condition. Discussion followed.

Upon question, Mr. Wodrich clarified that condition number five requires the applicant to have a Level 3 review for any modifications to the land uses, access or structures not listed in Section 906.E.

Mr. Campbell requested Board approval with conditions as proposed by the applicant.

A brief recess was announced.

Regina Hogan, attorney representing the Fuller Heights Community, spoke in opposition. She discussed the negative impacts of high noise levels, dust, depreciation in homeowner's property values, security, and traffic increasing. She showed a video demonstrating high noise levels and contamination issues on the site. She requested Board denial.

Commissioner Reed discussed concerns with diesel fumes impacting the residential area. She asked Ms. Hogan how harmful fumes can be reduced. Ms. Hogan suggested having the applicant purchase the residential properties around the site. Discussion followed.

Upon question, Ms. Hogan stated the trains depicted in the video are carrying hazardous phosphoric materials. She said there are five railroad tracks on the site.

Ms. Harris read a letter explaining the history, daily life of residents and environmental issues that are harming residents in Fuller Heights. She questioned what would happen to the aggregate materials in the event of a hurricane. She requested the Board deny the proposed Conditional Use.

Derrick Key spoke in opposition and stated arsenic is being sprayed into the air and the trains are running all hours throughout the night. He discussed the loudness of the rail car shakers.

Pastor James Sykes questioned the responsibility of the Board regarding contaminated water. County Attorney Michael Craig responded stating that the Board is not responsible for the contaminated water; the company releasing the chemicals is responsible for any air or water pollution.

Ms. Hogan summarized the negative impacts of the proposed Conditional Use and requested Board denial.

The Chairman opened a public hearing.

Justin Mathews, Fuller Heights resident, spoke in opposition.

The Chairman closed the public hearing.

Mr. Campbell spoke in rebuttal to the appellant and public comment.

Mr. Campbell responded to questions from the Commissioners. He stated that the trains are operated by diesel fuel and he outlined the distance of the aggregate stacks to the Fuller Heights Subdivision. He said if a hurricane comes, the aggregate materials will be minimized to meet employee and neighborhood safety needs. He further noted that Martin Marietta Materials, Inc. will operate seven days a week and the train visits per day will vary as needed for business operations. He said the applicant's goal is to unload as many trains as possible during the daytime.

Commissioner Johnson noted that staff and the Planning Commission recommended approval of the proposed Conditional Use.

Upon question by Commissioner Reed, County Attorney Michael Craig said the Board does not have the authority to regulate idling trains. He said the rail systems are governed by The Surface Transportation Board.

Upon question, Mr. Campbell clarified that CSX drops the rail cars and leaves immediately; and the shuttle wagons are running

only during the unloading process.

Commissioner Reed suggested implementing an air quality study and air quality monitor on the site.

Ms. Hogan spoke in rebuttal to the applicant.

Upon question, Mr. Wodrich discussed the historical land uses of the site. He discussed the sound wall and surrounding stacks and how it will reduce the noise levels. He reiterated how an industrial site is located near a residential area. Discussion followed on whether a sound wall is suitable for the site.

Commissioner Johnson thanked the applicant and the appellant for their professionalism.

Motions:

Approve CU 10-08 with conditions 1 through 12 as amended. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

Commissioner Reed discussed the importance of a buffer and suggested reducing the truck traffic hours.

Commissioner Johnson stated that as the maker of the motion, he will not amend the motion to reflect Commissioner Reed's suggestions.

Upon question, Mr. Wodrich stated that 50 trucks on average would access the site daily and weekends would have less truck trips.

Commissioner Smith stated that the amount of trucks and trains varies with the amount of business taking place each day.

Commissioner Reed stated she would like for the County to place more trees on the Waste Water Treatment Plant to reduce diesel fumes and noise.

Commissioner Smith called the question.

32. [LDC 10T-05 \(PIX - US 27 SAP\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 10T 05 Ordinance.pdf](#)

Attachment: [LDC 10T 05 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, outlined the proposed ordinance. He showed slides of the area and noted that this is the first of two hearings and the second hearing will be held on September 1, 2010. He stated that staff and the Planning Commission recommend approval. Discussion followed on the Ridge Protection Area Standards of the Green Swamp.

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Upon question, Jack Brandon, Peterson and Myers, representing the applicant, stated US 27 was used as a boundary for the green swamp area. He said the critical areas have been segregated based on land uses.

The Chairman opened a public hearing; no one spoke.

33. [LDC 10T-08 \(LCCX in Polk City SPA\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 10T 08 staff report.pdf](#)

Attachment: [LDC 10T 08 ordinance.pdf](#)

Minutes:

Todd Vargo, Land Development, reviewed the proposed ordinance. He showed slides and said this is a staff initiated request. He stated that staff and the Planning Commission recommend approval. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No.10-058 adopting LDC 10T-08. - 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

34. [LDC 10T-09 \(Mixed Uses in Green Swamp\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

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

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

Minutes: Erik Peterson, Land Development, reviewed the proposed ordinance. He showed slides and said this is a staff initiated request. He stated that staff and the Planning Commission recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No.10-059 adopting LDC 10T-09. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

35. [LDC 10T-10 \(Government Facilities in the US 27 SAP\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

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

Minutes: John Bohde, Land Development, reviewed the proposed ordinance. He showed slides of the area and said this is a staff initiated request. He stated that staff and the Planning Commission recommend approval.

The Chairman opened a public hearing; no one spoke.

Motions:	
Adopt Ordinance No.10-060 adopting LDC 10T-10.	- 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

36. [DA 05-01M - Consider changes to the Four Corners Town Center Development Agreement. \(Request Board continue to October 6, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

Minutes:

Concurrency and Entitlements Director Quen Wilson requested this item be continued to October 6, 2010, at 1:30 p.m.

The Chairman opened a public hearing; no one spoke.

Motions:	
Continue DA 05-01M to October 6, 2010, at 1:30 p.m.	- 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

37. [NOPC 10-02 - Changes to the Four Corners Town Center Development of Regional Impact. \(No fiscal impact\)](#)

Attachment: [NOPC 10 02 staff report.pdf](#)
Attachment: [NOPC 10 02 FINAL Resolution with Proposed Changes.pdf](#)

Attachment: [NOPC 10 02 FINAL Resolution Clean Copy.pdf](#)

Minutes:

Tom Wodrich, Land Development, gave background information and reviewed the Development Review Committee Staff Report. He stated that the applicants are requesting to separate responsibilities between the parties. He showed slides of the area and recommended approval.

The Chairman opened a public hearing.

Tim Campbell, representing the applicant, requested Board approval.

The Chairman closed the public hearing.

Motions:

Adopt Resolution No. 10-121 approving NOPC 10-02. - 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

38. [Removal of equipment from inventory as listed on Blanket Removal Form 1865.](#)

Attachment: [Blanket Removal Form 1865.pdf](#)

39. [Internal Audit Report No. 10-01 on Consultants Labor Billing III.](#)

40. [Proposed Budget for Fiscal Year 2010-2011 for the Southwest Florida Water Management District.](#)

41. [Minutes of the Golden Lakes Community Development District dated November 3, 2009, and March 2, 2010.](#)

COUNTY MANAGER

42. [Reporting to the Board that I have approved Terry Armstrong to serve a two year term on the Employee Relations Council.](#)

Attachment: [Bio for Terry Armstrong.pdf](#)

INFRASTRUCTURE MANAGEMENT

43. [CSA No. 10-32-01 between Polk County and Pegasus Engineering, LLC, for the Post-Design Services for the Elizabeth Place Hydrologic Enhancement Project. \(\\$33,421.60 not to exceed cost\)](#)

Attachment: [Elizabeth Place CSA 10 32 01.pdf](#)

Attachment: [Elizabeth Place CSA Approvals.pdf](#)

44. [Adopt a Resolution Setting Speed Limit on Swindell Road \(near Lakeland\). \(\\$219.28 one-time expense\)](#)

Attachment: [Speed Limit Resolution Swindell Road.pdf](#)

Attachment: [Swindell Road Maps.pdf](#)

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Attachment: [Legal Review Swindell Road.pdf](#)
Attachment: [Swindell Road Speed Study.pdf](#)
Attachment: [Speed Limit Fiscal Impact Swindell Road.pdf](#)

45. [Adopt Resolutions Setting Speed Limits on Shady Cove East and Shady Cove Road \(near Haines City\). \(\\$219.28 one-time expense\)](#)

Attachment: [Shady Cove East Speed Study.pdf](#)
Attachment: [Shady Cove Road Maps.pdf](#)
Attachment: [Speed Limit Resolution Shady Cove Road.pdf](#)
Attachment: [Legal Review Shady Cove.pdf](#)
Attachment: [Shady Cove East Maps.pdf](#)
Attachment: [Shady Cove Road Speed Study.pdf](#)
Attachment: [Speed Limit Resolution Shady Cove East.pdf](#)

46. [Adopt a Resolution Setting Parking Restrictions on Dixie Highway \(near Auburndale\). \(\\$127.46 one-time expense\)](#)

Attachment: [Dixie Highway Maps.pdf](#)
Attachment: [Dixie Highway Parking Study.pdf](#)
Attachment: [Legal Review Dixie Highway.pdf](#)
Attachment: [Parking Restrictions Resolution Dixie Highway.pdf](#)
Attachment: [Parking Restrictions Fiscal Impact Dixie Highway.pdf](#)

47. [Roadway Lighting System Maintenance Agreement with the State of Florida Department of Transportation for State Road 25 \(US 27\). \(\\$5,015.68 annual revenue/no match required\)](#)

Attachment: [SR 25 FDOT Rdwy Lighting Sys Maint Agrmt Utility Resolution.pdf](#)
Attachment: [SR 25 FDOT Rdwy Lighting Sys Maint Agrmt Letter.pdf](#)
Attachment: [SR 25 FDOT Rdwy Lighting Sys Maint Agrmt Fiscal Impact.pdf](#)
Attachment: [SR 25 FDOT Rdwy Lighting Sys Maint Agrmt.pdf](#)

48. [Adopt a Resolution Setting Speed Limit on Poinsettia Road \(near Auburndale\). \(\\$219.28 one-time expense\)](#)

Attachment: [Poinsettia Road Maps.pdf](#)
Attachment: [Poinsettia Road Speed Limit Fiscal Impact.pdf](#)
Attachment: [Poinsettia Road Approvals.pdf](#)
Attachment: [Poinsettia Road Speed Limit Resolution.pdf](#)
Attachment: [Poinsettia Road Speed Study.pdf](#)

49. [Contract for Outdoor Lighting with the City of Lakeland for lighting in the vicinity of 7829 New Tampa Highway, Lakeland. \(\\$1,275.36 annual expense; \\$590.08 revenue for FY 2011/2012 / no match required\)](#)

Attachment: [Contract Outdoor Lighting Approvals.pdf](#)
Attachment: [Contract for Outdoor Lighting Fiscal Impact.pdf](#)
Attachment: [Contract for Outdoor Lighting Agreement COL.pdf](#)

50. [CSA No. 02-101-13, Modification No. 4, with Chastain-Skillman, Inc., for the Rehabilitation/Replacement of Lift Station No. 76 \(Sun Air\). \(\\$22,453.00 not-to-exceed cost plus a contract time extension\)](#)

Attachment: [Chastain Skillman CSA 02 101 13 Mod 4 Contract.pdf](#)
Attachment: [Chastain Skillman CSA Mod Approvals.pdf](#)

51. [Amendment No. 1 to Construction Manager-at-Risk \(CMAR\) Contract No. 06-037-02 with Wharton-Smith, Inc., for expansion of the Northeast Regional Wastewater Treatment Facility from 3.0 MGD to 6.0 MGD, adding liquidated damages for exceeding contract time. \(Liquidated damages will be used to compensate the owner, Polk County Utilities, and the engineer, AECOM, in the event of construction delays.\)](#)

Attachment: [Wharton Smith CMAR Amendment.pdf](#)
Attachment: [Wharton Smith CMAR Amendment Approvals.pdf](#)

52. [Change Order No. 2 to Construction Manager-at-Risk \(CMAR\) Contract No. 06-037-02 with Wharton-Smith, Inc., for expansion of the Northeast Regional Wastewater Treatment Facility from 3.0 MGD to 6.0 MGD. \(\\$227,611.02 decrease and a contract time extension\)](#)

Attachment: [Wharton Smith Change Order Contract.pdf](#)
Attachment: [Wharton Smith Change Order Approvals.pdf](#)

53. [Approve the Agreement for Sale and Purchase with the Estate of O. J. Tooke, Jr., to purchase property which will allow legal](#)

[access to the Heritage Place Wastewater Treatment Facility and the Lake Garfield Water Production Facility. \(\\$14,025.00 not-to-exceed cost\)](#)

Attachment: [Agreement for Sale and Purchase.pdf](#)
Attachment: [Tooke Purchase Agreement Approvals.pdf](#)

54. [Drainage Right-of-Way Agreement with Albert F. Jeffries, Woodland Avenue Drainage Improvements Project. \(\\$17,535.50 one-time expense\)](#)

Attachment: [Jeffries Drainage ROW Approvals.pdf](#)
Attachment: [Jeffries Drainage ROW Agreement.pdf](#)
Attachment: [Jeffries Drainage ROW Location Map.pdf](#)

55. [Indemnification Agreement between Publix Super Markets, Inc. and Polk County Library Bookmobile for FY 2010-2011. \(No fiscal impact\)](#)

Attachment: [Library Bookmobile Indemnity Agreement.pdf](#)

56. [CSA No. 10-28-01 with Lunz Prebor Fowler Architects, for design services associated with construction of a temporary Fire/EMS Station on property located at 11779 Highway 60 East, eight miles east of Lake Wales \(Nalcrest/Fedhaven area\). \(\\$62,345.00 not to exceed one-time expense\)](#)

Attachment: [10 0818 Ranchlands FS CSA LPFA PWFI.pdf](#)
Attachment: [10 0818 Ranchlands FS CSA LPFA CSA Appr LglReq.pdf](#)
Attachment: [10 0818 Ranchlands FS CSA LPFA Contract Map.pdf](#)
Attachment: [10 0818 Ranchlands FS CSA LPFA Oracle.pdf](#)
Attachment: [10 0818 Ranchlands FS CSA LPFA FiscAppr.pdf](#)

57. [Request approval to reduce the Polk County Utilities Fiscal Year 2009/2010 Expansion Community Investment Program \(CIP\) and Renewal and Replacement \(R&R\) CIP budgets. \(\\$40,387,001.99 total reduction in the Utilities Expansion CIP and R&R CIP budgets\)](#)

Attachment: [Utilities CIP Budget Amendment Approvals.pdf](#)
Attachment: [Budget Amendment Exhibit B.pdf](#)
Attachment: [CIP Budget Revision Journal 1 Revised.pdf](#)
Attachment: [R and R Budget Revision Journal 1 Revised.pdf](#)
Attachment: [R and R Budget Revision Journal 2.pdf](#)
Attachment: [Budget Amendment Exhibit A.pdf](#)
Attachment: [CIP Budget Revision Journal 2.pdf](#)

GROWTH MANAGEMENT

58. [SET HEARING \(10S-04, 05, 06, and 08\) to consider adoption of Small Scale Comprehensive Plan Amendments. \(Suggested hearing date: September 1, 2010, at 1:30 p.m.\)\(No fiscal impact\)](#)

59. [Tower Palms Subdivision Plat Conditional Approval. \(No fiscal impact\)](#)

Attachment: [Tower Palms.pdf](#)

60. [Orlando South Subdivison Plat Release of Surety. \(No fiscal impact\)](#)

Attachment: [Orlando South.pdf](#)

61. [Consider a Utility Agreement with RGUM, LLC for an easement to construct a lift station on U.S. Highway 27. \(No fiscal impact\)](#)

Attachment: [RGUM Utility Agreement.pdf](#)

HUMAN SERVICES

62. [Standard Coordination Agreement between the Board and the Reese Group Home. \(No fiscal impact\)](#)

Attachment: [Reese Group Home Coordination Agreement.pdf](#)

63. [Standard Coordination Agreement between the Board and Polk County Blind Veterans Inc. \(No fiscal impact\)](#)

Attachment: [Polk County Blind Veterans Coordination Agreement.pdf](#)

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64. [Amendment No. 1 to the WHAT interlocal agreement between the Board and the City of Bartow to extend the date of the agreement through September 30, 2011. \(No fiscal impact\)](#)

Attachment: [Bartow Bus Interlocal Agreement Amendment 1.pdf](#)

65. [Amendment No. 1 to the WHAT interlocal agreement between the Board and the City of Lake Alfred to extend the date of the agreement through September 30, 2011. \(No fiscal impact\)](#)

Attachment: [Lake Alfred Bus Interlocal Agreement Amendment 1.pdf](#)

66. [Amendment No. 1 to the WHAT interlocal agreement between the Board and the City of Auburndale to extend the date of the agreement through September 30, 2011. \(No fiscal impact\)](#)

Attachment: [Auburndale Bus Interlocal Agreement Amendment 1.pdf](#)

67. [Standard Coordination Agreement between the Board and ElderPoint Ministries and Letter of Support. \(No fiscal impact\)](#)

Attachment: [Elder Point Ministries Coordination Agreement.pdf](#)

Attachment: [Liability Insurance.pdf](#)

Attachment: [Letter of Support.pdf](#)

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

68. [Amendment 004, Community Care for the Elderly, CCE-09/10-POLK, and Resolution to amend Special Revenue Grant Fund. \(\\$61,336.00 one-time revenue\)](#)

Attachment: [Budget Revision Journal 091810.pdf](#)

Attachment: [Req for legal CCE Amend 004 0910.pdf](#)

Attachment: [Resolution CCE Amend 004 091810.pdf](#)

Attachment: [CCE Amend 004 0910.pdf](#)

69. [Amendment 003, Contract number ARRA-09/10-POLK \(American Recovery and Reinvestment Act of 2009\) Older Americans Act Title III C1 and C2 Nutrition Services, and Resolution to Amend Special Revenue Grant Fund. \(\\$34,820.00 one-time revenue/\\$3,868.00 one-time match\)](#)

Attachment: [Resolution 81810 Elderly Services ARRA funds.pdf](#)

Attachment: [Copy of Budget Revision Journalarra081810.pdf](#)

Attachment: [Req for legal ARRA Amend 003 0910.pdf](#)

Attachment: [ARRA Amend 003 0910.pdf](#)

70. [State Housing Initiatives Partnership \(SHIP\) Down Payment Assistance Program Satisfactions of Mortgage and Security Agreement for John G. Huntzinger and Robin Nicole Huntzinger. \(\\$7675.00 one-time revenue\)](#)

Attachment: [Huntzinger John Checklist.pdf](#)

Attachment: [SHIP DPA Sat 081810.pdf](#)

71. [HOME Investment Partnership Program Rehabilitation/Reconstruction Agreements for Earnestine Truedell. \(\\$96,588.00 one-time expense\)](#)

Attachment: [Truedell Earnestine Checklist.pdf](#)

Attachment: [Truedell Earnestine Rhab 081810.pdf](#)

72. [Tenant-Based Rental Assistance \(TBRA\) Payments Contract for Misty Davis. \(\\$7,944.00 annual expense\)](#)

Attachment: [TBRA Contract.pdf](#)

Attachment: [TBRA Checklist.pdf](#)

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

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

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

PUBLIC SAFETY

74. [Citizens Corps - Community Emergency Response Team Grant Application from the Florida Division of Emergency Management. \(No fiscal impact\)](#)

Attachment: [CERT Application.pdf](#)

75. [Citizens Corps - Grant Application from the Florida Division of Emergency Management. \(No fiscal impact\)](#)

Attachment: [Citizen Corps Application.pdf](#)

76. [Modification No. 2 to the State Division of Emergency Management's FY 2008 Grant. \(Reinstatement and time extension only\)](#)

Attachment: [Mod to extend Grant.pdf](#)

77. [Resolution naming unnamed roadway, Vine Lane. \(\\$130.00 one-time expense\)](#)

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

Attachment: [Map Vine Lane.pdf](#)

78. [Resolution renaming a roadway from Lake Drive to Bass Lane. \(No fiscal impact\)](#)

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

Attachment: [Bass Lane Map.pdf](#)

79. [Resolution renaming a roadway from Circle Drive NW to Hemlock Lane. \(No fiscal impact\)](#)

Attachment: [Hemlock Lane Map.pdf](#)

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

80. [Resolution renaming a roadway from Park Lane to Spruce Lane. \(No fiscal impact\)](#)

Attachment: [Spruce Lane Map.pdf](#)

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

81. [Fire Emergency Response Agreements. \(\\$125,000.00 not-to-exceed cost\)](#)

Attachment: [Fire Emergency Response Agreements.pdf](#)

SUPPORT SERVICES

82. [Modification No. 1 for CSA 04-46-25 with Jones Edmunds & Associates, Inc. \(JEA\). \(time extension only\)](#)

Attachment: [Jones Edmunds CSA time extension.pdf](#)

83. [Approval to submit a proposal in response to a request for proposal \(RFP\) from The Economic Development Administration \(EDA\) Department of Commerce Grant Program to develop a Videographer Apprenticeship Program. \(No fiscal impact to apply for the grant\)](#)

Attachment: [RFP for Economic Development Grant.pdf](#)

POLK COUNTY SHERIFF

84. [Approve 2010 Edward Byrne Memorial Justice Assistance Grant in the amount of \\$156,431, Chairman sign the Award Document and initial the Special Condition pages. \(\\$156,431.00 recurring revenue\)](#)

Attachment: [ED BYRNE GRANT 2010.pdf](#)

POLK COUNTY SUPERVISOR OF ELECTIONS

85. [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. \(\\$59,037.00 revenue/\\$8,856.00 required match\)](#)

Attachment: [Supervisor of Elections Federal Activities Grant.pdf](#)

COUNTY ATTORNEY

86. [Record Maintained Right-of-Way for Old Stokes Road. \(\\$195.00 one-time expense\)](#)

Attachment: [Fiscal Impact.pdf](#)

Attachment: [Old Stokes No 1.pdf](#)

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87. [Record Maintained Right-of-Way for Old Polk City Road. \(\\$270.00 one-time expense\)](#)

Attachment: [Fiscal Impact.pdf](#)

Attachment: [Old Polk City Rd Back up.pdf](#)

88. [Additional Right-of-Way for the Intersection at 30th Street at Hinson Avenue, Parcel 103. \(\\$1,000.00 one-time expense\)](#)

Attachment: [30th Hinson Pcl 103 001T Fiscal.pdf](#)

Attachment: [30th Hinson Pcl 103 001T Backup.pdf](#)

89. [Consider approval of a Utilities Agreement between Albert W. Kaline and Louise M. Kaline, his wife and Polk County for Parcel 801 for Polk County Utilities Southwest Regional Utility Service Area force main improvement project. \(\\$5,250.00 one-time expense\)](#)

Attachment: [Pcl 801 Backup.pdf](#)

90. [Consider approval of a Utilities Agreement between Fairway Oaks Association, Inc. and Polk County for Parcels 803 A&B for Polk County Utilities Southwest Regional Utility Service Area force main improvement project. \(\\$25,000.00 one-time expense\)](#)

Attachment: [Pcl 803AB Backup.pdf](#)

91. [SET HEARING to consider repealing Polk County Ordinance 09-33. \(Suggested hearing date: September 1, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

The Chairman adjourned the meeting at 6:25 p.m.