



**B. PRESENTATIONS and RECOGNITIONS**

3. [Presentation of service certificates to: Sheri Carlton; Wayne H. Manley; Leslie Strickland; Steven Lajoie; Sharon Mathis; Arvel Bradley, Jr.; Kathy Brown and John Wheeler.](#)

Attachment: [Board Presentions February2010.pdf](#)

**Minutes:** The Board presented Employee Service Awards to employees for their twenty, twenty-five, thirty, or thirty-five years of dedicated service to the County.

4. [Deloris Johnson, CEO of Agricultural and Labor Program, Inc. \(ALPI\), to thank the Board for the recognition and Proclamation at its January 20th Board meeting.](#)

**Minutes:** Ms. Johnson thanked the Board for the Proclamation and discussed ALP. She stated ALPI served 7,000 plus people in 2009.

5. [Recognize Diana Wilkinson, Juvenile Delinquency Manager, as the recipient for the 2010 Certified Public Management \(CPM\) of the Year Award.](#)

**Minutes:** Clerk Richard Weiss recognized Ms. Wilkinson for her achievement and presented her with a plaque.

**C. PROCLAMATIONS**

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

6. [Disbursements.](#)

Attachment: [020310 Disbursements.pdf](#)

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

7. [Minutes of Regular Board meeting and Special Board meeting held on January 20, 2010.](#)

Attachment: [012010 MIN.pdf](#)

Attachment: [012010S MIN.pdf](#)

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

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

**E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY**

**NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY**

8. [Approve minutes from CRA meeting held on January 20, 2010.](#)

Attachment: [North Ridge CRA minutes of 012010.pdf](#)

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

9. [Amendment to Mitigation Credit Purchase Agreement between Polk County and Reedy Creek Mitigation Bank for the Ernie Caldwell Boulevard Project. \(\\$36,250.00 one-time expense\)](#)

- Attachment: [ECB Sec2 Map.pdf](#)
- Attachment: [ECB Amdt MCPA Fiscal Impact Form.pdf](#)
- Attachment: [ECB Amdt MCPA Agreement.pdf](#)
- Attachment: [ECB Amdt MCPA ReqfLegalSvcs.pdf](#)

**Minutes:**

County Manager Mike Herr reviewed the Mitigation Bank Program and explained that this amendment will satisfy the requirement for wetlands impacts for the Ernie Caldwell Boulevard Project. He recommended approval.

<b>Motions:</b>	
Approve Amendment to Mitigation Credit Purchase Agreement with Reedy Creek Mitigation Bank for the Ernie Caldwell Boulevard Project to purchase an additional 0.25 credits, at a cost of \$36,250.00.	- PASS
<b>Vote Results</b>	
Motion: Edwin Smith	
Second: Sam Johnson	
Bob English	- Aye
Sam Johnson	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

**F. PUBLIC HEARING TO CONSIDER SETTLEMENT**

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

10. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 103 and 723. \(\\$105,759.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 103 723 Fiscal.pdf](#)  
Attachment: [Berkley Rd Ph 4 Pcls 103 723 Backup.pdf](#)

**Minutes:**

Chief Right-of-Way Agent Wade Allen reviewed the Purchase Agreement and recommended approval.

**Motions:**

Accept the Right-of-Way Agreement from Richard J. Isinghood and Gerviuos E. Isinghood for Parcels 103 and 723 and authorize the issuance of a check to the Troiano and Roberts P.A. Trust Account for \$105,759.00 for the purchase. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

70. [Closed Board Meeting](#)

**Minutes:**

County Attorney Michael Craig announced that, in accordance with Florida Statute Section 286.011, the Board will hold a Closed Board Meeting on Wednesday, February 17, 2010, at 1:00 p.m. in Room 407 for purposes of discussing litigation strategy and settlement options relative to an appeal filed by the Department of Community Affairs in the matter of Safari Wild.

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

11. [Approve projects for federal funding.](#)

Attachment: [US27 Widening.pdf](#)  
Attachment: [Transit.pdf](#)  
Attachment: [LawEnforcement.pdf](#)  
Attachment: [RgnlIntermodal.pdf](#)  
Attachment: [US98 Widening.pdf](#)  
Attachment: [Inwood Community Ctr.pdf](#)  
Attachment: [USFIncbtorandBiofuel.pdf](#)  
Attachment: [ItchepkCKWtd.pdf](#)

**Minutes:**

County Manager Mike Herr reviewed the ten projects in the federal stimulus package and recommended approval.

David Steele, USF Polytechnic, discussed the \$5 million proposal for an algae research and demonstration project which is part of the stimulus package.

Mr. Herr said staff will travel to Washington, D. C. to present the package. Discussion followed.

## 02-03-10 Regular BoCC Meeting Minutes

Upon question, Mr. Herr stated over the last seven years the County has secured funding totaling between \$22 to 26 million in federal appropriations.

### Motions:

Approve Federal Stimulus packet to be sent to Washington, DC. - PASS

### Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

12. [Marketing Partnership with Polk County Tourism and Sports Marketing and Merlin Entertainments Group Florida LLC, a Delaware limited liability company \(LEGOLAND\). \(\\$350,000.00 recurring expense for 10 years and \\$35,000.00 recurring revenue for 5 years\)](#)

Attachment: [Legoland Agreement.pdf](#)

### Minutes:

County Manager Mike Herr outlined the terms of the Marketing Partnership and recommended approval.

Tom Patton stated this cooperative public-private partnership promotes prosperity.

Director of Tourism and Sports Marketing Mark Jackson outlined the primary objectives of the partnership with Merlin Entertainments Group Florida LLC and Legoland. He stated this will be funded through tourism tax dollars. He highlighted the investment Polk County will be making as well as the considerations and benefits committed to Polk County by Legoland. He emphasized that this will put heads in beds and make cash registers ring locally, and will have many other benefits to the County through this partnership.

John Ussher, Merlin Entertainments, thanked Polk County for its "can do" attitude and thanked the County staff responsible for bringing Legoland to Polk County. He said this will be the perfect site for Legoland, a multi-day, theme park.

### Motions:

Recommend Board approve the Revenue Sharing Agreement with Legoland. - PASS

### Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:** For purposes of the record, County Attorney Michael Craig confirmed that the maker of the motion and the second included the approval of the Legoland Agreement. Both the maker of the motion and the second answered in the affirmative.

13. [Provide Polk County Bonus Incentive \(PCBI\) grant in the amount of \\$1,500,000 to Merlin Entertainment Group of England to assist in their business expansion here in Polk County. \(\\$150,000.00 recurring expense for 10 year, totaling \\$1,500,000.00\)](#)

**Minutes:**

Rodney Carson, Central Florida Development Council, stated this is an opportunity to build a future for Polk County and will have far reaching economic impacts and growth opportunities locally.

**Motions:**

Approve the release of \$1,500,000 from the Polk County Bonus Incentive Fund, to assist in Merlin Entertainments job creation and capital investment at Cypress Gardens with payment being made in equal installments of \$150,000 per year for 10 years commencing with the opening of the park in 2011. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:** Mr. Ussher and Brian Philpot presented a framed representation of the County seal made in Legos to the Board.

14. [Approval and execution of a Cooperative Funding Agreement \(10C00000012\) between the Southwest Florida Water Management District and Polk County for the Polk County Southwest Regional Utility Service Area Carter Road Reclaimed Water Main Project \(N156\) and amendment of the Fiscal Year 2009/2010 Utilities Expansion Community Investment Program budget. \(\\$450,000.00 not to exceed cost\)](#)

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

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

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

**Minutes:**

County Manager Mike Herr reviewed the Cooperative Funding Agreement and amendment to the Fiscal Year 2009/2010 Utilities Community Investment Project budget. He recommended approval.

Director of Utilities Gary Fries said this will provide reclaimed water in the southwest portion of the County. He highlighted the Polk County Southwest Regional Utility Service Area and demonstrated the location of the Carter Road Reclaimed Water Main Project. He reviewed the project objectives and benefits to customers in this service area as well as the costs and time line for the Project.

**Motions:**

Approve the Cooperative Funding Agreement between the Southwest Florida Water Management District and Polk County for the Polk County Southwest Regional Utility Service Area Carter Road Reclaimed Water Main Project (N156) at a net cost to the County not to exceed \$450,000.00. Also approve an amendment of the Fiscal Year 2009/2010 Utilities Expansion Community Investment Program budget to transfer \$800,000.00 from the Central Regional Wastewater Treatment Facility Improvements project budget and \$100,000.00 from the Southwest Reuse Booster Station and Pumps project budget to the Southwest Carter Road Reuse Line Project budget. - PASS

**Vote Results**

Motion: Edwin Smith

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

15. [Purchase of two parcels of property, totaling approximately three \(3.08\) acres, that are contiguous to the Lakeland Adult Day Care Center and the Wabash Community Center from Rennis and Wilda Collins, establishment of budget with a CIP amendment and transfer of Reserve for Contingency funds for this acquisition. \(\\$25,027.00 one-time expense\)](#)

Attachment: [10 0203 Collins Property Purch ContractMap.pdf](#)

Attachment: [10 0203 Collins Property Purch ReqForLgl BMSAppr.pdf](#)

Attachment: [10 0203 Collins Property Purch Bud Rev Jrnl.pdf](#)

Attachment: [10 0203 Collins Property Purch PWFI Oracle.pdf](#)

**Minutes:**

County Manager Mike Herr outlined the Purchase Agreement and recommended approval.

**Motions:**

Approve the purchase of two parcels of property, totaling approximately three acres, that are contiguous to the Lakeland Adult Day Care Center and the Wabash Community Center from Rennis and Wilda Collins, establish a budget with a CIP amendment and transfer funds from Contingency Reserve for this acquisition at a purchase price of \$25,000.00. Additionally, authorize Facilities Management staff to close on the purchase on behalf of the County, approve paying closing costs of \$27.00, approve executing the documents at closing on behalf of the County and approve the recording of executed instruments which will allow the County to take ownership of the property. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

16. [Capital Improvement Projects Budget Amendment. \(\\$350,000.00 one-time redistribution\)](#)

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

**Minutes:**

Fire Chief David Cash discussed the three projects and funding. He recommended approval.

**Motions:**

Amend the FY 09/10 Capital Improvement Projects Budget by redirecting \$350,000 of the \$500,000 adopted in the budget for the original Willow Oak Station to various Fire Rescue projects. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

17. [Authorization to apply for an Emergency Shelter Grant \(ESG\) for the operational cost of Shabak House, a Polk County based non-profit organization providing residential and support services to individuals transitioning from the State Forensic Hospital and/or from residential mental health treatment programs to prevent homelessness and enable individuals and families to move toward independent living. \(\\$300,000.00 one-time revenue\)](#)

**Minutes:**

County Manager Mike Herr outlined the Emergency Shelter Grant and recommended approval to apply for the Grant.

Director of Human Services Dr. Elba Cherry discussed the County's investment in staff time to execute the Grant for Shabak House. Discussion followed on Polk County being a pass-through for this Housing and Urban Development (HUD) partnership noting that the provision of services will be the sole responsibility of Shabak House.

Jeanna Cox responded to Board questions regarding the County's involvement in this Grant application process.

**Motions:**

Approve applying for a HUD Emergency Shelter Grant (ESG) to secure funding for Shabak House, a Polk County based non-profit service provider, to continue providing emergency and transitional housing for individuals with mental health disabilities. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

18. [Status Report on 2010 Census Technical and Promotional Activities. \(No fiscal impact\)](#)

Attachment: [Census Update.pdf](#)

**Minutes:**

Director of Growth Management Tom Deardorff briefed the Board on the 2010 U. S. Census efforts. He said the final count is the primary vehicle used to identify needs in this community. He said the Complete County Committee (CCC) includes representatives from the Business, Social Services, Education, Faith-Based and Media communities. He reviewed activities which have occurred to date as well as those coming up in the near future which will help to ensure an accurate and complete count.

Mr. Deardorff stated the Census forms will be mailed to citizens in March and should be returned in April. He described outreach activities and efforts to spread the word about the Census.

Cherry Hallbeck, U. S. Census Bureau, stated 57 percent of County residents returned their Census forms in 2000, and this percentage must be increased in 2010 in order to leverage dollars for Polk County. She said ninety Assistance Center sites will

be situated in local communities and interviewers will be available to help citizens fill out their forms. She said a neighborhood blitz will also be conducted. She invited the Board to attend a 2010 Census Open House February 4, 2010, in Lakeland.

**I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE**

19. [Lobbyist Ron Book to discuss the Polk County Sex Offender Ordinance.](#)

**Minutes:**

Mr. Book stated child sex crimes occur all too often and child safety zones should be established. He also advocated prohibiting loitering within 300 feet of schools and other areas where children congregate, and banning predators and offenders from parks.

Upon question, Mr. Book recommended provisions which he feels should be included in any Sexual Offender Ordinance.

Following discussion, Mr. Book stated there are places for offenders to live, but it might not be the most desirable place. He said the Polk County Legislative Delegation should be encouraged to address this issue legislatively.

20. [Lauren Book-Lim to discuss the Polk County Sex Offender Ordinance.](#)

**Minutes:**

Ms. Book-Lim emphasized the importance of protecting children by banning sex offenders from parks and establishing no loitering zones.

21. [Bill Jewell to discuss the Polk County Sex Offender Ordinance.](#)

**Minutes:**

Mr. Jewell stated he has been a police officer and now he is a pastor. He said sex offenders need a place to live, sleep and eat once they are released from prison.

22. [Gene Cords to discuss the Polk County Sex Offender Ordinance.](#)

**Minutes:**

Mr. Cords was not present.

71. [Sex Offender Ordinance](#)

**Minutes:**

Lieutenant Lloyd Steward, Polk County Sheriff's Office, stated Polk County's Sex Offender Ordinance should be strengthened and enforced. He said Polk County has 914 registered sex offenders and 70 sexual predators. He said 17 of the 70 predators are listed as transient. He described residency restrictions set forth in the Polk County Sex Offender Ordinance noting that it does not currently prohibit offenders and predators from local parks.

Lorrie Crump stated she retired from the Department of Corrections as a Probation Officer. She said Polk County has a housing issue for sex offenders and predators. She stressed the importance of containment and control noting that Polk County is a rural community and it is difficult to house predators.

23. [Paul Murray to discuss the Polk County Sex Offender Ordinance.](#)

**Minutes:**

Paul Murray stated he is a retired deputy with the Polk County Sheriff's Office. He described a case he investigated which occurred at a park in Polk County involving two minors.

24. [Dr. Uzi Talit, President of Cardiology Associates of Polk County, to discuss Polk Healthcare.](#)

Attachment: [Bullet points re issue.pdf](#)  
Attachment: [polk health letter 83109.pdf](#)  
Attachment: [polk health letter 12810.pdf](#)  
Attachment: [Response to Dr Talit 9 29 09.pdf](#)

**Minutes:**

Dr. Talit said he is the only member of his cardiology group who still treats Polk Healthcare Plan patients. He said cardiology is the major issue in healthcare, and many of the patients enrolled in the Polk Healthcare Plan need specialty care. He emphasized that specialists, as well as primary care physicians, are needed in the Polk Healthcare Plan. Discussion followed.

72. [James Abercrombie](#)

**Minutes:** James Abercrombie discussed the problem he feels exists within the Planning Commission. He said the responses he has received to his public records requests do not include information regarding meetings held in private.

Commissioner Johnson stated he follows the recommendations of the County's legal counsel on certain issues.

73. [Carol Castagnero](#)

**Minutes:**

Ms. Castagnaro said Polk Country is on life support and the plug could be pulled at any time. She urged the Board to support education. She said she stands up for the children and the people of Polk County. She spoke against the County's participation in the partnership with Legoland and the County's support of the Frank Lloyd Wright Visitor Center on the campus of Florida Southern College. She said public tax money should not be given to private businesses.

Ms. Castagnaro discussed what, in her opinion, is the real problem with society today, emphasizing that the starting point is the family. She said values must be restored.

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

25. [Reappoint Marian Ryan to the Water Policy Advisory Committee for a four-year term beginning February 8, 2010, and ending February 7, 2014.](#)

Attachment: [MarianRyan.pdf](#)

**Minutes:**

**Motions:**

Appoint Marian Ryan to the Water Policy Advisory Committee for a second, four-year term beginning February 8, 2010, and ending February 7, 2014. - PASS

**Vote Results**

Motion: Edwin Smith

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

26. [Present letter concerning Doc Dockery and his support of High-speed Rail.](#)

**Minutes:**

**Motions:**

Send letter in support of High Speed Rail - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

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

27. [Comments.](#)

**Minutes:** Commissioner Wilkinson discussed possible changes to the Polk County Sex Offender Ordinance.

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

28. [Comments.](#)

**Minutes:** Commissioner Smith stated he has no comments at this time.

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

29. [Comments.](#)

**Minutes:** Commissioner Reed was not present at the meeting today.

**N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)**

30. [Comments.](#)

**Minutes:** Commissioner Johnson stated the citizens who have raised money for the Kathleen Historical Society are very grateful that the Board waived the building permit fees for the Historical Society's building project.

**Motions:**

Ask the Sheriff's Office to review the issue of safety zones and make a recommendation as to whether the Polk County Sex - PASS

Offender Ordinance has loopholes or should be modified.

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

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

**O. LAY BOARD APPOINTMENTS**

31. [Appoint Paul Helmstetter to the Transportation Planning Organization's Citizens Advisory Committee to serve a three-year term effective February 3, 2010.](#)

Attachment: [Helmstetter Biography and Application.pdf](#)

**Motions:**

Appoint Paul Helmstetter to the Transportation Planning Organization's Citizens Advisory Committee to serve a three-year term effective February 3, 2010. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

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

**Motion Minutes:**

32. [Appoint Gary Clark to the Workforce Development Board for a three-year term effective February 3, 2010.](#)

Attachment: [Gary Clark Nomination Bio.pdf](#)

**Minutes:**

**Motions:**

Appoint Gary Clark, Chairman, Polk County Veterans Council, to the Workforce Development Board, representing the Private not for Profit/Community-Based Organization, to serve a three-year term effective February 3, 2010. - PASS

**Vote Results**

Motion: Edwin Smith

Second: Sam Johnson

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

**Motion Minutes:** Commissioner Wilkinson said it is a conflict of interest for the Workforce Development Board to recommend candidates to the Board of County Commissioners when vacancies occur. He suggested the Board of County Commissioners should select the candidates. Discussion followed.

33. [Appoint Judy A. Dertod to the Workforce Development Board for a three-year term effective February 3, 2010.](#)

Attachment: [Judy Dertod Nomination Bio.pdf](#)

**Motions:**

Appoint Judy A. Dertod, Area Supervisor for Vocational Rehabilitation, Department of Education, to the Workforce Development Board, representing the non-private sector/Vocational Rehabilitation, to serve a three-year term effective February 3, 2010. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

34. [Appoint Liesta Sykes to the Workforce Development Board for a three-year term effective February 3, 2010.](#)

Attachment: [Liesta Sykes Resume.pdf](#)

Attachment: [Liesta Sykes Nomination.pdf](#)

**Motions:**

Appoint Liesta Sykes, Community Relations Manager, Department of Children and Families, to the Workforce Development Board, representing the non-private sector/Public Assistance, to serve a three-year term effective February 3, 2010. - PASS

**Vote Results**

Motion: Edwin Smith

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

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

**P. PUBLIC HEARINGS**

35. [Adopt a Resolution to Vacate Maintained Right-of-Way known as Armour Road, near Bartow. \(No fiscal impact.\)](#)

Attachment: [PH Armour Rd Backup.pdf](#)

**Minutes:**

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

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. He recommended approval.

Discussion followed regarding citizens not having access to their homes on a site located in Auburndale.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Resolution No. 10-031 on the Board's own motion vacating maintained right-of-way known as Armour Road. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:**

36. [LDC 09T-18 \(Retail Use Changes\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 09T 18 Staff Report.pdf](#)

Attachment: [LDC 09T 18 Ordinance.pdf](#)

**Minutes:**

Corey Stutte, Land Development, reviewed the proposed ordinance and showed slides. He outlined the proposed changes to this staff initiated request. He said both staff and the Planning Commission recommend approval.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Ordinance No. 10-007, adopting LDC 09T-18. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Q. CONSENT AGENDA ITEMS**

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

37. [Removal of equipment from inventory as listed on Blanket Removal Form 1852.](#)

Attachment: [Blanket Removal Form 1852.pdf](#)

38. [Unclaimed funds check in the amount of \\$25,436.86](#)

Attachment: [020310 Unclaimed Funds Clerk of Courts.pdf](#)

39. [The 2010 Annual Meeting Schedule for Tohopekaliga Water Authority.](#)

40. [Minutes of the Poinciana Community Development District dated July 29, 2009.](#)

41. [Lands Available from Tax Deed Sale.](#)

Attachment: [Tax Deed Sale 020310.pdf](#)

#### COUNTY ATTORNEY

42. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 106, 701A and 701B. \(\\$84,950.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 106 701AB Backup.pdf](#)

Attachment: [Berkley Rd Ph 4 Pcls 106 701AB Fiscal.pdf](#)

43. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 112 and 705. \(\\$95,346.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 112 705 Backup.pdf](#)

Attachment: [Berkley Rd Ph 4 Pcls 112 705 Fiscal.pdf](#)

44. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcel 116. \(\\$28,206.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcl 116 Backup.pdf](#)

Attachment: [Berkley Rd Ph 4 Pcl 116 Fiscal.pdf](#)

45. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 181. \(\\$30,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 181.pdf](#)

Attachment: [Kathleen Rd Ph II Pcl 181.pdf](#)

46. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 180. \(\\$11,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 180.pdf](#)

Attachment: [Kathleen Road Ph II Pcl 180.pdf](#)

47. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 179. \(\\$33,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 179.pdf](#)

Attachment: [Kathleen Rd Ph II Pcl 179.pdf](#)

48. [SET HEARING DATE to consider Petitions to vacate rights-of-way. \(Suggested hearing date: March 3, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

#### ASSISTANT COUNTY MANAGER

49. [Amendment No. 0001, Memorandum of Agreement \(MOA\) between the Board and Florida Department of Health, Polk County Health Department for Mobile Outreach Unit Services. \(\\$86,240.00 one-time revenue\)](#)

Attachment: [Amendment No 0001 Mobile Outreach.pdf](#)

50. [Polk HealthCare Plan Provider Agreements \(Transfer of existing appropriations to medical providers\)](#)

Attachment: [H Clements MD 10 137 RM.pdf](#)

Attachment: [Royal Palm Orth 10 101 RM.pdf](#)

Attachment: [S Zeman MD 10 098 RM.pdf](#)

Attachment: [Sport Orth Reh dba Sel 10 105 RM.pdf](#)

#### CENTRAL FLORIDA DEVELOPMENT COUNCIL

51. [Polk County Bonus Incentive Funds to benefit Quantum Marketing, Inc. for the company's expansion in Lakeland. \(\\$30,000.00 one-time expense\)](#)

52. [Letter of Permission Form with Bright House Networks, LLC \(hereinafter referred to as BHN\) for broadband cable television and digital services at Central Florida Development Council's new corporate headquarters at the Lake Myrtle Sports Complex in Auburndale. \(\\$26,352.00 recurring expense/\\$2,000.00 one-time installation cost\)](#)

Attachment: [BHN Letter of Permission.pdf](#)  
Attachment: [BHN Service Agreement.pdf](#)  
Attachment: [BHN Terms and Conditions.pdf](#)  
Attachment: [BHN Rider to Service Agreement.pdf](#)

#### INFRASTRUCTURE MANAGEMENT

53. [CSA No. 02-99-06, Modification No. 3, with Woolpert, Inc., for final design and construction administration services for Pump Station No. 84. \(\\$47,419.83 not to exceed cost\)](#)

Attachment: [Woolpert CSA 02 99 06 Mod 3 Contract.pdf](#)  
Attachment: [Woolpert CSA 02 99 06 Mod 3 Approvals.pdf](#)

#### GROWTH MANAGEMENT

54. [SET HEARING DATE to consider transmittal of the 2010A Large Scale Comprehensive Plan Amendments \(CPA 10A-01, 02, 04, 05, 07, 08, 10, 11, and 12\) and associated ordinances. \(Suggested hearing date: February 17, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

55. [SET HEARING DATE to consider transmittal of a Large Scale Comprehensive Plan Amendment \(CPA 10A-03\) and associated ordinance. \(Suggested hearing date: February 18, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

56. [SET HEARING DATE to consider CU 09-17 and LDC 09D-04 \(Innovation Environmental Park\). These are companion cases to CPA 10A-03. \(Suggested hearing date: February 18, 2010, at 9:00 a.m.\) \(No fiscal impact\)](#)

57. [Kinny Harmon Road Improvements Amendment to Surety. \(No fiscal impact\)](#)

Attachment: [Kinny Harmon Roadway Improvements.pdf](#)

#### HUMAN SERVICES

58. [Approval and Execution of Amendment 4 to Standard Coordination Contract between the Lakeland Area Mass Transit District and the Board of County Commissioners. \(No fiscal impact\)](#)

Attachment: [LAMTD Coordination Agreement Amendment 4.pdf](#)

59. [Amendment 1 to Interlocal Agreement between the Board and Lakeland Area Mass Transit District. \(\\$24,400.00 recurring revenue\)](#)

Attachment: [LAMTD ADA Screening Agreement Amendment 1.pdf](#)

60. [Amendment 004, Older Americans Act, OAA 2009 POLK for the provision of home delivered meals to the elderly. \(\\$60,000.00 one-time revenue\)](#)

Attachment: [Request for legal OAA Amend 004 2009.pdf](#)  
Attachment: [OAA Amend 004 2009.pdf](#)

61. [Amendment 003 2009/2010, Emergency Home Energy Assistance for the Elderly Program to assist eligible elderly residents with a utility emergency. Also request transfer of \\$10,000.00 from the Special Revenue Fund Reserve for Contingency. \(\\$10,000.00 one-time revenue\)](#)

Attachment: [Budget Revision Journaleheap020310.pdf](#)  
Attachment: [Request for legal EHEAP Amend 003 0910.pdf](#)  
Attachment: [EHEAP Amend 003 0910.pdf](#)

62. [Amendment 002, Home Care for the Elderly, HCE-09/10-POLK. Approve transfer of \\$20,350.00 in funds allocated for Subsidies to be utilized for Case Management-Case Aide Services. Also request transfer of \\$9,639.00 from the Special Revenue Fund Reserve for Contingency to bring budgeted level from \\$25,004.00 to \\$34,643.00 for Case Management-Case Aide Services. \(\\$20,350.00 one-time revenue category transfer\)](#)

Attachment: [Budget Revision Journalhce020310.pdf](#)

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Attachment: [HCE Amend 002 0910.pdf](#)  
Attachment: [Request for legal HCE Amend 002 0910.pdf](#)

63. [Adult Food Care Program Standard Contract between the Florida Department of Elder Affairs \(FL DOEA\) and the Board to provide nutritious meals to community-based adults. Also request approval to transfer \\$64,386.00 from Special Revenue Fund Reserve for Contingency. \(\\$64,386.00 one-time revenue\)](#)

Attachment: [Request for Legal FL DOEA Adult Food Care Program.pdf](#)  
Attachment: [FL DOEA Standard Contract ADC Food Program.pdf](#)  
Attachment: [Budget Revision Journalacfoodprogram020310.pdf](#)

64. [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](#)

65. [Housing Choice Voucher Payment \(formerly Section 8\) to the Housing Authority of the City of Fort Lauderdale for Asha Mandela. \(\\$2,051.70 one-time expense\)](#)

Attachment: [FLHA Reimbursement Checklist.pdf](#)  
Attachment: [FLHA Reimbursement Request.pdf](#)

66. [Adopt Resolution accepting the \\$131,250.00 Volunteer Impact, Retention and Expansion \(VIRE\) Grant from Corporation for National and Community Service Grant Funds thus establishing unanticipated revenue for FY 2009-2010. \(\\$75,000.00 one-time revenue/\\$56,250.00 in-kind match\)](#)

Attachment: [Final VIRE ABudget Resolution.pdf](#)  
Attachment: [VIRE Grant Budget Revision Journal.pdf](#)

### **SUPPORT SERVICES**

67. [Approve Sellers Agreement with GovDeals, Inc. \(No fiscal impact\)](#)

Attachment: [govdealsagreement.pdf](#)

68. [Extend Existing Fiber Optic Interlocal Agreement with the City of Bartow. \(\\$6,036.00 recurring expense\)](#)

Attachment: [City of Bartow Interlocal Agreement.pdf](#)

### **POLK COUNTY SHERIFF**

69. [Approve appropriation and expense of funds from the Law Enforcement Trust Fund to provide financial assistance to the Criminal Justice, Law and Career Academy, Inc. at Kathleen High School. \(\\$2,000.00 recurring expense\)](#)

Attachment: [February 3rd Sheriff Law Enforcement Trust Fund Request.pdf](#)

The Chairman adjourned the meeting at 2:00 p.m.