



## Board of County Commissioners Meeting Agenda

07-07-2010 Regular BoCC Meeting Minutes

### July 7, 2010 Regular BoCC Board meeting

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

ALSO PRESENT: Mike Herr County Manager  
Michael Craig County Attorney  
Stacy Butterfield Director of Finance and  
Accounting to the Board

The Board convened pursuant to adjournment taken on June 16, 2010.

**CALL TO ORDER - 9:00 a.m.** (EDWIN V. SMITH, VICE CHAIR)

#### INVOCATION

1. [Reverend Shirley Williams - St. James AME Church of Bartow](#)

**PLEDGE OF ALLEGIANCE** (EDWIN V. SMITH, VICE CHAIR)

#### A. APPROVE CONSENT AGENDA

2. [Approve Consent Agenda.](#)

#### Motions:

Approve Consent Agenda. - PASS

#### Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:**

**B. PRESENTATIONS and RECOGNITIONS**

- 3. [Recognize Dr. Ralph Nobo, Jr., M.D. for his years of service on the Citizens HealthCare Oversight Committee.](#)

Attachment: [Dr Nobo recognition.pdf](#)

**Minutes:** Assistant County Manager Lea Ann Thomas highlighted Dr. Nobo's accomplishments. The Board recognized Dr. Nobo and thanked him for his years of dedicated service.

- 4. [Recognize Dr. Harry Saintil for his years of service on the Community Relations Advisory Council.](#)

Attachment: [Harry Saintil presentation.pdf](#)

**Minutes:**

Dr. Saintil was not present at this point in the meeting; however, Commissioner Reed highlighted his accomplishments and the Board recognized Dr. Saintil for his years of dedicated service.

Dr. Saintil arrived later in the meeting and expressed his appreciation for the recognition and the opportunity to represent the Haitian community in Polk County.

- 5. [George Lindsey, Chair of the 2010 Polk County Charter Review Commission to present the proposed Resolution and Final Report.](#)

Attachment: [Resolution of CRC.pdf](#)

Attachment: [Final Report.pdf](#)

Attachment: [Transmittal Letter.pdf](#)

**Minutes:**

Mr. Lindsey recognized the members and staff of the 2010 Charter Review Commission (CRC). He reviewed the scope, process used and actions taken by the CRC during its year long meeting schedule. He reviewed the recommendations the CRC is bringing forward to the Board of County Commissioners. He emphasized that this review process of the Polk County Charter is important and will be repeated in 2017.

Mr. Lindsey encouraged the County to take advantage of the talents of the many citizens who are willing and eager to serve on various County boards and committees. Discussion followed.

**Motions:**

Adopt the Resolution, Letter of Transmittal and Final Report of the 2010 Polk County Charter Review Commission. Approve placing one ballot issue on the November General Election ballot as brought forward by the 2010 Polk County Charter Review Commission. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**Motion Minutes:** Vice Chairman Smith stated the Board should give direction to the Supervisor of Elections as to the order in which the following three ballot questions will appear: Transit Surtax, Economic Development Tax Abatement and the item

recommended by the CRC.

**Motions:**

Direct the Supervisor of Elections to place three ballot questions on the November ballot in the following order: 1. Transit Surtax; 2. Economic Development Tax Abatement; and 3. Charter Review Committee recommendation. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Nay

6. [John K. Small, Senior Director, Workforce Education Department, School Board of Polk County, to discuss the Workforce Education District Career Academies.](#)

**Minutes:**

Mr. Small made a presentation featuring the Polk Career Academies. He said these Academies fill the gap in the workforce, equip students with the skills they need to be successful in the future, and supply a skilled workforce for employment by local businesses. He reviewed the model used in the formation of these Academies noting that they are located at various sites around the County and are industry driven.

Mr. Small discussed the makeup of the Workforce Education District Advisory Council which governs this educational career experience for students. He asked the Board of County Commissioners to partner with the School Board by advocating for students and Career Academies.

County Manager Mike Herr acknowledged the importance of vocational training and discussed ways the County can partner with the School Board in this endeavor.

**C. PROCLAMATIONS**

7. [Proclaim July 2010 as LAKES APPRECIATION MONTH. Johnna Martinez, representing the Lakes Education Action Drive \(LE/AD\), will accept the proclamation.](#)

Attachment: [Lakes Appreciation.pdf](#)

**Motions:**

Issue Proclamation. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Randy Wilkinson - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

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

8. [Disbursements.](#)

Attachment: [070710 Disbursements.pdf](#)

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

9. [Minutes of Regular Board meeting held on June 16, 2010.](#)

Attachment: [061610 MIN.pdf](#)

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

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

**COURT - RELATED**

10. [Accept the renewal of the contract with the Department of Children and Families for Juvenile Drug Court that will begin on July 1, 2010 and end on June 30, 2013. \(\\$128,103.00 annual expense; \\$384,309.00 over a 3-year period\)](#)

Attachment: [DCF Juvenile Court Grant.pdf](#)

**Minutes:**

Court Administrator Nick Sudzina said the Contract renewal will provide intervention and case management for juvenile substance abusers over the next three years. He emphasized the Juvenile Drug Court is self sustaining through fees and no tax dollars are used. He recommended approval.

<b>Motions:</b>	
Renew the three-year contract with the Department of Children and Families for Juvenile Drug Court.	- PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**F. PUBLIC HEARING TO CONSIDER SETTLEMENT**

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

11. [Right-of-Way purchase for Kathleen Road Phase II Improvement Project, Parcel 158. \(\\$201,207.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II DAVIS Pcl 158.pdf](#)

Attachment: [Kathleen Rd Ph II DAVIS Pcl 158 Fiscal.pdf](#)

**Minutes:** Deputy County Attorney Linda McKinley demonstrated the location of Parcel 158. She reviewed the Purchase Agreement and recommended approval.

**Motions:**

Accept the Right-of-Way Agreement from Ernest Davis and Shirley B. Davis, his wife, for Parcel 158 and authorize the issuance of a check in the amount of \$201,207.00 to Gaylord Merlin Ludovici Diaz & Bain, Attorneys, Trust Account for the purchase. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

12. [Right-of-Way purchase for the North Ridge Trail Project Parcel 110. \(\\$130,000.00 one-time expense\)](#)

Attachment: [NRT Pcl 110 Backup.pdf](#)

Attachment: [NRT Pcl 110 Fiscal Impact.pdf](#)

**Minutes:** Deputy County Attorney Linda McKinley demonstrated the location of Parcel 110. She reviewed the Purchase Agreement and recommended approval.

**Motions:**

Accept the Right-of-Way Agreement for Parcel 110, and authorize the issuance of a check in the amount of \$130,000.00 for the purchase. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

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

[13. Request authorization to submit a grant application for funding from the U.S. Department of Transportation's "TIGER II Discretionary Grants" for an Intermodal Center at the University of South Florida Polytechnic \(USFP\). \(Fiscal impact - 20% match will come from \\$10 million committed to Ring Road at USFP\)](#)

**Minutes:**

County Manager Mike Herr explained that the required 20% match can be satisfied from the \$10 million already committed by the County to the Ring Road Project. He recommended approval to submit the Tiger II Discretionary Grant application.

Long Range Planning Director Jennifer Stults gave a presentation on the proposed Intermodal Center at the I-4 Technology Corridor with access to USFP and High Speed Rail. She said while these are not stimulus funds, they do generate economic recovery. She discussed the application process and stated the County's submittal will meet the selection criteria for the grant. She outlined the grant requirements noting that if the more than the required 20% match is designated, the County's grant application will be more competitive. She said the deadline for submitting the pre-application is July 26, 2010, and full application is due August 23, 2010. Discussion followed.

**Motions:**

Authorize the Chairman to submit a TIGER II grant application for an Intermodal Center at University of South Florida Polytechnic (USFP) in the Interstate 4 Technology Corridor. - PASS

**Vote Results**

Motion: Jean Reed

Second: Sam Johnson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

[14. Change Order No. 5 to Contract No. 07-051 with Kamminga and Roodvoets, Inc. \(Contractor\), for the CR 540A from Lakeland Highlands Road to US 98 Widening Project. \(\\$217,698.14 one-time expense\)](#)

Attachment: [CO5 Contract 07051 CR540A P2 Backup.pdf](#)

Attachment: [CR 540A Phase 2 Map.pdf](#)

**Minutes:**

County Manager Mike Herr reviewed this close-out Change Order and recommended approval.

Director of Transportation Wendy Alspaugh outlined the overages and under-runs which occurred during this project.

**Motions:**

Approve Change Order No. 5 to Contract No. 07-051 and increase the contract amount by \$217,698.14, resulting in a final contract sum of \$22,670,468.61. No additional contract time required. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

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

**Motion Minutes:**

The expenses caused by the discrepancies with the Florida Department of Transportation (FDOT) were discussed, and County Manager Mike Herr stated FDOT has jurisdiction over anything in its right-of-way. He said this might be discussed at an upcoming Transportation Planning Organization meeting.

15. [Management Agreement between the Southwest Florida Water Management District and Polk County for the Marshall Hampton Reserve tract.](#)

- Attachment: [Approvals Hampton Management Plan.pdf](#)
- Attachment: [Exhibit F Special Audit Requirements.pdf](#)
- Attachment: [Exhibit C Dredging Lake Hancock.pdf](#)
- Attachment: [Exhibit E CIP.pdf](#)
- Attachment: [Exhibit G Hampton Tract Management Agreement.pdf](#)
- Attachment: [Exhibit D Reimbursement Form.pdf](#)
- Attachment: [Exhibit B Lake Hancock Landuse Plan.pdf](#)
- Attachment: [Exhibit A Hampton Property Map.pdf](#)

**Minutes:** Natural Areas Manager Gaye Sharpe described the Marshall Hampton Reserve tract. She reviewed the Management Agreement with the Southwest Florida Water Management District (SWFWMD) and the companion Revocable License Agreement for a caretaker for the Marshall Hampton Reserve. She recommended approval.

<b>Motions:</b>	
Approve the Management Agreement between the Southwest Florida Water Management District and Polk County for the Marshall Hampton Reserve.	- PASS
<b>Vote Results</b>	
Motion: Randy Wilkinson	
Second: Sam Johnson	
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

16. [Revocable License Agreement with Tabitha Biehl-Gabbard to occupy and use the residential building as a residence in exchange for certain duties and responsibilities at Marshall Hampton Reserve tract outlined in the Revocable License. \(No fiscal impact\)](#)

- Attachment: [Marshall Hampton Revocable License Approvals.pdf](#)
- Attachment: [Exhibit A Hampton Property Map.pdf](#)
- Attachment: [BiehlGabbard Hampton License Agreement.pdf](#)

**Minutes:** County Manager Mike Herr reviewed the License Agreement and recommended approval.

<b>Motions:</b>	
Approve the Revocable License Agreement with Tabitha Biehl-Gabbard as caretaker of the Marshall Hampton Reserve.	- PASS
<b>Vote Results</b>	
Motion: Jean Reed	
Second: Sam Johnson	
Sam Johnson	- Aye

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

17. [Report Bid Award to Sabre Communications Corporation., by Purchasing Director for Bid No. 10-024-CJC, Design and Install 400' Guyed Towers. \(\\$570,387.00 one-time expense\)](#)

Attachment: [Bid 10 024 CJC Recap and Bid Analysis.pdf](#)

**Minutes:**

County Manager Mike Herr recommended approval of the contract with Sabre Communications Corporation for the design and installation of two 400-foot guyed towers.

Director of Emergency Management Pete McNally stated one of the towers will be located in the Providence area of northwest Polk County, and the other will be constructed in the Mulberry area. He said these towers are part of the County's 800 MHz Radio System Improvement Program.

Upon question, Mr. McNally stated there is a need for a third tower, and staff is looking for a suitable site in the Lake Marion area. He said an alternative is to co-locate the needed communication tower with a County park facility.

**Motions:**

Approve contract with Sabre Communications Corporation in the total contract amount of \$570,387.00 for the design and installation - PASS of two 400-foot guyed towers.

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

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

**Motion Minutes:**

18. [Approval to apply for competitive funding from the Department of Internal Revenue Services \(IRS\) for Volunteer Income Tax Assistance \(VITA\). \(\\$1,000,000.00 one-time revenue\)](#)

Attachment: [VITA GRANT LETTER.pdf](#)

**Minutes:**

County Manager Mike Herr reviewed the grant and recommended approval to apply for these funds.

Director of Housing and Neighborhood Development Greg Alpers said this grant will be used to fund free tax services to citizens who qualify for this service.

**Motions:**

Submit a grant application for the IRS VITA Competitive Funding for Free Tax Preparation. - PASS

**Vote Results**

Motion: Jean Reed

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

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

20. [Comments.](#)

**Minutes:**

Carol Castagnaro said proper investigations are not being conducted to keep criminals behind bars. She stated she is a prime example of how citizens are not being protected. She asked for help in investigating crimes committed against her and her property.

Vice Chairman Smith stated Ms. Castagnaro should contact the Sheriff or the City of Lakeland.

\* \* \* \*

James Abercrombie read from Florida Statutes Chapter 125.01, Power of Duties. He discussed the accusations brought by Planning Commission member Sue Nelson and stated the Board of County Commissioners may still be receiving improper information on which to make decisions. He asked for an investigation. He said the County is not following Florida Statutes.

Commissioner Reed asked if the County has made any procedural changes as a result of the accusations made by Ms. Nelson, and County Manager Mike Herr stated he is satisfied with the quality control in place with respect to the review of the plans and studies submitted by the private sector. Discussion followed.

\* \* \* \*

Jeff Hancock discussed probable cause, due process of law and separation of powers. He said he has seen no evidence of any checks and balances or equal will to all three branches of government; the Executive, Judiciary and Legislative, but has seen judicious conspiracy. He discussed violations which he feels occurred when his mother's business was closed down. He discussed the jurisdiction of the County Commission.

19. [Ken Atkins to discuss Cigar Factory Business Plan.](#)

Attachment: [HistoricArchRevBdltrtoChairman.pdf](#)

**Minutes:**

Mr. Atkins discussed the historical significance of the building in Bartow known as the Cigar Factory. He said this building is important to the State and to the City of Bartow as a landmark. He said a re-use plan has been developed and private partners are willing to work toward saving this building. He distributed letters received from the Florida Department of State. He discussed Phases I, II, III and IV of the re-use business plan. He showed a rendering of the proposed restoration.

Susan Henry, Bartow resident, expressed her opinion that historical buildings should be privately owned and should contribute to the tax base. She said this could still happen with the Cigar Factory.

Upon question, Mikel Dorminy, Main Street Bartow, said the Bartow City Commission voted 4-2 to grant a 120-day time extension before proceeding with demolition of the Cigar Factory, pending any action taken by the Board of County Commissioners today.

Mr. Atkins described the grant requirements for a private/public partnership.

Upon question, County Manager Mike Herr reported on the status of current funding provided through the State of Florida Historic Preservation Grants.

Commissioner Reed stated it behooves the County to preserve this building.

Mr. Herr said a bona fide business plan must include a recurring funding source for future maintenance and operation. He said a substantial investment will be required to make the building usable, and the business plan presented today by Mr. Atkins does

not include the \$3 million needed for restoration.

Bartow City Manager George Long stated while the City of Bartow supports historical preservation, it is not in a position to take on a project of this magnitude. He said private sector funding is essential to make this project sustainable.

Commissioner Wilkinson stated the citizens of Bartow do not share in the enthusiasm of this restoration project, and there does not seem to be community backing. He questioned the significant public purpose.

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

21. [Appoint Beth Evans to the Housing Finance Authority to complete the unexpired term of Scott Coulombe effective July 7, 2010.](#)

Attachment: [Beth Evans bio.pdf](#)

**Motions:**

Appoint Beth Evans as a member of the Housing Finance Authority to complete the unexpired term of Scott Coulombe which began December 1, 2008, and ends November 30, 2012. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Jean Reed

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

22. [Comments.](#)

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

23. [Adopt a Resolution binding future County Commissions or third-party administrators from utilizing any taxpayer funds for abortions or abortion counseling.](#)

**Minutes:** County Attorney Michael Craig read the proposed Resolution binding third-party administrators from utilizing any local taxpayer funds for abortions or abortion counseling.

**Motions:**

Adopt Resolution No. 10-100. - PASS

**Vote Results**

Motion: Randy Wilkinson

Second: Sam Johnson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

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

24. [Appoint Allen Johnson as Member No. 5 of the Polk County Industrial Development Authority for the remainder of the three-year term, expiring January 22, 2013.](#)

Attachment: [IDA Johnson bio 3.pdf](#)

**Motions:**

Appoint Allen Johnson as Member No. 5 of the Polk County Industrial Development Authority for the remainder of the three-year term beginning January 23, 2010, and ending January 22, 2013. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

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

25. [Comments.](#)

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

27. [Reappoint Laura Betts as a member of the Planning Commission, for the three year term, September 1, 2010 through August 31, 2013.](#)

Attachment: [PC Betts bio 2010 4.pdf](#)

**Motions:**

Reappoint Laura Betts as a member of the Planning Commission, for the three-year term beginning September 1, 2010, and ending August 31, 2013. - PASS

**Vote Results**

Motion: Jean Reed

Second: Randy Wilkinson

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

26. [Announce the Care and Cheer collection event for 2010.](#)

Attachment: [Operation Care and Cheer.pdf](#)

**Minutes:**

Commissioner Reed announced the kickoff for Operation Care and Cheer III noting that this is the third year for this effort to help troops.

John Hopkins, Veterans Services, stated Operation Care and Cheer III will run from August 1, 2010, through February 1, 2011. He said the purpose is to show appreciation for Polk County veterans. He listed the suggested items which can be donated and outlined the drop-off locations. Discussion followed on the method of distributing the donated items.

28. [Comments.](#)

**Minutes:**

Commissioner Reed mentioned the various Independence Day events held throughout the County.

Commissioner Reed recommended topics of discussion which might be placed on the agenda when the County and the Planning Commission hold a Joint Work Session in August. She said citizens should have confidence in the transportation studies.

At a time later in the meeting, Commissioner Reed reminded the audience of preventative mosquito control measures to take during this season.

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

29. [Appoint Kyle R. Story to serve as an Alternate Member of the Polk County Planning Commission for a three year term beginning July 7, 2010.](#)

Attachment: [Kyle Story bio.pdf](#)

**Motions:**

Appoint Kyle R. Story to serve as an Alternate Member of the Polk County Planning Commission for a three-year term beginning July 7, 2010, and ending July 6, 2013. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

**O. LAY BOARD APPOINTMENTS**

30. [Appoint Albert Kirkland, Jr. to the Workforce Development Board for a three-year term effective July 7, 2010.](#)

Attachment: [Albert Kirkland Jr.pdf](#)

Attachment: [Albert Kirkland bio.pdf](#)

**Motions:**

Appoint Albert Kirkland Jr., Executive Director of the Lake Wales Housing Authority, to the Workforce Development Board representing Government sector, to serve a three-year term beginning July 7, 2010, and ending July 6, 2013. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

31. [Appoint Lisa Hall to the Workforce Development Board for a three-year term effective July 7, 2010.](#)

Attachment: [Lisa Hall Nomination bio.pdf](#)

**Motions:**

Appoint Lisa Hall, Business Development Manager for Rita Staffing, to the Workforce Development Board representing the Private For-Profit Sector/Staffing, to serve a three-year term beginning July 7, 2010, and ending July 6, 2013. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

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

**P. PUBLIC HEARINGS**

32. [Review an inventory list of all real property owned by the County which may be appropriate for affordable housing and to adopt a Resolution including the inventory pursuant to Florida Statutes Section 125.379 \(2006\). \(No fiscal impact\)](#)

Attachment: [Aff Hous Res 2010 revised.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.

Deputy County Attorney Linda McKinley outlined the proposed resolution. She reviewed Florida Statutes that require the County to adopt an inventory list of properties appropriate for affordable housing every three years. She stated there are seven parcels available. She recommended approval of the resolution. Discussion followed.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Resolution No. 10-096, adopting an inventory list of all real property owned by the County which may be appropriate for affordable housing pursuant to Florida Statutes Section 125.379 (2006). - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

33. [Consider the adoption of the Housing Choice Voucher Program FY 2010 Annual Plan and 2010-2015 Five-Year Plan.](#)

Attachment: [Certifications.pdf](#)  
Attachment: [Section 8 Annual Plan Five Year Plan Checklist.pdf](#)  
Attachment: [Resolution.pdf](#)  
Attachment: [Five Year and Annual Plan.pdf](#)

**Minutes:**

Director of Housing and Neighborhood Development Greg Alpers outlined the proposed resolution and recommended approval.

The Chairman opened a public hearing; no one spoke.

**Motions:**

Adopt Resolution No. 10-097, adopting the Housing Choice Voucher Program FY 2010 Annual Plan and 2010-2015 Five-Year Plan. - PASS

**Vote Results**

Motion: Sam Johnson

Second: Randy Wilkinson

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

**Q. CONSENT AGENDA ITEMS**

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

34. [Removal of equipment from inventory as listed on Blanket Removal Form 1862.](#)

Attachment: [Blanket Removal Form 1862.pdf](#)

35. [Authorize issuance of checks in the amount of \\$8,172.90 and \\$402.63 to William Dearwester representing Unclaimed Funds from Joe G. Tedder, Tax Collector accepted by the Board on April 21, 2010.](#)

Attachment: [Dearwester Unclaimed Funds.pdf](#)

36. [Approve Satisfaction of Road Assessment Liens for Help Is On The Way and Stepanic.](#)

Attachment: [Satisfaction Stepanic.pdf](#)

Attachment: [Satisfaction Help Is On The Way.pdf](#)

37. [Minutes of the Poinciana West Community Development District dated November 3, 2009.](#)

38. [Proposed Budget Fiscal Year 2010/2011 for Bridgewater Community, Golden Lakes Community, Saddle Creek Community and Westridge Community Development Districts.](#)

39. [Accept Golden Lakes Community Development District's certified copy of Resolution 2009-02 authorizing and designating a registered agent and registered agent's office.](#)

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

Attachment: [Lands Available 061710.pdf](#)

**COUNTY ATTORNEY**

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41. [SET HEARING to consider a request to vacate a portion of a 10-foot platted utility easement, shown on the plat of Royal Crest. \(Suggested hearing date: Wednesday, July 21, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)
42. [Approval of Agreement for Traffic Control on Private Roads for Ridgewood Lakes Master Association, Inc. \(No fiscal impact\)](#)  
Attachment: [Resolution Ridgewood Lakes.pdf](#)  
Attachment: [Agreement Ridgewood Lakes.pdf](#)
43. [Donation of Drainage Easement for Rockridge Road Bridge Replacement Project, Parcel 800. \(\\$35.50 one-time expense\)](#)  
Attachment: [Rockridge Bridge Pcl 800 Fiscal.pdf](#)  
Attachment: [Rockridge Bridge Pcl 800 Backup.pdf](#)
44. [Resolution approving Polk County Industrial Development Authority Revenue Bond in a principal amount of \\$10,000,000.00.](#)  
Attachment: [RESOLUTION.pdf](#)
45. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 170. \(\\$60,000.00 one-time expense\)](#)  
Attachment: [Kathleen Rd Ph II Pcl 170 Backup.pdf](#)  
Attachment: [Kathleen Rd Ph II Pcl 170 Fiscal.pdf](#)
46. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 200. \(\\$42,000.00 one-time expense\)](#)  
Attachment: [Kathleen Rd Ph II Pcl 200 Fiscal.pdf](#)  
Attachment: [Kathleen Rd Ph II Pcl 200.pdf](#)
47. [Record Maintained Right-of-Way Maps for Pebbledale Road and 41st Street NW. \(\\$270.00 one-time expense\)](#)  
Attachment: [Pebbledale Rd.pdf](#)  
Attachment: [Fiscal Impact.pdf](#)  
Attachment: [41 St.pdf](#)
48. [SET HEARING to consider adoption of an ordinance to provide for severance pay for laid-off employees. \(Suggested hearing date: July 21, 2010 at 1:30 p.m.\) \(No fiscal impact\)](#)
49. [Record Maintained Right-of-Way Map for Baker Dairy Road. \(\\$255.00 one-time expense\)](#)  
Attachment: [Fiscal Impact.pdf](#)  
Attachment: [MROW Baker Dairy Rd.pdf](#)
50. [SET HEARING to consider adopting a Resolution extending the current five \(5\) year five \(5\) percent rate index for Polk County Utilities \(PCU\), as provided for in Resolution 07-137, for an additional three \(3\) years. \(Suggested hearing date: July 21, 2010 at 1:30 p.m.\) \(No fiscal impact\)](#)  
Attachment: [ExhibitA.pdf](#)  
Attachment: [ProposedAmdResolution.pdf](#)

### ASSISTANT COUNTY MANAGER

51. [Polk HealthCare Plan Provider Medical Services Agreement renewal Osceola County Health Department. \(Transfer of existing appropriations to medical providers\)](#)  
Attachment: [Osceola CHD 10 135 RM.pdf](#)
52. [Contract with NCT Group CPA's, LLP to review building permit files as related to county impact fees from county and cities. \(\\$43,000.00 one-time expense\)](#)  
Attachment: [Polk County Impact Fee AUP Engagement Letter.pdf](#)

### CENTRAL FLORIDA DEVELOPMENT COUNCIL

53. [One Year Sponsorship Agreement with Holiday Inn Lakeland South. \(\\$5,000.00 in-kind services\)](#)  
Attachment: [Holiday Inn Lakeland South RISK pink.pdf](#)  
Attachment: [Holiday Inn Lakeland South LEGAL purple.pdf](#)  
Attachment: [Holiday Inn Lakeland South Agreement.pdf](#)

54. [One Year Sponsorship Agreement with Peebles Bar-B-Q. \(\\$2,000.00 in-kind services\)](#)

Attachment: [Peebles BBQ LEGAL purple.pdf](#)  
Attachment: [Peebles BBQ RISK pink.pdf](#)  
Attachment: [Peebles BBQ Agreement.pdf](#)

#### INFRASTRUCTURE MANAGEMENT

55. [Agreement with EarthBalance Corporation to purchase wetland mitigation credits from the Boran Ranch Mitigation Bank for Daughtery Road Park. \(\\$18,360.00 one-time expense\)](#)

Attachment: [Daughtery Road Mitigation Purchase Agreement.pdf](#)  
Attachment: [Daughtery Road Mitigation Approvals.pdf](#)

56. [Adopt Resolution Setting Parking Restrictions on Walt Williams Road, near Lakeland. \(\\$1,274.60 one-time expense\)](#)

Attachment: [Parking Restrictions Resolution Walt Williams Road.pdf](#)  
Attachment: [Parking Restrictions Fiscal Impact Walt Williams Road.pdf](#)  
Attachment: [Walt Williams Road Parking Study.pdf](#)  
Attachment: [Walt Williams Road Maps.pdf](#)

57. [Modification No. 1 to CSA No. 06-149-03 with PBS&J \(Consultant\) for the Bartow Northern Connector \(US 98 to US 17\) Phase I Project. \(time extension only\)](#)

Attachment: [BNC P1 Map.pdf](#)  
Attachment: [M1 CSA 0614903 BNC Ph1 Backup.pdf](#)

58. [Acceptance of the South Polk County Jail Expansion Phase 2 potable water and wastewater utility systems. \(No fiscal impact\)](#)

Attachment: [South Polk County Jail Backup.pdf](#)

59. [Acceptance of an easement from CVS 6853 FL, LLC. \(No fiscal impact\)](#)

Attachment: [CVS Pharmacy Easement Backup.pdf](#)

60. [Acceptance of donated easement from Mitchell Kalogridis, LTD. \(No fiscal impact\)](#)

Attachment: [Easement from Mitchell Kalogridis LTD.pdf](#)  
Attachment: [Kalogridis Easement Approvals.pdf](#)

61. [Asphalt Shingle Recycling Grant, Amendment No.3 to allow for budget category change from personnel to contractual services. \(No fiscal impact\)](#)

Attachment: [IG8 10 Amendment No 3.pdf](#)

62. [Interlocal Agreement with the School Board of Polk County Head Start Program to allow construction of a new playground at the Wilfred Smith Resource Center. \(No fiscal impact\)](#)

Attachment: [Wilfred Smith Playground Approvals.pdf](#)  
Attachment: [Wilfred Smith Interlocal Agreement.pdf](#)

63. [Approval of a Utilities Agreement with Orchid Gardens, LLC \(Developer\), to reimburse the Developer for installation of a reclaimed water main which will provide service for the Orchid Gardens subdivision. \(\\$172,500.00 not-to-exceed cost\)](#)

Attachment: [Orchid Gardens Utilities Agreement.pdf](#)  
Attachment: [Orchid Gardens Approvals.pdf](#)

#### GROWTH MANAGEMENT

64. [Approve Neighborhood Sign Maintenance Agreement Between Polk County and Westridge Homeowners' Associaton, Inc. to permit two \(2\) neighborhood identification signs in the right-of-way. \(No fiscal impact\)](#)

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

65. [SET HEARING to consider PD 90-24M De Novo, Westridge. \(Suggested hearing date: July 21, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

66. [SET HEARING to consider \(NOPC 10-02\) a Notice of Proposed Change to the Four Corners Development of Regional Impact. \(Suggested hearing date: August 18, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

67. [Krenson Woods Subdivision Plat Amendment to Surety. \(No fiscal impact\)](#)

Attachment: [Krenson Woods.pdf](#)

68. [Festival Pointe at Sundance Phase Two Subdivision Plat Release of Surety. \(No fiscal impact\)](#)

Attachment: [Festival Pointe at Sundance Phase Two.pdf](#)

69. [SET HEARING to consider the adoption of an ordinance \(LDC 10T-09\) amending the Land Development Code. \(Suggested hearing dates: July 21, 2010 and August 18, 2010, both at 1:30 p.m.\) \(No fiscal impact\)](#)

70. [SET HEARING to consider the adoption of an ordinance \(LDC 10T-10\) amending the Land Development Code. \(Suggested hearing dates: July 21, 2010 and August 18, 2010, both at 1:30 p.m.\) \(No fiscal impact\)](#)

## HUMAN SERVICES

71. [Funding Agreement between the Board and the Polk County Youth Fair, Inc., to maintain the Youth Fair Fiscal Specialist II Position. \(\\$49,247.00 one-time revenue\)](#)

Attachment: [Legal review youth fair.pdf](#)

Attachment: [Youth Fair Contract.pdf](#)

72. [Provider Agreement between Polk County Elderly Services and Universal Health Care, Inc. \(No fiscal impact\)](#)

Attachment: [Req for legal Universal Health Care.pdf](#)

Attachment: [Universal Health Care Inc.pdf](#)

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

Attachment: [TBRA Contracts.pdf](#)

Attachment: [TBRA Checklist.pdf](#)

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

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

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

75. [HOME Investment Partnership \(HOME\) Program Agreement between Polk County and Keystone Challenge Fund, Inc., for the American Dream Down Payment Initiative. \(\\$6,515.00 one-time expense\)](#)

Attachment: [ADDI Contract H ADDI 080001 01 070710.pdf](#)

Attachment: [ADDI Contract 08000101 Checklist 070710.pdf](#)

76. [State Housing Initiatives Partnership \(SHIP\) Program Rehabilitation/Reconstruction Agreements for Janice Allen, aka Janet L. Allen, 116 Murphy Street, Davenport. \(\\$92,825.00 one-time expense\)](#)

Attachment: [Allen Janice Rehab 070710.pdf](#)

Attachment: [Allen Janice Checklist 070710.pdf](#)

77. [State Housing Initiatives Partnership \(SHIP\) Program Rehabilitation/Reconstruction Agreements for Beatrice O. Cochran, Life Estate and John E. Geiger, Jr., 3885 Barnes Road, Auburndale. \(\\$110,449.00 one-time expense\)](#)

Attachment: [Cochran Beatrice and Geiger John Rehab 070710.pdf](#)

Attachment: [Cochran Beatrice and Geiger Checklist.pdf](#)

78. [HOME Investment Partnership Program Rehabilitation/Replacement Agreements for Leodegario D. Juarez and Tammy Juarez, 599 Pine Street, Waverly. \(\\$104,805.12 one-time expense\)](#)

Attachment: [Juarez Leodegario Checklist 070710.pdf](#)

Attachment: [Juarez Leodegario Rehab 070710.pdf](#)

79. [State Housing Initiatives Partnership \(SHIP\) Housing Rehabilitation/Reconstruction Agreements for America Maldonado, 636 N. State Avenue, Lakeland. \(\\$53,193.00 one-time expense\)](#)

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Attachment: [Maldonado America Rehab 070710.pdf](#)  
Attachment: [Maldonado America Checklist 070710.pdf](#)

80. [Community Development Block Grant \(CDBG\) Amendment No. 9 to Agreement No. 97-62 with BCI Engineers and Scientists, Inc. for the Eloise Area Redevelopment - Revitalization Plan. \(\\$36,960.00 one-time expense\)](#)

Attachment: [BCI Phase IV Proposal.pdf](#)  
Attachment: [Amendment No 9 Checklist.pdf](#)  
Attachment: [Amendment No 9.pdf](#)

81. [Community Development Block Grant \(CDBG\) Modification No. 1 to Consultant Services Authorization \(CSA\) No. 06-262-04 with Jacobs Engineering Group, Inc. \(\\$78,630.00 one-time expense\)](#)

Attachment: [Eloise CSA Modification No 1.pdf](#)  
Attachment: [Eloise CSA Modification No 1 Checklist.pdf](#)

82. [West Central Florida Area Agency on Aging, Inc. \(WCFAAA\) Amendment 003 to Home Care for the Elderly Contract \(HCE-09/10-POLK\) decreasing the contract amount for Special Subsidies by \\$75,000.00; approval from WCFAAA to utilize surplus subsidy funds of \\$75,000.00 from the 2009/2010 Home Care for the Elderly Contract \(HCE-09/10-POLK\) for in-home services under the Community Care for the Elderly Contract \(CCE-09/10-POLK\); and request for the transfer of \\$6,722.00 in surplus special subsidy funds to Case Aide-Case Management services from the Special Revenue Grant Fund Reserve for Contingency to the Special Revenue Grant Fund for HCE-09/10-POLK. \(\\$81,722.00 one-time revenue category transfer\)](#)

Attachment: [Budget Revision Journalhce061610.pdf](#)  
Attachment: [Req for legal HCE Amend 003 0910.pdf](#)  
Attachment: [HCE Amend 003 0910.pdf](#)  
Attachment: [Award ltr HCE Amend 003 0910.pdf](#)

### **PUBLIC SAFETY**

83. [Emergency Management Performance Grant Subgrant. \(\\$127,165.00 revenue\)](#)

Attachment: [EMPG Grant.pdf](#)

84. [Modification to the State Division of Emergency Management's FY 2008 Grant. \(Reinstatement and Time extension only\)](#)

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

85. [Agreement with the State of Florida, Department of Agricultural and Consumer Services For Use Of Communications Facilities. \(No fiscal impact\)](#)

Attachment: [DOACS share tower.pdf](#)

### **SUPPORT SERVICES**

86. [Amendment No. 2 to Advertising and Related Marketing Services Agreement No. 06-103 with Clark/Nikdel, Inc., dba Clark/Nikdel/Powell. \(Time extension only\)](#)

Attachment: [Clark Nikdel Contract 06 103 Fee Schedule.pdf](#)  
Attachment: [Clark Nikdel Agreement Extension.pdf](#)

87. [Master Services Agreements for Parks and Natural Resources. \(No fiscal impact\)](#)

Attachment: [Envisors Surveying Master Agreement.pdf](#)  
Attachment: [Chastain Skillman Surveying Master Agreement.pdf](#)  
Attachment: [Moduss Surveying Master Agreement.pdf](#)  
Attachment: [CivilSurv Surveying Master Agreement.pdf](#)  
Attachment: [Aim Engineering and Surveying Master Agreement.pdf](#)  
Attachment: [Pickett and Assoc Surveying Master Agreement.pdf](#)

88. [Amendment to Master Consulting Agreement No. 07-39 with Ardaman & Associates, Inc.; No. 07-40 with Nodarse & Associates; No. 07-41 with ASCgeosciences, Inc. \(No fiscal impact\)](#)

Attachment: [Nodarse.pdf](#)  
Attachment: [ASCgeosciences.pdf](#)  
Attachment: [ardaman.pdf](#)

89. [Selection Committee's recommendation on RFP No. 10-041, Lead Agency-Volunteer Program. \(No fiscal impact\)](#)

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90. [Amendment to Exhibit B – Scope of Services with Buck Consultants Contract. \(\\$34,000.00 one-time expense for single application and \\$3,500.00 per payment request\)](#)

Attachment: [Polk County Amendment 06282010 revised.pdf](#)

The Vice Chairman adjourned the meeting at 1:50 p.m.