



Board of County Commissioners Meeting Agenda

06-16-2010 Regular BoCC Meeting Minutes

June 16, 2010 Regular BoCC meeting

PRESENT: Bob English District No. 1, Chairman
 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
 Richard M. Weiss Clerk and Ex Officio Auditor

The Board convened pursuant to adjournment taken on June 3, 2010.

CALL TO ORDER - 9:00 a.m. (BOB ENGLISH, CHAIR)

INVOCATION

1. [Pastor Carlos Palacios, Faith Community Christian Reformed Church of Poinciana](#)

PLEDGE OF ALLEGIANCE (BOB ENGLISH, CHAIR)

A. APPROVE CONSENT AGENDA

2. [Approve Consent Agenda.](#)

Minutes:

Chairman English discussed proposed changes to the Consent Agenda. He recommended that under Item No. Q.47, the public hearing scheduled to be set for July 7, 2010, be set for July 21, 2010.

Motions:

Change Consent Agenda Item No. Q.47 to set a public hearing for consideration of a moratorium on impact fees on July 21, 2010. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Sam Johnson

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

Motion Minutes:

Commissioner Smith moved to pull Item No. Q.46 from the Consent Agenda for discussion.

Upon question, County Attorney Michael Craig said the written order for the three related cases CPA 10A-03, LDC 09D-04 and CU 09-17, memorializes the decision made by the Board at the public hearings for these cases, and adoption of the written order is a ministerial act. He said the three cases were approved in part and denied in part, and the written order clarifies the Board's action in an attempt to avoid conflict about interpretation. He recommended adoption of the written order.

Following discussion, Mr. Craig stated the Board can defer action on this item until later in the meeting to allow the Board members additional time to review the written order.

Motions:

Move approval of the remaining Consent Agenda with the exception of Item No. 47 which has just been set for July 21, 2010, by separate vote, and Item No. 50 which the County Attorney has requested be pulled for further discussion. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

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

Motion Minutes:

Senior Assistant County Attorney Anne Gibson stated Florida Statutes Chapter 125.022 requires that a partial denial mandates a written order, and the Board has to adopt the written order within 30 days. She explained that the written order was prepared for this agenda because the next Board meeting is July 7, 2010, and that would be outside the 30 day limit. She emphasized that the written order can be modified, but it is driven by Florida Statutes.

Commissioner Smith stated he has not had a chance to review the written order and would recommend the Board postpone taking action on this item until the next Board Meeting.

Mr. Craig stated he will bring back Consent Agenda Item No. Q.50 at the end of the day.

B. PRESENTATIONS and RECOGNITIONS

3. [Presentation of Certificates to Individuals that have completed the 2010 Polk County Water School Course.](#)

Attachment: [Water School Graduate List June 2010.pdf](#)

Attachment: [Water School Flyer.pdf](#)

06-16-2010 Regular BoCC Meeting Minutes

Attachment: [2010 Water School backup.pdf](#)

Minutes: The Board congratulated the recent graduates of the 2010 Polk County Water School and presented them with Certificates of Completion.

4. [Cecelia Weaver, SFWMD Orlando Service Center Director, and Alex Damian, SFWMD Assistant Deputy Executive Director of Operations and Maintenance, to present, "Rainy Season Readiness - SFWMD Operations and Actions."](#)

Attachment: [SFWMD Presentation.pdf](#)

Minutes:

Ms. Weaver, South Florida Water Management District (SFWMD), reviewed the Central and South Florida (C&SF) Project titled "Preparing for the Rainy Season, SFWMD Operations and Actions." She discussed the importance of shared responsibility for flood control.

Mr. Damian, SFWMD, demonstrated the location of the water systems which SFWMD operates and maintains. He discussed the purposes and challenges of the C&SF Project as well as the roles and responsibilities for the U.S. Army Corps of Engineers, as the Regulatory Agency, and SFWMD, as the Local Agency. He explained how operational decisions are made throughout the District, and discussed the interaction between canals and groundwater. He said Florida's rainy season is from May to October, and the 2010 season is expected to be very active.

5. [Recognize the Communications and Information Technology Divisions for receiving the Alliance for Innovation's Havlick Award for Innovation in Local Government and the Florida Public Relations Association's Grand Image Award for the E- Town Hall Initiative. Also recognize the Communications and Risk Management Divisions for receiving the Florida Public Relations Association's Grand Image and the Grand All Image Awards for the "Wellness: Invest for Life" internal communications project.](#)

Attachment: [Havlick Award.pdf](#)

Attachment: [Grand Image Award.pdf](#)

Minutes:

The Board recognized the achievements and awards received by Communications Division and Information Technology (IT) Division.

Director of Communications Cindy Rodriguez, said the awards received by Communications and IT represent the Board's commitment to excellence. She described the savings realized by holding an Electronic Town Hall Meeting versus a traditional Town Hall Meeting, noting that over 400 viewers tuned in to this outreach effort.

Director of Risk Management Mike Kushner said the past year was the best open enrollment effort he has experienced due primarily to the internal media campaign used to inform employees of upcoming changes in insurance coverage.

C. PROCLAMATIONS

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

6. [Disbursements.](#)

Attachment: [061610 Disbursements.pdf](#)

Minutes:

Motions:

Approve and ratify disbursements. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith	- Aye
Randy Wilkinson	- Aye

7. [Minutes of Regular Board meeting and Closed Board meeting held on June 2, 2010 and Special Public Hearing held on June 3, 2010.](#)

Attachment: [060310 PH MIN.pdf](#)
Attachment: [060210 MIN.pdf](#)
Attachment: [060210S MIN.pdf](#)

Motions:

Approve minutes of the June 2, 2010, Regular Board Meeting, the June 2, 2010, Closed Board Meeting and the June 3, 2010, Public Hearing. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

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

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

G. COUNTY ATTORNEY (MICHAEL CRAIG)

8. [Consider Selection Committee Report for Recovery Zone Bonds in Polk County, Florida. \(No fiscal impact\)](#)

Attachment: [Exhibit A through E.pdf](#)
Attachment: [Exhibit F through I.pdf](#)
Attachment: [Committee Report.pdf](#)

Minutes:

County Attorney Michael Craig explained that the federal Recovery Zone Bonds are intended to provide stimulus funds to both the private and public sector. He reported that on May 21, 2010, the Selection Committee for the Recovery Zone Bonds met to consider the applications. He reviewed the Selection Committee report relative to the public sector Recovery Zone Economic Development Bonds.

Mr. Craig discussed the makeup of the Committee and noted that the two applicants were the City of Haines City for a combined new City Hall and Public Library, and Polk County Utilities for a number of capital projects. He said the Committee ranked Haines City first. He recommended the Board accept the ranking of the Selection Committee.

Motions:

Reallocate the allocation for Recovery Zone Economic Development Bonds to Haines City, Florida, for issuance of its own Bonds. - 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:

County Attorney Michael Craig stated the three applicants considered by the Selection Committee for the private sector Recovery Zone Facility Bonds were Cellynne Corporation for an expansion to its existing facility located north of Haines City; Energy One for the development of an ethanol facility in the Lake Wales area; and Mosaic for a lodge and conference center in southwest Polk County. He said the Selection Committee ranked the three applicants Cellynne first, Energy One second, and Mosaic third.

Chairman English invited each of the three applicants to speak for ten minutes and highlight the projects.

Presentations were made by Jim Smart, Quality Manager of Cellynne Holdings, Joe Zimbliss, Vice President of Energy One, and Parker Keen, Assistant Vice President for Land Management Development for the Mosaic Company.

Chairman English explained why he favors awarding the private sector bonds to Mosaic. Commissioner Reed stated she supports the Selection Committee's recommendation to award the private sector bonds to Cellynne Corporation.

County Manager Mike Herr clarified that this is not an Industrial Development Bond Project.

Commissioner Wilkinson stated he does not like this process, and feels the stimulus money will harm the economy in the long run.

Commissioner Johnson asked if all three projects qualify for the bonds, and Mr. Craig answered in the affirmative.

Upon question, Mr. Craig stated this Recovery Zone Bond is part of the initial stimulus bill and is only set forth for this year; however, there is some speculative discussion that another allocation might be made available next year or in the years to come. He stated the Board adopted an Ordinance establishing the Program, and then approved the procedures. He said the Selection Committee scrutinized the applications and ranked them; however, the Board makes the final decision on who gets funded. He emphasized that the project which is chosen must be ready to close in order to meet the time line for receiving the stimulus.

Stacy Butterfield said she served on the Selection Committee and is Director of Finance and Accounting for Richard Weiss, Clerk of the Circuit Court. She said the Committee was tasked with ensuring that the applicants met the criteria established for receipt of the bonds whose purpose is to create projects that will foster community economic development and job creation in a timely manner. She said the cluster industries which were to be given more weight were Life Science and Medical Services, Research, Engineering and High Tech, Logistics and Supply Chain Management, and High Value Agri-business. She said the Committee ranked the projects based on the information provided on the applications submitted by the three companies.

Upon question, Ms. Butterfield stated the tax exempt bond allocation is \$17,600,000.00.

Commissioner Reed moved to approve the recommendation of the Selection Committee and award the bond allocation to Cellynne Corporation. The motion died for lack of a second.

Motions:	
Select Mosaic for award of the private sector Recovery Zone Facility Bonds.	- PASS
Vote Results	
Motion: Randy Wilkinson	
Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Nay

06-16-2010 Regular BoCC Meeting Minutes

Edwin Smith	- Aye
Randy Wilkinson	- Aye

Motion Minutes:

Commissioner Johnson questioned the economic impact of the three projects to Polk County, and discussion followed on the timing of the projects.

Upon question, Mr. Craig stated the adopted procedures require a closing date by October, 2010. He asked that the motion specify that the successful project will close by a date certain. He said the allocation goes away on December 31, 2010, but the key is to ensure that the allocations are used.

Motions:

Closing of the private sector bonds will be accomplished by October 1, 2010, and if not the award of the bonds will go to Cellynne Corporation. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motion Minutes:

9. [Right-of-Way purchase for the Ernie Caldwell Boulevard Phase I Project, Parcel 120. \(\\$114,000.00 one-time expense\)](#)

Attachment: [EC Blvd Pcl 120.pdf](#)

Attachment: [Fiscal EC Blvd Pcl 120.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen reviewed the location of Parcel 120. He reviewed the Purchase Agreement with CRF Maitland, LLC, for a not to exceed amount of \$114,000.00. He said this parcel is needed for a right-turn lane to get on the ramp for the Ernie Caldwell Boulevard. He recommended approval.

Motions:

Accept the Right-of-Way Agreement from CRF MAITLAND, LLC, for Parcel 120, and authorize the issuance of a check for \$112,500.00 for its purchase. Also approve hiring American Government Services to close the acquisition of the parcel, approve paying estimated closing costs of \$1,500.00 and approve the Chief Right-of-Way Agent to execute the documents on behalf of the Board at closing. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

10. [Right-of-way purchase for Kathleen Road Phase II Improvement Project, Parcel 161 and Remainder. \(\\$299,100.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Flanders Fiscal.pdf](#)
 Attachment: [Kathleen Rd Ph II Flanders.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen reviewed the location of Parcel 161 and the Remainder Portion. He explained that the Remainder Portion will be marketed after the project is completed. He recommended approval in the amount of \$299,100.00.

Motions:

Accept the Right-of-Way Agreement from L. Bennett Flanders, as the Trustee of the L. Bennett Flanders Revocable Trust dated the 12th day of May, 2009, for Parcel 161 and Remainder; authorize the issuance of a check in the amount of \$299,100.00 for its purchase. Also approve hiring American Government Services Corporation to close the acquisition of the parcel, approve paying estimated closing costs of \$2,000.00, and approve the Chief Right-of-Way Agent to execute the documents on behalf of the Board at closing. - PASS

Vote Results

Motion: Sam Johnson
 Second: Edwin Smith

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

11. [Right of Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 133A, 133B, 134 and 804. \(\\$2,850,000.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 133AB 134 804 Fiscal.pdf](#)
 Attachment: [Berkley Rd Ph 4 Pcls 133AB 134 804 Backup.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen reviewed the location of the parcels and recommended approval of a Purchase Agreement with Hong Kong Gift Shops, LTD at a not to exceed amount of \$2,850,000.00. He also recommended approval of a budget revision and CIP transfer from the County Road 54 Phase III Project to allow staff to move forward with this purchase.

Motions:

Accept the Right-of-Way Agreement from Hong Kong Gift Shops, Ltd., a Delaware corporation, and Hong Kong, Inc., a Florida corporation, for Parcels 133A, 133B, 134, and 804 and authorize the issuance of a check in the amount of \$2,823,650.00 for their purchase. Also approve hiring American Government Services Corporation to close the acquisition of the parcel, approve paying

estimated closing costs of \$9,805.00, and approve the Chief Right-of-Way Agent to execute the documents on behalf of the Board at closing. Also approve establishing the Berkley Road project in the Transportation Engineering Impact Fee 111, District C, CIP Amendment, Budget Revision and Transfer, transferring \$2,850,000.00 from the CR 54 Phase III improvement project to the Berkley Road Phase IV and CR 559-A improvement project. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

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

12. [Discuss legal representation of the Polk County Industrial Development Authority \(IDA\) by the County Attorney's Office.](#)

Minutes:

County Attorney Michael Craig said the County Attorney's Office has historically provided legal and administrative support for the IDA, including the scheduling of meetings, preparing agendas, keeping minutes, maintaining checkbook and preparing financial reports and issue legal opinions on behalf of the authority resulting in personal liability of the County Attorney. He explained that the Polk County Housing Authority, which is similar to the IDA, is represented by private counsel paid from the fees charged by the authority to the borrowers. He recommended the County transition the representation of the IDA to private counsel.

Motions:

Direct the County Attorney to transition the legal representation of the Industrial Development Authority from the Polk County Attorney's Office to private counsel of the Authority's choosing. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

80. [Consider indemnification agreement given by Keystone Challenge fund, Inc. for the benefit of Polk County, Florida, and the U.S. Department of Housing and Urban Development. \(No fiscal impact\)](#)

Attachment: [Keystone 3d Revised Indem Agt.pdf](#)

Minutes: At a time later in the meeting, County Attorney Michael Craig reviewed the proposed indemnification agreement and recommended approval.

Motions:

Approve Indemnification Agreement given by Keystone Challenge Fund, Inc. for the benefit of Polk County, Florida, and the U.S. Department of Housing and Urban Development. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

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

H. COUNTY MANAGER (MICHAEL HERR)

13. [Language changes in the following Employee Handbook Sections: 5.00 Career Opportunities and Employment Policies; 5.02 Equal Employment Opportunity; 5.03 Veterans' Preference; 6.04 Overtime; 7.09 Employee Assistance Program; 8.08 Use and Request for Sick Leave; 8.09 Sick Leave Sharing; 9.00 Travel; 10.06 Use of County Property; 10.08 Electronic Communications Policy; 14.01 Lay Off; and 14.02 Resignation. \(No fiscal impact\)](#)

- Attachment: [Agenda Job Postings.pdf](#)
- Attachment: [Agenda Use and Request for Sick Leave 519.pdf](#)
- Attachment: [Agenda Equal Opportunity.pdf](#)
- Attachment: [Agenda Sick Leave Sharing.pdf](#)
- Attachment: [Agenda Employee Assistance Program 519.pdf](#)
- Attachment: [Agenda Lay off.pdf](#)
- Attachment: [Agenda Travel.pdf](#)
- Attachment: [Agenda Overtime.pdf](#)
- Attachment: [Agenda Veterans Preferences.pdf](#)
- Attachment: [Agenda Use of County Property 519.pdf](#)
- Attachment: [Agenda Text Messaging 519.pdf](#)
- Attachment: [Agenda Resignation.pdf](#)

Minutes: County Manager Mike Herr reviewed the proposed changes to the Employee Handbook and recommended approval. He said these changes will better clarify and align the policies and procedures as well as help to augment the facilitation of the County's Oracle automated system.

Motions:

Approve changes to the following Polk County Employee Handbook Sections: 5.00, Career Opportunities and Employment Policies; 5.02, Equal Employment Opportunity; 5.03, Veterans' Preference; 6.04, Overtime; 7.09, Employee Assistance Program; 8.08, Use and Request for Sick Leave; 8.09, Sick Leave Sharing; 9.00, Travel; 10.06, Use of County Property; 10.08, Electronic Communications Policy; 14.01, Lay Off; and 14.02, Resignation. - PASS

Vote Results

Motion: Edwin Smith

Second: Sam Johnson

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

Motion Minutes: Upon question regarding County Travel, County Manager Mike Herr clarified that mileage will be determined first by the odometer reading; second by the mileage set by the Florida Department of Transportation; and third by an computer map service such as Map Quest.

06-16-2010 Regular BoCC Meeting Minutes

14. Selection of a vendor to provide 138,000-95 gallon and 6,500-65 gallon roll-carts needed to provide residential curbside automated garbage collection service. (\$6,075,985.00 one-time expense)

Minutes:

County Manager Mike Herr recommended the Board approve the contract with the low-bidder, Rehrig-Pacific, to provide 138,000 95-gallon and 6,500 65-gallon roll carts for delivery beginning September 13, 2010, at a cost of \$6,075,985.00.

Director of Waste Resource Management Brooks Stayer demonstrated carts from the two lowest bidders noting that the only difference in the carts is the height, and Rehrig-Pacific also offered extending the warranty for two additional years at no additional cost.

Chairman English said each member of the Board should have received an e-mail from Florida Refuse stating that it prefers the Otto container, and Florida Refuse would make up the \$20,000.00 in the bid submission in the form of the equivalent of \$20,000.00 worth of containers if the County chooses this second lowest bidder.

Upon question, County Attorney Michael Craig recommended against accepting the offer from Florida Refuse because it affects the integrity of the purchasing procurement process and would give rise to an objection by one of the other proposers.

Chris Rewis, Contracts Manager, Purchasing Division, said while the procurement of the receptacles was done using the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program, this was a competitive quote. She stated the County's Procurement Ordinance does not allow for protests.

Mr. Craig responded by saying in lieu of a protest process, opponents would go straight to the Circuit Court. Discussion followed.

Commissioner Smith moved to accept the Otto container for use in Polk County. The motion died for lack of a second.

Motions:

Award contract to Rehrig-Pacific, to provide 138,000 95-gallon and 6,500 65-gallon carts for delivery beginning September 13, 2010, at a cost of \$6,075,985.00. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motions:

Allow Staff to select the colors for the roll carts. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Sam Johnson - Aye

Bob English - Aye

Jean Reed - Aye

Edwin Smith	- Aye
Randy Wilkinson	- Aye

15. [Discuss recycling initiatives.](#)

Attachment: [Board Pres HB 7243 75% Recycling Goal b.pdf](#)

Minutes:

Director of Waste Resource Management Brooks Stayer said the State Legislature has set a County-wide goal of 75% recycling within 10 years. He discussed the authorized fees and exempt properties. He said there are no penalties for not meeting this milestone. He discussed the source of waste going into the North Central Landfill, and said the municipalities throughout Polk County must get on board in order for the County to reach this goal.

He discussed "Pay As You Throw" unit based pricing, as well as basing the collection fee on volume of waste generated. He suggested changes which could be made to the County's Ordinance to increase recycling. He discussed the model used by Sarasota County. He summarized other options available to the County to increase recycling.

County Manager Mike Herr clarified that the CIP items discusses such as a C & D Recycling Facility, composting and Single-Stream Materials Recovery Facility (MRF) are not in the proposed budget.

16. [Request direction in establishing the Special Assessment for Solid Waste Collection.](#)

Attachment: [Residential Collection Assessment Spreadsheet.pdf](#)

Minutes:

County Manager Mike Herr stated the Residential Solid Waste Franchise Agreement with Republic for automated garbage collection service has resulted in a reduction in the cost of service. He said the service is funded through a Non-Ad Valorem Special Assessment which is placed on all unincorporated residential properties. He reported that the \$54.00 Special Assessment for Waste Disposal that goes to the landfill remains unchanged.

Mr. Herr stated the rate of the Collection Special Assessment must tentatively be adopted by the Board on July 21, 2010, so that the rates can be advertised on the TRIM notices. He explained that in the past the Board has approved the use of a "flat rate" to avoid an increase in the assessment for the duration of the franchise agreement; however, the Board can establish a new "indexed" rate each year that reflects the exact cost of service for that year. He explained that since increases in the Consumer Price Index (CPI) are anticipated, it is likely that the rate would have to be increased annually, while the use of a "flat rate" to assess for automated residential solid waste collection would increase first year Special Assessment revenues by \$2,380,000.00 over indexed rates. He said both rate structures assume a 3% CPI increase. He requested direction from the Board.

County Attorney Michael Craig stated the Special Assessment will be set each year by the Board based on the changing economic factors.

Motions:

Approve a rate which is the indexed rate at the actual cost per year, with the coming year starting at \$100.00. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

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

17. [Change Order No. 3 to Contract No. 09-001 with Ranger Construction Industries, Inc. \(Contractor\) for the Ronald Reagan Parkway \(CR 54\) Phases II and III Road Widening Project. \(\\$610,734.15 one-time expense\)](#)

Attachment: [CR54 CO3 Contract 09001 Backup.pdf](#)
 Attachment: [CR 54 P2 3 Map.pdf](#)

Minutes:

Director of Transportation Engineering Wendy Alspaugh reviewed Change Order No. 3 to Contract No. 09-001 and recommended approval. She explained that the contractor is due a \$292,500.00 incentive bonus for completing the project 39 days ahead of schedule. She discussed over-runs and under-runs on this project as well as unforeseen work. She said the total amount of Change Order No. 3 totals \$610,734.15, and the new total contract sum is \$18,660,180.38.

Commissioner Johnson stated over-runs should be discouraged and should be heavily scrutinized.

Ms. Alspaugh discussed ad-ons to this project which affected the price and stated these changes were necessary to ensure a superior end product.

Motions:

Approve Change Order No. 3 to Contract No. 09-001 with the Contractor and increase the contract amount by \$610,734.15, resulting in a new total contract sum of \$18,660,180.38 for the Ronald Reagan Parkway (CR 54) Phases II and III Road Widening Project. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Bob English - Aye

Sam Johnson - Aye

- 18. [Agency for Health Care Administration Letter of Agreements for General Low Income Pool Grant, request for match funds. \(\\$399,254.00 one-time expense\) Amendment No. 2 to the agreement between the Board and Heart of Florida Regional Medical Center, Inc. \(Contract No. 05-029-CHSS\). \(\\$399,254.00 one-time expense\)](#)

Attachment: [HOFRMC ContractandAmendNo1.pdf](#)
 Attachment: [AgreeDistriHosp Gen LIP.pdf](#)
 Attachment: [Draft AHCA LOA Polk County HOFRMC doc.pdf](#)
 Attachment: [Amend No 2 HOFRMC.pdf](#)
 Attachment: [IllustraChartofFinFlow HOFRMC Gen LIP.pdf](#)
 Attachment: [Sample Invoice General LIP.pdf](#)

Minutes:

Motions:

(1) Approve the Letter of Agreement (LOA) from the State of Florida, Agency for Health Care Administration, for Heart of Florida Regional Medical Center, dependent on the receipt of the LOA. Request for Match Funds per Senate Bill 2600, the General Appropriations Act of State Fiscal Year 2009-2010, passed by the 2009 Florida Legislature. - PASS

(2) Approve the Amendment No. 2, Heart of Florida Regional Medical Center Contract No. 05-029-CHSS to be eligible for the General (LIP) Program funding from the State of Florida, Agency for Health Care Administration.

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: Director of Polk HealthCare Plan Jan Howell stated the final Letter of Agreement has not yet been received from the State.

19. [Agency for Health Care Administration Letter of Agreement for General Low Income Pool Grant, request for match funds. \(\\$406,915.00 one-time expense\) Amendment No. 2 to the Agreement between the Board and Lake Wales Medical Center \(Contract No. 05-030-CHSS\). \(\\$406,915.00 one-time expense\)](#)

- Attachment: [Sample Invoice General LIP.pdf](#)
- Attachment: [LWMC Contract Amend No 1.pdf](#)
- Attachment: [IllustraChartofFinFlow LWMC Gen LIP.pdf](#)
- Attachment: [Draft AHCA LOA Polk County LWMC.pdf](#)
- Attachment: [Amend No 2 LWMC.pdf](#)
- Attachment: [AgreeDistribHosp GenLIP.pdf](#)

Minutes:

Motions:	
(1) Approve the Letter of Agreement (LOA) from the State of Florida, Agency for Health Care Administration, for Lake Wales Medical Center, dependent on receipt of the LOA. Request for Match Funds per Senate Bill 2600, the General Appropriations Act of State Fiscal Year 2009-2010, passed by the 2009 Florida Legislature.	- PASS
(2) Approve the Amendment No. 2, Lake Wales Medical Center Contract No. 05-030-CHSS to be eligible for the General (LIP) Program funding from the State of Florida, Agency for Health Care Administration.	
Vote Results	
Motion: Sam Johnson	
Second: Randy Wilkinson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

20. [Neil Combee to discuss the economy.](#)

Minutes:

Neil Combee discussed the current state of the economy noting it is the worst he has ever seen. He said taxes and fees slow economic growth and hinder job growth. He stressed that the County should hire locally whenever possible. He said the use of E-Verify should be a mandatory practice for the County, and local businesses and local people should be used for all

professional services.

Upon question, County Attorney Michael Craig stated E-Verify is implemented by the County as a suggested practice.

75. [Comments](#)

Minutes:

Paul Senft, stated when the County chooses a company to receive the Recovery Zone Bonds, it lends its tax-exempt status to a bond-holder; the money is paid back. He stated the land use is not in place at this time for the Mosaic project. He read from the bond administrative procedures regarding eligibility and prohibitions and emphasized that the Mosaic project is not eligible. He said a lodge does not qualify as one of the County's target clusters. He said the Board made a mistake in rearranging the recommendations of the Selection Committee.

In response, County Attorney Michael Craig said this is a very large project, and the proceeds of the bond issue would only be used for the portion of the project which does qualify.

Again Mr. Senft said the application, as submitted, does not qualify.

76. [Comments](#)

Minutes:

James Abercrombie read from Florida Statute Chapter 125.01, Powers and Duties. He said Sue Nelson filed a complaint in September 2007, and Mr. Zebdaoui filed complaints in October and November 2007 regarding overpayment of engineers from Traffic. He said in December 2007, Merle Bishop, former County employee, went to work for Kimley Horn, the same company involved in Ms. Nelson's complaint.

Mr. Abercrombie discussed the duties and responsibilities of the County Manager. He read portions of Ms. Nelson's e-mails.

Mr. Abercrombie said an investigation is needed.

78. [Comments](#)

Minutes:

Carol Castagnaro said there is no more justice in this country and now we offer a haven for criminals. She said giving tax dollars to private businesses for operating expenses is not justice.

Ms. Castagnaro emphasized that jobs and health care are needed for the people. She discussed the need to make yard sales a business. She called for an investigation of the Polk County Sheriff's Department and the Lakeland Police Department.

Mr. Herr stated he will ask Polk County Sheriff Chief of Staff Gary Hester to contact Ms. Castagnaro.

79. [Comments](#)

Minutes:

Jeff Hancock stated he has always spoken against violations of due process of law. He said today he will file a Citizens Arrest of Grady C. Judd for closing down Hideaway Kennels in May 2003 without due process.

Mr. Hancock discussed the Board's action taken on July 14, 2004, to consolidate the Polk County Animal Services Division with the Sheriff's Office.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH, CHAIR)

21. [Comments.](#)

Minutes: Chairman English stated he has nothing to report today.

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

23. [Comments.](#)

Minutes: Commissioner Wilkinson stated he has nothing to report today.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

24. [Comments.](#)

Minutes: Commissioner Smith stated he has nothing to report today.

M. COMMISSIONER DISTRICT 4 (JEAN REED)

25. [Appoint Patricia H. Schmidt to serve as an Alternate Member of the Polk County Board of Adjustment for the three-year term, June 16, 2010 - June 15, 2013.](#)

Attachment: [BOA Schmidt Bio 4.pdf](#)

Motions:
Appoint Patricia H. Schmidt to serve as an Alternate Member of the Polk County Board of Adjustment for the three-year term beginning June 16, 2010, and ending December 6, 2012. - PASS

Vote Results
Motion: Jean Reed
Second: Randy Wilkinson

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

Motion Minutes:

26. [Comments.](#)

Minutes:
Commissioner Reed congratulated the Water School graduates and stated classes will be offered again in 2012.
Commissioner Reed stated that commuter services signs have been placed by the Human Services Building in Bartow.
Commissioner Reed requested an update on the Cigar Factory.
County Manager Mike Herr stated there is nothing new to report. He said the process for demolition is moving forward;

however, staff will meet with citizens to attempt to develop a plan to save the building.

Commissioner Reed said she attended a Hurricane Expo in Winter Haven on June 5, 2010, and another Hurricane Expo in the Four Corners area is scheduled in June.

At a time later in the meeting, Commissioner Reed displayed to the Board the commuter service signs by the Human Services Building.

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

27. [Comments.](#)

Minutes: Commissioner Johnson stated he has nothing to report today.

O. LAY BOARD APPOINTMENTS

28. [Reappoint Ms. Faye Alexander to serve on the Community Relations Advisory Council for a four-year term expiring June 16, 2014.](#)

Attachment: [Alexander Bio.pdf](#)

Motions:
Reappoint Ms. Faye Alexander to serve on the CRAC for the term beginning June 16, 2010, and ending June 16, 2014. - PASS

Vote Results
Motion: Sam Johnson
Second: Randy Wilkinson

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

29. [Appoint Pastor Pearce Ewing, Sr. to the Community Relations Advisory Council to serve a four-year term expiring June 16, 2014.](#)

Attachment: [Ewing bio.pdf](#)

Motions:
Appoint Pastor Pearce Ewing, Sr. to serve on the CRAC for the term beginning June 16, 2010, and ending June 16, 2014. - PASS

Vote Results
Motion: Edwin Smith
Second: Randy Wilkinson

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

30. [Appoint Ms. Sabrina Edwards to serve on the Community Relations Advisory Council for a four-year term expiring June 16, 2014.](#)

Attachment: [Edwards bio.pdf](#)

Motions:

Appoint Ms. Sabrina Edwards to serve on the CRAC for the term beginning June 16, 2010, and ending June 16, 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:

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

P. PUBLIC HEARINGS

31. [Adopt a Resolution to vacate a portion of the Broadmoor Manor subdivision plat. \(No fiscal impact\)](#)

Attachment: [Broadmoor Resolution.pdf](#)

Attachment: [Broadmoor Manor Vacation Packet.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.

Sam Thomas, Land Development, gave background information on the site and noted there are no objections to the vacation. He showed slides of the area and stated that staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 10-093 vacating a portion of the Broadmoor Manor subdivision plat. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Not Present

Edwin Smith - Aye

Randy Wilkinson - Not Present

32. [Adopt a Resolution to vacate unmaintained, platted right-of-way, lying within Block 9, as shown on the Map of the Town of Bradley](#)

[Junction. \(No fiscal impact\)](#)

Attachment: [PH Town of Bradley Junction backup.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen, gave background information on the site and noted there are no objections to the vacation. He showed slides of the area and reported that staff recommends approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 10-094 vacating unmaintained, platted right-of-way, lying within Block 9, as shown on the Map of the Town of Bradley Junction. - 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

33. [Adopt a Resolution for the closings of Browning Road and Gay Road to through traffic. \(\\$3,950.00 Annual savings\)](#)

Attachment: [Location Map for Browning Rd and Gay Rd.pdf](#)

Attachment: [Resolution Gay and Browning.pdf](#)

Attachment: [FDOT Closure Applications Browning Road and Gay Road.pdf](#)

Attachment: [May 5th Agenda Item for Browning Road and Gay Road.pdf](#)

Minutes:

Steve Logan, Traffic Engineering and Operations, reviewed the proposed resolution. He showed slides of the area and said this will allow for future cost savings to the County.

Upon question, Mr. Logan stated that train traffic is expected to remain the same; however, the train crossings would be removed and the roads barricaded. He stated 1989 was the last entry for an accident report for Browning Road and Gay Road.

The Chairman opened a public hearing.

Larry Dempsey, Dempsey Roofing, stated his company has spent money in delivery fees for Browning Road and this road closing will negatively impact his company. He stated he agrees with the closing of Gay Road, but is opposed to the closing of Browning Road. Upon question, Mr. Dempsey stated semi-trucks would not be able to access another route to and from his company if Browning Road is closed.

Jan Borderlon, Florida Department of Transportation(FDOT), stated FDOT is not intending to put companies out of business. She stated that the administrative hearing process allows citizens a hearing. Upon question, she stated that FDOT will gather facts and make a determination based on the facts and testimony given today. She stated that FDOT will mitigate solutions with businesses impacted by the proposed road closings.

Christine Mansell, stated she has a residential house located on Browning Road and stated that traffic will not be able to turn around without damaging her driveway.

Neil Combee requested Board denial and stated that residents deserve access to their properties.

Harold Spears, Silvermoon Drive-In Theaters, discussed how the proposed road closings will increase traffic in areas surrounding his business and requested denial.

Motions:

Decline to adopt Resolution closing Browning Road and Gay Road to through traffic. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

34. [Adopt an Amendment to Polk County Ordinance 07-018, the Polk County Amended, Restated and Consolidated Comprehensive Impact Fee Ordinance as it relates to the Educational System Impact Fees for the purpose of adopting the updated impact fee study and imposing Educational System Impact Fees.](#)

Attachment: [COMPARE PRIOR FEES AND REC FEES.pdf](#)

Attachment: [Draft Amendment to 07 018 2010 redline.pdf](#)

Attachment: [History of School Impact Fees Polk County 03 10.pdf](#)

Minutes:

Lea Ann Thomas, Assistant County Manager, reviewed the proposed ordinance and outlined the history of School Impact Fees in Polk County. She stated that a draft study was completed in 2009 and the Impact Fee Review Committee has reviewed the proposal twice. She stated the Impact Fee Review Committee suggested the following impact fee rates: \$9,456 for single family homes; \$3,571 for multi-family dwellings and \$4,483 for mobile homes. Discussion followed.

Randy Young, Consultant with Henderson and Young Company, outlined the proposed impact fee calculations per type of dwelling unit. He gave an overview of the percentage changes in elementary, middle school and high schools regarding capacity and enrollment, costs, costs of deficiencies and growth, students per dwelling unit and cost per dwelling unit. He presented the proposed impact fees with and without the cost of borrowing. Discussion followed.

Mr. Young followed up on the Board's concerns regarding portables, class size levels of service, capacity level of service, recent enrollment forecasts and fiscal impacts. He stated that portables do not provide savings and impact fees do not include portables. He discussed class size amendments and stated the impact fee study is based on campus-by-campus calculations. He outlined the capacity levels of service and class size levels of service. He gave a school enrollment forecast and housing construction, noting a possible increase of 1,300 dwelling units. He stated that impact fees do not cause a decrease in development. Discussion followed.

Upon question, Mr. Young reviewed the funds received for impact fees. He stated that the huge increase in school impact fees is because funding was not received from the state for the Small Class Size Amendment.

Upon question, Ms. Thomas stated that there are impact fee exemptions for affordable housing and mitigation for workforce housing, but no veterans exemptions.

The Chairman opened a public hearing.

Terry Pittman, Business Builders of America, requested the Board table this item and Consent Agenda item number 47 until after the general election occurs. He read an e-mail he sent to the Commissioners outlining various sources of funding rather than utilizing impact fees. He stated that impact fees would inhibit both private and public sectors.

Upon question, Mr. Pittman stated he favors leaving the impact fees as they currently are until after the general election.

Kay Fields, School Board member, thanked the Board for imposing impact fees and requested the Board continue imposing impact fees. She requested that impact fees remain at the current level and asked the Board to reevaluate impact fees when the economy improves.

06-16-2010 Regular BoCC Meeting Minutes

Frank O'Reilly, School Board member, discussed the increase in foreclosed homes, the decrease in building permits and property values. He requested the Board to not increase impact fees. Upon question, he recommended leaving impact fees alone for now and reevaluating them in the future.

Fred Murphy, Assistant Superintendent of Schools, requested the Board keep the school impact fees as is and address impact fees in the future if needed.

Upon question, Mr. Murphy stated that if the class size amendment is not met, monetary penalties are imposed on the school district and redistributed to districts that have met the class size amendment. He stated that if a school is at full capacity, students can attend a school out of their zoned district, if the student provides his own means of transportation.

Blaine Gravit, Lakeland resident, referred to an article that was published in The Ledger regarding the funds given to Polk County Schools.

Larry Helton, School Board member, stated that the funds discussed by Mr. Gravit are for operational salaries and not for construction of schools.

Robert Stands commended the School Board for its support. He stated the economy is fluctuating and raising the impact fees now will not help anyone. He requested denial.

Neil Combee stated the citizens' money has been taken for granted for too long. He stated people are surviving because of food stamps and the public is not seeing the full effect of the economy. He stated he is opposed to increasing any impact fees.

Carl Lane, President Lane Construction, stated now is not the time to build. He said he is for education, but now is not the right time to increase impact fees. He discussed a 203K program with WellsFargo that will help home buyers purchase homes.

The Chairman closed the public hearing.

County Attorney Michael Craig outlined options presented to the Board regarding the impact fee study.

Mr. Young presented percentage changes to the proposed impact fee calculations at 44% and 50% of the Impact Fee Study. He calculated the proposed percentage changes to single family homes, multi-family dwellings and mobile homes.

Motions:

Accept Impact Fee Study. - PASS

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

Randy Wilkinson - Aye

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Motions:

Adopt Ordinance No. 10-032, an amendment to Ordinance No. 07-018 to the Polk County Amended, Restated and Consolidated Comprehensive Impact Fee Ordinance as it relates to the Educational System Impact Fees for the purpose of adopting the updated impact fee study and imposing Educational System Impact Fees; Accepting the impact fee study rate at 44% of the - PASS

latest presented study numbers without the cost of borrowing.

Vote Results

Motion: Edwin Smith

Second: Sam Johnson

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

Motion Minutes:

Upon question, Mr. Helton stated that the majority of school impact fees received are from single family homes.

Motions:

Review school impact fees in one year. - FAIL

Vote Results

Motion: Jean Reed

Second: Randy Wilkinson

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

Motion Minutes:

Discussion followed on whether school impact fees should be reviewed in one year.

Commissioner Johnson stated the School Board or Commissioners can make recommendations to the Board at any time.

Motions:

Ordinance No. 10-032 to become effective July 1, 2010. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

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

06-16-2010 Regular BoCC Meeting Minutes

35. [CU 10-01 - Expansion of the Imperial Lakes Water Treatment Plant. \(To be continued to August 18, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

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

Minutes:

John Bohde, Land Development, requested the Board continue CU 10-01 to August 18, 2010, at 1:30 p.m.

The Chairman opened a public hearing; no one spoke.

Motions:

Continue to August 18, 2010 at 1:30 p.m. , the public hearing to consider adoption of Conditional Use 10-01, the expansion of the Imperial Lakes Water Treatment Plant. - PASS

Vote Results

Motion: Jean Reed

Second: Edwin Smith

Randy Wilkinson - Aye

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

36. [Ordinance adopting CPA 09DRI-02 to change the Future Land Use and policies under Objective 2.131-A within the I-4 NE/Parkway Selected Area Plan \(SAP\) to implement the changes to the Polk Commerce Centre Development of Regional Impact \(DRI\). This hearing was continued from the May 5, and May 19, 2010 Board meeting. \(No fiscal impact\)](#)

Attachment: [CPA 09DRI 02 Staff Report.pdf](#)

Attachment: [CPA 09DRI 02 Ordinance Part 2 revised.pdf](#)

Attachment: [CPA 09DRI 02 Ordinance Part 1.pdf](#)

Minutes:

Chanda Bennett, Long Range Planning, outlined the proposed text and map amendments. She noted that staff and the Planning Commission recommend approval. She stated that the comments from the Department of Community Affairs have been incorporated in the Staff Report. Discussion followed.

Upon question, Ms. Bennett stated that the average height is 75 feet for buildings located near the SAP.

Discussion followed on building height limitations.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Ordinance No 10-033 adopting part 1 of CPA 09DRI-02. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith	- Aye
Randy Wilkinson	- Aye

Motions:

Adopt Ordinance No 10-034 adopting part 2 of CPA 09DRI-02. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

- 37. [Removal of equipment from inventory as listed on Blanket Removal Form 1861.](#)
- 38. [The 2010 Annual Meeting Schedule for Oakmont Grove Community Development District.](#)
- 39. [Proposed Budget for Fiscal Year 2011 for Poinciana and Poinciana West Community Development Districts.](#)

COUNTY ATTORNEY

- 40. [Approval of Agreement for Traffic Control on Private Roads for Hart Lake Hills Homeowners Association, Inc. \(No fiscal impact\)](#)

Attachment: [Hart Lake Agreement.pdf](#)
Attachment: [Hart Lake Resolution.pdf](#)

- 41. [SET HEARING to consider adoption of a Resolution adopting an inventory of real property held by the County that is appropriate for use as affordable housing. \(Suggested hearing date: July 7, 2010 at 1:30 p.m.\)](#)
- 42. [Resolution waiving the requirement that a property owner file an annual application or statement for lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed, or conservation restrictions have been convened, after an initial application is made. \(No fiscal impact\)](#)

Attachment: [Resolution.pdf](#)

- 43. [Accept a Quit Claim Deed from the State of Florida Department of Transportation for a parcel of land being a part of the Mount Olive Waste Water Treatment Facility. \(\\$28.00 one-time expense\)](#)

Attachment: [FDOT Mt Olive Backup.pdf](#)
Attachment: [FDOT Mt Olive Fiscal.pdf](#)

- 44. [SET HEARING to consider adoption of an ordinance amending Ordinance 99-16, the Polk County Public Service Tax Ordinance to provide an exemption for metered natural gas for companies classified by NAICS Code 212322. \(Suggested hearing date: July 21, 2010 at 1:30 p.m.\) \(No fiscal impact\)](#)
- 45. [Interlocal Agreement with Hardee County for Polk County to provide fire inspections required by the Florida Fire Prevention Code to Hardee County. \(\\$35.00 per hour will be received for services provided\)](#)

Attachment: [Hardee Polk INTERLOCAL AGREEMENT PREVENTION SERVICES.pdf](#)

46. [Adopt a written order for three related cases: Case Nos: CPA 10A-03, LDC 09D-04 and CU 09-17. \(No fiscal impact\)](#)

Attachment: [orderBOCCmimscases.pdf](#)

47. [SET HEARING to consider amending Polk County Ordinance 07-018, as amended, the Polk County Amended, Restated and Consolidated Comprehensive Impact Fee Ordinance, to impose a one-year moratorium on the collection of EMS Impact Fees, Transportation Impact Fees, Correctional Facilities Impact Fees, Library Impact Fees, Parks and Recreational Facilities Impact Fees, Fire Rescue Impact Fees and Law Enforcement Impact Fees. \(Suggested hearing date: July 7, 2010 at 1:30 p.m.\) \(No fiscal impact\)](#)

48. [Approval of the Second Amendment to the Memorandum of Agreement between the City of St. Cloud, the Tohopekaliga Water Authority, Orange County, Polk County and Reedy Creek Improvement District for Cost Sharing and Permit Compliance Coordination. \(No fiscal impact\)](#)

Attachment: [STOPR2ndAmendmt.pdf](#)

49. [Takeover Agreement between Polk County and Travelers Casualty and Surety Company of America \(Surety for Kearney Construction Co., LLC.\) for Travelers to procure completion of the remaining work for the Overlook Drive Project \(Bid No. 09-030-CAR\). \(No additional fiscal impact\)](#)

Attachment: [TakeoverAgreement.pdf](#)

ASSISTANT COUNTY MANAGER

51. [Renewal Memorandum of Agreement, Florida Department of Health, Polk County Health Department for MedNet Services. \(\\$83,203.80 one-time revenue\)](#)

Attachment: [renewal MOU PCHD Mednet LIP Project pdf.pdf](#)

52. [Micro Path Laboratories Pathology and Cytology Services Agreement \(Contract No. 10-143-RM\).](#)

Attachment: [Micro Path Labs 10 143 RM.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

53. [Sponsorship Funding Assistance with US Chung Do Kwan Association. \(\\$10,000.00 one-time expense\)](#)

Attachment: [Chung Do Kwan Agreement.pdf](#)
Attachment: [Chung Do Kwan Legal Pink.pdf](#)
Attachment: [Chung Do Kwan Legal Purple.pdf](#)

54. [Sponsorship Funding Assistance with SasvariWay Soccer Training Centers. \(\\$1,000.00 one-time expense\)](#)

Attachment: [SasvariWay Agreement.pdf](#)
Attachment: [SasvariWay Exhibit A.pdf](#)
Attachment: [SasvariWay Legal Pink.pdf](#)
Attachment: [SasvariWay Legal Purple.pdf](#)

INFRASTRUCTURE MANAGEMENT

55. [Polk County Mosquito Control FY 2010-2011 Proposed Detailed Work Plan Budget. \(\\$37,000.00 recurring grant revenue\)](#)

Attachment: [Mosquito Control Operational Work Plan.pdf](#)
Attachment: [Mosquito Control Detailed Work Plan.pdf](#)
Attachment: [Polk Detailed Work Plan Approval.pdf](#)

56. [Approval of a Temporary License Agreement with the Southwest Florida Water Management District \(SWFWMD\) for access to the Holly Hill Water Production Facility site. \(No fiscal impact\)](#)

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

57. [CSA No. 06-77-04 between Polk County and Moduss Inc. for the design and permitting of the Garden Grove Pines Stormwater Retrofit Project. \(\\$54,770.00 one-time expense\)](#)

Attachment: [Garden Grove Pines Moduss CSA.pdf](#)
Attachment: [Moduss CSA Approvals.pdf](#)

GROWTH MANAGEMENT

58. [SET HEARING to consider the adoption of an ordinance \(LDC 10T-08\) amending the Land Development Code. \(Suggested hearing dates: July 21, 2010, at 1:30 p.m. and August 18, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

59. [SET HEARING to consider the adoption of a Small Scale Comprehensive Plan Amendment \(CPA 10S-03\). \(Suggested hearing date: July 21, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

HUMAN SERVICES

60. [Program and Service Contract No. ADI-10/11-POLK for Alzheimer's Disease Initiative 2010/2011. \(No fiscal impact\)](#)

Attachment: [Req for legal ADI 1011 Prog and Serv Contract.pdf](#)

Attachment: [ADI 1011 Prog and Serv Contract.pdf](#)

61. [Program and Service Contract No. CCE-10/11-POLK for Community Care for the Elderly. \(No fiscal impact\)](#)

Attachment: [CCE Prog and Serv Contract 1011.pdf](#)

Attachment: [Req for legal CCE Prog and Serv Contract 1011.pdf](#)

62. [Program and Service Contract No. HCE-10/11-POLK for Home Care for the Elderly. \(No fiscal impact\)](#)

Attachment: [Req for legal HCE Prog and Serv Contract 1011.pdf](#)

Attachment: [HCE Prog and Serv Contract 1011.pdf](#)

63. [Amendment 003, Community Care for the Elderly, CCE-09/10-POLK. \(\\$98,500.00 one-time expense\)](#)

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

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

64. [Provider Agreement between Polk County Elderly Services and Hope Hospice and Community Services. \(Recurring revenue as generated by authorized services rendered\)](#)

Attachment: [Req for legal Hope Hospice.pdf](#)

Attachment: [Hope Hospice and Community Services Provider Agreement.pdf](#)

65. [Letter of support for the proposed allocation of \\$284,469.00 in Edward Byrne Memorial Justice Assistance Grant Program funds for Fiscal Year 2010/11. \(No fiscal impact\)](#)

Attachment: [Polk JAG Distribution.pdf](#)

66. [Imposition of Liens to recover costs associated with demolishing dilapidated structures through the County's Demolition and Clearance Program. \(\\$8,683.36 one-time revenue\)](#)

Attachment: [061610 order imposing liens.pdf](#)

Attachment: [061610 pinksheet.pdf](#)

Attachment: [Order Imposing Liens Checklist 2.pdf](#)

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

Attachment: [TBRA Checklist.pdf](#)

Attachment: [TBRA Contracts.pdf](#)

68. [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](#)

69. [State Housing Initiatives Partnership \(SHIP\) Subordination Agreement for Christopher R. Benton and Latisha A. Benton, 112 Arlington Court, Haines City. \(No fiscal impact\)](#)

Attachment: [Benton Christopher Revised Subordination 061610.pdf](#)

Attachment: [Benton Christopher and Latisha Checklist 061610.pdf](#)

70. [Community Development Block Grant \(CDBG\) Subrecipient Agreement between Polk County and the City of Mulberry. \(\\$31,759.00 one-time expense\)](#)

06-16-2010 Regular BoCC Meeting Minutes

Attachment: [City of Mulberry Checklist.pdf](#)
Attachment: [City of Mulberry Agreement.pdf](#)

71. [SET HEARING to consider the adoption of the Housing Choice Voucher Program FY 2010-2015 Five-Year Plan and 2010 Annual Plan. \(Suggested hearing date: July 7, 2010, at 1:30 p.m.\)](#)

Attachment: [Set Hearing Date Checklist.pdf](#)

SUPPORT SERVICES

72. [Master License Agreement with Environmental Systems Research Institute, Inc. \(ESRI\) for Geographic Information System \(GIS\) server software. \(No fiscal impact\)](#)

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

73. [Amendment No. 1 for Agreement No. 09-079 with Garner & Associates Auctioneers, Inc. \(Time extension only\)](#)

Attachment: [Garner and Associates Auctioneers Agreement Extension.pdf](#)

74. [Construction Manager At Risk Agreement for North East Regional Park, f.k.a. Hayman Property, Phase I. \(\\$70,000.00 one-time expense\)](#)

Attachment: [rodda.pdf](#)

The Chairman adjourned the meeting at 4:50 p.m.