

Edwin Smith	- Aye
Randy Wilkinson	- Aye

B. PRESENTATIONS and RECOGNITIONS

3. [Recognize Lillian Lima for her years of service on the Community Relations Advisory Council.](#)

Attachment: [LILLIAN LIMA Service Presentation.pdf](#)

Minutes:

Kandis Baker-Buford, Equal Opportunity Administrator, stated Lillian Lima's term has expired and thanked Ms. Lima for her years of service on the Community Relations Advisory Council.

Commissioner Reed thanked Ms. Lima for her years of service and presented her with a service certificate.

4. [Recognize Polk County Communications and Information Technology for receiving 3 awards for the Inaugural e-Town Hall from the Florida Government Communicators Association.](#)

Attachment: [Communications and IT recognition.pdf](#)

Minutes:

Cindy Rodriguez, Communications Director, recognized the Information Technology Department for receiving three awards for the Inaugural e-Town Hall meeting from the Florida Government Communicators Association. She said that there were over 431 computer log-ons during the event and there were positive comments from all who participated.

Ed Wolfe, Information Technology Director, stated the e-Town Hall meeting project was successful and thanked the Communications Department for its dedication. He encouraged the audience to access the County's website at www.polk-county.net.

Ms. Rodriguez stated the purpose of the e-Town Hall meeting was to provide a cost effective meeting with citizens and traditional town hall meetings will continue.

Upon question, Ms. Rodriguez stated Town Hall meetings are held at different locations around Polk County to reach more citizens.

Upon question, Mr. Wolfe stated that 60-65% of homes in Polk County have internet access.

5. [Acknowledgement of Polk County Youth Fair Volunteers and Youth Participants.](#)

Attachment: [2010 Polk County Youth Fair Recognition 3-3-10.pdf](#)

Attachment: [2010 Youth Fair Volunteer and Youth Acknowledgement.pdf](#)

Minutes:

Nicole Walker, Director of Cooperative Extension Services, stated this is the 63rd year for the Polk County Youth Fair Event.

Daymi Montada and Brandon McKittrick, Gause Academy, discussed their participation in the Polk County Youth Fair.

Shelby Oesterreicher, President of Bartow Future Farmers of America, said the Polk County Youth Fair is a great program and she is grateful for the participation from the community.

Caitlyn Benton, 4-H member, discussed the activities that occur in 4-H clubs and thanked the Board for its support of the Polk County Youth Fair.

Ms. Walker thanked the Commissioners and staff for its support.

Commissioner Johnson thanked the volunteers for participating and discussed the importance of the Polk County Youth Fair.

6. [Dave Carter, David C. Carter Consulting Engineers, LLC, Lucas Martin, Adams Homes, and Augie Fragala, Powell, Fragala & Associates, Inc., to present the "State of Housing Report."](#)

03-03-10 Regular BoCC Meeting Minutes

Attachment: [State of Housing.pdf](#)

Attachment: [AMF RVSNS Drft Comp Plan Policies.pdf](#)

Minutes:

Stephanie Hutton, Executive Director, Polk County Builders Association, introduced those who will present the State of Housing Report.

David C. Carter, David C. Carter Consulting Engineers, LLC, presented the State of Housing Report and noted the housing market has slightly improved and the affordable index is high. He reviewed permit activity and Florida's construction employment. He discussed state wide issues in the 2010 Florida Building Code. He gave the Polk County Builders Association's recommendations regarding fees.

Discussion followed on new storm water regulations and nutrient restrictions.

Lucas Martin, Adams Homes, stated his company has cut employees and salaries. He stated that Polk County's water and permit fees are higher than other counties and it is decreasing the sale of homes.

Upon question, Mr. Martin stated that the same model of houses are sold for the same prices in Polk and Hillsborough County.

Assistant County Manager Lea Ann Thomas, discussed the requirements of Workforce housing and the reduction of impact fees, noting that school impact fees are not reduced.

Gary Fries, Utilities Director, stated that Hillsborough County is more developed than Polk County, resulting in a higher overall cost for Polk County. He stated that he would present a statewide comparison report to the Board at a later date.

Augie Fragala, Powell, Fragala and Associates, Inc., discussed the Building Standards Land Development Code and gave recommendations regarding the Healthy Communities Initiative Green Building Practices.

Discussion followed on transit corridors and how transit oriented development can increase in Polk County.

Tom Deardorff, Growth Management Director, stated that the Polk Parkway and I-4 have limited access and are listed as transit corridors. He noted that green building practices are voluntary and depend on the land owner.

County Manager Mike Herr discussed a non-agenda item concerning a letter received from the Polk County Builders Association regarding the school impact fee study. It was decided to contact the consultant, Randy Young, regarding the mitigation of school impact fees.

Upon question, Ms. Thomas stated that the completed impact fee study includes the classroom reduction size.

Ms. Hutton discussed issues that need to be addressed with Randy Young.

7. [Presentation of check from Bank of America for the 2009 purchasing card rebate. \(\\$205,487.84 one-time revenue\)](#)

Minutes:

Evan Tullis, Bank of America representative, presented the Board with a purchasing card rebate check in the amount of \$205,487.84.

Audry Reeves, Purchasing Director, thanked staff for their hard work and dedication.

C. PROCLAMATIONS

8. [Proclaim March 2010 as AMERICAN RED CROSS MONTH. Phil Attinger, representing the Mid -Florida Region of the American Red Cross, will accept the proclamation.](#)

Attachment: [American Red Cross Month.pdf](#)

Minutes:

Chad Magnision, representing the American Red Cross, stated that the American Red Cross is available to help Polk County citizens during a natural disaster.

Motions:	
Issue Proclamation.	- PASS
Vote Results	
Motion: Edwin Smith	
Second: Sam Johnson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Not Present

9. [Proclaim March 2010 as PURCHASING MONTH. Polk County Purchasing Director, Audry Reeves, will accept the proclamation.](#)

Attachment: [Purchasing Month.pdf](#)

Minutes: Audry Reeves, Purchasing Director, recognized individuals that have made the Purchasing Department a success.

Motions:	
Issue Proclamation.	- PASS
Vote Results	
Motion: Jean Reed	
Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

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

10. [Disbursements.](#)

Attachment: [030310 Disbursements.pdf](#)

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

11. [Minutes of Regular Board meeting held on February 17, 2010 and Special Board meeting held on February 17, 2010.](#)

Attachment: [021710S MIN.pdf](#)
Attachment: [021710 MIN.pdf](#)

Minutes:

Motions:	
Approve minutes.	- 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

12. [Public Hearing to consider approval of a settlement in the case of Danny L. Brungs vs. Board of County Commissioners, Claim number 06-14177. \(Fiscal Impact\)](#)

Minutes:

County Attorney Michael Craig reviewed the settlement in the case of Danny L. Brungs. He said Mr. Brungs was traveling on Lake Alfred Road when his vehicle collided with an EMS Ambulance. He noted that Mr. Brungs' medical expenses were \$30,000 and a settlement of \$35,000.00 has been recommended.

The Chairman opened a public hearing; no one spoke.

Motions:	
Approve settlement in the amount of \$35,000.00 in the case of Danny L. Brungs vs. Board of County Commissioners, Claim Number 06-14177.	- PASS
Vote Results	
Motion: Sam Johnson	
Second: Randy Wilkinson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

G. COUNTY ATTORNEY (MICHAEL CRAIG)

13. [Adopt a Resolution approving the exchange of property between Polk County and Merlin Entertainment Group Florida, LLC. \(\\$90.00 one-time expense\)](#)

Attachment: [Helena Rd Rev.pdf](#)
Attachment: [Property Exchange Resolution.pdf](#)

Minutes: Deputy County Attorney Linda McKinley reviewed the exchange of property with Merlin Entertainment Group Florida, LLC and demonstrated the location of the site. She recommended approval.

Motions:

Adopt Resolution No. 10-035 approving the exchange of property between Polk County and Merlin Entertainment Group Florida, LLC - PASS at a \$90.00 one time expense.

Vote Results

Motion: Sam Johnson

Second: Jean Reed

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

14. [Resolution of Necessity authorizing condemnation for transportation improvements to Berkley Road and CR559A from Pace Road on the south to SR559 on the east. \(No fiscal impact\)](#)

Attachment: [RN 713.pdf](#)
Attachment: [RN 136.pdf](#)
Attachment: [RN 126 A and B.pdf](#)
Attachment: [RN 118 A and B.pdf](#)

Minutes: Deputy County Attorney Linda McKinley reviewed the proposed Resolutions of Necessity and recommended approval.

Motions:

Adopt Resolutions of Necessity No. 10-036 through No. 10-039, authorizing the condemnation of Parcels for transportation improvements to Berkley Road and CR559A from Pace Road on the south to SR559 on the east. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Edwin Smith

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

15. [A Resolution Recognizing the Historical Museum and Genealogical Library as a Permanent Fixture in the Educational and Cultural Life of Polk County, Florida; Making Findings; Providing for an Effective Date. \(No fiscal impact\)](#)

Attachment: [ResolutionHistoricalMuseum.pdf](#)

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

Motions:

Adopt Resolution No. 10-40, recognizing the Historical Museum and Genealogical Library as a Permanent Fixture in the Educational and Cultural Life of Polk County. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Jean Reed

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Bob English - Aye

16. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 164. \(\\$127,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 164 Backup.pdf](#)

Attachment: [Kathleen Rd Ph II Pcl 164 Fiscal.pdf](#)

Minutes: Deputy County Attorney Linda McKinley reviewed the Right-of-Way purchase for Kathleen Road Phase II Improvement Project and recommended approval.

Motions:

Accept the Right-of-Way Agreement from Kathleen Baptist Church, Inc. for Parcel 164 and authorize the issuance of a check for \$127,000.00 for the purchase. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

H. COUNTY MANAGER (MICHAEL HERR)

17. [Agreement between Polk County and 5R Ranch Limited Partnership for the discharge of flood waters onto their property from the Lake Belle Stormwater Pumping Station in Lake Wales. \(Estimated \\$282,000.00 one-time expense\)](#)

Attachment: [Lake Belle Maps.pdf](#)

Attachment: [Lake Belle Agreement.pdf](#)

Minutes:

County Manager Mike Herr reviewed the agreement with 5R Ranch Limited Partnership and recommended approval.

Jay Jarvis, Drainage Manager, Parks and Natural Resources Division, demonstrated the site and showed the areas affected by the Lake Belle Stormwater Pumping Station.

Upon question, Mr. Jarvis stated an additional bridge will be installed to give residents access to their property. He stated

homeowners were previously moved out of their homes due to flooding.

Motions:

Accept Agreement with 5R Ranch Limited Partnership in the amount of \$282,000.00 for the discharge of flood waters onto its property from the Lake Belle Stormwater Pumping Station in Lake Wales. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

18. Amendment to the Parks and Recreation Community Investment Program (CIP) and Budget Transfer. (\$232,173.00 one-time transfer of existing appropriations)

Attachment: [Parks Proposed CIP Budget Amendment.pdf](#)

Attachment: [Parks Schedule Budget TransferJournal.pdf](#)

Minutes:

County Manager Mike Herr reviewed the amendment to the Parks and Recreation Community Investment Program and budget transfer and recommended approval.

Bob Wiedrich, Natural Resources, answered questions regarding upcoming projects.

Upon question, Mr. Herr stated the fund transfers were coming from projects that were completed under budget.

Mr. Wiedrich outlined completed projects and projects close to completion that have extra funds available.

Commissioner Johnson suggested transferring a portion of the rebate received from Bank of America to the Parks and Recreation Division. Discussion followed.

Motions:

Approve amendment to Parks and Recreation Five-Year Community Investment Program and budget transfer in the amount of \$232,173.00. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

Motions:

Transfer \$5,487.84 from the General Fund to the Parks and Recreation Community Investment Program. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

19. [Purchase Agreement with Educational Opportunities, Inc., for the purchase of a parcel of land, and to accept the donation of a parcel of land, for expansion and upgrading of the Imperial Lakes Water Treatment Plant. \(\\$250,000.00 not-to-exceed cost plus recording fees\)](#)

Attachment: [Aerial Photo of Site.pdf](#)

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

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

Minutes: Gary Fries, Utilities Director, reviewed the Purchase Agreement with Educational Opportunities, for the purchase of a parcel of land and acceptance of a donation of a parcel of land and recommended approval. Discussion followed.

Motions:

Accept Agreement with Educational Opportunities, Inc., in the amount of \$250,000.00 plus recording fees, for the purchase of a parcel of land, and accept the donation of a parcel of land, for expansion and upgrading of the Imperial Lakes Water Treatment Plant. - PASS

Vote Results

Motion: Randy Wilkinson

Second: Sam Johnson

Jean Reed - Aye

Randy Wilkinson - Aye

Edwin Smith - Aye

Bob English - Aye

Sam Johnson - Aye

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

20. [Mildred S. McMillon, Executive Director, Faith in Action North Lakeland Inc., to request the Board for funding.](#)

Attachment: [The OrganizationCounty.pdf](#)

Minutes:

Ms. McMillan gave background information on Faith in Action North Lakeland, Inc. and requested a \$25,000.00 grant to pay salaries for two employees to assist her. Discussion followed.

County Manager Mike Herr discussed how Community Development Block Grant funds non-profit organizations. It was decided to present this issue at a later date and have input from the Human Services Division.

76. [James Abercrombie](#).

Minutes:

James Abercrombie discussed the December 16, 2009, Board meeting and questioned why he was accused of falsifying records. He discussed e-mails and requested public records of meetings.

77. [Carol Castagnero](#).

Minutes:

Carol Castagnero thanked the Board for hiring the company who is mowing grass across from her house. She questioned the representation of the Charter Review Commission. She discussed her concerns with public officials names being given to buildings and places.

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH, CHAIR)

21. [Appoint Dr. Larry Parsons to serve a three year term on the Water Policy Advisory Committee, beginning March 4th, 2010 and ending March 3rd, 2013.](#)

Attachment: [Larry Parsons Bio.pdf](#)

Minutes:

Motions:

Appoint Dr. Larry Parsons to serve a three year term on the Water Policy Advisory Committee, beginning March 4, 2010, and ending March 3, 2013. - 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

22. [Appointments to the Minority Business Input Team \(MBIT\).](#)

Attachment: [Memo to the Board.pdf](#)

Attachment: [MBIT Ordinance.pdf](#)

Minutes:

Motions:

Appoint Frank Kendrick to the Minority Business Input Team. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

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

Motions:

Appoint Larry Madrid to the Minority Business Input Team. - 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

75. [Comments.](#)

Minutes:

Chairman English mentioned the Bloomin Arts Race in Bartow on Saturday, March 6, 2010 and encouraged everyone to participate.

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

23. [What happened to our review of County Code Regulations?](#)

Minutes:

Commissioner Wilkinson discussed the need for a work session on County Code Regulations.

County Manager Mike Herr outlined Code Enforcement topics and statistics he has asked staff to prepare and present to the Board.

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

24. [Comments.](#)

Minutes: Commissioner Smith had no comments at this time.

M. COMMISSIONER DISTRICT 4 (JEAN REED)

25. [Reappoint J. Theron Stangry as a member of the Polk County Industrial Development Authority for the three-year term.](#)

Attachment: [IDA Stangry bio 4.pdf](#)

Minutes:

Motions:

Reappoint J. Theron Stangry as a member of the Polk County Industrial Development Authority for a three-year term, beginning January 23, 2010 and ending January 22, 2013. - PASS

Vote Results

Motion: Jean Reed

Second: Sam Johnson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Randy Wilkinson - Aye

Edwin Smith - Aye

Motion Minutes:

74. [Comments](#)

Minutes:

Commissioner Reed said she attended the opening of the Andrea Trakas playground at Simmers-Young Park.

Commissioner Reed stated she attended the Lake of the Hills Ice Cream Social and Ribs on the Ridge in Haines City.

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

26. [Resolution of support of University of South Florida Polytechnic's grant application from federal stimulus dollars to expand broadband access in previously under served areas.](#)

Attachment: [GrantFedFds.pdf](#)

Minutes: Commissioner Johnson discussed the benefits of expanding the broadband access in the University of South Florida Polytechnic's area.

Motions:

Adopt Resolution No. 10-046, supporting the University of South Florida Polytechnic's grant application from federal stimulus dollars to expand broadband access in previously under served areas. - PASS

Vote Results

Motion: Sam Johnson

Second: Randy Wilkinson

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

O. LAY BOARD APPOINTMENTS

27. [Reappoint Doug Thomas, City Manager, Lakeland, as a member of the Harden/Parkway Community Redevelopment Agency Board for a four-year term.](#)

Attachment: [100119cc.pdf](#)
Attachment: [Thomas Doug Bio 2009.pdf](#)

Minutes:

Motions:

Reappoint Doug Thomas, City Manager, Lakeland, as a member of the Harden/Parkway Community Redevelopment Agency Board for a four-year term, beginning January 21, 2010 and ending January 21, 2014. - PASS

Vote Results

Motion: Sam Johnson

Second: Jean Reed

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Not Present

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

P. PUBLIC HEARINGS

28. [Adopt a Resolution to vacate a portion of platted right-of-way known as Arbor Vitae Lane, shown on the Amended Map of Polk City, Polk County, Florida. \(No fiscal impact\)](#)

Attachment: [PH Arbor Vitae Ln Backup.pdf](#)

Minutes:

County Attorney Michael Craig explained the procedure which will be followed today for public hearings. He swore in all who might give testimony today.

Chief Right-of-Way Agent Wade Allen reviewed the proposed vacation. He demonstrated the location of the subject site and stated there are no objections to the proposed vacation. He recommended approval.

The Chairman opened a public hearing; no one spoke.

Motions:

Adopt Resolution No. 10-041, vacating a portion of platted right-of-way known as Arbor Vitae Lane, shown on the Amended Map of Polk City. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

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

29. [Adopt a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the Map showing W.F. Hallam & Co's Club Colony Tract of Lakeland Highlands. \(No fiscal impact\)](#)

Attachment: [PH WF Hallam Waller Backup.pdf](#)

Minutes:

Chief Right-of-Way Agent Wade Allen reviewed the proposed vacation. He demonstrated the location of the subject site and stated there are no objections to the vacation. He recommended approval.

Upon question, Mr. Allen discussed the graphical error staff thinks appears on this parcel.

The Chairman opened a public hearing; no one spoke.

Motions:	
Adopt Resolution No. 10-042, vacating portions of platted and unmaintained rights-of-way as shown on the map showing W.F. Hallam & Co's Club Colony Tract of Lakeland Highlands.	- PASS
Vote Results	
Motion: Sam Johnson	
Second: Edwin Smith	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

30. [Consider adoption of an ordinance Amending Ordinance 08-065, Regulating Maximum Prices Tow Trucks Can Charge. \(No fiscal impact\) \(To be continued to April 21, 2010 at 1:30 p.m.\)](#)

Attachment: [Proposed Towing Ord 2010.pdf](#)

Minutes: County Attorney Michael Craig recommended continuing this hearing to April 21, 2010, at 1:30 p.m.

Motions:	
Continue this item to April 21, 2010 at 1:30 p.m.	- PASS
Vote Results	
Motion: Jean Reed	
Second: Sam Johnson	
Bob English	- Aye
Sam Johnson	- Aye
Jean Reed	- Aye
Edwin Smith	- Aye
Randy Wilkinson	- Aye

31. [Consider adoption of an ordinance amending Ordinance No. 04-35 to increase surcharge on certain moving violations. \(Fiscal impact\)](#)

Attachment: [Ord 04 35 Fine Increase.pdf](#)

Minutes:

County Attorney Michael Craig reviewed the proposed ordinance and discussed the breakdown of costs which make up speeding tickets. He said if the Board adopts this Ordinance today, the County would receive \$30.00 rather than the current \$15.00 to be used for court facilities. He said the County would not begin receiving the additional revenue until next fiscal year. He recommended approval. Discussion followed.

Upon question, Mr. Craig said this surcharge will bring in over \$1 million and will be used to meet the funding gap for court facilities. Discussion followed.

The Chairman opened a public hearing; no one spoke.

Motions:

Deny to adopt proposed Ordinance amending Ordinance No. 04-35 to increase surcharges on certain moving violations. - FAIL

Vote Results

Motion: Randy Wilkinson

Second: Sam Johnson

Bob English - Nay

Sam Johnson - Aye

Jean Reed - Nay

Edwin Smith - Nay

Randy Wilkinson - Aye

Motions:

Adopt Ordinance No. 10-008 amending Ordinance No. 04-35. - PASS

Vote Results

Motion: Edwin Smith

Second: Jean Reed

Bob English - Aye

Sam Johnson - Nay

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Nay

Motion Minutes:

Upon question, Mr. Craig stated the Board could approve an increase less than the recommended \$15.00. He discussed filing fees, recordings of documents and other sources for raising funds to operate the Courthouse.

Director of Budget Management Todd Bond stated the General Fund for management of the Courthouse is about \$3 million. Discussion followed.

32. [Consider adoption of an ordinance which shall be known as "Polk County, Florida Recovery Zone Designation Ordinance." \(No fiscal impact\)](#)

03-03-10 Regular BoCC Meeting Minutes

Attachment: [Recovery Zone Bond Ord.pdf](#)

Minutes:

County Attorney Michael Craig said the proposed ordinance declares Polk County as a Recovery Zone which is the first step in issuing two new types of bonds: Recovery Zone Economic Development Bonds in the amount of \$11,748,000.00; and Recovery Zone Facility Bonds in the amount of \$17,622,000.00. He discussed the different goals of these two types of bonds.

Mr. Craig stated the Central Florida Development Council has drafted rules for administering these bonds, and he will review those rules with the Board at the next Agenda Briefing, after which, the Board can adopt them at its next meeting. He said this provides a unique financing opportunity to private enterprise as well as some governmental entities. He recommended approval.

The Chairman opened a public hearing.

Paul Senft, Haines City Economic Development Council, spoke in support of the proposed ordinance.

Motions:

Adopt Ordinance No. 10-009, creating the Polk County, Florida Recovery Zone Designation Ordinance. - PASS

Vote Results

Motion: Sam Johnson

Second: Edwin Smith

Bob English - Aye

Sam Johnson - Aye

Jean Reed - Aye

Edwin Smith - Aye

Randy Wilkinson - Aye

33. [LDC 09T-30 \(Minor Revisions & Land Disturbances\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 09T 30 Staff Report.pdf](#)

Attachment: [LDC 09T 30 Ordinance.pdf](#)

Minutes:

Erik Peterson, Land Development, stated this is the first reading of LDC 09T-30. He stated this will amend Section 704 - Exemptions, of the Land Development Code. He defined and gave examples of "Minor Revision," "Minor Land Disturbance," and "Minor Deviation." He said this is a staff initiated amendment.

The Chairman opened a public hearing; no one spoke.

Mr. Peterson stated the second reading will be held March 17, 2010.

34. [LDC 10T-03 \(Heavy Machinery Equipment Sales and Services within the RACX land use district\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 10T 03 Ordinance.pdf](#)

Attachment: [LDC 10T 03 Staff Report.pdf](#)

Minutes:

John Bohde, Land Development, defined "Heavy Machinery Equipment Sales and Services." He gave historical information on Richey Brothers, noting that Richey Brothers does Heavy Machinery Equipment Sales and Service. He stated this is an applicant initiated amendment and staff recommends approval. He reviewed the proposed changes to Table 4.3. and responded to questions from the Board.

The Chairman opened a public hearing; no one spoke.

Mr. Bohde stated the second reading will be held March 17, 2010.

35. [LDC 10T-04 \(Minor Subdivisions\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 10T 04 Staff Report.pdf](#)

Attachment: [LDC 10T 04 Ordinance.pdf](#)

Minutes:

John Bohde, Land Development, reviewed this staff initiated amendment. He said it applies to Minor Subdivisions versus Major Subdivisions and will streamline the review process for Minor Subdivisions, and refines the Conditional Plat Approval process.

The Chairman opened a public hearing; no one spoke.

Mr. Bohde stated the second reading will be March 17, 2010.

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

36. [Removal of equipment from inventory as listed on Blanket Removal Form 1854.](#)

Attachment: [Blanket Removal Form 1854.pdf](#)

37. [Minutes of the Lake Ashton Community Development District dated September 11, 2009 and October 9, 2009.](#)

38. [Minutes of the Polk County Industry Community Advisory Panel dated January 26, 2010.](#)

39. [Ordinance No. 1266-10 and Resolution No. 2010-01 adopted by the City of Lake Alfred on October 8, 2009.](#)

COUNTY ATTORNEY

40. [Adopt Resolution Authorizing Negotiations required by Florida Statute §73.015 to be undertaken by the County Chief Right-of-Way Agent and his designated agents, subject to final Board Approval, for acquisitions necessitated by new Transportation CIP Projects. \(No fiscal impact\)](#)

Attachment: [NRidge Res Auth Neg.pdf](#)

41. [Record Maintained Right-of-Way Maps for Holly Hill Road, Orchid Drive and Patterson Road. \(\\$330.00 one-time expense\)](#)

Attachment: [MROW Orchid.pdf](#)

Attachment: [MROW Patterson.pdf](#)

Attachment: [MROW Holly Hill.pdf](#)

Attachment: [Fiscal Impact.pdf](#)

42. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 117 and 708. \(\\$11,655.00 one-time expense\)](#)

Attachment: [Berkley Ph 4 Pcls 117 708 Backup.pdf](#)

Attachment: [Berkley Ph 4 Pcls 117 708 Fiscal.pdf](#)

43. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 113, 721 and 800. \(\\$98,806.00 one-time expense\)](#)

Attachment: [Berkley Ph 4 Pcls 113 721 800 Backup.pdf](#)

Attachment: [Berkley Ph 4 Pcls 113 721 800 Fiscal.pdf](#)

44. [Right-of-Way Agreement for Carter Road Easement Parcel 800 \(\\$12,500.00 one time expense\).](#)

Attachment: [Carter Rd Reuse Pcl 800.pdf](#)

Attachment: [Fiscal Impact Carter Rd Reuse Pcl 800.pdf](#)

45. [Quit-Claim Deed from Sandra C. Weber, Executrix, for property being donated for conservation. \(\\$55.50 one-time expense\)](#)

Attachment: [Conservation Donation Weber Fiscal.pdf](#)

Attachment: [Conservation Donation Weber.pdf](#)

ASSISTANT COUNTY MANAGER

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

Attachment: [Lake Wale Clin Cor dba Neurodiag Sleep Cen 10 083 RM.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

47. [Polk County Tourism and Sports Marketing Partnership Agreement with the Detroit Tigers. \(\\$19,000.00 one-time expense\)](#)

Attachment: [2010 Detroit Tigers Partnership AGREEMENT.pdf](#)

Attachment: [2010 Detroit Tigers Partnership LEGAL.pdf](#)

48. [Promotional Agreement with Polk County Tourism and Sports Marketing and Florida Southern College. \(\\$7,500.00 one-time expense\)](#)

Attachment: [2010 Florida Southern College Promo LEGAL.pdf](#)

Attachment: [2010 Florida Southern College Promo AGREEMENT.pdf](#)

INFRASTRUCTURE MANAGEMENT

49. [Adopt Resolution Setting Speed Limits on Ninth Street in Lake Wales. \(\\$219.28 one-time expense\)](#)

Attachment: [Speed Limits Ninth Street Speed Study.pdf](#)

Attachment: [Speed Limits Resolution Ninth Street.pdf](#)

Attachment: [Speed Limits Ninth Street Maps.pdf](#)

Attachment: [Speed Limits Approved Legal Review.pdf](#)

Attachment: [Speed Limits Fiscal Impact.pdf](#)

50. [Approval of a corrected Exhibit B to the Temporary License Agreement between the City of Orlando and the City of St. Cloud, Tohopekalgiga Water Authority, Orange County, Polk County and Reedy Creek Improvement District \(collectively STOPR\) for access to Lake Emerald Site No. 38. \(No fiscal impact\)](#)

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

Attachment: [Temporary License Agreement \(Original Exhibit B\).pdf](#)

Attachment: [Temporary License Agreement \(Revised Exhibit B\).pdf](#)

51. [Acceptance of a Quit Claim Deed from Mercedes Homes, Inc., associated with the lift station tract in the Sunset Ridge Phase 2 development. \(No fiscal impact\)](#)

Attachment: [Mercedes Homes Backup.pdf](#)

52. [Acceptance of easement from Robert L. Lambert and Renee C. Anderson for pending improvements in the Skyview Utilities service area. \(One-time recording fees expense\)](#)

Attachment: [Skyview Easement Approvals.pdf](#)

Attachment: [Skyview Easement.pdf](#)

53. [Adopt Resolutions Setting Speed Limits on Lake Eloise Pointe Boulevard and Lake Eloise Pointe Drive. \(No fiscal impact\)](#)

Attachment: [Speed Limits Lake Eloise Pointe Blvd Maps.pdf](#)

Attachment: [Speed Limits Resolution Lake Eloise Pointe Drive.pdf](#)

Attachment: [Speed Limits Lake Eloise Point Drive Maps.pdf](#)

Attachment: [Speed Limits Resolution Lake Eloise Pointe Boulevard.pdf](#)

Attachment: [Speed Limits Approved Legal Review.pdf](#)

Attachment: [Speed Limits Lake Eloise Pointe Blvd Speed Study.pdf](#)

Attachment: [Speed Limits Lake Eloise Point Drive Speed Study.pdf](#)

54. [Change Order No. 1 with Wharton-Smith, Inc., Construction Manager-at-Risk \(CMAR\) Contract No. 06-037-02, for expansion of the Northeast Regional Wastewater Treatment Facility. \(\\$10,794,222.21 reduction in contract; \\$609,898.25 net savings to County in taxes\)](#)

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

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

GROWTH MANAGEMENT

55. [SET HEARING to consider CU 10-02 - Lake Burbank Mobile Home Park. \(Suggested hearing date: March 17, 2010\) \(No fiscal impact\)](#)

56. [SET HEARING to consider a Notice of Proposed Change to the Ridgewood Lakes Development of Regional Impact. \(Suggested hearing date: March 17, 2010\) \(No fiscal impact\)](#)

HUMAN SERVICES

57. [Interlocal Agreement with Hillsborough County for Ornamental Plant Production Extension Agent. \(\\$5,160.00 recurring expense\)](#)

Attachment: [Extension Service Interlocal Agreement.pdf](#)

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

58. [HOME Investment Partnership Program Down Payment Assistance Program Satisfactions of Mortgage and Security Agreements for the families listed. \(No fiscal impact\)](#)

Attachment: [HOME DPA Sat 030310 Checklist.pdf](#)

Attachment: [HOME DPA Sat 030310.pdf](#)

59. [HOME Investment Partnership Program Satisfaction of Rehabilitation/Replacement Lien Agreement for Barbara Harden. \(No fiscal impact\)](#)

Attachment: [HOME Rehab Sat Harden 030310.pdf](#)

Attachment: [HOME Rehab Sat Harden Checklist 030310.pdf](#)

60. [HOME Investment Partnership \(HOME\) Program Satisfaction of Rehabilitation/Replacement Mortgage for Felix C. Rodriquez and Esther Mae Rodriquez. \(\\$24.23 revenue\)](#)

Attachment: [HOME Rehab Sat Rodriquez Checklist 030310.pdf](#)

Attachment: [HOME Rehab Sat Rodriquez 030310.pdf](#)

61. [HOME Investment Partnership \(HOME\) Program Satisfaction of Rehabilitation/Replacement Lien Agreement for Willie Scales and Dorothy Scales. \(No fiscal impact\)](#)

Attachment: [HOME Rehab Sat Scales 030310 Checklist.pdf](#)

Attachment: [HOME Rehab Sat Scales 030310.pdf](#)

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

Attachment: [TBRA Checklist.pdf](#)

Attachment: [TBRA Contracts.pdf](#)

63. [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](#)

64. [State Housing Initiatives Partnership \(SHIP\) Program Agreement between Polk County and the Lakeland Habitat for Humanity, Inc. for Land Acquisition with Down Payment Assistance for Single-Family Housing Units. \(No fiscal impact\)](#)

Attachment: [LkldHabitatCkfst.pdf](#)

Attachment: [LkldHabitat.pdf](#)

65. [Interlocal Agreement between the Board and the City of Haines City for the provision of public transit services within the city from the Winter Haven Area Transit system through September 30, 2010. \(\\$12,335.00 one-time revenue\)](#)

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

Attachment: [Haines City WHAT Interlocal Agreement.pdf](#)

PUBLIC SAFETY

66. [First Amendment to the Verizon Wireless Tower Lease Agreement. \(No fiscal impact\)](#)

Attachment: [First Ammend Verizon Lease.pdf](#)

SUPPORT SERVICES

67. [Amendment to Master Consulting Agreement No. 06-06 with Wade Trim, Inc. \(Time extension only\)](#)

Attachment: [Wade Trim Master Agreement Extension.pdf](#)

68. [Amendment to Master Consulting Agreements No. 02-96 with Envisors, LLC; No. 02-97 with PBS&J, Inc.; No. 02-98 with Keith and Schnars, P.A.; No. 02-99 with Woolpert, Inc.; No. 02-101 with Chastain-Skillman, Inc.; No. 02-104 with Jones Edmunds & Associates, Inc.; and No. 02-105 with Professional Engineering Consultants, Inc. \(No fiscal impact\)](#)

Attachment: [Water and Wastewater Master Agreement Extensinos.pdf](#)

69. [Professional Engineering Consultants, Inc. \(PEC\) assignment of existing master agreement and continuing contracts to Pegasus Engineering, LLC. \(\\$92,182.78 one-time expense\)](#)

Attachment: [PEC assignment to Pegasus.pdf](#)

70. [Amendment No. 3 for Software and Hardware Maintenance Service Agreement No. 07-28 with Image One. \(\\$30,233.93 annual expense\)](#)

Attachment: [Image One Maintenance Agreement Extension.pdf](#)

71. [Amendment to Master Consulting Agreements No. 06-131 with Infrastructure Engineers, Inc. of St. Cloud, Florida; No 06-132 with Johnson Engineering, Inc. of Land O' Lakes, Florida; No 06-133 with URS Corporation Southern of San Francisco, California; No 06-134 with Pitman Hartenstein & Associates, Inc. of Jacksonville, Florida; No 06-135 with The LPA Group, Inc. of Lake Mary, Florida; No 06-138 with Keith & Schnars, P.A. of Ft Lauderdale, Florida; No 06-139 with HNTB Corporation of Tampa, Florida; No 06-140 with PB Americas of Tampa, Florida; No 06-141 with Kisinger Campo & Associates Corp of Tampa, Florida; No 06-143 with Reynolds, Smith and Hills, Inc. of Tampa, Florida; No 06-148 with HDR Engineering, Inc. of Tampa, Florida; and No 06-149 with PBS&J of Tampa, Florida. \(No fiscal impact\)](#)

72. [Amendment to Master Consulting Agreements No. No 06-233 with URS Corporation Southern of San Francisco, California; No 06-234 with HDR Engineering, Inc of Omaha, Nebraska; No 06-235 with PBS&J of Tampa, Florida; No 06-260 with TBE Group, Inc. of Clearwater, Florida; No 06-262 with Jacobs Engineering Group, Inc. of Pasadena, California; and No 06-268 with PB Americas, Inc. of Tampa, Florida. \(No fiscal impact\)](#)

73. [Professional Engineering Consultants, Inc. \(PEC\) assignment of existing master agreement and continuing contracts to Pegasus Engineering, LLC. \(\\$106,038.67 one-time expense\)](#)

Attachment: [Parks and Natural Resources PEC Assignment to Pegasus.pdf](#)

The Chairman adjourned the meeting at 2:45 p.m.