

**REGULAR MEETING OF THE BOARD, JANUARY 3, 1995**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending January 3, 1995. See SMB 22 Page 141.

- B. **CLERK**

Mr. Brooker advised that the Clerk's Office is proceeding with the implementation of the Cafeteria Plan beginning with the first payroll in January 1995.

Secondly, the Clerk gave a brief report on the Court side of the Clerks office.

- C. **MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record. The Recycling Coordinator wished to announce that the "Christmas Tree Recycling" event will be held Saturday, 1/7/95 at 9:00 A. M. until noon.

4. **ACTION:**

- A. **PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY FOR MARL PIT EASEMENT**

Proof of Publication entered into the record by the Operations Director. See SMB 22 Page 142. Also entered into the record an appraisal, legal description and survey. See Marl Pit file for copy.

Motion by Commissioner Gose, seconded by Commissioner Gentry to enter into contract for the purchase agreement and to proceed with the purchase of this property in order to gain access to the marl pit site. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **PUBLIC HEARING TO CONSIDER VACATING PLAT-SUN'N LAKES ESTATES OF SEBRING**

This item to be placed back on the Agenda for January 17, 1995.

- C. **IRELAND SANDERS: DISCUSSION OF LAKE PLACID LIBRARY PROPERTY**

Letter received from Ireland Sanders to purchase the library building for the purpose of relocating his office. See SMB 22 Page 143.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to seek an appraisal and offer for sale to other governmental entities. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Canale asked for a review of the minutes regarding the

discussion when the Commissioners agreed to put forth the \$225,000 to match the Grant to build the Lake Placid Library.

**D. COMMENTS AND QUESTIONS**

No comments were received.

**8. RECONVENE-ACTION**

**A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows: Regarding Item #7, to implement with availability of funds.

1. Approval of minutes of meeting 12-13 and 12-20-94; public hearing 12-20-94.
2. Approval of addition to Preferred Provider Organization(Dr. Albert J. Bajohr).
3. Approval to remove surplus property from inventory (Fire Service-Pump). See SMB 22 Page 144.
4. Approval of budget amendments #94-95-49 thru 51 and #93-94-345.
5. Approval to execute Mutual Aid Agreement with Desoto County (for emergency response).
6. Approval of Library long range plan (required for State Aid to Libraries-\$190,000).
7. Approval to execute hazardous Waste Cooperative Grant with Glades County. (DEP contract for household hazardous waste program).
8. Approval of Capital Outlay request for Recycling Program (for office paper program and containers for marketing glass). See SMB 22 Page 145.
9. Approval to execute asphalt contract. See SMB 22 Page 146.
- 10 Approval to pay all duly authorized warrants as listed:
 

Law Library	634.71
General	1,544,770.33
County Transportation Trust	32,423.41
"E911" Operations	184.13
Law Enforcement Education	1,889.00
Local Govt Infrastructure Surtax	160,770.32
Affordable Housing Assistance	4,875.00
Correction Facility	148,371.80
Solid Waste	7,233.02
Risk Retention	28,686.87
Employee Benefit	90,125.60
Special Payroll	218,005.04

Upon Roll call, all Commissioners voted aye. Motion carried.

**F. ASSISTANT COUNTY ADMINISTRATOR:**

1. HEALTH PLAN ACTUARIAL REVIEW (ANNUAL REVIEW AS REQUIRED BY STATE) PRESENTED BY TOM PORTZ. SEE

**INSURANCE FILE FOR COPY.**

**2. JAIL PROJECT REPORT**

The Assistant County Administrator advised that three draw requests have been processed from Peter Brown Construction. Continued discussions with the city are underway concerning the sewer connection. The Sheriffs Office has requested certain changes. The architects' response to these requests are presented. See SMB 22 Page 147.

**3. BUILDING USE/CONSIDERATION OF ALCOHOL CONSUMPTION (UPDATE AND RECONSIDER POLICY OF NO ALCOHOL ON COUNTY PROPERTY FOR NEW COMMISSIONERS) See SMB 22 Page 148.**

**DISCUSSION BY COMMISSIONERS ON GRANTING LIMITED USE:**

Motion by Commissioner Canale, seconded by Commissioner Barrett to allow limited use to be granted by the Board at the Agric-Civic Center on each occurrence for alcoholic use.

The Board Attorney suggested policies and guidelines in providing permits for alcohol consumption.

Mr. Richard Conover suggested the rental rate should be compared to the proposed liability cost for rental to the Highlanders.

Mr. Don Schloesser spoke regarding Monroe County's rental policy and the liability problem.

Commissioner Canale withdrew her motion and requested that staff research Monroe County's limited use and bring back to the Board. Commissioner Barrett withdrew his second.

**G. BOARD ATTORNEY**

Mr. Macbeth will report back on January 17, 1995 on the Comp Plan negotiations.

**H. COUNTY ADMINISTRATOR**

Mr. Cool reported on the Placid Utilities System operation. The bills did go out and everything is moving ahead smoothly.

**5. CITIZENS NOT ON AGENDA**

1. Richard Conover suggested that all Public Hearings should be scheduled at a regular meeting to allow all Commissioners to be present.
2. Don Schloesser discussed with the Commission two errors regarding the Placid Utilities Company bill. Information was entered into the record. See SMB 22 Page 149. He will report back to the Board.
3. Mike Johnson, Chairman of the Highlands County Homeowners Executive Board, announced that the Director of the Highway patrol will be present January 9, 1995 at 11:00 A.M. in the BCC Board Room. He will speak on the problems on Highway 27 traffic and also the closing of the patrol station in Lake Placid.
4. Harold Owen thanked the Clerk for the use of the Board Room for this meeting. Mr. Brooker had scheduled Jury selection and made other arrangements.

**6. COMMISSIONERS**

**COMMISSIONER DORIS GENTRY**

1. Questioned the Board Attorney on the Tourist Development Council. He advised the Board to plan for Hearings in February to develop an ordinance.
2. CVB Special Event Antique Show March 4th and 5th. Occupational License discussion, no action.
3. Requested that staff move forward to apply for the Community Services Block Grant in the amount of \$6,479.
4. Request full funding for the SHIP Program Agenda for the Legislative meeting in January.  
The County Administrator will present a list of issues for the Board to prioritize and select a presenter.
5. Public Safety Committee appointment. Commissioner Barrett will designate.
6. Parking Ordinance update.

The Board Attorney requested direction on guidelines regarding the Occupational License Ordinance.

The Commission directed Mr. Macbeth to follow the same guidelines as the garage sales. Commissioner Canale suggested a three day limit.

**COMMISSIONER JIM GOSE:**

1. LDR meeting scheduled for January 9, 1995 at 6:30 P.M. Agricultural Center.
2. Endorsed letter from Citrus Commission regarding H.E.C. arguments.

**COMMISSIONER JERI CANALE**

1. Requested news release on available committee appointments.

**COMMISSIONER GUY MAXCY**

1. Committee Assignment Discussion

Committee assignment changes are:

- (a) #3-Public Safety Coordinating Committee from Chairman Maxcy to Commissioner Barrett
  - (b) #5-Rural Economic Development Initiative from Commissioner Canale to Commissioner Gentry
  - (c) #10-Recreation Committee from Commissioner Gentry to Commissioner Canale
  - (d) #13-Eucalyptus Parkway Committee from Commissioner Barrett to Commissioner Gentry
  - (e) #15-Public Risk Management Association to add Commissioner Gose as an Alternate. See SMB 22 Page 150.
2. Requested that the Assistant County Administrator contact the Cities and set up an Agenda for an Intergovernmental meeting in April and October.

**SUPPORT FOR CONTINUATION OF THE ALCOHOLIC REHABILITATION PROGRAM**  
Motion by Commissioner Gose, seconded by Commissioner Gentry to follow up the County Administrator's letter with a Resolution to

the Governor in support of the Addiction Center. Request that the Board Attorney draft the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried.

**DISCUSSION ON RANKING OF ARCHITECTURAL FIRMS**

The County Administrator briefed the Board on the procedure for Committee ranking of the Architectural Firms. No other action was taken.

**7. ADJOURNMENT**

The meeting adjourned at 11:51 A.M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JANUARY 10, 1995**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk, L.E. "Luke" Brooker.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Bill Jones, Undersheriff, presented the Daily Jail Log of Inmate Count for the period ending January 10, 1995. Mr. Jones reported that credit was received from Hardee County for vegetables in return for the housing facilities.

- B. CLERK**

The Clerk gave a brief report on the new Security System for the Courthouse and its success since the implementation.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record.

4. **COMMENTS AND QUESTIONS:**

Commissioner J. D. Barrett reported that he was invited to participate at the Lake Placid Parade in Highway Park on January 16, 1995 at 10:00 A. M. honoring Martin Luther King day.

Commissioner Canale reported on the Christmas Tree Recycling Program. The County Administrator presented the actual recycling figures and thanked all participants for the success of the program.

Commissioner Gentry reminded the Commission of the breakfast honoring Gwen Sanders Hill on 1/16/95.

5. **ACTION:**

- A. RESOLUTION SUPPORTING CONTINUED OPERATION OF THE FLORIDA CENTER FOR ADDICTIONS**

The Board Attorney read the Resolution into the record.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution as read for the continued support of the operation of the Florida Addiction and Dual Disorders center in the City of Avon Park. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 22.

- A. LARRY TRAMMEL, COMCAST: REPORT ON STATUS OF USA CABLE ACQUISITION**

Mr. Trammel reported that the acquisition of the USA Cable was completed on 1/6/95. Channel Numbers 32 and 50 were added to the programs. Channel 16 was deleted. Other programming will be added to that area in the future. The Commission meetings will be shown when a date is scheduled. Some problems exist but Comcast will strive to correct these.

Mr. Carl Hancock, Spring Lake area, questioned why cable viewers

lost Channel 16. Mr. Trammel responded that the future plans are to make the Spring Lake line-up as compatible to the Sebring and Lake Placid line-up as possible. Other programming will take the place of Channel 16 within the next two weeks.

**B. ASSISTANT COUNTY ADMINISTRATOR:**

**1. JAIL MONTHLY REPORT**

Mr. Tom Portz reviewed with the Commission the Monthly Report for the Highlands County Detention Center Addition and Alterations as follows:

**Executive Summary**

**1. Cost Summary**

- a. Guaranteed Maximum Price Summary
- b. Procurement Activities
- c. Change Order Summary

**II. Construction Activities**

**III. Schedule Update**

See Jail File for copy.

**2. CONTINUED DISCUSSION OF ALCOHOL PROIBITION IN COUNTY BUILDINGS**

The Assistant County Administrator presented policies from both Monroe and Citrus Counties. Other information was entered into the record. See SMB 22 Page 151. Public input was received from Leonard Hammer in opposition to allowing alcohol use at the Agricultural Center.

The Chairman stated that he takes full responsibility for the discussion and after reconsidering the issue, the ban should remain in effect. Commissioners Barrett and Canale agreed that the ban should continue.

**C. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows:

1. APPROVAL OF BUDGET AMENDMENTS #94-95-52 AND 54
2. APPROVAL OF AMBULANCE COVERAGE FOR LAKE PLACID COUNTRY FAIR. See SMB 22 Page 152.
3. APPROVAL TO RECORD COUNTY MAINTAINED ROAD MAP (ANNUAL RECORDING OF MAP SHOWING ALL COUNTY MAINTAINED ROADS).
4. APPROVAL TO EXECUTE CONTRACT AMENDMENT FOR AQUATIC PLANT CONTROL (INCREASE OF \$360,000 FOR ADDITIONAL AQUATIC WEED CONTROL). See SMB 22 Page 153.

Upon Roll call, all Commissioners voted aye. Motion carried.

**D. COUNTY ADMINISTRATOR**

**1. DISCUSSION ON PLACID UTILITIES WATER BILLS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to

waive for one month the late Penalty and the monthly Water Meter Charge.

Mr. Don Schloesser spoke to the Commission regarding a double meter charge.

The Chairman requested that the Board Attorney, County Administrator, and the Assistant County Administrator meet and discuss the meter charge and to report back at the next meeting.

Upon Roll call, all Commissioners voted aye. Motion carried.

**6. CITIZENS NOT ON AGENDA:**

- 1. Mr. Richard Conover spoke to the Commission regarding a policy for EMS Stand-by Coverage. Coverage was denied for Crystal Lake Club Senior Olympics in 1989. Commissioner Gose reminded Mr. Conover that the response time would have been affected as there was no station at Sun'N Lakes at that time.

**7. COMMISSIONERS**

**CANALE:**

- 1. Requested that the Occupational Licensing Committee address the fee schedule.
- 2. Reminded the public that committee appointments are still open.
- 3. Requested the Board rename the Recreation Committee to the Intergovernmental Relations Committee.
- 4. Questioned legal fees for defending Adult Book Store.

**BARRETT:**

- 1. Discussion on policy for hiring Department Heads.

**MAXCY:**

- 1. Discussion on Personnel Director Position.
- 2. Request Jimmy Wohl present a report regarding Highlands Hospital lease.
- 3. Request the County Administrator explain NRAC ranking of the Florida Communities Trust Grant Application for Highlands County.

**8. ADJOURNMENT**

The meeting adjourned at 10:40 A. M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JANUARY 17, 1995**

1. The meeting was called to order at 9:00 A.M. with the following members present:

<b>C. Guy Maxcy</b>	<b>L.E. 'Luke' Brooker</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 1/17/95. See SMB 22 Page 154. Commissioner Barrett discussed the Pre-Trial Release Program and the benefits received in keeping down the Inmate population. The Inspector mentioned the reduction in fatalities for this year and advised that the Department is trying to identify ways to lower the fatality rate for the new year.

- B. **CLERK**

Mr. Brooker advised that the Clerk's office is looking toward implementing a new Program called Teen Court. Several Clerk staff and Judicial staff have volunteered. If any citizens are interested they may contact the Clerk's office.

- C. **MEETINGS:**

The County Administrator read the reported meetings into the record. Other meetings of record are the LDR meeting and the Public Safety Coordinating meeting.

- D. **JOHN MARTZ: FLORIDA POWER CORP. FUNDING FOR WEED CONTROL**

Mr. Martz presented a check in the amount of \$2,000 from Florida Power Corporation for the Lake Lotela Weed Eradication Program. Commissioner Gentry accepted the check for the Property Owners.

4. **ACTION:**

- A. **PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONING CHANGES:**

**HEARING #1345-BOARD OF COUNTY COMMISSIONERS**

Requesting a zoning change from R-3, R-1A and I-2 (Multiple Dwelling District, Residential District and Industrial District) to PU (Public Lands District). These properties were privately owned wastewater and water treatment facilities serving a single development. These properties have now been purchased by the Board of County Commissioners and will be serving more than one development.

Proof of Publication entered into the record. See SMB 22 Page 155.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve request for zoning change and the adoption of the Resolution with the specificity as required. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 23.

**HEARING #1346-BOARD OF COUNTY COMMISSIONERS**

Approximately fifty-two acres in Sec. 22. TWP 35, Range. 29, Located on Skipper Road in Desoto City. Desire for a class I Landfill, Solid Waste Administration office,

and Recycling Operations facility to meet the needs of County recycling and landfill operations.

Proof of Publication entered into the record. See SMB 22 Page 156.

Public input was received from Richard Conover regarding a typographical error.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Zoning Hearing #1346 and adopt Resolution for a class I Landfill, Solid Waste Administration office, and Recycling Operations facility. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 24.

**B. PUBLIC HEARING TO CONSIDER PLAT VACATION-SUN'N LAKE ESTATES OF SEBRING**

Proof of Publication entered into the record by the County Engineer. See SMB 22 Page 157.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve plat vacation and adopt Resolution for Sun'N Lake Estates of Sebring Unit 13 Block 264 and Tract A. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 25.

**C. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND FOR GOVERNMENT CENTER (LOCATED IN TOWN OF SEBRING 4TH ADDITION) WILLIAM STEPHENSON**

Proof of Publication entered into the record. See SMB 22 Page 158.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve contract for sale and purchase of property from Donald R. Pettit for purchase of land for Government Center located in Town of Sebring, 4th Addition. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND FOR EUCALYPTUS PARKWAY-WILLIAM STEPHENSON**

Proof of Publication entered into the record. See SMB 22 Page 159.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve land purchase agreement with the Lions Club in the amount of \$13,500 for the Eucalyptus Parkway. Upon Roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried.

**E. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND FOR EUCALYPTUS PARKWAY(LOCATED IN LAKE SHORE PARK SUBURBAN DEVELOPMENT)-WILLIAM STEPHENSON**

Proof of Publication entered into the record. See SMB 22 Page 159. Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the land purchase agreement for Eucalyptus Parkway construction located in Lake Shore Park Suburban Development in the amount of \$64,400 from Kahn Groves. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND FOR EUCALYPTUS PARKWAY(LOCATED IN SEC. 13-T34S-R28E)-WILLIAM STEPHENSON**

Proof of Publication entered into the record. See SMB 22 Page 159.

Motion by Commissioner Gentry, seconded by Commissioner Canale to close the Public hearing and not consider the purchase in Sec. 13 Township 34 S Range 28 East from G. K. Groves for the Eucalyptus Parkway. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND FOR EUCALYPTUS PARKWAY (LOCATED IN SEC 18-T34S-R29E) WILLIAM STEPHENSON**

Proof of publication entered into the record. See SMB 22 Page 159.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve purchase offer contract from CSX for an abandoned right-of-way for Eucalyptus Parkway Project contingent upon a Title Commitment. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SEC. 9-183 AND 9-185 CODE OF ORDINANCES, PERTAINING TO PLACID LAKES SPECIAL BENEFIT DISTRICT (ADDING TO POWERS OF DISTRICT) WILLIAM STEPHENSON**

Proof of Publication entered into the record. See SMB 22 Page 160. Public input was received from Hank Kowalski, addressing the Scrub Jay population.

The Board Attorney reviewed the changes and read the captions into the record.

Mr. Phil Askew, representing the District, spoke against the deletion to the Ordinance. Mr. Tom Sides also conveyed opposition through the Tax District Coordinator. Mr. Vince Woepfel, Petitioner, explained that he receives no benefit from the District for his Orange Grove. Mrs. Margaret Covey spoke in opposition.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Ordinance pertaining to the Placid Lakes Special Benefit District deleting Section I, the Woppel Grove request, with instructions to the Board Attorney to revise the form of the Ordinance and renumber and adding to powers of the District. Upon Roll call, all Commissioners voted aye. Motion carried. Mr. Woepfel's request to be considered at budget time under assessments for the District.

**H(a) PUBLIC HEARING TO CONSIDER OCCUPATIONAL LICENSE ORDINANCE**

Proof of Publication entered into the record. See SMB 22 Page 161. The Board Attorney read the Ordinance into the record. The Tax Collector briefed the Commissioners on the history of the Occupational License in Highlands County.

Public input was received from Margaret Covey, Chairperson for the Ways and Means Committee, of Lake Placid. Ms. Covey requested clarity on the exemptions. Commissioner Canale suggested that a copy of the Ordinance should be sent to Ms. Covey.

The second Public Hearing for reading of the Ordinance will be held on February 7th.

**BREAK - 11:10-11:25 A.M.**

The meeting was called back to order with the Chief Deputy Clerk sitting in for the Clerk, L. E. "Luke" Brooker.

**I. MARGUERITE SKIPPER, HISTORIC PRESERVATION COMMISSION: RESOLUTION HONORING ALLEN ALTVATER**

Mrs. Marguerite Skipper, Chairman of the Historic Preservation Commission, read into the record the Resolution honoring Allen Altvater.

The consensus of the Commission was to adopt Resolution honoring Allen Altvater, to mail the Resolution to Mr. Allen Altvater, Jr. and to spread the action across the minutes of the meeting. See Res. Book 9 Page 26.

**J. DAWN ZATTAU, U.S. FISH AND WILDLIFE SERVICE; DISCUSSION**

**OF HABITAT CONSERVATION PLANNING**

Ms. Dawn Zattau, appeared before the Board, following the receipt of a letter from the County. The letter brought up the question of whether individual small lot owners will be able to build in scrub land, even though the subdivision was platted years ago. Ms. Zattau described habitat conservation as an easy way for the Board to get the service out of the county in regards to violations of the federal Endangered Species Act pertaining to "incidental taking" of protected wildlife or habitat. Ms. Zattau suggested the county inform the people when issuing a building permit of their responsibility to obey federal conservation laws. It would also have to develop and adhere to a habitat conservation plan. The plan would include requirements for impact studies, mitigation and monitoring of the habitat and funding of the Plan. The County Administrator was concerned that individual residential lot owners might have building plans stymied if forced to conform to mitigation or impact processes.

Jimmy Wohl, American Home Service Bank and Home Savings Bank and Wendell Whitehouse expressed a negative view of habitat conservation planning. They described it as a bureaucratic back door that deprives property owners of the economic use of their land.

The County Administrator submitted an Acquisition Proposal for Natural Resource Protection. The consensus of the Board was to request that NRAC submit this Plan to the U.S. Fish and Wildlife for their input in developing a Plan. Ms. Zattau advised that if certain elements are added, she will be glad to take a look at the Plan. See SMB 22 Page 162 for copy of letter and NRAC Plan.

**K. COMMENTS AND QUESTIONS**

Jeff Ludwig, County Planner introduced new employee, Walter Reeves, as the new Planner II. The Board welcomed Mr. Reeves on Board.

**BREAK - 12:20 - 1:15 P.M.**

**7. DISCUSSION OF PENDING LITIGATION-PURSUANT TO SECTION 186.011 (8), FLORIDA STATUTES, WITH THOSE PRESENT BEING COMMISSIONERS C. GUY MAXCY, JERI CANALE, JOHN D. BARRETT, JAMES L. GOSE, DORIS GENTRY, COUNTY ADMINISTRATOR CARL COOL, COUNTY ATTORNEY J. ROSS MACBETH AND A CERTIFIED COURT REPORTER.**

- 1) Warren Wright v. Highlands County  
Circuit Court for Highlands County, GC93-323
- 2) Mark Lane v. Highlands County  
In the Office of the Judge of Compensation Claims  
District "F" Claim No. 122-46-7286
- 3) Better Roads of Lake Placid, Inc. v. Highlands County  
Circuit Court for Highlands County, GC93-284
- 4) Heartland Environmental Council, Inc. V. Dept of  
Community Affairs and Highlands County Division of  
Administrative Hearings, DOAH 94-2095GM
- 5) Lowell v. Board of Supervisors  
Circuit Court for Highlands County, GC94-418
- 6) Cindy Canon V. Highlands County  
In the Office of the Judge of Compensation Claims,  
District "F", Claim No. 266-61-9938
- 7) Blue Moon Enterprises, Inc. a Florida Corp., and Robert

Gluck, President v. Highlands County and the Board of County Commissioners.  
In the U.S. District Court, District of Florida, 94-14194CIV-Davis

The regular meeting was reconvened at 1:20 P. M. with all members present. Bob Germaine attended for the Clerk of Courts.

**L. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the Consent Agenda as follows:

1. Approval to pay all duly authorized warrants as listed:
 

Law Library	376.46
General	499,441.14
County Transportation Trust	43,710.88
"E911" Operations	21.75
Local Govt Infrastructure Surtax	268,287.90
Affordable Housing Assistance	9,500.00
Solid Waste	22,679.10
Water/Sewer Fund	1,377.59
Risk Retention Fund	22,456.71
Employee Benefit	71,140.43
Special Payroll	55,535.08
2. Approval of minutes of 1-3-95 meeting.
3. Approval of budget amendments #94-95-55,56 and 57
4. Accept into record-December Monthly Reports
5. Approval of grant agreement with State Library (Provides terminals and Software)
6. Approval to execute contract for Placid Utilities extension. Pulled from agenda.
7. Approval of plat recording-Manor Hill Oaks. See SMB 22 Page 163.

Harold Owen asked the amount of the grant agreement with the State Library. The amount is \$28,200.00 for automated systems for the county wide library system.

Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool discussed Item 6. He explained further amendments to the contract with Kenko.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Item 6 on Consent Agenda, Placid Utilities Extension; subject to amendments agreed on the addendum. Upon Roll call, all Commissioners voted aye. Motion carried.

**M. COUNTY ENGINEER:**

1. REPORT ON PLACID UTILITIES/SCHLOESSER MEETING.

Don Schloesser discussed meter charges. See SMB 22 Page 164.

2. DISCUSSION OF PLACID UTILITIES WATERLINE EXTENSION PHASE II

For further information see SMB 22 Page 165.

Motion by Commissioner Gentry, seconded by Commissioner Gose to waive the agenda and apply for the infrastructure CDBG Grant. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Gentry suggested:

1. Apply for FHA grant.
2. Apply for CDBG Grant for Highway Park.
3. Carl Cool to discuss FHA grant with Town of Lake Placid.
4. Keep an eye on Kenko.

**N. ASST. COUNTY ADMINISTRATOR: INSURANCE COMMITTEE  
RECOMMENDATION**

See SMB 22 Page 166.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the position with the Clerk for an Insurance Specialist. Upon Roll call, all Commissioners voted aye. Motion carried.

**O. BOARD ATTORNEY: DISCUSSION OF PARKING ORDINANCE**

Rescheduled for February 7, 1995. See SMB 22 page 167.

**P. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO CHILDREN'S SERVICES COUNCIL  
(RECOMMENDATION: MARGARET COOPER)**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve appointment of Margaret Cooper to the Childrens Services Council. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 page 168.

**2. CONSIDERATION OF HOLIDAY SCHEDULE (COURTHOUSE WILL BE  
CLOSED DECEMBER 26, 1995)**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Judicial holidays list for 1995, adding 12-26-95. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 22 Page 169.

**3. PROPOSED LEASE BY EVELYN STULTING**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve to lease the new Spouse Abuse Shelter at no cost to the county until closing. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. PUBLIC HEARING - CHAPTER 12 CODE OF ORDINANCE**

Scheduled for February 7 and 21 at 5:01 P.M.

**5. CRA PROJECT - LAKEVIEW WIDENING- PETER POLLARD**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to use monies out of contingency infrastructure to pay half of bill for additional money to the budget for the widening of Lakeview Drive. Motion was withdrawn.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve payment of 8,770.52 for the counties share in providing for cost overruns to the budget in conjunction with the City of Sebring who will pay the same. This motion is contingent on approval of the City of Sebring for their half. Upon Roll call, Commissioners Gose and Barrett voted aye, Commissioners Gentry, Canale, and Maxcy voted nay. Motion did not carry.

**5. CITIZENS NOT ON AGENDA:**

No requests.

**6. COMMISSIONERS**

Commissioner Gose thanked Rick Helms and Bernis Gainer, from the Budget Office, for the new Expenditures Report.

Commissioner Barrett - Am Vets are having a Bingo fund raiser on Friday at the Spring Lake Community Center.

Commissioner Gentry - Congratulate Kevin Roberts, Human Services Director, received the Humanitarian Award from the Men of Vision, NAACP. Commissioner Gentry also handed out copies of the Florida Heartland Redi-Group legislative platform.

Commissioner Canale - reported that the Historical Society is having a Countywide Mixer January 19, 1995, and the Friends of the Library is holding a luncheon at the Elks Club on January 19, 1995.

**8. ADJOURNMENT**

The meeting adjourned at 5:10 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, JANUARY 24, 1995**

1. The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**C. Michael Eastman  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The Workshop opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner James Gose.

3. **RETIREMENT OF G. TIM HURNER**

The Chairman presented Mr. Hurner a plaque in honor of his retirement and thirty (30) years of continuous service.

4. **WORKSHOP:**

- C. **TAX ABATEMENT PROGRAM**

- a) C.D. Boring - brief synopsis of the proposed program.
    - b) Betty Neale, Director of Industrial Authority and Economic Development. Leader of the Program.
    - c) Board discussion, consensus to pursue.

5. **COMMENTS AND QUESTIONS**

1. Mr. Bob Lindsey, Highlands County Homeowners - Traffic Safety - consensus of the Commission to send a letter of support to Col. Ron Griniming and Capt Robertson for the higher profile of traffic safety on US 27.
  2. Kris Delaney - Clarification of HEC Settlement Status. Consensus to Workshop February 14, 1995 and hold a Public Hearing thereafter.
  3. Dan Foley - Citrus Growers Association - Growers stand on proposal.
  4. Betty Neale - Announcement of meetings.
  5. Kris Delaney - Topics for discussion at Legislative Delegation meeting.

- A. **LOCAL PREFERENCE PURCHASING**

- a) Literature supporting Local Preference entered into the record by the Assistant County Administrator.
        - b) Discussion of Resolution of the Florida Association of Governmental Purchasing Officers in opposition.
        - c) Mary Lamar, General Services Supervisor, discussion of Purchasing Policy.
        - d) Clayton Womer - request to stay with the original policy.
        - e) Consensus of the Commission to stay with the existing policy and in case of a tie to go with the local vendor.



- f) Letter from Mr. Don Greenhalgh with information regarding local preference on Bids. See SMB 23 Page 1.

**B. CAPITAL IMPROVEMENT PLAN UPDATE**

- a) Rick Helms, Budget Officer, Presentation - see copy in Budget file.
- b) John Shoop - request for Marl for Max Long Complex. See SMB 23 Page 2 for copy of letter.
- c) Commissioner Gentry - request for master plan for recreation.
- d) Carl Cool - request to purchase vacant lots for Boat Ramp. No consensus.
- e) Consensus to hold a Workshop on February 14, 1995. To conduct a regular meeting from 9:00 A. M. until 10:00 A. M. and the Workshop thereafter.

**D. LEGISLATIVE DELEGATION TOPICS**

- a) County Administrator presented topics for discussion. Consensus for Mr. Cool to revise a list and present to the Commission.
- b) Assistant County Administrator - proposed 9-1-1 fee to cellular phones. No consensus from the Commission.

The meeting adjourned at 12:50 P. M.

\_\_\_\_\_

Chairman

Attest: \_\_\_\_\_

Clerk

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**REGULAR MEETING OF THE BOARD, FEBRUARY 7, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers at 430 South Commerce Avenue, Sebring Florida with the following members present:

<b>C. Guy Maxcy-Chairman</b>	<b>L.E. 'Luke' Brooker, Clerk</b>
<b>Doris Gentry-Vice Chair</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, Ross Macbeth. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF:**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending February 7, 1995. See SMB 23 Page 3.

- B. CLERK:**

Luke Brooker, Clerk of Courts presented a brief report on the Jury Management System of Highlands County. He advised that Darlene Suttles, under his authority was responsible for implementing this System. Highlands County is one of twenty Judicial Circuits in the state. This Circuit was ranked number one in the efficient way that Jurors are handled, and Highlands County was ranked number one in that Circuit and Number five overall in the state.

- C. MEETINGS THIS WEEK:**

The County Administrator read the reported meetings into the record as follows:

Feb. 7	5:01 p.m.	Public Hearing - Chapter 12 Boardroom
Feb. 7	7:00 p.m.	Housing Authority 3909 Kenilworth Blvd.
Feb. 7	7:00 p.m.	Construction Licensing Board Annex
Feb. 8	4:00 p.m.	Nat. Resources Adv. Comm. Ag Center #3

Additional meeting announced was the Community Safety meeting on 2/8/95 at the Agri-Civic Center.

The County Administrator read a letter into the record from Pamela Mitchell commending Roy Carr, Veterans Service. Mr. Carr was also commended for his efforts in gaining benefits for Mr. Jim Lehmann.

Mr. Cool presented two other letters of commendation. A letter to the EMS and to Christy Reed, Recycling Coordinator. See SMB 23 Page 15.

4. **ACTION:**

**A. Public Hearing to consider vacation of an easement Placid Lakes, Section Twenty**

Petition presented by William Lecher, County Engineer. Proof of Publication and staff reports entered into the record. See SMB 23 Page 4. The Chairman called for public input and none was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution vacating an easement for the South 10 feet of Lot 1 and the North 10 feet of Lot 2, less the East 10 feet thereof, Placid Lakes Section Twenty. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 27.

**B. Public Hearing to consider rescinding ordinance 94-9 (Adopting "Commercial/Industrial Mixed Use" on Properties along CR 621)**

Proof of Publication entered into the record by the Board Attorney. See SMB 23 Page 5. The Board Attorney read the Ordinance into the record. The Chairman called for public input. None was received. Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Ordinance #95-2 rescinding Ordinance 94-9, Land Use Change #CPA-94-002. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. Public Hearing to consider an ordinance amending Section 6-51 of the Code of Ordinances, regarding Occupational License tax Rates for Flea markets**

Proof of Publication entered into the record by the County Administrator. See SMB 23 Page 6. The Board Attorney read the proposed Ordinance into the record. Public input was received in favor from Elizabeth Fox, Lake Placid Art League, Clifford Mitchell, Lake Placid Art League, Ray Battani, Trinity Lutheran and Lake Placid Fair, Alice Hansen, Highlands Art League and Thomas Bruce, Shrine Club, regarding the frequency.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Ordinance #95-3; providing for Occupational Licenses and Tax Rates for Flea Markets, Antique, Gem, Art, and other temporary exhibitions. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. Resolution: "Engineers Week in Highlands County - Feb. 20-26, 1995"**

The Resolution was read into the record by the County Engineer.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Resolution proclaiming the week of February 20, 1995, through February 26, 1995, as "Engineers Week" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 28.

**E. Jimmy Wohl, Chairman of Hospital District Board: Report on lease extension**

Mr. Wohl presented a brief report on the new lease extension with HMA. He advised that the lease will be in effect until July 31, 2025. He highlighted improvements made to the Hospital during his 10 and 1/2 year tenure. Mr. Wohl read a letter of resignation to become effective 2/23/95 from the Hospital Board. His request was that the Board replace his position with Audrey Vickers. Mr. Scott Campbell, Executive Director of Highlands Regional, thanked the Board for their help and presented an update on expected improvements. See SMB 23 Page 39 for copy of letter.

Mr. Gary McGehee, Vice-Chairman, thanked Mr. Wohl for his service to the Hospital Board.

The Commission discussed the protocol for replacing Board appointments. The consensus was to set a tentative workshop for March 14, 1995, with the expertise of Mr. Scott Campbell to discuss Board Appointment protocol and to consider creating a foundation.

**BREAK 10:30 a.m - 10:45 a.m.**

The meeting reconvened with all members present and I.V. "Buddy" McKenzie sitting for the Clerk.

**F. Audrey Vickers: Edna Pearce Lockett Estate (Proposed agreement with SFWMD)**

Presentation by former Commissioner, Audrey Vickers. Kim Love, representing the SFWMD, answered questions from the Commission. Concerns were raised regarding the continued maintenance cost. It was a consensus of the Board to direct staff and the Board Attorney to work with Kim Love and bring back language for a management plan at the February 21, 1995 meeting.

Kim Love reminded the Commission that the district would be bringing down Lake Istokpoga water levels one-half foot to start the spraying process.

**G. Comments and questions**

1. Emil Jakim: Adult Bookstore issue

Mr. Jakim addressed the issue of the Adult Bookstore. No action was taken.

2. Marion Poppe, Kissimmee River Property Owners: Parking and litter. Ms. Poppe was not available

for comment. See SMB 23 Page 7 for copy of request.

**H. Consent agenda:**

The Consent Agenda was read into the record by the County Administrator. Questions were presented regarding the Budget Amendments for Leisure Lakes Fire Department by Commissioner Gentry. The Budget Officer responded.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the consent agenda as follows:

1. Approval to pay all duly authorized bills as listed:

Law Library	1,343.28
General	1,224,066.51
County Transportation Trust	42,096.73
"E911" Operations	301.52
Local Govt Infrastructure Surtax	272,348.96
Affordable Housing Assistance Trust	4,400.00
Correctional Facility	222,391.00
Solid Waste	200,500.24
Water/Sewer	101.50
Risk Retention	132,016.00
Employee Benefit	181,427.43
Special Payroll	87,153.21

2. Approval of minutes- 1-10-95, 1-17-95 and workshop meeting 1-24-95
3. Approval of Supplemental Agreement #24, Chastain-Skillman (Lake June water system construction inspection)
4. Approval of contract with Medicaid (For electronic filing of claims) See SMB 23 Page 8.
5. Approval of write-off of EMS bill (\$162 bill of patient with no income, Mrs. Sara Nelson) See SMB 23 Page 9.
6. Approval of equipment purchase for library (Grant money to be used) See SMB 23 Page 10.
7. Approval of 1995 State Aid Agreement
8. Approval to accept Emergency Food and Shelter Grant, See SMB 23 Page 11.
9. Approval of Change Order #2, Earthwork and Liner Installation, Arbuckle Creek Landfill-Leachate

Detection and Collection Sand Layers. See SMB 23 Page 12.

10. Adoption of resolution to establish public hearing date for road closing for a portion of Grand Prix Drive for March 7, 1995. See Res. Book 9 Page 29.
11. Approval to set public hearing date for Law Library fees, See SMB 23 page 13.
12. Approval of budget amendments #94-95-62 through 67 and 70 through 72.
13. Appointment of Richard Spindler, M.D., to EMS Advisory Council, See SMB 23 Page 14.

Upon Roll call, Commissioner Canale voted nay. All other Commissioners voted aye. The motion carried.

**I. Code Enforcement Officer:**

1. Request to declare nuisance, cases #9495-007; 022 and 030

At the request of the Code Enforcement Officer, Alan Decker, #94-95-007 was removed from the Agenda.

**#94-95-022**

Motion by Commissioner Barrett seconded by Commissioner Gose to approve request to declare nuisance in case #94-95-022 to cut the grass and clean up the yard, located in Kissimmee River Shores. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 16.

**#94-95-030**

Motion by Commissioner Barrett, seconded by Commissioner Gose to declare a nuisance, case #94-95-030; Sun'N Lakes Acres South. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 17.

2. Request to record nuisance release, case #94-055

Motion by Commissioner Gose, seconded by Commissioner Gentry to record nuisance release, case #94-055. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 18.

Commissioner Barrett requested that the Board review the Code Enforcement Department for additional staff at budget time.

**J. 11:00 a.m.: Resolution in recognition of Robert J. Barben**  
Mr. Barben was not available, due to the death of a friend.

**Lunch break - 12:00 a.m. - 1:00 p.m.**

The meeting reconvened at 1:00 P.M. with all members present and I. V. "Buddy" McKenzie sitting in for the Clerk.

**K. County Engineer:**

**1. Leachate Treatment and Disposal Construction Project**

Motion by Commissioner Gose seconded by Commissioner Gentry to approve and execute the contract documents with M. Bone, Inc. for the construction of the Leachate Treatment and Disposal System Construction Project. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 19.

**2. Request to waive fees imposed for unauthorized water tap**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the one-time waiving of charges and fee imposed upon Mr. Arnold Surbeck for the unauthorized water tap in the amount of \$204.66. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 20. The Board requested the County Engineer to keep a close watch on residents that use over 90,000 gallons per month.

**3. Request to issue Temporary Use/Construction Permit for Public Lands**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the County Engineer to issue Temporary Use/Construction Permits in Public Right-of-way/Public Lands after appropriate review and compliance, and to establish the fee of \$200.00. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 21.

Kris Delaney and Hank Kowalski presented concerns regarding the permits.

**4. Preparation of U.S. 27 6-laning plans**

The County Engineer presented an update for the preparation of U.S. 27 6-laning plans. The County Administrator requested that another set of plans should be obtained from D.O.T. to be used for review by the public in his office.

**L. Development Director:**

**1. Consider establishing public input process for Conservation Overlay Map**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt a public review and input process concerning the Conservation Overlay Map. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 22. Public input was received from Dan Foley, Kris Delaney and Jimmy Wohl.

**2. Budget amendment 94-95-68 for Capital Expenditure items**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve budget amendment #94-95-068 for capital expenditures items as detailed by the Development Director. Upon Roll call, Commissioner Canale voted nay. All other Commissioners voted aye. The motion carried. See SMB 23 Page 23.

Kris Delaney spoke regarding the computer capabilities of the GIS system through the user friendly software Art View.

**Break 2:05 p.m. - 2:15 p.m.**

The meeting reconvened at 2:15 p.m. with all members present and C. Michael Eastman sitting in for the Clerk.

**M. Assistant County Administrator:**

**1. Insurance Committee Recommendations**

Motion by Commissioner Gose seconded by Commissioner Canale to accept the recommendations of the Insurance Committee to approve Attachment #1 in regards to treatment which involves manual manipulation. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 23 Page 24.

**a) Wellness Bid RFP 95-18**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept low bidder, Highlands Regional for the Health Screening for County Employees and Eligible Dependents to be paid out of the Health Insurance Fund. Upon Roll call, all Commissioners voted aye. Motion carried.

**b) OSHA Information and Discussion**

This subject will be reagendaed for the next Insurance and Safety meeting for further discussion with the constitutional officers and then presented back to the Commission. See SMB 23 Page 25 for copy

**2. Parking Ordinance**

Discussion on parking enforcement on private property. Public input was received from Clayton Womer regarding the expense involved. Inspector Jim Rodgers, from the Sheriff's Department, advised that his Department did not have enough personnel to issue citations. The Board Attorney stated that the issue did not involve Private Property. The issue would be whether the Board wanted to set up an Ordinance with control devices the same as the state. The consensus was to advise staff to write a letter to the Lakeshore Mall and request that their security enforce the parking in fire lanes.

**3. Jail Project Report**

The Assistant County Administrator presented draw requests that have been processed to Peter Brown Associates. He also advised



that the Sheriff's Office has requested additional changes. A meeting will be set with Peter Brown, HOK, and staff to review the change orders for a net amount. Scrap copper was recycled in the amount of \$210.00. A completion date of March 1996 has been set for the Jail. See SMB 23 Page 26.

Mr. Don McKenna, City of Sebring, Utility Director, advised that S. E. Lakeview Lane will be closed for one month for sewer construction.

**N. Board Attorney**

No issues were presented.

**O. County Administrator**

**1. Appointment to Housing Authority**

Motion by Commissioner Gentry, seconded by Commissioner Gose to recommend to the Governor the appointment of Mr. Virgil S. Grimes to the Highlands County Housing Authority. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 27 for copy of resume.

**2. Appointments to Industrial Development Authority**

Discussion on statutory term limits. Public input was received from Betty Neale, Dan Foley and Clayton Womer.

The Board Attorney advised that this is a statutory four (4) year term.

Motion by Commissioner Canale to set the term limit of two terms. Commissioner Gentry amended the motion to set the terms at two terms or eight (8) years as the maximum. Commissioner Gose amended the motion no more than two four year terms. After the second discussion the motion and amendments were withdrawn.

Motion by Commissioner Gentry, seconded by Commissioner Gose to reappoint Morris Adams, Fred Jahna and Charles Stidham to the Industrial Development Authority Board. Upon roll Call Commissioners Gentry, Gose and Maxcy voted aye. Commissioners Canale and Barrett voted nay. The motion carried. See SMB 23 Page 28.

**3 Discussion of Harder Hall-Howard Sewage Treatment Plant**

See SMB 23 Page 29 for copy of request. The consensus of the Board was to show no interest in this proposal.

**4. Ballot for Board of Directors - Spring Lake Property Assn.**

Motion by Commissioner Gose, seconded by Commissioner Gentry to not vote this time or any other time in the future. Upon Roll call, all Commissioners voted aye. Motion carried.

**5 Presentation of Mr. Fred Carino as candidate for Personnel Director**

Mr. Carino gave a short presentation to the Board on his past history with the Commission following up with questions.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the recommendation of the County Administrator in the hiring of Mr. Freddie F. Carino as Personnel Director at the starting salary of \$35,103, with a start date of February 8, 1995. Upon Roll call, Commissioners Gentry, Gose, Canale and Maxcy voted aye. Commissioner Barrett voted nay. The motion carried.

**6. Joint Workshop-City of Avon Park**

The County Administrator advised that the joint workshop with the City of Avon Park has been set for April 17, 1995 at 6:00 p.m.

**6. COMMISSIONERS**

Commissioner Barrett welcomed the new Personnel Director on board.

Commissioner Gose reminded everyone that the Highlands County Fair is scheduled for February with Patty Lovelace to appear on February 18, 1995.

**7. ADJOURNMENT**

The meeting adjourned at 3:54 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, FEBRUARY 14, 1995**

The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers at 411 South Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator. The Pledge was led by Richard Conover.

**ANNOUNCEMENTS:**

**A. SHERIFF:**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending February 14, 1995. See SMB 23 Page 31.

**B. CLERK**

Luke Brooker, Clerk, reminded the public that Jim Brannan from the Sheriff's Department is retiring after 25 years of service. Mr. Brannan was honored with a retirement farewell.

**C. MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings are the L.D.R Task Force on February 20, 1995 and the Water Task Force on February 16, 1995 at 6:30 p.m.

**4. ACTION:**

**A. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY FOR SPOUSE ABUSE SHELTER**

Bill Stephenson, Special Projects Director, presented the Land Purchase Agreement between Evelyn R. Stulting and the Board of County Commissioners for a Spouse Abuse Shelter. Proof of Publication was entered into the record. See SMB 23 Page 32.

Kevin Roberts, Director of Human Services, presented a brief update with an independent appraisal listed at \$73,000. The cost to the County would be \$40,000 with a reduction of \$33,000. The Chairman opened for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve agreement with Evelyn R. Stulting for the purchase of property for the NW 1/4 of Lot 6, Block 5, Town of Sebring in the amount of \$40,000. The money to be taken from the One Cent Sales

Tax Capital Improvements Plan. The Shelter to be operated by the Peace River Center.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE CREATING A TOURIST DEVELOPMENT COUNCIL**

The County Administrator presented Proof of Publication into the record. See SMB 23 Page 33. Captions of the Ordinance was read into the record by the Board Attorney. The Chairman called for public input. David Hazelett and Mike Lee spoke in favor. Jim Cash, owner of Lake Blue Resort, spoke in opposition.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Ordinance #95-4 amending the Code of Ordinances providing for the establishment of the Highlands County Tourist Development Council.

Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Maxcy designated Commissioner Canale as his designee for the Chairman of the Council. The County Administrator will advertise for interested participants who fall within the Statutes to form the Council.

**1) RESOLUTION COMMENDING ROBERT BARBEN-SOIL AND WATER CONSERVATION DISTRICT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution commending Robert J. Barben for his constant dedication of time and resources to the Highlands Soil and Water Conservation District. Mr. Barben expressed thanks to the Board of County Commissioners for the support given to the Soil and Water Conservation Board.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 30.

**C. RESOLUTION ON AMATEUR RADIO SERVICE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution, acknowledging the distinguished service of Garold F. "Shep" Shepherd, W4IEV, for his years of faithful service as the Trustee of the Amateur Radio Emergency Service 2-Meter Repeater. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 31. The Chairman also presented plaques to Mr. Shepherd honoring him for his dedication.

Bruce Savage, Director of Emergency Management, introduced Jerry Eichhorn, Emergency Coordinator for the Amateur Radio Services in Highlands County. Mr. Eichhorn recognized the Amateur Operators and thanked them for the services performed. He also gave a small demonstration of the radio service.

**D. PETE POLLARD: REQUEST FOR PAYMENT ON STREETSCAPE**



**PROJECT (\$5,847)**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve request from Pete Pollard for the appropriation in the amount of \$5,847 with the City, the CRA and the County splitting the cost three ways for the final close-out of the Streetscape project. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 32 Page 33. The Chairman accepted the appointment to the Community Redevelopment Agency as liaison for the Board of County Commissioners.

**E. COMMENTS AND QUESTIONS**

Mr. Richard Conover questioned why the Board did not adopt a Resolution proclaiming the week of February 13 through February 18 as School Volunteers Week. The Commission advised that this issue falls under the responsibility of the School Board. Public acknowledgement will be made by the Board.

**RECESS 10:09 A.M - 10:20 P.M.**

The meeting reconvened with all Board Members present.

**Consent Agenda Item #4-Budget Amendments**

The Undersheriff presented a brief explanation as to the purpose of the budget amendments. He advised that the auditors have recommended that the Sheriff's Department receive their reimbursement up front to prevent over expending the budget.

**CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda with the exception of Item #6 as follows:

1. Approval to execute Emergency Management Grant.
2. Accept into the record-Garbage Franchise Audits Reliable Sanitation, Inc. and Browning-Ferris Industries of Florida, Inc.
3. Approval of payment for housing excess capacity inmates in Hardee County. See SMB 23 Page 34.
4. Approval of budget amendments #94-95-74 through 79 and 80-82
5. Approval of Change Order #1, Lake June water project See SMB 23 Page 35.
7. Appointment to Heartland REDI-Jeffrey G. Mechlin. See SMB 23 Page 36 for copy of Resume.

Upon Roll call, all Commissioners voted aye. Motion carried.

6. Approval to execute contract for Jail Construction

**testing**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve to execute contract for Jail construction testing based on the approval of the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. COUNTY ADMINISTRATOR:**

**1. RECOMMENDATION ON PROFESSIONAL SERVICES ACQUISITION COMMITTEE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to appoint Bill Lecher, County Engineer to the Professional Services Acquisition Committee and George Bowers as alternate for County staff. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 37.

**2. PROPOSED CONTRACT FOR GOVERNMENT CENTER**

The Board held a discussion in regards to putting a hold on the Government Center for one year to allow the county to be able to remain debt-free. It was a consensus to continue with the space needs analysis.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the execution of the contract with Hellmuth, Obata & Kassabaum, Inc., for architectural services to build the Highlands County Government Center. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. REQUEST TO DESIGNATE MEETING DATE IN JULY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to move the regular Commissioners meeting date from July 4, 1995 to Monday, July 3, 1995. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. JOINT MEETING OF THE CITY OF SEBRING AND THE BOARD OF COUNTY COMMISSIONERS**

The consensus of the Commission was to direct the County Administrator to notify the City of Sebring, City Council to set the Joint meeting with the Board of County Commissioners for April 25, 1995, at 5:00 P. M.

**5. CITIZENS NOT ON AGENDA**

1. Mr. Richard Conover requested that the Board consider the adoption of a Resolution in March to recognize the Senior Olympics week. The Commission directed the County Administrator to prepare a Resolution.

**6. COMMISSIONERS:**

**CANALE: APPOINTMENT TO HOSPITAL DISTRICT BOARD-MICHAEL R. LEE**

Motion by Commissioner Canale, seconded by Commissioner Barrett to

appoint Mike Lee to the Hospital District Board to fill the vacancy created by Jimmy Wohl's resignation. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 38 for copy of resume.

**BARRETT:**

Commissioner Barrett thanked Dan Foley of the Citrus Growers Association for the Dinner invitation and the interesting information.

**GOSE:**

Commissioner Gose thanked John Martz and Betty Neale, Private Industry Council Members and the new Reddi Member, Commissioner Gentry. Commissioner Gose suggested that the time has come for Highlands County to form their own PIC Council. He requested that the Board Attorney help with the state regulations.

**7. ADJOURNMENT**

The meeting adjourned at 11:10 A.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, FEBRUARY 21, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Tom Portz  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Mr. Bill Jones, Undersheriff presented the Daily Jail Log of Inmate Count for the period ending February 21, 1995.

- B. CLERK**

L. E. "Luke" Brooker, Clerk requested that the Value Adjustment Board be placed on the Agenda for appointment of three members from the Board of County Commissioners. He reported that two members will be appointed by the School Board.

Mr. Brooker also congratulated Crystal Jackson, who won Junior Miss Highlands County and Brittany Godwin, runner-up.

- C. MEETINGS:**

The Assistant County Administrator read the reported meetings into the record. Additional meetings were also entered into the record. A Public Hearing was set for Tuesday, February 28, 1995 at 9:00 A.M. to consider the CDBG Grant for Highway Park Water Line.

4. **ACTION:**

- A. PUBLIC HEARING TO CONSIDER ZONING CHANGES-JIM POLATTY-DEVELOPMENT DIRECTOR**

**HEARING #1317-LAKE PLACID CAMP FLORIDA RESORT INC.**

Proof of Publication entered into the record. See SMB 23 Page 40. Due to illness, applicant is requesting an extension to complete the environmental impact study that was requested by the Planning and Zoning Commission. Recommend to table until such time all requirements by the Planning and Zoning Commission are met. Motion by Commissioner Gose, seconded by Commissioner Barrett to table this Hearing as recommended by Planning and Zoning

Commission. Upon Roll call, all Commissioners voted aye. Motion carried.

**HEARING #1345-BOARD OF COUNTY COMMISSIONERS**

Proof of Publication entered into the record. See SMB 23 Page 41. Three separate parcels of land totaling 6.6217 acres and all being in Section 25, Twp. 36, Rge. 29.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution approving zoning change from R-3, R-1-A and I-2 (Multiple Dwelling district, Residential district and Industrial district) to PU (Public Lands District). Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 32.

**HEARING #1346-BOARD OF COUNTY COMMISSIONERS**

Proof of Publication entered into the record. See SMB 23 Page 42. Approximately fifty-two (52) acres in Sec. 22, TWP. 35 Rge. 29, located on Skipper Road in Desoto City, (old existing landfill). Public input was received from Preston Colby and Kris Delaney. Staff, Vaden Pollard and Gary Lower explained the purpose of the request.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution approving request for a class I landfill, solid waste administration office, and recycling operations facility. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 33.

**HEARING #1347-AVATAR LEISURE LAKES, INC., A FLORIDA CORP.**

Proof of Publication entered into the record. See SMB 23 Page 43. Requesting a zoning change from B-2 (Limited Business District) to R-1 (Residential District). This lot is contiguous to R-1 zoned properly. Desire to use as a model home with the capability to sell as a single family detached residence in the future.

Motion by Commissioner Barrett, seconded by Commissioner Gentry to adopt Resolution approving request for the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 34.

**B. WORKSHOP: PROPOSED SETTLEMENT-HEARTLAND ENVIRONMENTAL COUNCIL**

1. Chairman calls workshop to order at 9:40 A.M.
2. Deputy Clerk calls roll with all members present.
3. Board Attorney explains Settlement Proposal.
4. Kris Delaney presented proposed changes to the Settlement. Three points of contention were

discussed.

5. Break called 10:30 A.M. until 10:55 A.M.

The Workshop reconvened with all Board Members present and C. Michael Eastman sitting for the Clerk of Courts.

6. Staff presented recommendations
7. Public input received from Dan Foley, Citrus Growers, Association, peaking on cost of implementation and manpower requirements. Jimmy Heard of Lake Placid, regarding the ten year limit. Joe Clarke, Citizens for Constitutional Property Rights, presented statement on property rights. Betty Neale, speaking for J. W. Jones, regarding the Economic Development Commission.
8. Board Attorney advised dates for the Hearing to go before the Planning and Zoning on March 14, 1995 and the Transmittal Hearing to be held on March 21, 1995.

The consensus of the Commission regarding Policy 3.4 was to set mitigation fee at \$100 for lots under 1/2 acre and lots over 1/2 to one acre at \$175. Commercial to continue as we do it now. The County Planner, Jeff Ludwig and the Board Attorney, Ross Macbeth, along with Kris Delaney, H.E.C. to work out a policy for Plan Amendment Hearing in March. Policy 3.13, Land Clearing, to set the term at seven (7) years before period expires. For development of Ag lands, consider hardship exemption. (Use Soil Types) See SMB 23 Page 44 for copy of proposal. See County Planner for file copy of Proposal from H.E.C.

**5. COMMENTS AND QUESTIONS:**

**A. MARION POPPE, KISSIMMEE PROPERTY OWNERS: PARKING AND LITTER**

Mr. Poppe presented pictures of the Kissimmee Property and suggested signs be placed in their subdivision. Commissioner Gentry recommended that this area be included in the voluntary clean-up program from the Sheriff's Department as an incentive to the neighborhood.

Clarence R. Brown, Vice-President of Crime Watch spoke to the Board regarding the enforcement problems. The Assistant County Administrator will contact the Code Enforcement Department to increase their level of activities.

**B. JIMMY HEARD: EAST CHAIN OF LAKES**

Mr. Heard addressed the Board requesting maintenance of a drainage

ditch. The Operations Director advised that a permit from DEP has not been secured. Mr. Pollard has been working with Mr. Heard and D.E.P. for the past two years without success. The County may dredge the canal but at the risk of being ordered to restore the wetlands. Larry Sharpe of the Soil Conservation stated that it is the responsibility of the County to maintain the ditch. However the land has been considered wetlands for twenty (20) years. The Board Attorney stated that the property is essentially in the same condition it was when the property was purchased. Mr. Heard's deed does not constitute an entitlement, but rather the County's easement to access for maintenance. Regardless, the ditch problem is not on his property but on adjoining property closer to Lake Apthorpe. The Board agreed to find out what an environmental impact study might cost and to revisit the problem on March 7, 1995. See SMB 23 Page 45 for copy of easement and letter from Mr. Pollard.

**LUNCH BREAK 1:38 P.M.**

The meeting reconvened at 2:30 P.M. with all members present.

**C. RESOLUTION RECOGNIZING "FLORIDA SESQUICENTENNIAL YEAR"**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution recognizing Florida Sesquicentennial year during 1995 and encouraging all citizens to support the celebration and affiliated activities. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 35.

**D. CONSENT AGENDA:**

The Assistant County Administrator read the Consent Agenda into the record. Public input was received from Preston Colby asking for approval to waive the fee for the Sebring Airport Authority for a variance from the Zoning Board of Adjustment. Mr. Colby requested the Board reconsider a rebid on the monitoring well analyses contract with the addition of the other well combined with the bid. He also gave suggestions for the Radiological Emergency Preparedness Grant.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda. Commissioner Gose amended his motion to remove Item #5, Monitoring Well Analyses Contract until staff has a chance to check on the rebid posture and possible delay in the project. Budget Amendment #93-94-346 was an addition to the Agenda items. Commissioner Gentry accepted the amendment.

- 1. Approval to pay the following duly authorizes bills as listed:**



Law Library	626.58
General	409,905.76
County Transportation	44,398.29
"E911" Operation	389.46
Conservation Trust	4,865.00
Local Govt Infrastructure Surtax	509,456.58
Correctional Facility	7,273.75
Solid Waste	28,044.94
Water/Sewer	13,196.67
Risk Retention	2,637.89
Employee Benefit	72,884.26

2. Approval of minutes of 2-7-95
3. Accept into the record-January Monthly Reports
4. Approval to waive variance application fee for the Sebring Airport Authority. See SMB 23 Page 46.
6. Approval to execute bus parking agreement with School Board
7. Appointment to Professional Services Acquisition Committee (Charles Crown) See SMB 23 Page 47 for copy of resume.
8. Approval of standby ambulance at Car Show See SMB 23 Page 48.
9. Accept into record-Amended Combined Statement of Position. Clerk of Courts, See SMB 23 Page 49.
10. Approval to utilize Radiological Emergency Preparedness Grant. See SMB 23 Page 50.
11. Approval of budget amendments #94-95-088, 89 and #93-94-346.

Upon Roll call, all Commissioners voted aye. Motion carried.

**E. BUDGET OFFICER:**

1. REQUEST DIRECTION ON BUDGET POLICY FOR '95-96 BUDGET CYCLE

The Budget Officer presented a brief overview of the Budget Preparation Cycle. He requested direction from the Commission for Budget priorities for the coming year, which includes a tentative

salary increase for employees, funding priorities and the format for developing the budget. See Budget File for copy of information. Various independent responses were received from Board members. The general consensus appeared to be to hold the line on millage and no new taxes. The Budget Officer will provide a ranking sheet with comments listed at the bottom for the Commission to complete. The Budget Officer also reviewed the Budget Calendar for 1995-96 fiscal year deadlines.

**2. PROPOSED CHANGES TO CAPITAL IMPROVEMENT PLAN**

Rick Helms, Budget Officer submitted proposed changes and updates to the CIP Plan. Also included in the memo were three different summaries of projects requested in the CIP. See Budget file for copy. Discussion was held on requested projects. The consensus was to cut the lots at Placid Lakes and the lot at H. L. Bishop Park. The Board and staff seemed to lean toward Attachment II. Discussion will be resumed on March 7, 1995 meeting.

**F. DEVELOPMENT DIRECTOR: PLANNING DEPARTMENT STAFFING PROPOSAL**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve recommendations of the Development Director for staffing proposal and to also approve the temporary Planner I Job Description. See SMB 23 Page 51 for explanation. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. BOARD ATTORNEY: CONSIDERATION OF EASEMENT FOR PLACID UTILITIES**

**CAVANAGH AND KILPATRICK EASEMENT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve easement for Placid Utilities from Cavanagh and Kilpatrick with the added provisions and to grant the waiving of the hook-up fee as proposed by the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

**MARY E. COURTNEY AND MARY COURTNEY MILLER**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept easement from Mary Courtney and Mary Courtney Miller based on receiving original easement as requested by the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

**SUBORDINATION AGREEMENT SHIP PROGRAM**

Motion by Commissioner Gose, seconded by Commissioner Barrett to authorize the Chairman to execute the Subordination Agreement for the modification rate with Barnett Bank for the mortgage of Richard and Dorothy Davis. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 52.

**H. ASSISTANT COUNTY ADMINISTRATOR: VACANCIES ON BOARD OF  
ADJUSTMENT AND PLANNING & ZONING COMMISSION**

The consensus of the Board was to reschedule for March 7, 1995 meeting.

**1) BERT HARRIS - EXCESSIVE GOVERNMENT REGULATIONS**

Letter received from Rep. Harris requesting the county cooperate in identifying statutes or unreasonable regulations that might be deleted from law.

The Board directed staff to identify any unreasonable regulation and send to Rep. Harris's office. The Board will be copied with the information. See SMB 23 Page 53 for copy.

**2) BOARD OF COUNTY COMMISSIONERS AND TOWN OF LAKE  
PLACID COUNCIL JOINT MEETING**

The Commission was in agreement to set the meeting date as specified by Town Council for the joint meeting on 4/20/95 or 4/27/95 at 5:30 P.M. Commissioner Barrett to confirm this date.

**3) LETTER OF COMMENDATION FROM THE CITY OF CLERMONT  
ADDRESSED TO THE EMS DIRECTOR SUPPORTING JOHN AND  
CAREY BLONDIN FOR THEIR ASSISTANCE IN AN ACCIDENT.**

**4) HIGHLANDS COUNTY BOOTH HAS BEEN RETRIEVED FROM THE  
STATE FAIR AND SET UP AT THE COUNTY FAIR.**

**5) AVON PARK LANDFILL**

The consensus of the Commission was to direct staff to proceed with specs to place the Avon Park Landfill out for bid. The Board Attorney stated serious concerns about selling the Landfill. Mr. Macbeth suggested that the Board might consider turning it over to someone unless the county agrees to pay for a full environmental assessment. The Chairman suggested that this item should be readdressed at a workshop.

**5. CONSENT AGENDA ITEM #5 APPROVAL TO EXECUTE MONITORING WELL  
ANALYSES CONTRACT**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve Item #5 on the Consent Agenda and if an additional well can be added on to the contract, the attorney will indicate. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. ADJOURNMENT**

The meeting adjourned at 4:31 P.M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MARCH 7, 1995**

1. The meeting was called to order at 9:00 A.M. at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 3/7/95. See SMB 23 Page 57.

- B. CLERK**

L.E. "Luke" Brooker, Clerk reported that Judge Clifton Kelly has suffered a heart attack and is in a Tampa Hospital. He is expected to undergo a catheterization.

- C. MEETINGS:**

The reported meetings were read into the record by the County Administrator. Additional meetings were also announced for the benefit of the public.

The Board Attorney announced that an Executive Session has been noticed for today at 11:45 A.M. to discuss the Mark Lane case. A certified Court Reporter will be present and a Public Hearing is scheduled for 1:00 P.M. after the session.

4. **ACTION:**

- B. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING CODE ENFORCEMENT (CHP.2,ART,V)**

Proof of Publication entered into the record. See SMB 23 Page 58. Captions of the Ordinance read into the record by the Board Attorney. Explanation presented. The Chairman opened for public input. None was received

Motion by Commissioner Barrett, seconded by Commissioner Gentry to adopt Ordinance #95-6, repealing Ordinance numbers #92-26 and #92-15 and amending and adopting Article V of Chapter 2 of the Code of Ordinances. Upon Roll call, all Commissioners voted aye. Motion

carried.

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING HEARING OFFICERS (CHP.2,ART.VI)**

Proof of Publication entered into the record. See SMB 23 page 59. The Board Attorney read the Captions of the Ordinance. Explanation was presented. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Ordinance #95-7; providing for the addition of a new Article VI and procedures before Hearing Officers. Upon Roll call, all Commissioners voted aye. Motion carried.

**A. PUBLIC HEARING TO CONSIDER ROAD CLOSING-GRAND PRIX DRIVE CLIFFORD RHOADES FOR CAROLE GLOVER STALVEY**

William Lecher, County Engineer presented Petition for closing a portion of Grand Prix Drive of Sebring Country Estates Subdivision Proof of Publication and letters from Utility Companies stating no objection to the closing was entered into the record. See SMB 23 Page 60 for proof of Publication. Public input was received from Cliff Rhoades, Attorney for the Petitioner.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution closing a portion of Grand Prix Drive. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 36.

9:30 A.M. The Chief Deputy Clerk, I.V. "Buddy" McKenzie replaced the Clerk, L.E. "Luke" Brooker.

**D. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY (FOR EUCALYPTUS PARKWAY-(G.K. GROVES)**

Proof of Publication entered into the record by William Stephenson. See SMB 23 page 61. The County Administrator explained the history of the proposed purchase agreement. The Chairman opened the Hearing for public input. It was received from Clayton Womer, Jim Garrett of G. K. Groves, Herbert Weeks, Margie Rhoades, Evelyn Forrester and Mike Starveic. After repeated Board discussion, a motion was made by Commissioner Gentry, seconded by Commissioner Barrett to table the decision on purchase of property from G.K. Groves, Inc. for the Eucalyptus Parkway in the amount of \$73,250. Upon Roll call, Commissioners Gentry, Canale, Barrett and Maxcy voted aye. Commissioner Gose voted nay. Motion carried.

**E. CONSENT AGENDA:**

The County Administrator requested the Board remove from the Consent Agenda, items #9 and #15. Other Consent Agenda items were read into the record by Mr. Cool.

Motion by Commissioner Gentry, seconded by Commissioner Gose, to

approve the Consent Agenda as follows:

1. Approval to pay the following duly authorized warrants as listed:
 

Law Library	51.45
General	1,433,993.80
County Transportation Trust	31,640.79
"E911"Operations	225.29
Law Enforcement Education	998.25
Local Govt Infrastructure Surtax	206,511.86
1966 Certificates of Indebtedness	875.00
Correctional Facility	216,209.18
Solid Waste	215,106.69
Water/Sewer	385,486.74
Risk Retention	4,246.43
Employee Benefit	146,124.78
Special Payroll	104,896.62
  
2. Approval of minutes of 2-14-95 and 2-21-95
  
3. Approval of street name changes within Orange Blossom Country Club Community, Units 14-19. See SMB 23 Page 62.
  
4. Approval to offer surplus property for auction  
See SMB 23 Page 63.
  - A. RB 261 1972 CATERPILLAR M#120 MOTOR GRADER
  - B. RB 262 1972 CATERPILLAR M#120 MOTOR GRADER
  
5. Approval to execute agreement for archaeology grant and Janus Research as Contractor.
  
6. Approval to execute agreement for Marl Pit permitting. See SMB 23 Page 64.
  
7. Approval to execute agreement for C&D landfill permit renewal. See SMB 23 Page 65.
  
8. Approval of stand-by ambulance for Cancer Society. See SMB 23 Page 66.
  
10. Accept into record SW Fla. Water Management District annual reports
  
11. Designation of the Nature Conservancy for Sun'n

Lake Preserve acquisition. See SMB 23 Page 67.

12. Approval to execute Water Quality Grant, Southwest Florida Water Management District.
13. Approval of revisions to HRS Public Health Unit contract for 1994-95. See SMB 23 Page 68.
14. Approval of plat recording-Highlands Oaks RV Resort Phase II
16. Approval of budget amendments #94-95-096-099
17. Approval of F.Y. 93-94 Audit Response. See Audit file for copy.

Mr. Richard Conover spoke to the Commission regarding the EMS Stand-by Coverage. He was advised to resubmit his request this year for Senior Olympics coverage.

Mr. Hank Kowalski took exception to certain statements in the Water Quality Grant regarding the impact from Citrus Groves.

Commissioner Barrett read into the record, Item #11, Designation of the Nature Conservancy, should be approved contingent upon approval by the NRAC at their meeting.

Upon Roll call, all Commissioners voted aye. Motion carried.

9. Approval of write-off EMS bill, Linda P. Matthews. See SMB 23 Page 70.
15. Approval to support Sebring Airport Authority's amendment to Enabling Act. See SMB 23 Page 69.

Motion by Commissioner Gose, seconded by Commissioner Gentry to allow the EMS Director to proceed with collection of this account as per county policy for Item #9 and to approve request for Item #15 and adopt a Resolution in support of the Sebring Airport Authority's amendment to the Enabling Act. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 37.

**BREAK 10:40 A.M-11:00 A.M.**

The Chief Deputy Clerk was replaced by C. Michael Eastman, Director of Accounting and Finance.

**F. 11:00 A.M. DEPARTMENT OF TRANSPORTATION PRESENTATION:**



**U.S. 27 CORRIDOR STUDY**

Ms. Sherry Carver, Project Manager, introduced the DOT team, Susan King, the Department's liaison to the rural counties, the Project Consultant Team, Nathan Silva, and Dan Presslor from Glatting Jackson of Orlando. Ms. Carver also acknowledged the Highlands County Planning members, who are working closely with the team. The purpose of the study is to find alternate routes to the existing U.S. 27 corridor that will carry the county's traffic needs through 2020. Mr. Silva reviewed the widening project's construction timetable and addressed the five remaining U.S. 27 alternatives.

Mr. Hank Kowalski stated that there has been too little input on the project from the environmental community. Ms. Carver volunteered to present a list of the Advisory Group that attended the workshop.

He also suggested that double-decking of highways should be considered. The DOT representative stated that this is not a viable solution to traffic problems.

The consensus of the Board was to give their support for a specific alternative after the public has a chance to express their views at the workshop on March 28, 1995. See DOT file for copy of presentation.

**EXECUTIVE SESSION BOARD OF COUNTY COMMISSION vs MARK LANE**

The Chairman announced that the time being 12:00 P.M., an Executive Session has been called by the Board Attorney to discuss the case between Mark Lane and the Board of County Commissioners. The members present were Chairman, C. Guy Maxcy, Vice-Chair, Doris Gentry, James L. Gose, Jeri Canale and John D. Barrett. Board Attorney, J. Ross Macbeth and the County Administrator, Carl Cool. Also present was a certified court reporter, Tina Huntley.

The regular meeting was called back to order at 1:20 P.M. with all members present and I.V. "Buddy" McKenzie sitting for the Clerk.

**PUBLIC HEARING TO CONSIDER SETTLEMENT WITH MARK LANE FOR INJURIES SUSTAINED**

The Board Attorney advised that this Public hearing has been properly advertised to consider settlement for injuries received by Mark Lane during his employment with the County.

Motion by Commissioner Gose, seconded by Commissioner Barrett to accept recommendation of the Board Attorney and authorize the Chairman to execute necessary documents for the Settlement in the amount of \$22,500. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. 3. REQUEST FROM HEARTLAND RURAL ECONOMIC DEVELOPMENT INITIATIVE FOR FUNDING**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the expenditure for the per capita funding request for the Heartland Redi allocation in the amount of \$3,660.15. This amount to be taken out of the Contingency Fund. Mr. Hank Kowalski objected to using taxpayer's money for funding of Heartland Redi, Inc. Mr. Jimmy Heard spoke regarding the issue of property rights. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 71.

**G. 2. F.Y. 1995-96 BUDGET POLICY**

The Budget Officer handed out a priorities ranking sheet, requesting that the Board rate their priorities and present back to him. The Board ranked the employees raise as number one priority with a 3 1/2% total increase and the budget packet similar to the last fiscal year. The Commissioners will also rank their priorities to give a guideline of their fiscal policies. A request was presented to give the public a chance to include their priorities. The County Administrator to advise the newspapers. The Budget Calendar will be presented with the same format and interaction from department heads on savings to the county.

**G. 1. CONSIDERATION OF PROPOSED CHANGES AND ADOPTION OF CAPITAL IMPROVEMENT PLAN**

- a) Commissioner Canale request for more parks and recreation for children
- b) Commissioner Barrett-priority is for water
- c) Request to drop Placid Lakes Boat Ramp/Park
- d) Harold Owen-request to implement recreation tax
- e) Commissioner Gose-request to move up Eucalyptus Phase III to Phase I in 95-96
- f) Discussion on Oak Park ROW acquisition
- g) Clayton Womer in opposition to Eucalyptus By-Pass
- h) Jim Rodgers-request to look at N. Extension 635 in terms of acquisition
- i) County Administrator-discussion on financing for Government Center
- j) Expansion to the Sebring Library
- k) Spouse Abuse Shelter-refurbishing building-Gentry
- l) EMS Station-discussion on renovation of convenience store for administration and station. The EMS Director was asked for his opinion. He stated serious reservations with

the Minute Market location. Commissioner Barrett advised that he would prefer to refurbish the George Blvd. location.

See SMB 23 Page 72 for copy of changes to the CIP.

**H. OPERATIONS DIRECTOR: EAST CHAIN OF LAKES CHANNEL CLEARING**

Vaden Pollard, Operations Director readdressed the cleaning of the East Chain of Lakes Channel System. He has been in contact with an environmental firm for a cost to clear the 200' of channel. See SMB 23 Page 73. Public input was received from Clayton Womer requesting that the Board accept the recommendation of the Operations Director. Mr. Hank Kowalski also echoed the same sentiments of Mr. Womer to not clean the ditch. Mr. Jimmy Heard spoke to the Commission regarding their responsibility in maintaining the ditch. No action was taken by the Board. The Chairman stated that he would go with Mr. Heard personally and speak with DEP regarding this issue.

**Break 3:45 P.M.**

The meeting was called back to order at 3:55 P.M. with all members present.

**L. COUNTY ADMINISTRATOR**

**2. PRESENTATION OF EUCALYPTUS PARKWAY STATUS**

- 1) Carl Cool-presentation, See SMB 23 Page 74. Refer to tape for more information
- 2) Clayton Womer listed grave concerns with the By-Pass
- 3) County Engineer-overview of route

**D. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY EUCALYPTUS PARKWAY-G.K. GROVES)**

Motion by Commissioner Gose, seconded by Commissioner Gentry to enter into contract with G. K. Groves, contingent upon the City Council going forward with the project. Upon Roll call, Commissioners Gose, Gentry, Barrett and Maxcy voted aye. Commissioner Canale voted nay. Motion carried.

**I. DEVELOPMENT DIRECTOR:**

**1. CONTRACT WITH CONSULTANT-FRED FOX ENTERPRISES**

Jim Polatty, Development Director presented recommendations to hire Fred Fox Enterprises, Inc. to prepare a Community Development Block Grant for water service to the Highway Park neighborhood.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the recommendation of the Development Director to select

Fred Fox Enterprises and to execute the Contract. The motion was amended to allow follow up assistance after the contract is awarded. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 page 75.

**2. APPOINTMENTS TO COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to appoint Susan England, Karen Stringfield, John Hays, Norman McMinnis and Selvin McGahee to the Citizens Advisory Task Force. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 76.

**J. ASSISTANT COUNTY ADMINISTRATOR:**

**1. EXECUTION OF WORK RELEASE PROGRAM AGREEMENT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the Chairman to execute an Interlocal Agreement with the Sheriff and direct staff to move forward to place coverage from quote received. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 77.

**2. CONSIDERATION OF CLAIM WAIVER ON RON McCLURE**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve waiver of Lien Consideration in case of Ronald McClure, accident of 11/03/90. Upon Roll call, Commissioner Maxcy voted aye. All other Commissioners voted nay. The motion did not carry. See SMB 13 Page 78. Lien to be enforced.

**3. EMS FEDERAL LABOR SETTLEMENT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the Chairman to sign necessary documents and approve the tentative solution of \$85,000 for back wages and instruct staff to move forward with this resolution. Upon Roll call, all Commissioners voted aye. Motion carried.

The Assistant County Administrator presented an update on the Jail. See Jail file for copy.

**K. BOARD ATTORNEY: PRESENTATION OF PROPOSED ORDINANCE DEALING WITH SEXUALLY ORIENTED BUSINESS**

The Board Attorney read the Captions of the Ordinance and explained the details. Public hearing dates were set for April 4 and April 18, 1995 at 5:01 P.M.

**BOARD ATTORNEY: LIGATION CASES SET FOR MARCH 21, 1995 AT 11:00 A.M.**

**L. COUNTY ADMINISTRATOR:**

**1. APPOINTMENTS TO BOARD OF ADJUSTMENT/PLANNING & ZONING COMMISSION**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve appointments of Bill Borgemeister, and William Perin to the Planning and Zoning Commission and the Board of Adjustment as alternates. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 78 for copy of resumes.

**3. RECOMMENDATION ON PROPOSED PHASE II WATER SYSTEMS IN FRANSVILLA AREA**

The County Administrator gave a presentation on the possibility of borrowing \$200,000 at 7.08% interest rate. If 100 homes hook-up the surcharge would be \$23.54 per month per household for the project. Mr. Harold Owen stated that the purpose of this project was not to make money; but to provide the resident with potable water. The Board discussed using infrastructure monies or applying for a grant to extend the water lines.

Bill Lecher, County Engineer, speaking for Greg Carruthers, advised that the likelihood of obtaining grants for the Fransvilla area is very high. Time is very important. The consensus of the Commission is to direct staff to proceed with a consultant to obtain the grant.

**4. CONSIDERATION OF CSX TITLE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to execute the contract and close the purchase. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 79.

**5. RECOMMENDATION ON OFFICE FOR STATE ATTORNEY**

Motion by Commissioner Gentry, seconded by Commissioner Gose not to accept any bids for purchasing the building for the State Attorney's office. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to waive the bidding procedure because of a time requirement with the State Attorney's office and award the bid to Spacemaster International in the amount of \$61,910 for lease of a 42'X64' building for a 24 month period. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 80. The County Engineer explained the bids.

**6. STATE AID TO LIBRARIES GRANT-MARY MYERS**

The County Administrator reported that this grant came in at approximately \$127,000 less than anticipated. The Library Director has put together a suggested reduction of her operation. See SMB 23 Page 81. She has identified \$51,525 of cuts. Two positions are

to be affected. This item will be placed on the agenda for next week for discussion.

**7. LETTERS OF COMMENDATION**

The County Administrator reported that two letters of commendation were received. The letters received were complimenting Kevin Roberts and Shelia Miller.

**5. COMMENTS AND QUESTIONS:**

**A. GERALD KEEN/THOMAS BROOKS: REQUEST FOR ROAD MAINTENANCE**

Not available for comment.

The Operations Director advised that this road does not meet the county's current criteria for road maintenance. Mr. Pollard suggested a workshop to discuss the current policy and to review the roads that do meet the criteria and are on the waiting list for county maintenance.

**6. COMMISSIONERS**

**ORANGE JUICE SQUEEZING CONTEST APRIL 1, 1995 AT 10:00 A.M.**

**7. ADJOURNMENT**

The meeting adjourned at 6:09 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MARCH 14, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by the Chairman of the Board.

3. **ANNOUNCEMENTS:**

Commissioner Gose congratulated Commissioner Gentry on becoming a new grandmother. Her daughter delivered a 10 lb. 4 oz. baby boy named Ryan Talmadge Good.

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending March 14, 1995. See SMB 23 Page 82.

The Board discussed the compliance issue with the overcrowding problem and the new expansion solution. Mr. Earl Pickett, retired Sgt. from Dade County, stated that he and the Chief spent four (4) hours in jail due to a non-compliance.

- B. **CLERK-VALUE ADJUSTMENT BOARD APPOINTMENTS**

Motion by Commissioner Gose, seconded by Commissioner Canale to appoint Chairman Maxcy, Commissioners Gose and Barrett to the Value Adjustment Board. Upon Roll call, all Commissioners voted aye. Motion carried.

- C. **MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. **CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the Consent Agenda as listed with the addition of budget

amendment #94-95-106 for the transfer of funds from Emergency Medical Service Machinery and Equipment to the State Attorney Rentals and Leases account.

1. Approval of minutes of 2-28-95 public hearing
2. Approval of Emergency Management grant expenditures. See SMB 23 Page 83.
3. Approval to execute resolution to set public hearing date on road closing of Brighton Road for March 14, 1995. See Res. Book 9 Page 38.
4. Approval to execute traffic signal maintenance order #24 at Interlake Blvd./Main Street in Lake Placid, DOT. See SMB 23 Page 84.
5. Approval to execute grant agreement for Family Court
6. Approval of budget amendments #94-95-101,102,103,105
7. Appointments to Recreation Committee (Dee McDonald and C.B. Shirey) See SMB 23 Page 86 for copy of resumes.

The Clerk explained the Family Court position created through the grant agreement.

Bob Lindsey, Highlands County Homeowners Executive Board, spoke to the Library budget cuts. Mr. Lindsey made a plea on behalf of the seniors who are incapacitated, to spare the bookmobile.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. ASSISTANT COUNTY ADMINISTRATOR: JAIL UPDATE**

Mr. Portz advised that the construction was proceeding on schedule See Jail file for copy.

**C. COUNTY ADMINISTRATOR:**

**1. REPORT ON EUCALYPTUS PARKWAY DISCUSSION AT CITY COUNCIL MEETING**

The County Administrator gave a brief overview of the project. He advised that City Council voted to move forward with the project. Mr. Loren J. Eby stated concerns for the bottleneck of traffic on US 27. **See DOT for file copy.** The consensus of the Board was to move forward with the project.

**2. RECOMMENDATION ON CONSTRUCTION MANAGER RFP FOR GOVERNMENT CENTER**

Motion by Commissioner Gose, seconded by Commissioner Canale to



approve the Construction Manager form of construction delivery for the Government Center and the issuance of an RFP in accordance with the Board's Purchasing Manual. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. IMPROVEMENTS PRIOR TO THE 6-LANING OF US 27**

The County Administrator reported on construction of a dual south bound lane at Howard Johnson's Restaurant to eliminate traffic back-up. The Board directed the County Administrator to approach the City Council to offer in-house engineering.

**BREAK 10:35 A.M.- 10:45 A.M.**

**5. CITIZENS NOT ON AGENDA:**

1. Mr. Dan Foley addressed the Board regarding the stand of the Citrus Growers Association on H.E.C. Settlement. The County Administrator advised that the Planning and Zoning Commission has this issue before them this evening. The Board also has an executive session and a public hearing scheduled for next week. The Chairman questioned the bankruptcy issue.
2. Mr. Earl Pickett presented a prepared statement for the County Administrator to read into the record. The statement praised Mr. Harold Owen and will be sent to the editor for publication. See SMB 23 Page 87 for copy.
3. The Administrator thanked the commissioners and county employees for their participation in the "paint your heart out program"

**6. COMMISSIONERS**

1. Commissioner Canale requested adult help in the "Big Brothers and Sisters" program.
2. Commissioner Barrett reported on the National Association of County Commissioners meeting in Washington D.C.

**7. ADJOURN**

The meeting adjourned at 11:07 A.M.

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Chairman

Attest:

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Clerk

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**REGULAR MEETING OF THE BOARD, MARCH 21, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commissioners Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Mr. Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending March 21, 1995. See SMB 23 Page 88.

- B. **CLERK**

L. E. "Luke" Brooker, Clerk reported on the health condition of Judge Clifton Kelly. Mr. Brooker also sent condolences to the family of Dr. Harold Henderson of Wauchula, Florida.

- C. **MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. **PUBLIC HEARING TO CONSIDER ATTACHED ZONING CHANGES**

**HEARING #1348-LAKE PLACID HOLDING COMPANY**

Lots 34,35,36,37,38 and 39, Block 1, Section 19, Placid Lakes. Requesting a zoning change from R-1A (Residential district) to AU, (Agriculture). Desire to construct T-Hangers under a special exception, to improve the air strip.

Proof of Publication entered into the record by Gary Lower, Zoning Supervisor. See SMB 23 Page 89. Staff reports presented. Chairman opened for public input. Those speaking in favor were Fred Arch, Joe Dyer and Earl Binder of Placid Lakes. Pictures were entered into the record. See file for copy.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution approving the zoning change with the Declaration

of Unity of Title as recommended by staff. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 39.

The Board was advised that a zoning change would be forthcoming for the Avon Park Estates area including the land purchased by the City of Avon Park for airport extension from AU (Agriculture) to EU (Estate).

**B. PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION (HIGHWAY PARK WATER SYSTEM)**

Proof of Publication entered into the record. See SMB 23 Page 90. Mr. Jim Polatty explained the process necessary for the grant. Mr. Fred Fox presented completed recommendations for the grant application to provide water service for the Highway Park area. The Chairman opened the Public Hearing for public input. Mr. Frank Platt, representing Ms. Jean Jackson of the Republican Executive Committee, spoke in opposition to the Affirmative Action Resolution. Fred Carino, Personnel Director, reported that the county has adopted an equal employment program and is in compliance with all state mandates and guidelines that would fall under the Affirmative Action Plan. Mr. Robert Saffold spoke in favor of the adoption. Kim O'Conner, Planning Department, entered a letter into the record from Roger Christopher, Health Department, in favor.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt instruments necessary to obtain grant as listed, with the approval of Fred Fox to move forward with the grant.

1. **HIGHLANDS COUNTY COMMUNITY DEVELOPMENT CITIZENS PARTICIPATION PLAN**
2. **RESOLUTION ON COMPLAINT AND GRIEVANCE PROCEDURE OF HANDICAPPED EMPLOYEES**
3. **COMPLAINT AND GRIEVANCE PROCEDURE OF HANDICAPPED EMPLOYEES**
4. **RESOLUTION ADOPTING AFFIRMATIVE ACTION PLAN**
5. **ANTI-DISPLACEMENT PLAN**

Upon Roll call, Commissioners Gentry, Gose and Maxcy voted aye. Commissioners Barrett and Canale voted nay. Motion carried. See Res. Book 9 Page 40.

**BREAK 10:11 A.M - 10:20 A.M.**

**D. FRED FOX: WORKSHOP ON FAIR HOUSING-JIM POLATTY**

The Development Services Director explained the Fair Housing Ordinance that was adopted by the County and reviewed policies spelled out in the Ordinance. The Workshop was designed to provide public information concerning the County's fair housing policies and inform the public of the procedures to process or make fair housing complaints.

**E. JIM MCCOLLUM: SCHOOL BOARD REQUEST FOR YOUTH CARE PROPERTY**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve request from the School Board to transfer Youth Care property back to the School Board. Steve Roberts spoke in favor of this request. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. JIM KELLY: WARREN WRIGHT LAWSUIT**

Attorney Kelly requested that the Commission honor the settlement that was entered into in December, 1994 by the Board's Attorney, Mr. Greg Hootman, in the Warren Wright lawsuit. The Chairman advised that the Board would be holding an executive session regarding this case at 11:00 A.M. No other action was taken. See SMB 23 Page 91 for copy of letter.

**G. DOUG LEONARD, CENTRAL FLORIDA REGIONAL PLANNING COUNCIL: SMALL QUANTITY GENERATOR CONTRACT**

Presentation by Mr. Leonard explaining the contract and amendment to the contract.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to authorize the expansion of the grant. Commissioner Gentry amended her motion to authorize a budget amendment to be taken out of the \$14,000 for upgrading of the Tax Collector's software. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 92.

**H. DIXIE YOUTH REPRESENTATIVE: REQUEST FOR 1995 BASEBALL WORLD SERIES**

Tommy Lovett, representing the Sebring Fireman, Inc. and Dixie Youth addressed the Board and requested the Commission appropriate \$7,500 to sponsor the 1995 Baseball World Series.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve to buy a sponsorship package from the Sebring Fireman Inc. of \$5,000, to include in that package a full page ad, signage for the T.V and promotional packets from the Office of Economic Development directed at these families. The amount to be taken out of the Contingency.

Ned Hancock suggested that the Commission should look at this as a

way to bring money into the county, rather than a recreational issue.

Upon Roll call, all Commissioners voted aye. Motion carried.

**J. 11:15 A.M. LEGISLATIVE HEARINGS**

DISCUSSION OF PENDING LITIGATION-Pursuant to Section 286.011 (8) Florida Statutes, with those present being Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose, Doris Gentry, County Administrator Carl Cool, Board Attorney, J. Ross Macbeth, Attorney Gregory W. Hootman and a certified court reporter.

- 1) Warren Wright v. Highlands County, Circuit Court for Highlands County, GC 93-323
- 2) Sanders v. Allstate Insurance Co. and Highlands County Circuit Court for Highlands County, GC93-379
- 3) Heartland Environmental Council, Inc. v. Dept of Community Affairs and Highlands County Division of Administrative Hearings, DOAH 94-2095GM

The regular meeting reconvened at 1:15 P.M. with all members present.

**I. CONSENT AGENDA:**

The County Administrator requested the removal of Item #9, Approval to execute contract for fence to be heard at a later date. Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the Consent Agenda as listed.

- 1. Approval of minutes of 3-7-95.
- 2. Approval to pay the following duly authorized warrants as listed:

Law Library	1,246.87
General	1,006,725.95
County Transportation Trust	53,899.76
"E911" Operations	242.00
Law Enforcement Education	542.00
Local Govt Infrastructure Surtax	477,492.72
Community Development Block Grant	786.89
Correctional Facility	53,990.88
Solid Waste	158,435.90
Water/Sewer	1,306.70

Risk Retention	148,879.81
Employee Benefit	256,419.22
Special Payroll	4,487.50

3. Accept into the record-February Monthly Report.
4. Approval of payment for excess capacity inmates. See SMB 23 Page 93.
5. Approval of budget amendments #94-95 104,107,109,110.
6. Appointment to Citizens Advisory Task Force (Shirley Wilson). See SMB 23 Page 94 for copy of resume.
7. Approval of Emergency Medical Service standby policy. See SMB 23 Page 95.
8. Accept into record-Historic Properties Survey. See SMB 23 Page 96.
10. Approval to execute Statewide Mutual Aid Agreement, Emergency Management.

Mr. Richard Conover spoke favorably for the approval of the EMS Stand-by coverage policy.

Upon roll call, all Commissioners voted aye. The motion carried.

**K. CODE ENFORCEMENT OFFICER: REQUEST TO DECLARE NUISANCE-CASE #9495-007 AND #94-95-025**

Motion by Commissioner Canale, seconded by Commissioner Gose to declare nuisance in case #94-95-007, Rushlo Street in Desoto City. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 97.

Motion by Commissioner Gose, seconded by Commissioner Barrett to declare a nuisance in case #94-95-025 for Sun'N Lakes of Sebring to cut the grass. The motion was withdrawn after knowledge that the property was in foreclosure.

Motion by Commissioner Gose, seconded by Commissioner Canale to declare a nuisance in case #94-95-025; Sun'N Lakes of Sebring and not to mow the yard. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 97-A.

**L. COUNTY ENGINEER: SUPPLEMENTAL AGREEMENT #25-TOMOKA HEIGHTS WASTEWATER PLAN EXPANSION**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve and execute Supplemental Agreement No. 25 with Chastain-Skillman to design services for the Tomoka Heights wastewater treatment plant expansion based on funding availability. Upon Roll

call, all Commissioners voted aye. Motion carried.

**M. ASSISTANT COUNTY ADMINISTRATOR:**

**1. WORKERS COMPENSATION DISCUSSION**

See SMB 23 Page 97-B for copy of explanation.

Motion by Commissioner Barrett, seconded by Commissioner Gentry to offer as a part of the county's negotiation a light duty status position for return to work as a 911 dispatch position to overlap until a vacancy occurs. Cost for May 1 September 30, 1995 is \$12,237.92. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. DEPT OF CORRECTIONS WORK SITE AGREEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the Department of Correction work release Contract. Upon roll call all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to allow the County Administrator or his designee to execute these agreements on an as needed basis. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 98.

**3. REQUEST TO WAIVE FEE FOR RABIES VACCINATIONS**

Motion by Commissioner Barrett, seconded by Commissioner Gentry to waive the county's fee for animal control tags for the week of April 1-8, 1995 in an effort to promote rabies vaccination to provide increased public safety. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 99.

**N. COUNTY ADMINISTRATOR: APPOINTMENTS TO CONSTRUCTION LICENSING, ENFORCEMENT AND APPEALS BOARD**

Motion by Commissioner Canale, seconded by Commissioner Gose to reappoint Michael Knott and Clarence Polston and to appoint Ralph Lynn Leighton and Franklin W. Bogardus as regular members to the Construction Licensing, Enforcement and Appeals Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 100 for copy of current board members.

**5. COMMENTS AND QUESTIONS:**

1. The County Administrator reported that Rep. Bert Harris has filed a bill to get more funding for Aquatic Weed control in Lake Istokpoga. This has been received with great opposition due to taking funds out of road construction. The Coastal Counties are totally against this issue.
2. The County Administrator advised that much opposition has been received from the Conservation Overlay Map. He



suggested a cancellation of the Thursday meeting in Lake Placid and give staff more time to regroup and to locate the errors in the map.

- 3. Dan Foley, Citrus Growers Association, spoke regarding the problems of the map.

**BOARD ATTORNEY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the agenda to consider item for the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

**1. LEON COUNTY BOND COUNCIL INTERLOCAL AGREEMENT**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve adoption of the Interlocal Agreement with Leon County for Housing and authorize the Chairman to execute the agreement. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS:**

- 1. **COMMISSIONER CANALE: COUNTY LETTERHEAD FOR FLORIDA SESQUICENTENNIAL/HIGHLANDS 75TH ANNIVERSARY**

The consensus of the Board was to give Commissioner Canale permission to add stamps to the Commission stationary letterhead in recognition of the Florida Sesquicentennial/Highlands 75th Anniversary.

- 2. **COMMISSIONER GENTRY: ARTICLE FIVE REPORT**
- 3. **COMMISSIONER GOSE: SPECIAL THANKS TO RACE OFFICIALS**
- 4. **CHAIRMAN MAXCY: NATIONAL PUBLIC HEALTH WEEK APRIL 3-7, 1995**

**7. ADJOURNMENT**

The meeting adjourned at 2:34 P.M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, March 28, 1995**

The meeting was called to order at 9:00 A.M. with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**I.V. 'Buddy' McKenzie  
Carl Cool  
J. Ross Macbeth  
Stephanie Layton**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Carl Cool, County Administrator. Pledge of Allegiance led by Richard Conover.

Also present were members of the Hospital Board: Gary McGehee, Chairman, Patricia Graf, Michael Lee, Bruce Lybarger, and James Clinard.

Gary McGehee gave a brief history of the Hospital Board concluding with the question of what is the future of the Hospital District?

Bert Harris spoke about the Hospital District and explained that the two million dollars in their bank account is tax revenue and interest income on that tax revenue. Since the hospital district has a 30 year lease with HMA, he feels the district is no longer needed. This would eliminate the \$20,000 to \$25,000 it costs to operate the district each year.

Budget Summary in SMB 23 Page 105.

The Board discussed the idea of eliminating the hospital district and possible uses for the lease funds and interest on the tax revenue.

**RECESS: 10:00 - 10:15 A.M.**

Chairman Maxcy reviewed the consensus of the Board:

1. To dissolve the Hospital District therefore dissolving the Hospital Board by Resolution.
2. Use portion of lease funds and interest on tax revenue specifically for health care.
3. Accumulate the balance for future health care needs.
4. Consider setting up an advisory board.

Bruce Lybarger commended Nancy Thomas for her work as Clerk to the Hospital Board.

MEETING ADJOURNED: 10:30 A.M.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, APRIL 4, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers, 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Court, L.E. "Luke" Brooker. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending April 4, 1994. See SMB 23 Page 106.

- B. CLERK**

L. E. "Luke" Brooker, Clerk reported on the Trustee Labor that is being used at the Courthouse and the aesthetic effect on the building. Mr. Brooker advised that the Comprehensive Annual Financial Report has been completed and mailed to the Government Finance Officers Association. It depicts the financial health of the county and looks very good. The auditor will be present in two weeks to discuss any problems.

- C. MEETINGS:**

The County Administrator read the reported meetings into the record. Mr. Cool announced that a letter was received from the third grade class at Park Elementary School thanking Keith Albritton for bringing his horse and explaining the techniques of becoming a cowboy.

The County Administrator complimented Christy Reed on receiving a request to speak on recycling in rural communities.

4. **ACTION**

- A. PUBLIC HEARING TO CONSIDER PLAT VACATION-TOMOKA HEIGHTS**

The County Engineer advised that this hearing was not properly advertised and would not be heard today.

- B. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-LOOKOUT POINT**

Proof of Publication entered into the record by the County Engineer. See SMB 23 Page 106. Staff reports presented with no objection to the vacation. The Chairman called for public input. Mr. Marcel J. Fontane spoke in favor.

Motion by Commissioner Barrett, seconded by Commissioner Gentry to adopt Resolution vacating a portion of a 15 foot drainage easement lying between lots 1 and 2, Lookout Point for Marcel J. and Mary B. Fontane. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 41.

**C. PUBLIC HEARING TO CONSIDER REPEALING ORDINANCE 89-6 PERTAINING TO SOUTHEAST I CABLESYSTEMS, INC.**

Proof of Publication entered into the record. See SMB 23 Page 107. The Assistant County Administrator read the proposed Ordinance into the record. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Ordinance 95-8 repealing Ordinance 89-6 pertaining to the Southeast I Cablesystems, Inc. as required, due to the purchase of assets by Comcast. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PROCLAMATION: "NATIONAL COUNTY GOVERNMENT WEEK"**

The County Administrator read the Proclamation into the record. Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Proclamation declaring the week of April 2-8, 1995 as "National County Government Week" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 42.

**E. CHARLENE EDWARDS, VELMA JACKSON, REDLANDS CHRISTIAN MIGRANT ASSN: PROCLAMATION-"YEAR OF THE CHILD"**

Charlene Edwards read the Proclamation into the record. Velma Jackson reported on the background of the week of the young child celebration.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution endorsing the week of April 23-29, 1995, to call attention to the importance of quality child care. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 43.

**F. PROCLAMATION: "PUBLIC HEALTH WEEK"**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Proclamation designating April 3-7, 1995 as "Public Health Week in Highlands County". Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 44.

**G. LAMONTE DELANEY: REQUEST FOR LICENSING**

Mr. Delaney addressed the Board concerning licensing problems incurred with the Building Department when he was denied a renewal of the license. Russ Lehman, Building Department Supervisor, explained to the Commission that Ordinance 89-7 was adopted when problems existed in the county regarding unlicensed contractors. The Ordinance requires certain contractors to take the Block exam in order to obtain a proper license. The Board requested that the County Administrator contact the Construction and Licensing Board and set a workshop for discussion on this requirement. The date of the workshop is tentatively set for April 25, 1995. Mr. Cool to advise at the next meeting.

**H. RON MCCLURE: RECONSIDERATION OF CLAIM WAIVER**

Ron McClure, Building Maintenance Supervisor, appeared before the Commission to request a reconsideration of the Claim Waiver for medical bills incurred due to an accident. The Board discussed the issue in length and decided to take no action. See SMB 23 Page 108 for copy of back-up.

**HEARTLAND BINGO COUNCIL-RAY MCCART**

Mr. Ray McCart, Chairman of the Heartland Bingo Council, addressed the Board with the request for a Resolution regarding State Bingo Statutes. The request was to contain language to implore Legislators to pass new Statutes regarding the conduct of Bingo. The Commission directed the County Administrator to work with Mr. McCart to draft a Resolution that clearly defines bingo and bring back for next Tuesday's meeting. See SMB 23 109 for copy of request.

**I. CONSENT AGENDA:**

Discussion was called for on the CIP Plan. Items of interest were the Long range plan for EMS Station, Courthouse Renovation and Parks and Recreation capital improvement monies.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda with corrected minutes as listed:

1. Approval of minutes of 3-14-95 and 3-21-95 meetings, 3-21-95 public hearing
2. Approval to pay the following duly authorized warrants as listed:

Law Library	128.70
General	1,035,899.90
County Transportation Trust	89,702.57
"E911" Operations	1,069.04

Law Enforcement Education	2,510.00
Local Govt Infrastructure Surtax	270,165.23
Correctional Facility	362,709.94
Solid Waste	7,684.44
Water/Sewer	3,465.43
Risk Retention	42,254.26
Employee Benefit	132,687.32
Tax Deed Surplus	378.08
Special Payroll	97,545.87

3. Approval of commodities grant-increased reimbursement rate. See SMB 23 Page 110.
4. Approval to use Caterpillar compactor as trade-in. See SMB 23 Page 111.
5. Approval of street name changes. See SMB 23 Page 112.
6. Approval to participate in drug abuse grant Sheriff's Department-D.A.R.E. project
7. Approval of budget amendments #94-95-114,115 and 121 through 125
8. Accept into record-Sebring Airport Authority auditor's report
9. Approval of Capital Improvement Plan, see SMB 23 Page 113 for copy.
10. Approval of bids on bunker gear and self-contained breathing apparatus. See SMB 23 Page 114.

Upon Roll call, all Commissioners voted aye. Motion carried.

**J. DEVELOPMENT DIRECTOR:**

**1. EXTENSION OF CENTRO CAMPESINO CONTRACT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept recommendations from the Affordable Housing Committee to adopt an extension of the existing Centro Campesino contract for rehabilitation of single family owner occupied housing. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. APPROVAL OF AGREEMENT WITH RURAL ECONOMIC AND COMMUNITY DEVELOPMENT AGENCY**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve a memo of agreement between the County and the Rural Economic and Community Development Agency to allow mutual housing loans utilization the 504 direct loan funds with SHIP down payment assistance and establishing other cooperative measures to better provide housing services. Mr. Polatty suggested a correction to Article VII, 8.3 with a change in the word rehabilitation to home ownership. Upon Roll call, all Commissioners voted aye. Motion carried.

**K. ASSISTANT COUNTY ADMINISTRATOR: EXTENSION OF SALVATION ARMY CONTRACT**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the Salvation Army Correctional Services contract extension with the addendum for partial payment of funds and to waive the Board's Purchasing Policy. Upon Roll call, all Commissioners voted aye. Motion carried.

**L. COUNTY ADMINISTRATOR:**

**1. REQUEST FROM VETERANS COUNCIL FOR "MCGUIRE MEMORIAL PARKWAY"**

The County Administrator suggested that the Board review this request at the joint meeting with the City Council. See SMB 23 Page 115.

**2. SIX LANING OF US 27 REPORT**

The County Administrator reported that the first project will be let in September (from Sparrow to Fairmount). Work should begin in November, 1995. The Chairman suggested a press release on this report.

**3. US 27 BY-PASS ALTERNATE**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to recommend Alternate #4 as the first priority and #5 as the second priority. Upon Roll call, Commissioners Gentry, Barrett, Gose and Canale voted aye. Commissioner Maxcy voted nay. The motion carried.

**4. APPROVAL OF OFFENSIVE NAME CHANGE ON PLATS**

The County Administrator reported that this issue was approved by the House Committee on Government Affairs and the Senate Committee. The next step it will be coming before the floor for a vote. He expects it to become a law.

**5. CITIZENS NOT ON AGENDA**

No one appeared before the Commission.



6. **COMMISSIONERS:**

- 1. Commissioner Canale reported on the Orange Juice Contest at the Avon Park Mall Festival.
- 2. Commissioner Barrett reported on the Water Task Force and the Spouse Abuse Shelter.
- 3. Commissioner Gose requested permission for the Board to attend the County Commissioners Educational Program.
- 4. Commissioner Gentry reported on the Press Conference on Article Five

5. **COMMISSIONER GENTRY: RURAL FLORIDA AGENDA**

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize the Chairman to send a letter supporting the Rural Florida Agenda, comparable to the letter sent by the Okeechobee County Commissioners and the priority issues it represents. Upon Roll call, all Commissioners voted aye. Motion carried.

6. **COMMISSIONER GENTRY-ENTERPRISE COMMUNITY DEADLINE**

The Board instructed the County Administrator to begin the process for advertisement to meet the deadline for adopting an ordinance to create an authority in order to meet the 21 day window of opportunity.

- 7. Commissioner Gentry reported on the Habitual Offender Program that she is in the process of initiating.

The meeting adjourned at 12:05 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, APRIL 11, 1995**

The meeting was called to order at 9:00 a.m. in the Board of County Commissioners Chambers with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Chaplain Harry Bennett of Florida Hospital, Walker. The Pledge was led by Richard Conover.

Chaplain Bennett thanked the Board for the improvements made to Lake Olivia since the area was designated as a county park.

**ANNOUNCEMENTS:**

**A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending April 11, 1995. See SMB 23 Page 117. Mr. Rodgers reported that the Florida Sheriff's Association has requested that each county produce the actual cost incurred for obtaining and housing state prisoners for 1994. The General Council will then seek reimbursement for the counties by lobbying State Legislators. The incurred cost for Highlands County is 84 prisoners at \$172,000.

**B. CLERK**

The Clerk reported on an Inter-Agency Agreement with the FDLE for producing information regarding the final disposition as to approximately 1,171 criminal history records. See SMB 23 Page 118 for copy of agreement.

**C. MEETINGS:**

The County Administrator read the reported meetings into the record. Mr. Jim Rodgers announced a Traffic Safety Team meeting at the Agricultural Center 4/12/95 at 10:00 a.m. The Assistant County Administrator reported that Traffic Court will be held in the B.C.C. Chambers on Thursday, April 13, 1995 and at 5:00 p.m. the Courthouse will be secured for additional abatement procedures.

**4. ACTION:**

**A. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING SUN 'N LAKE IMPROVEMENT DISTRICT**

Attorney John McClure presented petition to adopt an Ordinance amending the Definition of "Quorum" within Section 9-84 of the Code

of Ordinances, to apply to any meeting of the Landowners within the Sun'N Lake of Sebring Improvement District.

Proof of Publication entered into the record. See SMB 23 Page 119. Captions of the Ordinance read into the record by Commissioner Gose. Chairman opens for public input. No one spoke in favor or against. Questions were presented from the Board regarding the wishes of the majority of the landowners. Attorney McClure stated that the District's minutes reflect the support for this action.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Ordinance amending the definition of Quorum within Section 9-84 of the Code of Ordinances, Sun'n Lake Improvement District. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. RESOLUTION ON ECONOMIC DEVELOPMENT**

The County Administrator suggested that this Resolution be placed on the agenda for next week. An Exhibit "A" is required listing the exact definition of the ten square miles that were proposed to be delineated. The Chairman called for public input. None was received. Commissioner Gentry requested the list of people who will serve on the committee be available for review.

**C. RESOLUTION ON BINGO LAWS**

Commissioner Gose made a statement that it was his understanding that the Board would encourage law makers to support our Ordinance and not make a stance one way or the other. Commissioner Gentry stated that she supports our Ordinance and Bingo the way it is operated today. The County Administrator explained the Resolution that was drafted. The Chairman opened for public input.

Those speaking in regards to the Resolution were David Wrede, Verdelle Medlin, Jeanne L. Smith, Fred Cooper, Cathy Merriman, Harold Seaman, Hank Kowalski, Ray McCart, Herman Ratliff and Marion Temple. See SMB 23 Page 120 for copy of statements.

After Board discussion a consensus was reached to instruct Carl Cool, Tom Portz and Ross Macbeth to draft a letter that will address the following:

1. **Advise Legislators that the Board supports the county ordinance.**
2. **Leave it up to Local Government with home rule authority to enact local ordinances as the government sees fit.**
3. **Both entities to have a right to Bingo on the same level playing field.**

**4. Against Electronic Game Machines in Florida and expansion of gambling devices.**

The Board Attorney stated that the issue was not whether the Commercial Hall should be able to operate. The point is that all charities, whether they operate through a leased hall or their own facility, should be able to operate on the same playing field. The laws are not for the benefit of commercial halls.

Staff was advised to draft a letter with proper verbiage to take to Tallahassee.

**BREAK 10:30 A.M. - 10:45 A.M.**

The meeting reconvened at 10:45 a.m. with all members present, and I.V. "Buddy" Mckenzie, Chief Deputy Clerk, sitting for the Clerk.

**D. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the Consent Agenda as listed with Item #3 removed.

1. Approval of minutes of 3-28-95 workshop and 4-4-95 meeting
2. Approval of budget amendments 94-95-127, and 129 through 131
3. ~~Approval of amended Consumer Credit Counseling contract~~
4. Approval of resolution to set Public Hearing date for May 2, 1995 to consider closing a portion of Brighton Road. See Res. Book 9 Page 45.
5. Approval of contract for installation of fence on Highlands Avenue to Brooker Fence Company in the amount of \$19,230.00 for Alternate Bid No.2.
6. Authorize County Engineer as agent in applying for Southwest Florida Water Management District applications. See SMB 23 Page 121.

Upon Roll call, all Commissioners voted aye. Motion carried.

**E. BOARD ATTORNEY**

No action taken

**F. COUNTY ADMINISTRATOR**

Joint meeting with the City of Sebring scheduled for April 25, 1995 has been tentatively rescheduled for May 9, 1995 at 5:00 p.m. Second alternative, May 23, 1995 at 5:00 p.m. Avon Park Joint meeting is still set for April 17, 1995 and Lake Placid April 20, 1995 at 5:30 p.m.

**5. CITIZENS NOT ON AGENDA**

Mr. Wayne W. Thomann addressed the Board with a request for the Commission to make a special exception to the Agri-Civic Center Facilities Use Policy. He requested a waiver of fees for the Highlands Avian Society, a non-profit organization.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to waive the policy of the Agri-Civic Use Facility in the exception of the Exotic Bird Show as a non-profit agent, and to have the Building Use Committee bring back a different proposal. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS**

**Commissioner Gentry requested an update on Habitat Plan**

The County Administrator will bring to the Natural Resources Advisory Committee meeting on April 12, 1995 for a discussion item and ask them to move into the direction of identifying the Habitat Plan in Highlands County.

**Commissioner Canale authorization to appoint voting members to the Recreation Committee**

Motion by Commissioner Gose, seconded by Commissioner Gentry to appoint Ed Fitch to represent Sebring, Margo Tully, Lake Placid and Linda Radison from Avon Park as voting members to the Recreation Committee. Commissioner Gose amended his motion, if this is not acceptable with the Recreation Committee, the appointment to include Ed Fitch and Margo Tully. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 122.

**Chairman Maxcy Seminole County letter Committee Substitute for House Bill 5; Ex Parte Communication**

Commissioner Gentry to check with other Counties and Municipalities and to bring up at the Board of Directors meeting. She is not in favor of doing away with the due process. See SMB 23 Page 123 for copy of letter and survey.

**DAN FOLEY-CONSERVATION OVERLAY MAP**

Dan Foley, Citrus Growers Representative, addressed the Board requesting a date for the deadline on the Conservation Overlay Map.

Staff has asked that citizens bring errors to their attention for correction. This review process has been ongoing. The Consultants have been asked to go back to the drawing board and prepare and reconstruct the map. The County Administrator stated that there is no Hearing scheduled and there is no urgency for this adoption.

**7. ADJOURN**

The meeting adjourned at 12:05 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**JOINT MEETING  
AVON PARK CITY COUNCIL AND  
HIGHLANDS COUNTY BOARD OF COMMISSIONERS  
MONDAY, APRIL 17, 1995  
CITY COUNCIL CHAMBERS**

**Avon Park City Council Members Present:** Mayor Gordon Marshall, Maureen Cool, David Flowers, Kelly Phillips, Wally Randall, and Steve Roberts.

**Members Absent:** John Wright

**Also Present:** City Manager, Susan Boyer, City Attorney, Michael R. Disler and City Clerk, C. B. Shirey.

**Highlands County Commissioners Present:** Guy Maxcy, Doris Gentry, Jeri Canale, Jim Gose and John Barrett.

**Also Present:** County Administrator, Carl Cool and County Attorney, Ross Macbeth

Mr. Flowers asked for a moment of silence in memory of Fred Fisher of the Highlands County Sheriff's Department, who was recently killed in an automobile accident.

Mayor Marshall commented that this was the second joint meeting between the County and the City and that it was long overdue. He thanked the County Commissioners for attending the meeting. The Mayor asked the County to begin the discussion.

Mr. Cool announced that the meeting had been properly noticed and he had a copy of the notice that he would leave with the City Clerk for public review.

Mr. Maxcy thanked the City Council for inviting the Commissioners to the meeting and stated that the County appreciated the close relationship that the County has had with the City. He said the County had several matters of concern that they would like to bring to the City's attention for their opinion.

Mr. Maxcy turned the floor over to Mr. Cool to present these matters, beginning with the County's Sexually Oriented Businesses Ordinance. Mr. Cool stated that he had brought a revised copy of the ordinance with him which he passed out to the Council. He said that the revised ordinance reflected an interest in an ordinance that applied to all sexually oriented businesses and not just adult book stores. Mr. Cool stated that if the City did not have an ordinance addressing this issue, the County ordinance would apply within the city limits. He related that the second public hearing

on the ordinance would be on April 18, 1995. Mayor Marshall asked if an Avon Park Resolution supporting the county ordinance would be appropriate since a strong county ordinance was what the city had been looking for. City Attorney Disler replied that a resolution would be appropriate. Mr. Roberts asked if anything had been heard from the person that had tried to open the adult book store in Sebring. Mr. Cool replied that the person was suing the county in federal court and that this ordinance would not affect the suit. Mr. Roberts also asked about those establishments that sold sexually oriented material under the counter. Mr. Cool replied that the ordinance only affected those establishments whose major product was sexually oriented material.

Mr. Cool addressed the issue of fire hydrants for the City's waterline extension into the unincorporated areas. He is seeking a memorandum of understanding or an interlocal agreement between the City and County concerning the installation of fire hydrants in waterline extensions installed by the City in the Unincorporated areas. The major question is who will pay for the installation of the hydrants. Mr. Cool presented two solutions to the problem; the Water and Sewer Enterprise Fund could pay for the hydrants as a normal cost of doing business or create a special taxing district comprised of the people in the unincorporated area who benefit from the hydrants. Mayor Marshall suggested that the impact fees be increased to cover the cost of the hydrant. Mr. Gose asked if there was anything the county could do to assist the city in determining the increase in impact fees that would cover the cost of the hydrants. Mr. Cool replied that the county had the capability to assist in calculating the increase. The consensus was that an impact fee was the most equitable.

Mr. Cool stated that the next item was problems with the Runway 4-22 extension at the Avon Park Municipal Airport which he said had already been resolved and didn't need discussion. Mr. Gose said he thought that Ms. Cool wanted to discuss the issue. Ms. Cool said she would like to know the sequence of events in identifying the problem. Mr. Cool said that conversations between himself and Ms. Boyer started two weeks prior to the county code enforcement officers, Mr. Alan Decker, conversation with Mayor Marshall. He also said the sequence of events started with a telephone call to the county alleging that the city was clearing protected land at the airport. Mr. Cool said that a county survey crew had in fact determined that the city was clearing county property before Mr. Decker approached Mayor Marshall. It was remarked that the city is in the process of annexing this land. Mayor Marshall said the perception was that the county was kicking the city while it was down in light of all of the other problems with the runway extension. Mr. Maxcy officially apologized for the county if that was indeed the case. Mayor Marshall said that it was the city's engineering firm that had let the city down. Mr. Maxcy asked Mr.



Cool if there was any penalty phase to the violation. Mr. Cool replied in the negative. Mr. Cool said the violation would go away when the land was annexed.

Mr. Roberts raised the possibility of the city taking over fire protection for the north part of the county. Mr. Roberts asked the Mayor to appoint a committee to study this possibility. Mr. Flowers and Mr. Roberts volunteered to serve on such a committee. Mr. Cool said that Ms. Boyer, Avon Park Fire Chief Trainor and he had already begun discussing this possibility. The Mayor said he would appoint four members from the City to a joint committee to work on an agreement for the City to provide fire protection services to the unincorporated areas north of the city. He said he would not be able to officially appoint the members until April 24, 1995, at a regular session of the City Council. The tentative members from the City would be City Manager Boyer, Fire Chief Trainor, Councilman Flowers and a citizen to be named later.

Mr. Cool's next topic of discussion was the building department agreement. He asked in light of the City's decision to hire a part-time building official what the City expected the County to do in the future regarding building permits. Mr. Cool stated that he thought the County could withdraw from Avon Park totally as far as building department services were concerned. Ms. Boyer replied that the City would like the County to continue to provide inspection services to the City. The Mayor asked that the City Manager continue to work with the County in resolving the problem. Mr. Cool related how the County's Building department operated in Lake Placid and asked if the Council members thought Avon Park could operate that way. Mayor Marshall asked the County to bear with the City until the City sees if it can hire a part-time building official.

Mayor Marshall asked that the County support the City's efforts at the Avon Park Municipal Airport in order to develop it as a resource to the county. Mr. Maxcy asked that the City provide the County a written document detailing the plans for the airport and how they benefit the County.

**REGULAR MEETING OF THE BOARD, APRIL 18, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers, 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Robert Aumann. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending 4/18/95. See SMB 23 Page 125.

**COL. BILL JONES-REQUEST FOR OFFICE SPACE-STAR PROGRAM**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to authorize the Sheriff's Department to place a modular unit in Highway Park to serve as office space for the Star Team. Upon roll call all Commissioners voted aye. The motion carried.

- B. **CLERK**

The Clerk reported on Jury Trials that are being held this week and the additional space required for the growth of the county.

The Clerk also reminded everyone of the "National Day of Prayer" as declared by congress to be observed on May 4, 1995 at 11:00 a.m. on the Courthouse Lawn.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were presented for the benefit of the public.

The Assistant County Administrator presented an update on the abatement program. He advised that it was more involved than initially anticipated. It will require an additional week-end. The Contractors will commence the program this Friday evening with the help of the Clerk's office.

4. **ACTION:**

- A. **PUBLIC HEARING TO CONSIDER ATTACHED ZONING CHANGES**

**HEARING #1349-HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS**

Requesting a zoning change from AU (Agriculture) to PU {Public Use Lands). Desired for mining. Property has been purchased and approved for use as a marl excavation site.

The Zoning Supervisor presented the proof of Publication into the record. See SMB 23 Page 126. Staff reports and letter of "no objection" from utilities were presented. The Chairman opened for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution approving the Zoning change. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 46.

**HEARING #1350-JESSIE G. HENDERSON & JUDITH L. HENDERSON**

Requesting a zoning change from B-1 (Neighborhood Business District) to B-3 (Business District). Desired for furniture sales. Proof of Publication entered into the record by the Zoning Supervisor. See SMB 23 Page 127. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve Hearing #1350 and to adopt the Resolution with the findings of fact to be entered into the record. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 47.

**HEARING #1351-WALTER E. HARSHMAN/CLAUDE BORING**

Requesting a zoning change from R-1 (Residential District) to B-2 (Limited Business District). Desire to use for professional office and medical facilities. Proof of Publication entered into the record. See SMB 23 Page 128. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Canale to adopt Resolution approving the zoning change contingent upon the mandatory findings and contingent upon the approval of a small scale Plan Amendment. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 48.

**HEARING #1352-MAVIN KAHN**

Requesting a zoning change from M-2 (Mobile Home Parks District) to M-1-S (Mobile Home and Residential Subdivision District). Desire for residential housing.

Proof of Publication entered into the record. See SMB 23 Page 129.

Chairman opens for public input. Marvin Kahn spoke on the question of the land clearing permit and scrub habitat. He advised that an environmental consultant was retained and he was not aware of the necessity to obtain a land clearing permit.

Motion by Commissioner Gose, seconded by Commissioner Barrett to continue this Hearing until the next zoning hearings come before the Commission in order to resolve the land clearing issue and the small scale amendment requirement. Upon roll call, all Commissioners voted aye. The motion carried.

**HEARING #1353-S.W. WHITMIRE & DELORES V. WHITMIRE**

Requesting a zoning change from R-1 (Residential District) to B-3 (Business District). Desire to use for commercial office building.

Proof of Publication entered into the record by the Zoning Supervisor. See SMB 23 Page 130. Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Hearing #1353 and to adopt Resolution as required. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 49.

**B. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY  
MONTGOMERY PROPERTY**

Bill Stephenson entered proof of Publication into the record. See SMB 23 Page 131. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve to purchase property as presented in the amount of \$36,000. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 23 Page 132 for copy of agreement.

Commissioner Gose reported that Mr. Robert Crews indicated that he would be willing to sell the Railroad Right-of-Way property needed for the Phase III Eucalyptus By-Pass. He requested that Mr. Stephenson begin the process to purchase this property. Mr. Stephenson advised that we must follow D.O.T. standards for buying this property.

**C. PUBLIC HEARING TO CONSIDER VACATION OF A PORTION OF SUN'N  
LAKE ESTATES**

Proof of Publication entered into the record by the County Engineer. See SMB 23 Page 133 for copy. Staff reports and letters of no objection from the utilities were presented. The Chairman opened for public input. None was received.

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Resolution vacating a portion of Sun'N Lake Estates Unit 3 with Exhibit "A" as attached for Florida Hospital as the petitioner. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 50.

**D. PUBLIC HEARING TO CONSIDER SETTLEMENT OF SUIT: WARREN WRIGHT VS. HIGHLANDS COUNTY**

Proof of Publication entered into the record by the County Administrator. See SMB 23 Page 134. The Board Attorney explained the Law Suit. The \$30,000 will be full payment with \$5,000 going to the Workmans Comp Carrier. The Attorney will also receive payment from this Settlement.

Motion by Commissioner Gose, seconded by Commissioner Gentry to settle the Warren Wright Law Suit in the amount of \$30,000. Upon roll call, all Commissioners voted aye. The motion carried.

**E. PROCLAMATION: EARTH DAY**

The Chairman read the Proclamation into the record. Mrs. Mary Carter presented the Board members with caps honoring the Highlands County Lakes Committee. Mrs. Audrey Vickers, "Keep Highlands Beautiful" coordinator, presented information regarding agencies that contribute to the beautification. Mrs. Helen Obenchain, Audubon Society, invited everyone to enjoy nature at the Highlands Hammock State Park on Saturday. The prices are free for that day only.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Proclamation designating April 22, 1995 as Earth Day in Highlands County. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 51.

**F. PROCLAMATION: SAFE BOATING WEEK**

The Proclamation was read into the record by Commissioner Gose.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Proclamation designating the week beginning May 20, 1995 as "National Safe Boating Week" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 52.

**E. RESOLUTION HONORING VOLUNTEERS**

The County Administrator read the Resolution honoring volunteers. All volunteers in the room were asked to stand. Several members were asked to speak naming the organization that they represent. Lucy Derkman, Friends of the Library, gave a short presentation. Other volunteers were Alberta Yandle, Dr Vincent Falls, Guardian Ad Litem, Dorothy Slocum, Avon Park Library, Ann Moore, Lake Placid

Library, Nancy Mays, Library, Alice Frazier, President of the Friends of the Library, Earl Pickett, volunteer Fire Fighters. Tim Eures, representing the Volunteer Fire Departments thanked all Firefighters. The County Administrator presented certificates to the different organizations and recognized individuals who volunteer their service. See Res. Book 9 Page 53.

Commissioner Gentry presented a check to Mary Myers, Library Director, with special recognition from the Secretary of State and Senator Dantzler, for acquiring a grant for the county entitled the Library Construction Grant. The check presented was in the amount of \$21,150.

**BREAK 10:40-11:00 A.M.**

The meeting reconvened with all members present.

**G. KATHY CRIVELLO: UPDATE ON NUHOPE**

Ms. Crivello gave an update on the Program Service Units and Goals. She reported on the Medicaid Waiver Program; Community care for the elderly and Adult Day Care; RSVP Program Volunteers; Elder Helpline and Health Fair on Wheels.

**H. DON DARLING, LAKE HAVEN ESTATES PROPERTY OWNERS; REQUEST FOR CREATION OF SPECIAL TAX DISTRICT**

Mr. Darling presented the request to form a Special Tax District for the specific purpose of lighting. He has contacted all home and lot owners. Approximately 360 to 400 letters were mailed. 243 residents were for the proposal; 24 were against; 12 were returned for insufficient address.

The County Administrator discussed the possibility of including the outlying area in the district. Jim Green and Hazel Maddox spoke against this option.

Motion by Commissioner Gentry, seconded by Commissioner Gose to instruct the attorney to draft an ordinance and staff to prepare the legal description that would outline and delineate the area for the Special Tax District for lights only.

Upon Roll call, all Commissioners voted aye. Motion carried.

The Clerk was replaced by I.V "Buddy" McKenzie at 11:45 a.m.

**I. CONSENT AGENDA**

The County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as listed:

1. Approval of minutes-4-4-95 regular meeting
2. Approval to pay the following duly authorized warrants as listed:
 

Law Library	489.04
General	328,150.98
County Transportation Trust	62,823.57
"E911" Operations	1,888.98
Local Govt Infrastructure	389,342.97
Affordable Housing Assistance	19,574.75
Correctional Facility	52,737.57
Solid Waste	10,147.94
Water/Sewer	270,625.41
Risk Retention	12,724.47
Employee Benefit	81,355.17
3. Accept into record-March Monthly Report
4. Appointment to EMS Advisory Council (Debbie Weigand) See SMB 23 Page 135.
5. Approval of payment for housing excess inmates and budget amendment. See SMB 23 Page 136.
6. Approval of budget amendments 94-95-135 and 136
7. Approval of contract with Consumer Credit Counseling, Inc. See SMB 23 Page 137.
8. Appointment of Linda Tuck to Law Library Committee. See SMB 23 Page 138.
9. Approval of Street Name and Street Name change. See SMB 23 Page 139.

Upon Roll call, all Commissioners voted aye. Motion carried.

**J. COUNTY ENGINEER: DISCUSSION OF PLACID UTILITIES FINANCIAL REPORT AND WATER CONSUMPTION**

Bill Lecher, County Engineer presented a breakdown of the cash flows for Placid Utilities in its first four (4) months of operation from Mid-November, 1994 through Mid-March, 1995 as compared to a study done by Chastain-Skillman in September 1993. See SMB 23 Page 140 for copy.

The County Engineer also advised that his Department is working on attaining a consultant to acquire a low interest loan for the Fransvilla area.

**K. HOUSING COORDINATOR: REQUEST APPROVAL OF HOUSING ASSISTANCE PLAN**

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution providing for the adoption of a Housing Assistance Plan for the County Ship Allocation for FY 95-96; FY 96-97; FY 97-98. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 54.

**L. TIM HURNER: REQUEST TO CANCEL CONTRACT WITH SW FLA WATER MANAGEMENT DISTRICT**

Mr. Tim Hurner requested the termination of Contract No. 95CON00015, "Ridge Citrus Water Quality" with SWFWMD. The Extension office does not have the manpower to take on the responsibility of the reporting that is required. He suggested that this grant be contracted with Dr. Wendy Graham, Agricultural Engineer UF/IFAS or Ms. Marlene Czerniak, FDACS. Mr. Ron Cohen, Project Engineer for SWFWMD spoke in support of the project. Patrick Hogue, Acting County Extension Director, advised that there will be no problem with the project continuing, as FDACS is agreeable to fund this project out of Nitrate Tax money.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to terminate the contract by letter with negotiations in good faith for the project to continue. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 141.

**M. ASST. COUNTY ADMINISTRATOR**

**1. SETTLEMENT DISCUSSION-BUSH CLAIM**

Motion by Commissioner Gose, seconded by Commissioner Gentry to settle the William Bush Settlement Claim in the amount of \$15,970.75. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 142.

**2. REQUEST APPROVAL FOR MEDICAL DIRECTOR PUBLICATION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to not endorse the proposal with Mr. Ray Carter of Pelican Cost Publications. Upon Roll call, all Commissioners voted aye. Motion carried.

**N. COUNTY ADMINISTRATOR: REPORT ON LEGISLATIVE DAY**

The County Administrator gave a report on Legislative Day in Tallahassee. He discussed pending bills in the house, additional funding for weed control supported by Rep. Harris. The bill regarding offensive names on maps and Plats.



5. COMMENTS AND QUESTIONS:

Earl Pickett presented a hand-out containing a survey on the performance of the County Administrator. He highlighted various accomplishments. See SMB 23 Page 143 for copy.

6. COMMISSIONERS

- 1. Commissioner Gentry gave an update on the Enterprise Zone designation. This will be addressed at the Workshop on 4/25/95.
- 2. Commissioner Gentry requested a consensus on putting together a small brochure listing the county's unfunded mandates and sending to the Legislators.
- 3. Commissioner Barrett discussed the Harder Hall renovation and the problems of the Resolution Trust Corporation in California. He requested that citizens write the RTC and request consideration immediately and the Board contact representatives in Washington to speed up the process.

The meeting adjourned at 12:35 p.m.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

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**JOINT MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
AND THE LAKE PLACID TOWN COUNCIL, APRIL 20, 1995**

The meeting was called to order at 5:30 p.m. in the Council Chamber in Lake Placid with the following members present:

<b>C. Guy Maxcy</b>	<b>Mayor James D. Hall</b>
<b>Doris Gentry</b>	<b>Pauline Dionne</b>
<b>James L. Gose</b>	<b>Clint Smith</b>
<b>John D. Barrett</b>	<b>Cecil High</b>
<b>Jeri Canale</b>	<b>Joe Rey</b>

Invocation and Pledge of Allegiance to the flag was observed.

**A. CODE ENFORCEMENT:**

Mayor Hall stated that the Town presently does not have a code enforcement officer. He stated that the Lake Placid Police Department are trying to do code enforcement on top of their other duties. Mayor Hall asked if it was possible for the county to do our code enforcement. Carl Cool, County Administrator, stated that it could be possible, but it would be complicated due to the codes of the Town and County being different.

Mayor Hall stated that the present code enforcement officer for the county, Mike Durham, is a part time police officer for the Town. He asked if there would be a conflict if Mr. Durham did code enforcement for the town, on his own time. The Personnel Director for the county stated that their handbook disallowed second job interference, but he felt something could be worked out if the Town employed Mr. Durham to do code enforcement and the time came when he might have to take days off due to attendance at court.

Mayor Hall stated that this was just a suggestion and that Mr. Durham has not been asked about doing code enforcement. He just wanted to find out if Mr. Durham was asked, if there would be any repercussions. The feeling was that the Town could probably work something out with Mr. Durham.

**B. HIGHWAY PARK WATER LINE:**

Mayor Hall advised the group that the Town has already sent in a preapplication for a \$1.9 million plus grant/loan, in hopes that the County and Town could eventually supply water to Highway Park. Chairman Maxcy advised that the County was also applying for a grant to help with this project.

**C. OLD LIBRARY BUILDING:**

Mayor Hall stated that the Town was interested in obtaining the old library building as an office for the Town Police Department; but the Town does not have the money to purchase the building. The Mayor stated that the Town has leased properties to the County for \$1.00 per year for forty years and was requesting that the County lease the library to the Town at the same terms. The commissioners advised that the County has vested funds to build the library for the Town and had planned to sell the old library to replenish the account. Mr. Cool stated that the building has been appraised at \$107,000.00.

A gentleman in the audience stated that he represented investors and funds were readily available to purchase the building now.

Mr. Keith Stokes, Lake Placid, stated that he and his wife would like to buy the building for community use. Mr. Stokes advised that the Mural Society was interested in using the building and he would like to see such groups as the Caladium industry, Cattlemen's Association and Citrus Industry have access to the building. Mr. Stokes stated that because of the tourist the murals are bringing into the town, the Mural Society needs a place to organize tours and house exhibits. Chairman Maxcy asked that Mr. Cool place the old library building on the county's agenda for the May 2nd meeting and allow Mr. Stokes to be present with some type of proposal for the building.

**D. FIRE HYDRANTS:**

Mr. Cool stated that the would like to see the towns and the county set some type of fee for new connections to the water systems. This to be placed in an account for fire hydrants. Mayor Hall stated that the Town will take this suggestion under advisement.

**E. COUNCIL CECIL HIGH**

Council member High stated that he was disappointed in the county commissioners because he felt that they did not show enough support for the south end of the county when the citizens were trying to get support to keep the Florida Highway Patrol Station and the Florida Drivers License office in Lake Placid. The Commissioners advised that they supported the offices staying in Lake Placid and had voiced their opinions on several occasions.

**F. HANDICAP RAMPS**

Council member Clint Smith stated that the Lake Placid Masonic Lodge had voted to ask the County and Town for two handicap ramps

to be placed at the lodge on North Main Street. The Lodge felt that since there is not a ramp on North Main Street, it would be a help if they had two. The Town and County will work together to place the ramps.

**G. COMMENTS & QUESTIONS**

Mayor Hall stated that he has read that the County has passed an obscenity ordinance. He stated that the Town was interested in our attorney reviewing the ordinance for possible adoption by the Town Council. Mr. Macbeth, County Attorney, stated that he would forward the Town a copy of the ordinance.

Mr. Cool stated that Mr. Barrett asked him to contact Fred Jahna, of Jahna Concrete, concerning the moving of Jahna Concrete from Interlake. Mr. Cool stated that he has contacted Mr. Jahna concerning the matter. He is willing to relocate if an industrial site within a reasonable distance is available. Mr. Cool is working with a realtor looking for a site.

Mr. Barrett stated that he has asked Mr. Cool to look into this matter for the Town due to the beautification projects going on in Lake Placid and especially in the area around Jahna Concrete.

Mr. Cool suggested that when it comes time to do updates or a new comprehensive plan, it would benefit the County if they could work closely with the towns to assure concurrency between the entities. Mr. Cool felt it might be a money saver if the county and towns worked with the same preparer.

Chairman Maxcy thanked the Town for allowing the Commissioners to be a part of the meeting and Mayor Hall thanked the Commissioners and other county employees for being present. All parties felt the meeting was very beneficial and looked forward to another joint meeting.

Meeting adjourned at 6:50 P.M.

**MAYOR**

**TOWN OF LAKE PLACID**

**JAMES D. HALL**

**ARLENE J. TUCK, TOWN CLERK**

**WORKSHOP MEETING OF THE BOARD, APRIL 25, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, with the following members present:

**C. Guy Maxcy**

**Doris Gentry**

**James L. Gose**

**John D. Barrett**

**Jeri Canale**

**Carl Cool**

**J. Ross Macbeth**

**Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge was led by Chairman, C. Guy Maxcy.

3. **INDUSTRIAL DEVELOPMENT AUTHORITY**

- A. REVIEW OF RECENT ACCOMPLISHMENTS-JIM CRAWFORD**

The Chairman presented a summation of the accomplishments of the IDA and reviewed the history of the IDA and the adoption of the EDC. He listed the officers and directors for the FY-1994-95. Mr. Crawford stated that the Authority was formed in 1982 and has spent much effort and money to promote the county. He was very disappointed last year when the Board cut requested funding. He stated that the Board paid only for staff and housing and nothing was allowed for promotional expenses. Even with less funding, the authority and commission were able to help bring the county a \$232,000 road grant for the Sebring Airport Authority from the Economic Development Transportation Fund of the Department of Commerce. Mr. Crawford summarized the county commitment as additional funding for staffing, consideration for promotional money and endorsement that economic development is sound and a viable source of future revenue for the county through Ad Valorem tax increase.

- B. PLANS AND GOALS FOR FUTURE**

Betty Neale, Executive Director of the EDC confirmed that she will be retiring effective September 30, 1995. Ms. Neale requested a firm commitment from the county toward the future funding of the EDC.

The Board discussed the budget issues. Commissioner Gentry stated that she was ready to move forward and endorse a positive approach to the funding. Commissioner Gose also made a statement of commitment. Commissioners Canale and Barrett would like to move forward; but would like to be involved in the movement. Chairman Maxcy suggested that the EDC move forward but very cautiously.

Mr. Crawford stated that the office would qualify an amount that the Board would be comfortable with and submit for budget analysis.

**BREAK 10:26 A.M. 10:36 A.M.**

The meeting reconvened with all Board members present.

**4. CONSTRUCTION LICENSING, ENFORCEMENT AND APPEALS BOARD  
- LICENSING POLICY AND PROCEDURES**

Brad Bowen, Chairman of the Licensing and Construction Board spoke in favor of the ordinance that governs the board. He requested that the Commission not make any changes as it protects the citizens of the county. He does not believe that the ordinance should have an exemption or appeal process. County Building Official, Russ Lehman, stated that 16 construction trades and contractors are listed by the state for special licensing. Others have been added that include specialty trades like pressure washing. The Block Testing agency has specific tests for most trades. For pressure washing and fence building the test required is general business and administrative. Mr. Monte Delaney requested an exemption to the Block Exam. He stated that the Exam tests his knowledge of bookkeeping and not fence-building.

Board member Clarence Polston stated that the licensing board has a heavy task in being fair to everyone who comes forward. Commissioner Gose suggested a letter be provided from an accounting firm that the Company is operating in a fiscally responsible manner. The Block tests could then be waived. The licensing board members present agreed to discuss the possibility of making adjustments and return to the Commission with a recommendation.

Commissioner Gose left the meeting at 11:45 a.am.

**5. NATURAL RESOURCES ADVISORY COMMITTEE**

Resolution No. 94-22 captions read into the record by the Chairman. Discussion was held on the Board appointments. Peggy Leach spoke regarding the designation of two members at large. Jeff Ludwig addressed the Agriculture representatives. Hank Kowalski questioned the designation of Kurt Olsen. He was advised that Mr. Olsen represents Natural Resources.

**6. BUDGET WORKSHOP**

**A. SUGGESTED ALTERNATIVE REVENUE SOURCES**

1. Carl Cool, County Administrator, reviewed a presentation of an Alternative Financing Study by David M. Griffith & Associates.
2. Effects of levying a franchise fee on Electric Utilities. After discussion, the Board would like to look further into this issue. The Chairman

opened for public input. John Martz, Florida Power representative, stated concern for his company raising rates. Mr. Martz suggested that if the county wishes to pursue, he would like to be a part of the task force or committee.

Dan Foley, Citrus Growers Association, suggested the Commission consider other options.

- 3. Effects of Increase in Gas Tax and Reduction in Millage. The Board advised that there would be no interest for an increase in Gas Tax.
- 4. Increase in Filing Fees for Court Actions to fund Law Library, Court Facilities and Court Mediation.

Commissioner Gentry reported that she has information regarding Article Five cost and will present at the next meeting.

**7. HIGHLANDS COUNTY FARM BUREAU PRESENTATION: AGRICULTURAL-ENVIRONMENTAL AWARENESS**

John Payne gave a presentation on Agricultural-Environmental awareness. He showed a small video from the Department of Agriculture on their recipient of the Ag and Environmental stewardship. Mr. Payne then presented the Panther. He advised that the cat would be shown to the students at Lake Country Elementary.

**8. ADJOURNMENT**

The Workshop adjourned at 1:00 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MAY 9, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Jim Henry. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending May 9, 1995. See SMB 23 Page 163.

- B. CLERK**

The Clerk presented a report on the success of the "National Day of Prayer" observance.

- C. MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

- I. PROCLAMATION: "NATIONAL POLICE WEEK"**

The Proclamation was read into the record by Inspector Jim Rodgers. Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Proclamation designating the week of May 15-20, 1995 as "National Police Week" and May 15th of each year to be "Peace Officer's Memorial Day". Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 61.

4. **ACTION:**

- A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows

1. **Approval of minutes of 4-25-95 workshop meeting**
2. **Approval of line item budget change-Commodities contract.**



3. **Approval of budget amendments #94-95-146 and 147**
4. **Approval to modify Emergency Management grant contract. See SMB 23 Page 164.**

Upon Roll call, all Commissioners voted aye. Motion carried.

**DISCUSSION ON SERVICE CENTER FOR HRS**

The County Administrator advised that the HRS representative will be available next week for questions. He has attained a blank lease form from HRS for the Board to review. The Chairman suggested that HRS give a firm commitment to the Commission. Mr. Cool will bring a cost estimate on how much the building will cost and a net return on investment for the ten year period.

**B. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY-MARJORIE SAUNDERS FERNLEAF AVE. GOVERNMENT CENTER**

Bill Stephenson entered proof of publication into the record. See SMB 23 Page 165. Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to waive the appraisal procedure and purchase the property in the amount of \$20,000. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING LAKESHORE MALL**

Proof of Publication entered into the record. See SMB 23 Page 166. Captions of the ordinance read into the record. The Chairman called for public input.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance extending the date for the two year build-out for Lakeshore Mall. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER AMENDING THE SOLID WASTE ORDINANCE, CHAPTER 8.5**

Proof of publication entered into the record. See SMB 23 Page 167. Captions of the ordinance read into the record. Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance amending the Solid Waste Ordinance providing for commercial collection service and providing for an interim collection charge on new construction. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PUBLIC HEARING TO CONSIDER AMENDING SECTION 2-37,  
REGARDING FUNDING FOR LAW LIBRARY**

Proof of publication entered into the record. See SMB 23 Page 168. Captions of the ordinance read into the record. Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance amending section 2-37 of the Code of Ordinances, providing for funding for the Law Library. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. PUBLIC HEARING TO CONSIDER AMENDING SECTION 2-2,  
REGARDING FUNDING FOR CIVIL MEDIATION SERVICES**

Proof of publication entered into the record. See SMB 23 Page 169. Captions of the Ordinance read into the record. Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance amending the Code of Ordinances, providing for service charges on County Court Civil Proceedings to fund Civil Mediation Services. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. PUBLIC HEARING TO CONSIDER AMENDING ARTICLE 1, CHAPTER 2,  
REGARDING FUNDING FOR COURT FACILITIES**

Proof of publication entered into the record. See SMB 23 Page 170. Captions of the ordinance read into the record by the Board Attorney. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt ordinance amending Article 1, Chapter 2, regarding funding for court facilities. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. PROCLAMATION: "HISTORIC PRESERVATION WEEK"**

The Proclamation was read into the record by Mrs. Marguerite Skipper.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Proclamation designation May 14-20, 1995, as Preservation Week recognizing and participating in special observance. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 62.

Mrs. Skipper gave a report on the Sesquicentennial celebration marking the observance of 150 years for Florida statehood. A framed official poster and logo was presented to the Chairman and Commissioner Canale, as liaison to the Historic Commission, to be

hung in the Board of County Commission Chambers.

**BREAK 10:15 A.M-10:30 A.M.**

**J. RESOLUTION: TOURIST DEVELOPMENT COUNCIL**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution authorizing the Tourist Development Council and appointments. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 63. Resume of Karen Rudolph entered in to the record. See SMB 23 Page 171. Commissioner Gose requested that Mr. Cash from the Lake Placid newspaper be informed prior the meetings.

**L. DEVELOPMENT DIRECTOR:**

**A. APPOINT LAND DEV. REGULATION TASK FORCE MEMBER FOR DEVELOPMENT AND ALTERNATE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to appoint Jimmy Wohl as the Land Development Regulation Task Force member for Development and John Borgemeister as the alternate. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. DISCUSSION OF REMAINING LAND DEVELOPMENT REGULATIONS-JIM POLATTY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the recommendation of staff to allow the Historic Preservation to review the Historical Clearance and the NRAC to review the Environmental Issues and leave the Mining and Utility Permits to the LDR Committee.

The Chairman called for public input. Dan Foley spoke regarding the environmental issues.

Upon Roll call, all Commissioners voted aye. Motion carried.

**M. BOARD ATTORNEY**

No action

**N. COUNTY ADMINISTRATOR**

**1. SFWMD 1994 ANNUAL REPORT**

Motion by Commissioner Gose, seconded by Commissioner Barrett to accept SFWMD 1994 Annual Report into the record. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. LICENSE PLATE FOR FLORIDA ARTS**

The Board directed the County Administrator send a letter designating the county as recipient of funds to be derived from the sale of License Plates. After a determination of the amount

available, the Board will then make a decision as to who will receive these funds.

**3. REQUEST FOR EMS OFFICE TO BE MOVED TO SMALL GREEN BUILDING**

The Commission gave a consensus to allow this move.

The Board directed the County Administrator to speak with the Tax Collector to obtain a key for Jim Polatty, Development Services, to be able to use an office for private conference.

**K. DALE NEDERHOFF: GOVERNMENT CENTER ARCHITECTURAL SPACE PROGRAM STUDY**

Dale Nederhoff, Project Director for the Government Center, reviewed the design with the Board and Staff. A discussed ensued over the size of the Commissioner offices. Commissioner Gentry suggested that 220 feet was too large.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the "Personnel & Space Summary" as proposed by HOK for the Government Center. Upon Roll call, Commissioners Canale and Barrett voted aye. All other Commissioners voted nay. The motion did not carry.

The Chairman called for public input. Audrey Vickers, "Keep Highlands Beautiful" coordinator, spoke regarding the new grounds of the building and the views of the two Water Management Districts. Richard Conover suggested that staff be given ample space to work.

The Chairman passed the gavel to the vice-chair and made a motion to approve the size at 190 sq. feet for the five (5) offices for the County Commissioners. Commissioner Barrett seconded the motion.

The Chairman called for public input. Lee Atkins questioned the space allocation for the new board room.

Upon roll call, Commissioner Gentry voted nay. All other Commissioner voted aye. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to take 30 feet and add to the Assistant County Administrator's office, an additional 30 feet to the Personnel Director's office and 30 feet to the Budget Officer's office. Upon Roll call, all Commissioners voted aye. Motion carried.

The gavel was passed back to the Chairman.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the proposed plan as presented and amended. Upon Roll call, all Commissioners voted aye. Motion carried.

**O. CITIZENS NOT ON AGENDA:**

No action

**P. COMMISSIONERS**

Commissioner Gose gave a report on the new NASA Program.

Commissioner Gentry requested an update on the Riverdale Road.

**Q. ADJOURN**

The meeting adjourned at 11:58 a.m.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MAY 16, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commissioners Chambers at 411 S. Eucalyptus Street with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Personnel Director, Fred Carino. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending May 16, 1995. See SMB 23 Page 172. He also shared the results of the Wolfpack operation held on 5/12/95.

- B. **CLERK**

The Clerk reported that his office was also impacted by the results of the Wolfpack operation by the amount of tickets issued.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were presented for the benefit of the public.

4. **ACTION:**

- A. **CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Gose seconded by Commissioner Gentry to approve the Consent Agenda as listed:

1. Approval of minutes of 5-2-95 and 5-9-95 meetings, 5-2-95 and 5-4-95 public hearings
  2. Approval to pay the following duly authorized warrants as listed:

Law Library	317.38
General	727,767.32
County Transportation Trust	90,579.49
"E911" Operations	1,192.32

Law Enforcement Education	1,077.00
Local Govt Infrastructure Surtax	132,275.00
Affordable Housing Assistance Trust	148.10
Correctional Facility	34,230.87
Solid Waste	49,215.41
Water/Sewer	2,170.13
Risk Retention	1,165.99
Employee Benefit	179,657.10

3. Approval of budget amendments 94-95-150,151,153,154 and 156
4. Approval to execute resolution to set public hearing for vacation of Shore Place, June 13, 1995 for Tomoka Land Co and Lucius D. Smith, Jr. See Res. Book 9 Page 64.
5. Approval of health Facilities Authority Interlocal Agreement Bonds. See Res. Book 9 Page 65
6. Approval of capital purchase for a GIS software package for the Operations Director. See SMB 23 Page 173.
7. Approval to grant easement to Sprint United-Highlands Avenue. See SMB 23 Page 174.
8. Accept into record-April monthly report
9. Recommendation on Grants Manager position. See SMB 23 Page 175 for copy.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER ZONING CHANGES:**

**HEARING #1352-MARVIN KAHN**

Motion by Commissioner Gose, seconded by Commissioner Gentry to continue Hearing #1352 until June 20, 1995. Upon Roll call, all Commissioners voted aye. Motion carried.

**HEARING #1354-REED MANAGEMENT COMPANY, INC.** Lots 29 thru 36 of Prairie Oaks Village. Request to amend present R-3 (Multiple Family Residential with Flexible Unit Development) to create a recreational "greenbelt", including a pool and pool cabana and other recreational amenities. Proof of publication entered into

the record. See SMB 23 Page 176. Staff Reports presented. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution approving the zoning request as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 66.

**HEARING #1355-HAMMOCK MOBILE ESTATES, INC. C/O RICK WHIDDEN**

Requesting a zoning change from M-1 (Mobile Home Subdivisions district) to M-2 (Mobile Home Parks district). Proof of publication entered into the record. See SMB 23 Page 177. Staff reports presented. The Chairman called for public input.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Resolution approving the zoning request as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 67.

**HEARING #1356-JUNIPER BAY INVESTORS LIMITED PARTNERSHIP, A MONTANA LIMITED PARTNERSHIP, JOHN J. GREYTAK, MANAGING PARTNER.**

Requesting a zoning change from M-2, AU-CU, B-3 CU & B-1 (Mobile Home Parks district, Agriculture with conditional use, Business district with conditional use and Neighborhood Business district) to M-2 and B-3 (Mobile Home Parks district and Business district). Proof of publication entered into the record. See SMB 23 Page 178. Staff reports presented. The Chairman called for public input. Atty. Jack Brandon, representing Juniper Bay and Ron Cauthan, Engineer with Chastain-Skillman, presented the request. Richard Conover addressed the impact of traffic. Harold Seaman, FMO president, addressed the designation of the park. Hank Kowalski requested that the developer be responsible for improvements. Bill Lecher, County Engineer, reviewed future developments in that area.

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Resolution approving the zoning change as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 68.

**HEARING #1357 RESCHEDULED TO THE JUNE 13TH AGENDA.**

**HEARING #1358-DENNIS BASSETTI C/O RICK WHIDDEN**

Requesting a zoning change from R-3 FUD (Multiple Family Residential with Flexible Unit Development) to AU (Agriculture). Desire to use for a 68 unit A.C.L.F. and to bring into compliance with the comprehensive plan. Proof of publication entered into the record. See SMB 23 Page 179. Staff reports presented. The Chairman called for public input. None was received.



Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt Resolution approving the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 69.

**C. PUBLIC HEARING TO CONSIDER VACATING A PORTION OF BRIGHTON ROAD**

Proof of Publication entered into the record. See SMB 23 Page 180. Staff reports presented. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt Resolution to close a portion of Brighton Road of Lake Sebring with the Declaration of Unity of Title Agreement. See SMB 23 Page 180A. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 70.

**D. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING FEES FOR HIGHLANDS COUNTY WATER AND SEWER SYSTEM-PLACID UTILITIES**

Proof of publication entered into the record. See SMB 23 Page 181. The Board discussed the increase in fees. The Chairman called for public input. Mr. Phil Askew questioned if these fees would apply to Placid Lakes.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance amending ordinance #94-12 establishing water and sewer service policies, rates, fees, and charges for the county water and sewer system with corrections as stated. Upon Roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried.

**BREAK 10:38 A.M.- 10:50 A.M.**

**E. PROCLAMATION: "FOSTER PARENT MONTH"**

**Ms.** Faye Olds, representing the Department of H.R.S. Foster Care Unit, read the proclamation into the record.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt proclamation increasing the public awareness of the needs of foster children and contributions of foster parents. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 71.

**F. PROCLAMATION: "BUCKLE UP AMERICA WEEK"**

Proclamation read into the record by Commissioner Jim Gose.

Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt proclamation observing the week of May 22-29, 1995 as "Buckle up America Week". Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 72.

Hank Kowalski addressed the issue of children riding in open

trucks.

**G. LESLIE ALLARD: REQUEST FOR WAIVER OF BOND**

Ms. Allard appeared before the Board requesting a waiver of the \$50,000 surety bond in order to secure an occupational license to open a home business in astrology. The Board Attorney explained the ordinance and the requirement for posting the surety bond. Ms. Allard entered into the record the Matrix Astrology Software that is used for the proposed business. Commissioner Canale presented a print out of her Astro\* Talk Profile. After a lengthy discussion by the commissioners no action was taken to waive the bond requirement.

**H. EMS DIRECTOR: RECOGNITION OF EMS SUPPORT SQUAD**

The County Administrator read into the record a memo from the E.M.S. Director, Rick Weigand, giving special recognition for the E.M.S. Support Squad volunteer members for the period of May 14-20, 1995. See SMB 23 Page 182.

**I. COUNTY ENGINEER:**

**1. SEBRING HIGHLANDS COLLECTOR ROAD**

See SMB 23 Page 183 for copy of update.

**2. U.S.27 LEFT TURN LANE AT LAKEVIEW**

Motion by Commissioner Gose, seconded by Commissioner Canale to enter into an Interlocal Agreement with the City of Sebring for the left turn lane on US 27 at Lakeview Drive for the payment of materials cost estimated at \$4,100. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 184.

**J. BOARD ATTORNEY: APPROVAL OF NATURE CONSERVANCY CONTRACT FOR SUN'N LAKE PRESERVE**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the contract with the Nature Conservancy for the acquisition of the Sun'n Lake Preserve and the execution of all contract documents. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 185.

Commissioner Gose questioned staff regarding the Judge Young property. Keith Fountain of Nature Conservancy advised that the Division of Land Services are negotiating this transaction.

**K. COUNTY ADMINISTRATOR**

**1. OFFICE SPACE REQUEST FOR TIM HURNER**

Motion by Commissioner Barrett, seconded by Commissioner Gentry to approve the request of IFAS for the use of office space in the County Extension building at the Agri-Civic Center. This space will

be used by Tim Hurner to establish Pesticide Container Recycling programs in all of the counties in Florida. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 186.

**2. CENTRAL DISPATCH**

The County Administrator reported that the "E911" County Dispatch will not be located at the Sheriff's Department. Commissioner Barrett suggested that the space at the EMS building should be utilized. The County Administrator will report back on recommendations.

**3. REQUEST FROM CONSOLIDATED TOMOKA**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept right-of-way from Consolidated Tomoka to remedy the encroachment in Sebring Lakes. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 187 for copy of request.

**4. PROPOSED H.R.S. BUILDING CONSIDERATION**

The County Administrator presented the proposed cost analysis and net return on investment for the construction of the H.R.S. building. Sonny Register, HRS district manager for administrative services, advised that the state can not enter into a lease longer than five years, if there is a mortgage on the property. Mike Eastman, Finance Director, Dan Dorrell, County Auditor, Luke Brooker, Clerk and Tom Portz, Assistant County Administrator, advised of the risks involved. The Board Attorney stated that the arrangement would simply be a general obligation bond.

Motion by Commissioner Gose, seconded by Commissioner Canale to negotiate with HRS for a ten year lease and draw up the necessary papers for the Board's consideration on the proposed H.R.S. Building and report back. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 188.

**5. REPORT ON UPPER JACKSON-JOSEPHINE CREEK WATERSHED REPORT**

Motion by Commissioner Gentry, seconded by Commissioner Gose to seek permits and design to put in a temporary dam to block the seepage. Upon Roll call, all Commissioners voted aye. Motion carried. See Watershed file for copy.

**6. RECOMMENDATION FROM JOINT MEETING WITH CITY OF SEBRING:**

**A) EUCALYPTUS PARKWAY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to request that the City and County ask DOT to fund 50% of the engineering and construction costs for Phase 1, 2, and 3, of the

Eucalyptus Parkway. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 189.

**B) CITY OF SEBRING PARKING LOT**

Cost of Sebring Tennis Court Estimate. See SMB 23 Page 190. Motion by Commissioner Gentry, seconded by Commissioner Gose to seek to enter into an interlocal agreement to lease the Tennis Courts for conversion to build a parking lot for the County with a five (5) year option. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. REQUEST FROM WENDELL WHITEHOUSE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the request of Attorney Whitehouse to take the necessary action to formally place Spring Valley Lane on the Map of county maintained roads. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 191.

**8. REQUEST TO APPLY FOR GRANT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the County Engineer to reapply for the ISTEPA Grant funds for the Sidewalk at Lake Jackson. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator reported that Publications have been received "Libraries change lives" and will be available for the public.

**5. CITIZENS NOT ON AGENDA:**

Mr. Richard Conover commented on the Memorial Service for Law Officers held at the Courthouse on 5/15/95.

Mr. Conover suggested that the Deputy Clerk should be accessible to the microphone for polling the Board members.

Mr. Conover requested that staff consider advertising the listed items that will be auctioned off.

**ASST. COUNTY ADMINISTRATOR-REQUEST PERMISSION TO DISPOSE OF ADDITIONAL PROPERTY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to add to the list of items to be auctioned, three additional Bushhogs and a 1970 GMC Truck. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS**

**BARRETT**

**WATER TASK FORCE COMMITTEE REQUEST**

Motion by Commissioner Canale, seconded by Commissioner Barrett to pay the registration fee for a designated member (Preston Colby) to attend the Water Task Force conference in Orlando. Upon Roll call, all Commissioners voted aye. Motion carried.

**GENTRY**

Announcement of Senior Management Team to hold a Reality Check workshop on rules and environmental protection in Highlands County on May 25, 1995 at 7:00 p.m. in Commission Chambers.

**MAXCY**

Report on the Healthy Start General Annual meeting in Winter Haven and the CRA meeting in Sebring.

**7. ADJOURN**

The meeting adjourned at 1:11 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**PUBLIC HEARING OF THE BOARD, JUNE 6, 1995**

The Public Hearing was called to order at 8:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

	<b>C. Guy Maxcy</b>	
<b>Doris Gentry</b>		<b>Carl Cool</b>
<b>James L. Gose</b>		<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>		<b>Louise Graham</b>
<b>Jeri Canale</b>		

**PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, REGARDING OCCUPATIONAL LICENSING**

Proof of Publication entered into the record by the County Administrator. See SMB 23 Page 192. Explanation of revision presented by the Board Attorney. See SMB 23 Page 193 for copy. The Board Attorney read the appropriate ordinance into the record.

The Chairman called for public input. J. T. Landress, Tax Collector thanked staff and Board for their help with the ordinance. Mr. Macbeth advised that the second reading of the ordinance will be held in July after publishing. The Chairman closed the public hearing at 8:50 a.m.

**REGULAR MEETING OF THE BOARD, JUNE 6, 1995**

The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with all members present. L.E. "Luke" Brooker, Clerk, was also present.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Mike Karl. The Pledge was led by Richard Conover.

**D. VETERAN'S FLAG HONORING THE MEMORY OF LOWELL C. ALLAN**

Mrs. Ruth Allen presented the American Flag to the Board in the memory of her late husband, Lowell C. Allan. The Board attended a small ceremony to raise the Flag to be flown over the courthouse.

**3. ANNOUNCEMENTS:**

**A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending June 6, 1995. See SMB 23 Page 194.

**B. CLERK**

The Clerk recognized Louise Graham, Deputy Clerk, for completing 25 years of service to the Clerk's office.

**C. FUTURE UPCOMING MEETING:**

The County Administrator read the upcoming meetings into the

record. Additional meetings were presented for the benefit of the public.

4. ACTION:

A. CONSENT AGENDA:

Item #7 was requested to be removed from the Consent Agenda for further explanation.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as listed with Item #7 deleted.

1. Approval of minutes of 4-20-95 meeting with Lake Placid Town Council, 5-9-95 meeting with Sebring City Council, 5-16-95 regular meeting and 5-23-95 workshop
2. Approval to pay the following duly authorized warrants as listed:

Law Library	1,164.88
General	1,307,016.71
Country Transportation Trust	64,549.37
"E911" Operations	9,770.58
Local Govt Infrastructure Surtax	340,491.65
Affordable Housing Assistance Trust	21,900.00
Special Law Enforcement Trust	1,506.41
Correctional Facility	574,394.55
Solid Waste	36,819.82
Water/Sewer	83,800.84
Risk Retention	160,889.24
Employee Benefit	142,563.87
Special Payroll	162,905.84
3. Approval to sell motor grader. See SMB 23 Page 195.
4. Approval of surplus equipment trade-in. Clerk of Court. See SMB 23 Page 196.
5. Approval to execute lease with City of Sebring for parking lot. See City of Sebring file.
6. Approval to execute 1995-96 commodity contract.
8. Approval to waive permit fee for Lake Placid Jaycees' fireworks display. See SMB 23 Page 197.
9. Approval of Supplemental Agreement #30 with Chastain-Skillman. See SMB 23 Page 198.
10. Approval of payment to grant consultant for CDBG application. See SMB 23 Page 199.
11. Approval of request to declare nuisance-case #9495-039. See SMB 23 Page 200.

12. Approval of request to record release of lien-case #92-193. See SMB 23 Page 201.
13. Approval to record plat-Lake Lynn Acres. See SMB 23 Page 202.
14. Approval of budget amendments #94-95-160 and 166 through 173

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. DISCUSSION ON PROPOSED HRS LEASE AGREEMENT**

The County Administrator presented a proposal for the Sebring Service Center for the construction of a new building. See SMB 23 Page 203 for copy. The proposal would be for a ten (10) year lease agreement at \$14.36 per sq. foot per year in monthly payments. The payments to inflate each year at the start of the second year at the rate of 4% per year for the entire lease period. The ten (10) year lease would carry with it the option to extend the lease for an additional 10 years if both parties agree on a new negotiated rate. Sonny Register, District Manager for HRS presented a letter with modifications agreeing to inflating the lease payments over the ten year term, if the net profits are added to the annual contribution to the CPHU. See SMB 23 Page 204.

Commissioner Gentry was not in favor of committing the net profits for the second ten year term. The Assistant County Administrator suggested that the Board not lock themselves into a situation as staffing problems could occur. Mike Eastman, Director of Accounting and Finance, presented investment advice and suggested that the Board should have a more clear picture of net profits.

The Chairman called for public input. Sandy Grabowski, representing Jimmy Wohl, American Home Services Corporation, spoke against the HRS lease agreement. Al Scarpati requested that the Commission consider the tax revenue if private industry constructed the building. Preston Colby spoke regarding the lease options in the Pittsburgh area.

Motion by Commissioner Gose, seconded by Commissioner Gentry to offer the option to HRS, with an addition to the HRS letter, item #1, that the net profits would not be added to the contributions but would be used at the Commissions' discretion for health care needs in Highlands County.

Commissioner Gose amended the motion to exclude Item #1 of the HRS letter, not for health care.

Comments were received from Margaret Hall Harris in opposition to the motion.



Upon Roll call, Commissioners Gose, Gentry and Barrett voted aye. Commissioners Canale and Maxcy voted nay. The motion carried.

**BREAK - 10:35 A.M.-10:50 A.M.**

**C. TOM FLETCHER, BUREAU CHIEF OF VETERANS' BENEFITS AND ASSISTANCE: VETERANS SERVICE OFFICE OPERATIONS**

Kevin Roberts introduced Tom Fletcher, Bureau Chief, for Benefits and Assistance, Veterans Service Operations. Mr. Fletcher presented a plaque to Roy Carr, Veterans Service officer for Highlands County receiving the award as the best program in the state.

Dan Foley congratulated Roy Carr and praised the professionalism he experienced during his work tenure with the Veterans Operations.

**6-1. COMMISSIONER CANALE: EMERGENCY MEDICAL SERVICES BILL**

Mr. Al Scarpatti appeared before the Board with a request for a reduction in an emergency services bill for Mrs. Dorothy Rice. He stated that Mrs. Rice was completely disabled and had no visible means of paying this bill. He proposed to pay the bill himself but would appreciate a reduction. Commissioner Barrett made a motion to reduce the bill by one-half. Commissioner Canale seconded the motion.

The County Administrator requested that before any action is taken on this item, he would like a chance to involve the supervisor and to consider the adopted policy for delinquent accounts. He would then bring back a recommendation at next week's meeting.

Upon roll call, Commissioners Barrett and Canale voted aye. All other Commissioners voted nay. The motion did not carry.

**F. BUDGET OFFICER:**

**1. SOLID WASTE ASSESSMENT**

The Budget officer reviewed with the Commission the changes suggested during the audit findings for the method of accounting and closure costs associated with landfill operations. He also mentioned the DEP modified rules and regulations. He requested that the Board set a public hearing date to consider revisions to the solid waste ordinance that would change the assessment from \$125.00 to \$130.00 per year. See SMB 23 Page 205 for back up documentation.

The Chairman called for public input. Preston Colby requested that the Board consider recalculating the methodology that is used in compensating the haulers. The County Administrator advised that the contract calls for an option to renew for five (5) years and the county cannot break the contract.

Jim Reeves spoke in opposition to the increase. Jim Cash addressed the commercial accounts.

Commissioner Barrett suggested that the advertisement for the public hearing should reveal that the DEP has required this increase.

The consensus of the Board was to set a workshop for next Tuesday at 1:00 p.m. to address all issues before committing to mail out to residents.

12:25 A.M

D. DISCUSSION OF PENDING LITIGATION-PURSUANT TO SECTION 286.011 (8) FL. STATUTES, WITH THOSE PRESENT BEING COMMISSIONERS C. GUY MAXCY, JERI CANALE, JOHN D. BARRETT, JAMES L. GOSE, DORIS GENTRY, COUNTY ADMINISTRATOR CARL COOL, BOARD ATTORNEY J. ROSS MACBETH AND A CERTIFIED COURT REPORTER: ROBERTA TURNER

- (1) Highlands County v. Keystone Fruit Co., et al.  
Circuit Court for Highlands County, GC93-445
- (2) Sanders v. Allstate Insurance Co. and Highlands County  
Circuit Court for Highlands County, GC93-379
- (3) Lowell v. Maxcy, et al.  
Circuit Court for Highlands County, GC94-418

The regular meeting reconvened at 1.15 p.m. with all members present and C. Michael Eastman sitting for the Clerk.

E. GAYE WILLIAMS: CENTRAL FLORIDA HEALTH CARE, INC.

Ms. Williams gave an update of Central Florida Health Care Facility on Lake Avenue and services that are provided.

2. UPDATE TO COST ALLOCATION PLAN AND APPROVAL OF BUDGET AMENDMENT #94-95-174

Motion by Commissioner Gentry, seconded by Commissioner Gose to enter into a contract with the Florida Counties Foundation for an update to the Cost Allocation Plan. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 206.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve budget amendment #94-95-174 in the amount of \$8,500 for the cost allocation plan. Upon Roll call, all Commissioners voted aye. Motion carried.

3. DERIVATIVE SECURITIES LEGISLATION

The Budget Officer reviewed the request from Escambia County regarding a resolution in opposition to Senate Bill 240 which would restrict the recovery of monies lost through various stockbrokers.

The Accounting and Finance Director gave an update on the

investment schedule and advised that this county does not invest in derivatives.

The consensus of the Commission was to request that staff work with the Board Attorney to prepare appropriate resolution to be able to assist Escambia County with this problem.

**G. DEVELOPMENT DIRECTOR: RESCIND RESOLUTION 94-28 AND ADOPT REPLACEMENT RESOLUTION**

Motion by Commissioner Canale, seconded by Commissioner Gose to rescind Resolution #94-28 and adopt replacement resolution which contains plan Amendment schedules, interim procedures for processing plan amendments and a schedule of fees for planning applications. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 page 74. See SMB 23 Page 207.

**H. ASSISTANT COUNTY ADMINISTRATOR:**

**1. RECOMMENDATION FROM BUILDING USE COMMITTEE**

This item was removed from the Agenda and will be presented back at the next meeting with recommendations.

**2. EMS LABOR SETTLEMENT LETTER**

The Assistant County Administrator presented the history of this situation with recommendation for a 6% reduction in salary and to implement paid overtime at time and one-half for all hours exceeding 40 hours in a seven (7) day work week. See SMB 23 Page 208. Mickey Byrd, EMS employee, read a memo into the record with signatures from 31 employees stating that they endorse and agree with the proposed back pay settlement of \$85,000 and the proposed 6% reduction with time and a half after 40 hours Plan. See SMB 23 Page 209. The Chairman called for public input.

Preston Colby presented a statement on behalf of certain EMS employees. Questions were asked regarding the so called lapse time (from July 31 to 5/30/95) The Assistant County Administrator emphasized that the \$85,000 was the total settlement for the complete period. Rick Weigand, E.M.S. Director, explained that the lapse period has not been settled with the Department of Labor. Fred Carino, Personnel Director, suggested that the Board hear the concerns of the remaining employees. The Board Attorney requested that the Board act on changing the pay system today.

Mickey Byrd, representing the employees, requested a separate check for the severance pay. Mike Eastman advised that the Finance Department could provide this request.

Motion by Commissioner Gentry, seconded by Commissioner Gose to authorize and approve the new pay schedule that was presented to

become effective 6/14/95 for EMS personnel. Upon Roll call, all Commissioners voted aye. Motion carried.

A discussion was held regarding the change in two week versus three week pay periods. The consensus was if there is a change in pay periods, it should be revisited.

**3. WORKERS COMPENSATION PHYSICIANS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to authorize the utilization of local physicians with the county for Workers's Compensation. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 209 for names of physicians.

**I. COUNTY ADMINISTRATOR**

**1. APPROVAL TO REMOVE TRUCK FROM FIXED ASSET LIST**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve to remove Item #7 on the Consent Agenda, RB-67, from the fixed asset list. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 23 Page 210.

**2. LEGISLATIVE CHANGE**

The County Administrator reported that the bill, Offensive Names on Plats, was drafted by the Board Attorney and was submitted by Representative Harris and Senator Dantzler. The house and the senate passed the bill and it will become law.

**3. PRIVATE PROPERTY RIGHTS**

The County Administrator advised that the county could be responsible if the Conservation Overlay Map is adopted and property rights are affected.

**4. U.S. 27 BY-PASS**

The County Administrator reported that the final route report has been received and will be located in his office for review.

Commissioner Gentry requested special attention be given to legislative changes; House Bill #67 regarding Fire and EMS and the impact of Ordinances and surcharge for felonies.

Commissioner Gentry also reported on the Leon County proposal on Gas Tax.

Commissioner Gose suggested that the Board Attorney review the citizens access to public officials and inform the Board.

**5. CITIZENS NOT ON AGENDA**

Mr. Richard Conover spoke to the Board regarding traffic control; the water situation at Sun'n Lakes and the Budget.

Mr. Don Reeves requested the county stop vehicles from using an

unauthorized shortcut between Memorial Drive and Rt. #27, Colony Point, Mobile Home Park. The Board directed the County Administrator to assess the situation and report back next Tuesday.

**6. COMMISSIONERS:**

Commissioner Gentry reported that Highlands County allocation for SHIP was funded in the amount of \$447,350.

Commissioner Gentry requested the Board Attorney research the County Ordinances for relief from noise attributed to Airboats.

Commissioner Gentry read a statement into the record suggesting the Board consider attaining assistance from a professional person. She stated that we have five commissioners, with all moving in different directions. This person could define the role as a county commissioner and work toward goal setting. The consensus of the Commission was to set a workshop for June 16, 1995 at 8:00 a.m. with Doug Leonard as the facilitator.

Commissioner Barrett commented on staff's lack of informing the commissioners, particularly, the issue of office space.

Commissioner Barrett remarked about a Department Head termination that he was not aware of. He would like to be informed immediately if a termination of a Department Head has occurred.

Motion by Commissioner Barrett, seconded by Commissioner Canale to place a letter of reprimand in the Development Services Director's file and place back on probation, and a letter of reprimand in the County Administrator's file. The Assistant County Administrator advised that he was also present at the action and was jointly responsible and should have a reprimand placed in his file. Commissioner Barrett was not agreeable. Upon Roll call, Commissioner Barrett voted aye, Commissioners Gentry, Canale, Maxcy and Gose voted nay. The motion did not carry.

Fred Carino, Personnel Service, commented on the actions and suggested that we move ahead with policy.

The Chairman directed the County Administrator to reassess office space problem for the commissioners due to possible sunshine problem.

**7. ADJOURN**

The meeting adjourned at 4:17 p.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JUNE 13, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Russell Lethbridge. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending June 13, 1995. See SMB 24 Page 1. Mr. Rodgers advised that the Department is continuing to explore housing arrangements with other counties and working with the judicial system to try and enter people with the pre-trial release program.

Inspector Rogers gave a report on the speed enforcement that was conducted on the weekend.

- B. CLERK**

The Clerk commented on this week being Jury Trial week and the potential for holding Jury Trials two weeks out of the month. Mr. Brooker advised that there are three major murder trials coming up and this will impact the court system greatly.

- C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

- D. VETERANS'S FLAG-HONORING EDWARD SHRULL**

The County Administrator reported that Mrs. Edward Shrull donated the flag that is flying over the Courthouse in honor of her late husband, Edward Shrull, who served in the Navy during World War II and the invasion of France. Mr. Shrull worked for the New York Fire Department for 33 years.

4. **ACTION:**

**A. CONSENT AGENDA:**

The County Administrator read the reported meetings into the record. Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Consent Agenda as listed:

1. Approval of minutes of 4-17-95 joint meeting with Avon Park Council
2. Approval to trade in equipment. Portable Radio, See SMB 24 Page 2.
3. Approval of name changes in Orange Blossom. See SMB 24 Page 3.
4. Approval of budget amendments #94-95-177 through 183.
5. Approval of Standard Application for Volunteer Firefighters. See SMB 24 Page 4.
6. Approval of Preliminary Assessment for Nuisance Abatement Public Hearing date to assess the lien for June 20, 1995. See SMB 24 Page 5.
7. Approval to execute resolution authorizing investment of public funds. See Res. Book 9 Page 74.

**B. PUBLIC HEARING TO CONSIDER ROAD CLOSING-SHORE PLACE**

Lisa Burley, Administrative Aide, office of the County Engineer, presented proof of publication into the record. See SMB 24 Page 6. She also presented recommendation of the County Engineer to close the road and to accept the dedication of the right-of-way.

Bill Nielander, representing Consolidated Tomoka, petitioner, along with Lucius D. Smith, stated that all requirements have been complied with. The Chairman called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt the Resolution to close Shore Place and approve the recording of the right-of-way deed for Consolidated-Tomoka Land Co. with the consent of Lucius D. Smith, Jr. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 75.

The Clerk, L.E. "Luke" Brooker was replaced by C. Michael Eastman, Accounting and Finance Director at 9:20 a m.



**C. SANTOS DE LA ROSA: UPDATE ON HOUSING AUTHORITY**

Mr. Santos De La Rosa, Chairman of the Housing Authority, briefed the Board on plans to build a farm worker housing complex. The Authority has an option on 12.5 acres of land off of Youth Care Lane for a housing facility. The application for \$2.8 million in federal funds is being processed in Washington.

**D. ASSISTANT COUNTY ADMINISTRATOR:**

**1. BUILDING USE COMMITTEE RECOMMENDATION**

The Assistant County Administrator presented the committee recommendation mission statement to the Board for proper usage of county facilities. Jim Cash questioned if the vendor or sponsor would present the form. The Board directed Mr. Portz to have the Board Attorney clean up the mission statement and present back. See SMB 24 Page 7 for copy.

**2. INSURANCE COMMITTEE RECOMMENDATION**

Motion by Commissioner Canale, seconded by Commissioner Barrett to accept the contract with Advantage Dental Health Plan as a new dental carrier for the county employees with the contingency of a minimum of five local dentists on contract and a six month probationary period. If the county is not satisfied with the plan after six months the contract can be cancelled. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 8 for copy of recommendations. Commissioner Canale commended Gail Roebuck, Insurance Benefits Specialist, for her work with the RFP for the Dental Plan.

The Board discussed the unfavorable survey taken from the county employees on the health care administrator, Robey-Barber. Commissioner Canale suggested that if the newsletter that the firm has offered to provide does not answer the concerns, then the Board should relook the contract. The Commission requested staff review the relationship to see if the county is saving money, as was projected with the firm. Mr. Portz to report back.

**3. JAIL PROJECT REPORT**

The Assistant County Administrator presented the Jail Project Monthly report #5 for the period ending May 30, 1995, prepared by Peter Brown Construction. The Board reviewed the report and commented on the project. See Jail file for copy.

The Board discussed the new Government Center in regards to the Construction Manager approach. Commissioner Canale suggested that the Board has not yet made a motion to approve the actual contract for the construction. The Commission directed the County Administrator to research the records and present back along with the pros and cons of a construction manager approach.

The Assistant County Administrator presented three items that are errors that need to be corrected with the jail construction.

RFP #1-credit of \$2600-minor deletions in the exercise yard and roof panels and deletions in the 911 area.

RFP #2- Transformer-approximately \$15,000

RFP #3-Siamese connection-approximately \$9,000

These items have not been brought to resolution as to who will be responsible for the cost.

**4. EMERGENCY MEDICAL SERVICE SETTLEMENT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the settlement at the 50% percentile to settle the lapse period of July 1994 thru June 13, 1995 to close the matter as expeditiously as possible; subject to the Board Attorney final approval and concurrence from the Labor Attorney. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 9. Upon Roll call, all Commissioners voted aye. Motion carried.

**BREAK 10:30 AM-10:40 AM**

**E. COUNTY ADMINISTRATOR:**

**1. U.S. 27 AT LAKEVIEW-SOUTHBOUND LEFT TURN DISCUSSION**

The County Administrator presented a memo from Bob Hoffman, Administrative Assistant for the City of Sebring, advising that the City Council declined to participate in the expense to extend the turn lane at the U.S. 27/S.E. Lakeview Drive intersection. The proposed cost for the City was \$4,100 for reimbursement of materials. The Board took no action to continue the project. See SMB 24 Page 10.

**2. RECOMMENDATION ON EMERGENCY MEDICAL SERVICE BILLS**

The Commission directed the County Administrator to send a letter informing Mr. Scarpati that a judgement has been rendered in the case of Mr. Scott Barton and Mrs. Dorothy White Barton and if he wishes to pay the bill he can satisfy the court system. See SMB 24 Page 11.

**3. RECOMMENDATION ON WATER SYSTEM**

Recommendations were presented by the County Administrator not to pursue the Rural Economic and Community Development Facility Loan Grant. Motion by Commissioner Gose, seconded by Commissioner Gentry to rescind efforts to continue with this grant. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 12.

**4. MODULAR BUILDING FOR STATE ATTORNEY'S OFFICE**

The County Administrator reported that these units have been delivered and will be put together for their occupancy in the near future. It will provide additional space and hopefully move the caseload along more efficiently with the added attorneys.

**5. PLACID LAKES WATER SYSTEM NEGOTIATION**

The County Administrator reported on the negotiation between the two engineers regarding the revenue amount to be derived from the water system.

**5. CITIZENS NOT ON AGENDA**

Richard Conover requested that food be furnished to the Planning and Zoning and the Board of Adjustment members who begin at 2:00 p.m. and continue past meal time. The County Administrator responded that it would be an illegal expenditure.

Inspector Jim Rodgers, Chairman of the Traffic Safety Program, requested information on the signalization of the U.S. 27 Southbound left turn lane.

Mr. Don Reeves spoke regarding the unauthorized use of the road from Colony Point on to Memorial. The County Administrator advised that a memo has been written to the Operations Director and he will respond.

**6. COMMISSIONERS**

CANALE

Motion by Commissioner Canale, seconded by Commissioner Gentry to reappoint Audrey Vickers and Bruce Sherwood to the Historic Preservation Commission for a four year term. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Canale reported on the meeting of the Library Advisory Board. A policy will come before the Board extending the check out time. The policy will be operated on an honor system and will become effective October 1, 1995.

Commissioner Canale requested everyone attend the Recreational Committee meeting to be held 6/15/95 to talk about the upcoming needs.

GOSE

Commissioner Gose advised that John Fitzpatrick has resigned from the Natural Resources Advisory Committee. He will be hard to replace and much thought should be given to his replacement. The Board directed the County Administrator to contact Dr. Swank and request resumes be sent.

Gentry

Clarification on meeting schedule.

Commissioner Gentry reported that she will not be available to attend the July 3, 1995 meeting. No workshop is scheduled for July 25, 1995. A workshop will be scheduled for June 27, 1995 with Doug Leonard regarding sustainable communities.

**LANDFILL DISCUSSION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to amend the agenda to include the discussion of the Landfill as an agenda item instead of a workshop. Upon roll call, all Commissioners voted aye. Motion carried.

**1:00 P.M. LANDFILL DISCUSSION-CARL COOL PRESENTATION**

1. Review of the history of tipping fees in Highlands County
2. Review of history of Highlands County's solid waste assessment
3. Review of Highlands County's ten year budget projection
4. Review of other tipping fees and solid waste assessments in Florida
5. Possible cost of considering a change to tipping fee and schedule required to mail notices

Staff will bring back recommendation on decision for the Board to vote on sending notices to all households regarding the increase in user fees. If notices are sent, a public hearing will be tentatively set for Tuesday, September 12, 1995 at the highlands County Agri-Civic Center on U.S. 27. See SMB 24 Page 13.

**7. ADJOURN**

The meeting adjourned at 12:27 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, JUNE 16, 1995  
TEAM BUILDING SESSION**

Present: Chairman Maxcy, Vice-Chairman, Doris Gentry, Commissioners Gose and Canale. Absent, Commissioner Barrett; also present: Board Attorney, Ross Macbeth and County Administrator, Carl Cool.

Staff present: Louise Graham, Deputy Clerk; Rick Helms, Budget Officer; Bill Stephenson, Tax District Coordinator; Fred Carino, Personnel; Mary Myers, Library; Kevin Roberts, Human Services; Vaden Pollard, Operations; Rick Weigand, EMS; Tim Eures, Fire and E911

Richard Conover, Camera Operator

Presenters: Doug Leonard, CFRPC and Marlene Young, Polk County Commissioner. Also present was Bill Emmerich, Consultant for CFRPC.

1. Doug Leonard presented an opening statement.
  2. Marlene Young presented an opening statement.
  3. Doug Leonard - requested family history of each board member
  4. Clerk Brooker came to the meeting at 8:35 a.m.
  5. Doug Leonard - questioned each commissioner on where they are today; re: Responsibilities; Goal Setting
  6. Doug Leonard - Four different philosophy's. Board is singular.
  7. Invite Commissioner Barrett to the next session
  8. Staff not to be present at next session.
  9. Next Session set for June 27, 1995 at 8:00 a.m. to discuss "Team Building"
  10. Marlene Young not to be present at next session but to participate when needed.
  11. The workshop adjourned at 10:55 a. m.
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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JUNE 20, 1995**

The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a silent prayer for Jim Pyle, a former employee of the Clerk's Office for 23 years. The County Administrator then led the members in a word of prayer. The Pledge was led by Richard Conover.

**2. ANNOUNCEMENTS:**

**A. SHERIFF**

Capt. Bob Hopton presented the Daily Jail Log of Inmate Count for the period ending June 20, 1995. He advised that the Department has set a record population at 226 for the day. Other counties have been contacted for housing of inmates.

**B. CLERK**

Luke Brooker, Clerk, presented information regarding the passing of Jim Pyle, former Finance Director of Highlands County.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. The Chairman requested that Jim Polatty, Development Services Director, update the Board on the Public Hearing and Workshop to be held at 5:01 and 5:30 p.m.

**F. DEVELOPMENT DIRECTOR-RECOMMENDATION OF PLANNING AND ZONING COMMISSION AFFECTING USE OF LAND IN UNINCORPORATED AREAS OF HIGHLANDS COUNTY**

The Development Director gave an update on the proposed review and adoption of the Land Development Regulations to be heard at the public hearing at 5:01 p.m. today and the workshop to be held at 5:30 p.m. The hearing is to be held for policy additions and revisions to the Natural Resources Element to develop an acquisition program for environmentally sensitive lands in the county via a Habitat Conservation Plan. Policies establish a funding mechanism and a 10-year acquisition target of 20% for total county area as part of this program. The proposal was presented by



intervener Joe Clarke.

**D. VETERAN'S FLAG IN HONOR OF CHARLES W. ALLWOOD**

The County Administrator announced that the flag that is flying today at the courthouse is in honor of Charles W. Allwood. It has been donated for use by Mrs. Allwood. Mr. Allwood was a veteran who served in the Infantry as a military police during world war II and the European Theater of Operations.

**4. ACTION**

**PROCLAMATION: AMATEUR RADIO LEAGUE FIELD DAY**

The Proclamation was read into the record by Commissioner James Gose.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Proclamation to declare the week of June 19-25 as Amateur Radio Week in recognition of the emergency preparedness exercise and to pay tribute to the Amateur Radio operators of Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 76.

**A. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Gentry, seconded by Commissioner Canale to approve Items one through eight on the Consent Agenda as listed. Item # nine is a duplication.

Commissioner Gentry questioned the impact of Item #6, Interlocal Agreement with City of Sebring for purchasing. Vaden Pollard, Operations Director, agreed to review the bids, individually.

1. Approval of minutes of 6-6-95 public hearing and regular meeting
2. Accept into record-May Monthly Report
3. Approval to pay all duly authorized warrants as listed:

Law Library	113.21
General	633,362.08
County Transportation Trust	109,801.96
"E911" Operations	268.57
Law Enforcement Education	1,125.00
Local Govt Infrastructure	196,628.83
Affordable Housing Assistance	37,972.40
Certificate of Indebtedness	1,312.44

1973 Refunding Certificate of Indebt	109,843.75
Correctional Facility	23,472.39
Solid Waste	13,345.30
Water/Sewer	51,221.92
Risk Retention	17,769.26
Employee Benefit	63,594.73
Special Payroll	77,914.94

4. Approval of CSX invoice. See SMB 24 Page 14.
5. Budget Amendments #94-95 188-189.
6. Approval of Interlocal Agreement with City of Sebring for purchasing
7. Approval of street name change-Meadow Beauty Lane to Montana Trail. See SMB 24 Page 15.
8. Plat Recording-Stanley Luis Serrao Subdivision. See SMB 24 Page 16.

Upon roll call, all Commissioners voted aye. The motion carried.

**B. PUBLIC HEARING TO ASSESS LIEN**

Proof of Publication entered into the record. See SMB 24 Page 17. Motion by Commissioner Barrett, seconded by Commissioner Gentry to approve request to record Lien, Case #94-95-030. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE PROVIDING FOR SURCHARGE ON MOVING TRAFFIC VIOLATIONS**

Proof of publication entered into the record. See SMB 24 Page 18. The Board Attorney explained that this ordinance was being readopted due to the Florida Statutes change in Section 316.655(6). The new section is 316.655(7). The ordinance captions were read into the record. The Chairman called for public input. None was received

Motion by Commissioner Canale, seconded by Commissioner Gose to adopt Ordinance No. 95-21; to correct statutory reference providing for the assessment of an additional surcharge of \$12.50 for each moving traffic violation. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER ZONING CHANGE REQUEST**  
**HEARING #1352-MARVIN KAHN: LITTLE RED WATER LAKE TRACT**

Petition presented by Gary Lower, Zoning Supervisor. This hearing

was tabled from May 16, 1995 to resolve the land clearing issues. The Development Services Director advised that the memo from Biological Research Associates, Inc. does give the petitioner environmental clearance. The Natural Resources Advisory has approved this and staff does recommend the zoning. See SMB 24 Page 19 for copy of memo. The Chairman opened for public input. Dan Foley, representing the Citrus Growers Association, stated that the petitioner believed that he followed the law in every way.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the zoning and the adoption of the Resolution; contingent upon the plan amendment to the Future Land use Map. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 77.

**HEARING #1357-HIGHLANDS COUNTY PLANNING & ZONING COMMISSION PER FL STATUTES 125.66(5).**

All of plat of Avon Park Estates. Request rezone change from AU, R-1 & I-2 (Agriculture, Residential district and Industrial district) to EU & PU (Estate district and Public Lands district). Request is clean up only.

Proof of publication entered into the record. See SMB 24 Page 19. Gary Lower presented petition and recommendation from the Zoning Board. The Chairman called for public input. Kurt Olsen, Vice-President of the Avon Park Homeowners Association, spoke in favor of the zoning change.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt the appropriate Resolutions approving the zoning request. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 78. The County Administrator entered into the record a letter from the City Manager, Susan Boyer, in favor. See SMB 24 Page 20 for copy.

**HEARING #1359-PAUL H. POORE DBA/ALPHA GENERAL SERVICES, INC.**

No action taken by the Zoning Board. The Zoning Supervisor explained the reason for the delay.

**HEARING #1360-DONALD L. GREENHALGH**

Tabled until July 11, 1995 by the Zoning Board.

**E. PLACID UTILITIES EXTENSION-ADDITIONAL WORK**

Lisa Burley, County Engineer's office, presented recommendations for the additional work on the Extension of Placid Utilities Water Line.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the budget amendment to facilitate the additional services for Placid Utilities; approve Addendum No.1 to the Supplemental Agreement No. 24 with Chastain Skillman; approve Change Order No. 2 for McGrand and associates for the Placid Utilities Waterline Extension, and authorize Short Utilities to proceed with additional hook-ups and installation of backflow prevention devices. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 21.

**G. COUNTY ENGINEER:**

**1. FDOT TRANSPORTATION ENHANCEMENT PROJECTS**

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the recommendation of the County Engineer to approve the execution of the application as Project Sponsor for the US 27 @ Lake Jackson Bike Path project and to forward as submitted, the four projects to the FDOT for determination of eligibility. The projects to come back before the Board for ranking on July 11, 1995.

Joe Johnson, representing the Chamber of Commerce, stated that the Town of Lake Placid has agreed to rank Avon Park first. Pete Pollard explained the ranking of applications and sponsorship. Rev. W.C. Holden questioned if the Board will be giving expertise or directives for the funding. The commission advised that staff time would be involved.

Upon Roll call, all Commissioners voted aye. Motion carried.

**H. BOARD ATTORNEY: SETTLEMENT OF LIEN AGAINST ARNOLD TONEY**

The Board Attorney suggested that the Commission postpone hearing this item until July 11, 1995 to allow time to review this case with Mark Thrush, Attorney. The statues have changed regarding equitable distribution since the case was heard for Mr. McClure. The recommendation will come back in a memo form. The firm of Jacobs & Goodman, Attorneys are requesting a fifty (50%) reduction of the total lien due to outstanding expenses incurred. See SMB 24 Page 23 for copy of letter from attorney.

**BREAK 10:35-10:45 A.M.**

**I. COUNTY ADMINISTRATOR**

**1. DISCUSSION ON LAKE PLACID OLD LIBRARY BID**

The County Administrator reported that only one bid was received. This bid was from the Town of Lake Placid in the amount of \$50,000. His recommendation was to leave the bid in place and rebid with no restrictions. Commissioner Barrett spoke in favor of accepting the bid for the use by the Police Department and the Driver License

station. The Chairman called for public input. Joe Johnson, President of the Chamber of Lake Placid, entered a Resolution into the record supporting the concept of the Town Council obtaining the old Library building for purposes of housing the Police Department. See Res. Book 9 Page 78. Dal Hall, Mayor of Lake Placid, also voiced support for the building.

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept the Town of Lake Placid Bid at \$50,000 with the restrictions in tact. The motion was amended to accept the bid with the transfer of title to the Board of County Commission of the existing library property. The mayor suggested that the deed restrictions be taken off after one year. Upon roll call, all Commissioners voted aye. The motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Canale to have the deed restrictions removed as requested in one year of closing. Upon Roll call, Commissioners Gentry, Canale and Barrett voted aye. Commissioners Gose and Maxcy voted nay. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to appropriate the money to the county-wide library in addition to the general funding restraints. Upon Roll call, all Commissioners voted aye. Motion carried.

The Chairman suggested the walls be decorated with murals.

**1. BUILDING USE RECOMMENDATIONS/REVISED**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the committee recommendation for the approval of the mission statement to carry out the Board's directive of review for profit entity usage of county facilities. Upon Roll call, Commissioners Gose, Gentry, Barrett and Maxcy voted aye. Commissioner Canale voted nay. The motion carried. See SMB 24 Page 24.

**2. RECOMMENDATIONS ON SOLID WASTE NON-AD VALOREM NOTICE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to set a public hearing date for September 12, 1995 at 6:00 p.m. at the Agri-Civic Center to levy a non-ad valorem assessment for the purpose of solid waste collection and to send out notices. See SMB 24 Page 25 for copy. Commissioner Gose requested that an insert be placed in the notice that indicates the present levy. Upon roll call, all Commissioners voted aye. Motion carried.

**3. DISCUSSION ON CONSTRUCTION MANAGER FORM OF DELIVERY**

**FOR GOVERNMENT CENTER BUILDING**

The County Administrator reported that staff are moving ahead with the Construction Manager Form of Delivery. The RFP has been issued. He reviewed with the Commission the 14 steps of the process to build the building. Commissioner Canale questioned the action that the Board has taken in the past toward approving the building.

**4. DISCUSSION ON BUDGET PACKAGE RECOMMENDATIONS**

The County Administrator requested direction from the Board on the budget package. The Board discussed staff submitting a package with a reduction of 10% with an incentive program to be split between employees. The County Administrator suggested contacting other counties for examples to be considered.

**HIGHLANDS COUNTY PLACID LAKES UTILITIES, INC.**

The County Administrator advised that a letter was received from William E. Sundstrom, Attorney for Placid Lakes Utilities requesting that all negotiations be terminated regarding the sale of assets of the Utility to the County or its Special Taxing District. See SMB 24 Page 26 for copy.

**REQUEST FROM SANDY KUHN FOR ADDITIONAL SPACE HRS BUILDING**

The CPHU Administrator requested that before plans are finalized for the projected new facility for HRS, that consideration be given for an additional 2,000 sq. ft to be used for the Health Department. The County Administrator was directed to check with Mrs. Kuhn regarding this request.

Mrs. Kuhn also requested that the board allow the Health Department to have access to the space now being utilized by the county for storage. The space has a built in sink area and can be used for fast track immunizations. The Board directed the County Administrator to address this request and to check other areas for space. See SMB 24 Page 27 for copy of letter.

The County Administrator reported that the proceeds from the two public auctions for the surplus equipment netted the county \$38,583.

**5. REQUEST FOR ASSISTANCE CITY OF SEBRING CITY PIER PARK GRANT**

Mr. Pete Pollard, Community Redevelopment Agency, requested that this item be removed from the agenda.

**J. CITIZENS NOT ON AGENDA**

1. Mr. Leonard Hammer suggested the Commission explore

a mass public transit system for the older population in the county, and to relieve the congestion on U.S. 27. Commissioner Gentry advised that the COMSIS Corporation is considering this program.

- 2. Mr. Les Tesch requested that "no wake" zones be designated on the canal from Lake June to Lake Carrie.

Motion by Commissioner Barrett, seconded by Commissioner Canale to declare "no wake" zone for the entire two miles from Lake June to Lake Carrie and to place appropriate signs. The Chairman called for public input. Marilyn Tesch spoke in favor of the signs. Upon Roll call, all Commissioners voted aye. Motion carried.

- 3. Mr. Richard Conover commented on the storage of excess flags. The County Administrator advised that the flags will be flown all over the county.
- 4. Mr. Richard Conover also commented on the placement of zoning changes on the agenda.

**K. COMMISSIONERS**

- 1. Commissioner Barrett reminded the Commission of the Harder Hall appointment at 3:00 p.m.
- 2. Commissioner Gentry requested support for the Florida Agriculture Museum to be located at the Edna Pierce Lockett Estate.
- 3. Commissioner Gose commented on the Team Session Workshop.
- 4. Commissioner Maxcy advised that he has been contacted regarding a frog eradication program.

The meeting adjourned at 1:00 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JULY 3, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**James L. Gose  
John D. Barrett  
Jeri Canale**

**C. Michael Eastman  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Robert Lewis of the Church of the Nazarene. The Pledge was led by Richard Conover.

The acting Chair requested that everyone remember the Board Attorney's father, Joe Macbeth, and Coach Odham in special prayer.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Inspector Jim Rodgers presented the Daily Jail Log of Inmate Count for the period ending July 3, 1995. See SMB 24 Page 29.

The Board commended the Sheriff's Department for the speedy capture of an out of state felon.

- B. CLERK**

No action was reported by Mike Eastman, sitting for the Clerk.

- C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record.

Motion by Commissioner Canale seconded by Commissioner Barrett to approve the Consent Agenda as listed with the removal of Item 3 and Item 12:

The Chairman called for public input regarding the Consent Agenda. Richard Conover suggested that a full board should consider these items. The Chairman said that the Board has reviewed all items.

1. Approval of minutes of 6-13 and 6-20 regular meetings, 6-16 and 6-20 workshops, and 6-20-95 public hearing
2. Approval to pay the following duly authorized warrants:

Law Library	831.82
General	1,113,751.67
County Transportation Trust	18,671.18
"E911" Operations	9,588.20
Local Govt Infrastructure Surtax	247,913.71
Correctional Facility Fund	37,689.50
Solid Waste	23,196.70
Water/Sewer	5,635.80
Employee Benefit	106,284.08
Special Payroll	187,707.13
- ~~3. Approval to declare Palm Haven lot to be surplus and seek bids.~~
4. Approval of request to remove vehicles from inventory (WSF and VVFD6 Tankers). See SMB 24 Page 30.
5. Approval to transfer mobile unit to Operations Department. See SMB 24 Page 31.
6. Approval of Arbuckle Creek Road Phase II and Budget Amendment. See SMB 24 Page 32.
7. Approval to refund vesting fee (Mrs. Alma Reffett). See SMB 24 Page 33.
8. Acceptance of Sun'n Lake Improvement District map, annual financial report, audited financial report and schedule of bond indebtedness. See Sun'Lake file for copy.
9. Approval of budget amendments #94-95-197 through 200.
10. Approval of payable without purchase order (Jail Construction Project). See SMB 24 Page 34.
11. Approval of Home Health Agency contract for

**Preferred Provider Organization. Home Care  
Affiliates, Inc. (dba ResCare)**

~~12. Approval of policy on Habitat for Humanity.~~

13. Approval of EMS grants (M4040 & M4039). See SMB 24  
Page 35.

14. Approval of State Courts Administrator grant.  
Court Specialist I position funding.

Upon Roll call, all Commissioners voted aye. Motion carried.

**12. APPROVAL OF POLICY ON HABITAT FOR HUMANITY-JIM  
POLATTY**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the amended recommendation of the Affordable Housing Committee to allow Habitat for Humanity funding under SHIP, the down payment and closing cost program with the changes as noted by the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 36.

**B. DIRECTOR OF OPERATIONS: ISTOKPOGA PARK IMPROVEMENTS**

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept the recommendations of the Operations Director to hold off on closing the 9-Mile Grade campground; reidentify funds to install electricity, a 2" well with jet pump, security lights and lighting for the dock at Istokpoga Park. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 37.

**C. COUNTY ENGINEER: WORK PROGRAM REQUEST FOR FY 1996/97-  
200/01**

The acting Chair requested that the Board not take action on this item and hold over for next week's agenda.

**D. COUNTY ADMINISTRATOR:**

**1. "FLORIDA ARTS" LICENSE PLATE REVENUE-PROGRAM  
PROPOSAL**

Motion by Commissioner Canale, seconded by Commissioner Barrett to designate the County Library to be the division to receive the revenue from the sale of the "Florida Arts" license plates. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 38.

**2. INTERLAKE BEAUTIFICATION PHASE III-ISTEA GRANT**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the Interlake Beautification Phase III project as one of

the projects for submittal to DOT for the ISTE A Grant. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 39.

**3. H.O.K. PLANS FOR GOVERNMENT CENTER**

The County Administrator reported that the architect has left tentative schematic designs of the new Government Center in his office for review by the public. When the design is close to completion, it will be brought back before the Board for final approval.

**A. COMMISSIONER GOSE-ELECTED OFFICIAL WORKSHOP**

Commissioner Gose directed the County Administrator to contact the Clerk of Courts, Property Appraiser and Tax Collector to hold a workshop if possible on July 18, 1995 to review the consolidation of the computer system for the new Government Center.

**5. CITIZENS NOT ON AGENDA:**

- 1. Richard Conover commented on the capture of the felon by Col. Bill Jones from the Sheriff's Department.
- 2. Richard Conover also commented on the addition of speed limit change on Memorial Drive to the Cemetery.
- 3. Ray Napper presented a statement on the true costs of Recycling. See SMB 24 Page 40.

**6. COMMISSIONERS**

No reports presented by the commission.

**7. ADJOURN**

The meeting adjourned at 9:48 a.m.

\_\_\_\_\_  
Acting Chairman

Attest: \_\_\_\_\_  
Clerk

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**PUBLIC HEARING OF THE BOARD, JULY 3, 1995**

- 1. The Hearing was called to order at 5:01 p.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**James L. Gose**  
**John D. Barrett**

**Jim Polatty**  
**Carl Cool**

**Jeri Canale**

**J. Ross Macbeth  
Louise Graham**

**2. PROPOSES TO ADOPT OR CHANGE REGULATIONS AFFECTING THE USE OF LAND IN THE UNINCORPORATED AREA OF THE COUNTY:**

**3. PROOF OF PUBLICATION ENTERED INTO THE RECORD BY THE DEVELOPMENT SERVICES DIRECTOR.** See SMB 24 Page 41.

**3. ROLL CALL TO ESTABLISH A QUORUM BY DEPUTY CLERK**

Commissioners Gose, Barrett and Canale present. Absent from the Hearing, Commissioners Gentry and Maxcy.

**4. PURPOSE OF HEARING PRESENTED BY THE DEVELOPMENT SERVICES DIRECTOR.**

1. Article Four, Section Twelve, Part B: Transfer of Development Rights

2. Article Six, Section Two: Fire Code

3. Article Seven, Section One: Code Enforcement Provision and Procedures

4. Proposed Amendments to recently adopted LDR's

5. Amendment to Nuisance Abatement Ordinance

**5. HEARING PROCEDURE-BOARD ATTORNEY**

Mr. Macbeth advised that this is the second of two public hearings for Land Development Regulations. These are adoption hearings. Captions of the two ordinances were read into the record with changes noted. Refer to tape for further information.

**6. a) County Commissioners questions and answers**

**b) Public questions and answers**

None were received.

**7. MOTION ON ORDINANCE**

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt ordinance amending Chapter 5.5 of the Code of Ordinances providing for Land Development Regulations as amended. Upon roll call, all Commissioners voted aye. Motion carried.

**8. MOTION ON ORDINANCE**

Motion by Commissioner Canale, seconded by Commissioner Barrett to

adopt ordinance pertaining to nuisances; providing for definitions; amending section 5.61 of the Code of Ordinances; providing illustrative enumeration; amending section 5.6-2 of that code; providing for notice to abate; amending section 5.6-4 of that code; providing for abatement by the County Commission; amending section 5.6-6 of that code; providing for conflict; providing for severability; and providing for an effective date. Upon Roll call, all Commissioners voted aye. Motion carried.

The meeting adjourned at 5:40 p.m.

\_\_\_\_\_  
**Acting-chairman**

**Attest:** \_\_\_\_\_  
**Clerk**

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**REGULAR MEETING OF THE BOARD, JULY 11, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following present members:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The Chair honored the memory of Capt. Hopton and Inspector Rodgers of the Sheriff's Department with a special prayer by the Rev. Calvin Kelley, from the Sparta Road Baptist Church. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Sheriff Howard Godwin requested the Board grant an extension on the budget deadline due to the unexpected tragedy in his Department. The Board directed staff to follow through with this request.

Sgt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending July 11, 1995. Sgt. Benton also gave the funeral arrangements for Capt. Hopton and Inspector Rodgers.

- B. CLERK**

No report was presented.

- C. VETERAN'S FLAG HONORING HERBERT JEFFERY**

The County Administrator reported that the Flag flying at the Courthouse was presented in honor of the memory of Herbert Jeffery who served in the Army and Navy. Mr. Jeffery was a native of Indiana and was employed by the Tampa Tribune.

The County Administrator advised, that by the order of the Governor, all flags are being flown at half staff for the remainder of the week in honor of the fallen law enforcement officers.

- D. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

**4. ACTION:**

**A. CONSENT AGENDA:**

The Assistant County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as listed:

1. Approval of minutes of 7-3-95 meeting and 7-3-95 public hearing
2. Approval of Governor Chiles' appointment to Housing Authority - Virgil Grimes. See SMB 24 Page 42.
3. Approval of Placid Utilities DEP Contract Amendment No. 01 with the Florida DEP. See SMB 24 Page 43.
4. Approval of Amendment #1 to Supplemental Agreement #2, McKim & Creed-Eucalyptus Parkway. See SMB 24 Page 44.
5. Approval of Base Grant Expenditures-Emergency Management Grant. Utilization of Florida Division of Emergency Management Base Grant 95EO-3G-07-38-01-028. See SMB 24 Page 45.

Mr. Conover questioned the total cost of the expenditures for the Water System and the Eucalyptus Parkway. The County Engineer provided these figures.

Upon roll call, all Commissioners voted aye. The motion carried.

**B. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT - SUN'N LAKE OF SEBRING, BLK 30, UNIT 2**

Proof of Publication entered in the record by Bill Lecher, County Engineer. See SMB 24 Page 46. Mr. Lecher presented request for the petitioner, Dr. Dennis Bassetti. The request was for the vacation of various utility and drainage easements on Lots 3,4,5,6 and 7, Block 30 Unit 2 of Sun'n Lakes Estates of Sebring.



The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Canale to adopt Resolution to vacate easement as presented. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 80.

**C. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT - SUN 'N LAKE OF SEBRING, BLK 325, UNIT 15**

Proof of Publication entered in the record by the County Engineer. See SMB 24 Page 47. Request was presented for Dr. Marc Feldman. Staff recommendations were in favor. The Chairman opened the floor for public input. Sgt. Susan Benton, Highlands County Sheriff's Department, suggested sidewalks for the children, due to the location near the school. Staff advised that they can be required.

Richard Conover addressed the Board Attorney as to who was the owner of the property. Dale Polston, Engineer, for the project noted that Mr. Friedman was the architect and Mr. Feldman was the owner.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution to vacate easements on Lots 17, 18, 19 and 20, Block 325, Unit 15 for petitioner, Dr. Marc Feldman. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 81.

The County Engineer advised that when the site plan is reviewed, sidewalks will be addressed.

**D. PUBLIC HEARING TO CONSIDER SETTLEMENT OF SANDERS LAWSUIT CASE NO. GC93-379**

Proof of Publication entered in the record by the Board Attorney. See SMB 24 Page 48. Mr. Macbeth presented recommendations.

The Chair made a statement that Darlene Sanders was a client and he would abstain from voting on the issue. The gavel was passed to the Vice-Chair, Doris Gentry.

The Vice-Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve to pay out the balance of the Board's self-insured retention, which would bring the total to \$50,000, with the excess

carrier paying the other costs of attorney fees. Upon Roll call, Commissioners Barrett, Gose, Gentry and Canale voted aye. Commissioner Maxcy abstained. The motion carried.

The gavel was passed back to the Chairman.

**E. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 6, REGARDING OCCUPATIONAL LICENSES**

Proof of Publication entered in the record by the Board Attorney. See SMB 24 Page 49. The Board Attorney read the Ordinance into the record. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Ordinance amending Chapter 6 of the Code of Ordinances relating to Occupational Licenses. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. BUDGET OFFICER: BUDGET PRESENTATION**

Rick Helms, Budget Officer, presented to the Commission a combination of anticipated revenues and proposed expenditures. The total proposed budget was listed at \$59,422,482. A discussion ensued regarding funding for the elected officials, a centralized computer system, funding for the EDC, Government Center and Sparta Road construction. The Chairman requested a review of the Contingency Fund and suggestions on reduction of the budget. The consensus of the Board was to place the budget on the agenda for discussion next week.

**G. HOPPY REWIS: REQUEST FOR SOFTBALL FIELD FUNDS**

Mr. Rewis appeared before the Board on behalf of the Avon Park High School and the Dixie Softball Leagues to request \$5,000 to be used for the purchase of light poles and for the construction of an equipment/storage room at the field.

Motion by Commissioner Canale, seconded by Commissioner Gentry to approve the request for the improvements and a budget amendment with funds to come out of contingency. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 50.

**H. GLATTING, JACKSON: U.S. 27 CORRIDOR STUDY STATUS**

Sherry Carver, Project Manager for the Department of Transportation in Bartow, introduced Planning staff, Susan King and Jim Baxter. She also recognized Norman Feder, District Director. From the

Project Consulting Team, she reintroduced Nathan Silva, Project Manager and Dan Presslor, who is assisting the Project Manager.

Mr. Nathan Silva reviewed with the Board the purpose of the Corridor Study to identify the most appropriate long term (2020) corridor concepts as opposed to specific alignments.

*Concept #1 - Improve existing U.S. 27 Roadway Corridor*

*Concept #2 - Improve existing State and County Roads (ie) Memorial Drive and St Road 17. Construct Eucalyptus Parkway.*

*Concept #3 - Construct a bypass east of Sebring and Avon Park, starting at U.S.27 and Highlands Avenue and terminating in Polk County*

The Board discussed the funding options. Mr. Feder advised that the Department will work with the county on their priorities. The Chairman opened the floor for public input. Speaking in regard to the project were Jeff Ludwig, Steve Roberts, Rev. W. C. Holden and City Manager of Avon Park Susan Boyer.

The Department advised that a workshop will be held to receive comments from the public on the alternative options.

**11:20 A.M.           WORKSHOP: NORMAN FEDER, DEPT. OF TRANSPORTATION:  
WORK PROGRAM PRIORITIES/TRANSPORTATION ISSUES**  
Refer to tape for further details.

**LUNCH BREAK - 1:09 P.M.- 2:00 P.M**

**I.     COUNTY ENGINEER:**

**1.     RANKING OF DOT TRANSPORTATION ENHANCEMENT PROJECTS**

Motion by Commissioner Gentry, seconded by Commissioner Canale to rank the FDOT Transportation Enhancement Projects as listed on the sheet. Commissioner Gose suggested that the US 27 @Lake Jackson Bike Path should be listed #3 on the sheet. Commissioner Gentry amended the motion and Commissioner Canale seconded the amendment to rank the projects as follows:

1.     Avon Park Mall Beautification Project
2.     Interlake Beautification Phase III Project
3.     US 27 @ Lake Jackson Bike Path
4.     Lighting for Lakeview Drive - Bike Path

Maria Sutherland, Executive Director of the Avon Park Chamber of Commerce, expressed gratitude for the action on the Avon Park Mall

Project.

The County Engineer advised that DOT will review the list and prioritize for funding.

The County Administrator suggested that DOT consider modifying the six-lane plan when extending the culverts along 27 to accommodate the US 27 Lake Jackson Bike Path plan.

Commissioner Gose recommended that if a project does not get funded in this cycle that it automatically becomes funded for the following year.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 51.

**2. WORK PROGRAM REQUEST FOR FY 1996/97-2000/01**

This item will be placed on the agenda for next week's discussion. See SMB 24 Page 52.

**J. BOARD ATTORNEY: ARNOLD TONEY AND RON MCCLURE  
LAWSUIT**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve recommendation of the Board Attorney for a reduction of its claim for medical bills paid on behalf of Arnold Toney as a result of injuries sustained in the motor vehicle accident on February 8, 1994, by 35% and to accept \$6,550.64 as full satisfaction of its claim. In the case of Ronald McClure to accept 50% as settlement or \$6,296.67 for injuries sustained on November 3, 1990. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 52.

**K. COUNTY ADMINISTRATOR: BID FOR STEEL BUILDING-  
RECYCLING CENTER**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the bid for the Recycling Center at the Desoto City Landfill from Bodon Inc. in the amount of \$15,966. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 53.

**1. SCHEMATIC DESIGN OF GOVERNMENT CENTER**

The Board discussed the design of the building. The general consensus was to inform the architect that the design is not acceptable.

**2. PUBLIC RECORDS DISCUSSION**

The County Administrator reported that efforts will be made to keep the press from obtaining information before it has been given to the Commissioners.

**5. CITIZENS NOT ON AGENDA**

No action

**6. COMMISSIONERS**

1. Commissioner Gose remarked about the change of times and how values used to mean morals and now it is interpreted as monetary values.
2. Commissioner Gentry commented on the constitutional amendment and the impact of medicaid.
3. Commissioner Gentry discussed the lighting that was approved for Lake Istokpoga Boat Ramp.
4. Chairman Maxcy reminded staff that the new budget should be discussed again.
5. Chairman Maxcy read a letter from James Hodges, II, commending the Animal Control for their help in rescuing a pet.

**7. ADJOURN**

The meeting adjourned at 3:00 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JULY 18, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham  
Lisa McClelland**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Chester South, Leisure Lakes First Baptist Church.

3. **ANNOUNCEMENTS:**

- A. Sheriff

Col. Bill Jones presented the Daily Jail Log of Inmate Count for the period ending July 18, 1995.

- B. Clerk

L. E. "Luke" Brooker, Clerk, reported that Jury Trials are being held this week. Mr. Brooker stated that with the growth of the county, we can expect an increase from one week out of the month up to two weeks.

- C. Future upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. **RESOLUTION HONORING CHARLES BRYAN**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt resolution recognizing the contributions made by Charles Bryan as a member of the Board of Directors of the Economic Development Commission and the Industrial Development Authority. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 84. Mr. Jim Crawford, Chairman of the organization thanked Mr. Bryan for his devoted efforts to the IDA-EDC.

**B. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows with the deletion of Item #5. Commissioner Canale requested that the Insurance Committee be allowed to vote on the issue before it comes before the Board.

- 1. Approval to pay the following duly authorized warrants as listed:

Law Library	309.21
General	599,423.62
E911 Operations	31.41
Local Govt Infra Surtax	114,522.78
Affordable Housing Asst	9,590.00
Correctional Facility	348,397.23
Solid Waste	10,700.32
Water/Sewer	16,611.27
Risk Retention	30,809.22
Employee Benefit	117,826.56
County Transportation Trust	34,254.99

- 2. Accept into record - June Monthly Report
- 3. Approval of multi-media computer and software purchase for Libraries. See SMB 24 Page 54.
- 4. Approval to execute certification for base grant funding Emergency Preparedness funding
- 5. ~~Approval to continue contract with health insurance claims administrator. See SMB 24 Page 55~~
- 6. Approval of budget amendments #94-95-207, 208 and 210
- 7. Approval of minutes of 7-11-95 meeting

Upon Roll call, all Commissioners voted aye. Motion carried.

**C. PUBLIC HEARING TO CONSIDER ZONING CHANGES/SMALL-SCALE PLAN AMENDMENTS:**

HEARING #1359-PAUL H. POORE DBA/ALPHA GENERAL SERVICES, INC.

Requesting a zoning change from AU (Agricultural) to I-2 (Industrial district). Desire to reinstate prior zoning classification. Proof of Publication entered in the record. See SMB 24 Page 56. Gary Lower, Zoning Supervisor presented petition. Staff reports were reviewed. The Chairman called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Gentry to approve Zoning Hearing #1359 and adopt Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 82.

**HEARING #CPA-95-014-PAUL H. POORE DBA/ALPHA GENERAL SERVICES, INC.**

Requesting a Small-Scale Plan Amendment from "General Agriculture" to "Industrial". Proof of Publication entered in the record. See SMB 27 Page 57. Attorney John McClure, representing the Petitioner, spoke in favor of the zoning. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve CPA-#95-014 and adopt Ordinance approving the Small-Scale Amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

**HEARING #CPA-95-015-DONALD L. GREENHALGH**

Requesting a Small-Scale Plan Amendment from "Industrial" to "Commercial/Industrial Mixed Use". Proof of Publication entered in the record. See SMB 24 Page 58. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Ordinance approving the Small-Scale Amendment, CPA #95-015, contingent upon DCA. Upon Roll call, all Commissioners voted aye. Motion carried.

**HEARING #1361-PAUL AND SUE ALLISON**

Requesting a Zoning change from AU (Agricultural) and EU (Estate district). To bring into conformity with the adoptive land use designation. Pre-existing before January 1, 1991. Proof of Publication entered in the record. See SMB 24 Page 59. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to



approve Zoning recommendations and adopt Resolution approving Zoning Change. Upon Roll call, all Commissioners voted aye. Motion carried. See Resolution Book 9 Page 83.

**D. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT-AVON ROAD**

The County Engineer presented proof of publication into the record. See SMB 24 Page 60. Petition was presented for vacation of a portion of Avon Road, Lake Sebring located in Plat Book 2, Page 14 for petitioner, Albertson's, Inc. The Chairman opened for public input. Yvon Richard spoke regarding the location of the property.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution to approve vacating the Utility Easement. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 page 85.

**E. BUDGET APPEALS:**

**1. THE SUN ROOM**

No representative was available. A written request was received for \$4800 to purchase a new E.K.G. machine. See SMB 24 Page 64 for copy.

**2. BIG BROTHERS-BIG SISTERS**

Representative Yvon Richard was present requesting funding for Big Brothers-Big Sisters program. Mr. Richard spoke on the need for this service to the county. The County Administrator stated that the Human Services Director has reviewed all of these request.

**Break 9:50 A.M.-10:00 A.M.**

**BUDGET DISCUSSION**

Rick Helms, Budget Officer, and Carl Cool County Administrator reviewed with the Commission the contingency funds for the past 11 years and the proposed contingency for the new budget year. See SMB 24 Page 61 for copy. The Board discussed amending the budget to grant the request of the additional \$25,000 for the IDA-EDC. Carl Cool recommended that the county grant this request from \$200,000 to \$225,000 and the IDA set aside the \$25,000 for a needed economic analysis of a pending county project.

**KEEP HIGHLANDS BEAUTIFUL**

The County Administrator advised that staff has drafted three (3)

options for the Board to review. He explained the procedures. See SMB 24 Page 62. Other staff speaking in regards to the program were the County Engineer, Bill Lecher, Lisa Burley, Administrative Aide and Audrey Vickers, Coordinator for the program. No action was taken at this time.

### **3. CHILDREN'S MUSEUM**

Linda Crowder was present representing Children's Museum of Highlands County regarding funding and the importance of the museum to Highlands County. She also stated that the museum was recognized by the AAA in the November issue as one of the points of interest for Highlands County and in January 1994 the AAA graded the museum as one of the best visited.

### **4. OTHER AGENCIES**

Gaye Williams was present representing Central Florida Health Care. She spoke regarding funding and possibly reducing the lease paid to the county for the Lake Avenue Medical Center or the use of county property/building.

Commissioner Gose questioned the use of contingency funds. Rick Helms stated there is no designated use for the funds at the present time. Mr. Cool mentioned cleaning of a canal, which at this point is unbudgeted. Commissioner Gose questioned if cleaning of the canal could come from the Road & Bridge contingency fund. Commissioner Gentry stressed the importance of funding the E911 position. Also discussed was the funding of Road & Bridge Sign Technician, Personnel Clerical Assistant, Paramedic Training Coordinator, EMS Clerical Assistant.

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the sheet from the Budget Office for the proposed funding and to include the E911 Dispatcher. Upon Roll call, Commissioners Gentry, Gose and Maxcy voted aye. Commissioner Canale and Barrett voted nay. Motion carried. See SMB 24 Page 63.

Motion by Commissioner Canale, seconded by Commissioner Barrett to fund the Children's Museum at \$5000.00. Upon Roll call, Commissioners Canale and Barrett voted aye. Commissioners Gentry, Gose, Maxcy voted nay. Motion did not carry.

Mr. Macbeth suggested the use of grant agreements with agencies when a specific request for a purpose is requested. Mr. Cool stated that he has been working with Dan Dorrell on an agreement

regarding the funds the board remits to the different agencies. The agreement would guarantee that the funds are spent in a proper and a legal manner.

The Chairman passed the gavel to the Vice-Chairman and made a motion to form a group with the contributions to fund the following:

Keep Florida Beautiful - \$4500  
Sun Room - \$4800  
Big Brother-Big Sisters - \$4800  
Childrens Museum - \$4800

Total monies to be taken from eleven agencies budget, IDA-EDC; Peace River Center; Marge Brewster Center; Avon Park Clinic; Ridge ARC; New Hope; Sebring Airport Authority; Youth Director; Sebring, Avon Park and Lake Placid Recreation. Commissioner Barrett seconded the motion. Commissioner Maxcy amended the motion to include if there are agencies that funding is mandated, the balance will come out of the contingency fund.

Commissioner Maxcy withdrew the motion and restated to take the funds out of contingencies and give \$4600 to Keep Florida Beautiful or one-half of the Option 2 as proposed for the program. \$4800 to the Sun Room; \$4800 to Big Brothers; \$4800 to the Childrens Museum for a one time only and to put together a group to look at the grant opportunities.

The Vice Chair called for public input. Charles Bryan speaking as a citizen, warned the Commissioners not to be hasty in their decision, to take time to study the budget.

Upon roll call, Commissioners Maxcy and Barrett voted aye. All other Commissioners voted nay. The motion did not carry.

The gavel was passed back to the Chairman. He requested that the County Administrator keep a log on calls from agencies requesting funds.

Motion by Commissioner Canale, seconded by Commissioner Gentry to accept items mandated and the interlocal agreements. Zero out the other items and relook and go through a grant agreement. Commissioner Canale amended her motion to begin the process next year. Commissioner Canale withdrew her motion. Commissioner Gentry withdrew her second.

Motion by Commissioner Gose, seconded by Commissioner Gentry to take \$31,000 out of contingency to fund the E911 position, the Sun Room, Childrens Museum, Big Brothers and Big Sisters and \$5,000 for

the Keep Florida Beautiful. The Board then start from a -0- base budget and address other agencies as defined by the list at mid-year for the following budget process. The Chairman called for public input. Mr. Richard Conover suggested that Board Members attend the budget hearings to delay time at regular meetings. Upon Roll call, Commissioners Gentry and Maxcy voted aye. All other Commissioners voted nay. The motion did not carry.

Motion by Commissioner Gentry, seconded by Commissioner Canale to break for lunch. Upon Roll call, all Commissioners voted aye. Motion carried.

**JOINT.WORKSHOP OF.THE.BOARD.AND.CONSTITUTIONAL OFFICERS. . .  
CENTRALIZED DATA PROCESSING**

1. Chairman called Workshop to order at 1:06 P.M.
2. Commissioner Gose stated that the purpose of this Workshop was to discuss the consolidation of the Data Processing System.
3. Raymond McIntyre, Property Appraiser, addressed the issue of the different systems, the compatibility of the central system, staff location and sharing of resources. As the new building is designed, the Collector and Appraiser will be located together on the ground floor for connectivity. The Clerk's system will be located directly overhead on the second floor for the placement of wiring between the systems. Although the group will not be sharing the same system, they will be closely related as to sharing the network. Mr. McIntyre advised that the Risk 6000 that he and the Collector utilize is more economical than the use of a mainframe.
4. Jerome Kaszubowski, Clerks Automated Services Department, explained that all the financial applications for the county are running under the Clerks fund accounting system. The Clerks office does the payroll and accounts payable for all six (6) agencies. In that respect the county is central data processing for all financial applications. At this time the Clerks office is in the process of switching to the same type of platform that the Property Appraiser and Tax Collector are using. This is the Unix Application and the Clerks office will be phasing out the Mainframe, because it is becoming cost prohibitive to keep it operational. Jerome explained that several buildings have been wired with fiber optic cable for easy access to the computer system. The

statement could be made that we have numerous computers all tied together with fiber optics. If a county centralized Data Processing occurs it would probably come under the auspices of the Board of County Commissioners.

5. Commissioner Gose reminded the Board that everyone is working toward a common goal. The system is very compatible and in the future if changes are made all participants will be receptive.
6. The County Administrator presented the question of a breakdown with one of the Risk 6000 units. Could the other unit pick up and run the application. Dan Edgerton responded that a plan should be developed and both systems should have enough excess space to run the multiple or to run two applications.
7. Dale Nederhoff, HOK architect, explained the placement of the computers in the new building. He related how other counties are centralized and the opposition of the Sheriff's Department to this idea.
8. Jimmy Whitehouse, Supervisor of Election, presented information on decisions made by the Board in the past, to purchase a NCR Mainframe System in place of an IBM System that was compatible to already established programs for the elected officials.
9. Peggy Andrews, Assistant Tax Collector, spoke in favor of a De-centralized Data Processing Center.

The Chairman adjourned the Workshop at 1:50 P.M.

The Chairman reconvened the regular meeting at 1:50 P.M. with all members present.

#### **DALE NEDERHOFF-UPDATE ON NEW GOVERNMENT CENTER**

Mr. Nederhoff reviewed the design of the new Government Center. The Board gave a consensus to please change the style of the building. Mr. Nederhoff suggested a workshop to discuss the style and have other staff present for Board and elected officials input. The Workshop was tentatively set for August 1, 1995 at 1:00 P.M.

The Board discussed the need for providing baby sitting services. Commissioner Gose commented on the excessive cost of providing a licensed day care. The County Administrator suggested if the need is still there when the Annex is vacated, the Board might consider

this option.

**BREAK 2:35 P.M.-2:45 P.M.**

The Chairman called the meeting back to order with all members present.

Commissioner Canale commented on the need for a bathroom near the Boardroom.

Motion by Commissioner Canale, seconded by Commissioner Barrett to add an additional bathroom with one Stall. Upon Roll call, Commissioners Canale, Barrett, Gose and Maxcy voted aye. Commissioner Gentry voted nay. The motion carried.

**BUDGET DISCUSSION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept staff recommendation on agency funding. Upon Roll call, Commissioners Gose and Gentry voted aye. Commissioners Barrett, Canale and Maxcy voted nay. The motion did not carry.

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve starting at zero with the other recommendations and working from there to make a decision on each item, line by line, except the ones that are mandated or have an interlocal agreement. Upon Roll call Commissioners Canale, Gose and Maxcy voted aye. Commissioner Gentry voted nay. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to leave unchanged, the IDA budget, keeping in mind that the \$25,000 will be added to their budget leaving a total of \$225,000. Upon Roll call, Commissioners Gose, Gentry and Maxcy voted aye. Commissioners Canale and Barrett voted nay. The motion carried.

Commissioner Canale made a motion to leave the Avon Park Recreation at \$46,000. The motion died for lack of a second.

Commissioner Canale made a motion to approve the Sebring Recreation as proposed. The motion died for lack of a second.

Commissioner Canale made a motion to approve the Lake Placid Recreation as proposed. The motion died for lack of a second.

Commissioner Gose made a motion to approve the Youth Director funding at \$8,000. The motion died for lack of a second.

Commissioner Canale made a motion to continue the proposed funding

for Nu-Hope at \$55,000. The motion died for lack of a second.

Motion by Commissioner Canale, seconded by Commissioner Barrett to give the Tourist Development Council \$5,000 and let them make the decision on the funding for the Highlands Hospitality. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Ridge Area ARC funding for \$25,000. Upon Roll call, Commissioners Gentry, Gose and Maxcy voted aye. Commissioner Barrett and Canale voted nay. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Armory budget funding at \$3,000. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale to fund the Health Unit at \$350,000. The motion died for lack of a second.

Motion by Commissioner Gentry, seconded by Commissioner Gose to fund the Health Unit at \$475,000. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Canale to raise the funding for the Avon Park Chamber to \$9,000. Upon Roll call, Commissioners Barrett and Canale voted aye. Commissioners Gose, Gentry and Maxcy voted nay. The motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Gentry to leave the Avon Park Chamber funding at \$7,000. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to fund the Sebring Chamber of Commerce at \$7,000.

Commissioner Canale remarked about increasing the Chamber funding for the cities. Commissioner Gose stated that he felt the Chamber was more responsible to the business located within the city area. Chamber Director, Mike Lee, stated that the Chamber provides a service to all the community. He has presented a package and would be willing to start the grant process immediately.

The County Administrator suggested a joint meeting of each of the Chambers and the Chairman of the IDA to discuss how the development of industry might be brought together in a unified effort.

Upon Roll call, Commissioners Gose, Gentry, Barrett, and Maxcy voted aye. Commissioner Canale voted nay. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve \$7,000 funding for the Lake Placid Chamber. Upon Roll call, all Commissioners voted aye. Motion carried.

Chairman Maxcy passed the gavel and made a motion to fund the Sun Room for Seniors at \$4800. Commissioner Barrett seconded the motion. Upon roll Call, Commissioners Maxcy and Barrett voted aye. Commissioners Gentry, Gose and Canale voted nay. The motion did not carry.

The gavel was passed back to the Chairman

Motion by Commissioner Canale, seconded by Commissioner Barrett to fund the Children's Museum at \$5,000. Upon Roll call, Commissioners Canale and Barrett voted aye. Commissioners Gentry, Gose and Maxcy voted nay. The motion did not carry.

The Chairman passed the gavel and made a motion to fund the Big Brothers and Big Sisters \$4800 to be taken out of contingency. Commissioner Barrett seconded the motion. Upon roll call, Commissioners Maxcy, Barrett and Canale voted aye. Commissioner Gentry and Gose voted nay. The motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to fund the Sun Room for Seniors at \$4800. Upon Roll call, Commissioners Maxcy and Barrett voted aye. Commissioners Canale, Gose and Gentry voted nay. The motion did not carry.

The gavel was passed back to the Chairman.

Motion by Commissioner Canale, seconded by Commissioner Barrett to give the Sun Room for Seniors \$2,000. Upon Roll call, Commissioners Canale, Barrett, Gentry and Maxcy voted aye. Commissioner Gose voted nay. The motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to give Nu-Hope \$50,000 funding. Upon Roll call, all Commissioners voted aye. Motion carried.

The Chairman passed the gavel and made a motion to give the Childrens Museum \$2,000. Commissioner Canale seconded the motion. Upon roll call, all Commissioners voted aye. The motion carried.

The gavel was passed backed to the Chairman.

Motion by Commissioner Canale, seconded by Commissioner Gentry to reconsider the Big Brothers and Big Sisters at \$2,000 funding to keep in line with others. Upon Roll call, all Commissioners voted aye. Motion carried.



The Chairman passed the gavel and made a motion to fund the Youth Director at \$5,000 for the Washington Heights area. Commissioner Gentry seconded the motion. Upon roll call, Commissioners Maxcy, Gose, Canale and Gentry voted aye. Commissioner Barrett voted nay. The motion carried.

The gavel was passed back to the Chairman.

Motion by Commissioner Canale to fund the Avon Park Recreation \$45,000; Sebring Recreation \$45,000 and Lake Placid \$37,000. The motion died for lack of a second.

Motion by Commissioner Canale, seconded by Commissioner Gentry to subtract \$2,500 funding from each of the municipalities for recreation. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gentry to increase Nu-Hope funding \$5,000, which will give them the proposed funding amount of \$55,000. Upon Roll call, all Commissioners voted aye. Motion carried.

Commissioner Gose made a motion, Chairman Maxcy passed the gavel and seconded the motion to fund \$4500 to the "Keep Highlands County Beautiful" program. Upon Roll call, Commissioners Gose, Maxcy, and Barrett voted aye. Commissioners Gentry and Canale voted nay. Motion carried. See SMB 24 Page 64.

The gavel was passed back to the Chairman.

See SMB 24 Page 65 for copy of staff proposed agency funding.

**F. COUNTY ENGINEER: WORK PROGRAM REQUEST FOR FY 996/97  
2000/01**

Bill Lecher presented Florida Department of Transportation work program requests and staff's priorities. Commissioner Gose questioned the State Road 27 right-of-way. The Board directed that staff meet with Secretary May to see if he can resolve the problem or request that he be invited to meet with the Commissioners.

Commissioner Gose made a motion to approve the work program request. The motion died for lack of a second.

The County Administrator stated that the six-laning of U.S. 27 is the Department's number one priority and the Board should move in that direction.

Motion by Commissioner Canale, seconded by Commissioner Gentry to accept staff's recommendation for prioritizing the Work Program request for FY 1996/97-2000/01. Upon Roll call, all Commissioners voted aye. Motion carried. See DOT file for copy.

Carl Cool addressed the proposed Eucalyptus By-Pass and how the DOT decided to change the route after taxpayers has spent \$400,000 on the design. This was done without even running a model on the map. Because of opposition, DOT did this just before the Public Hearing to be held on July 25, 1995. The Commission directed the County Engineer to go to the Public Hearing and express strong concerns.

**G. ASST. COUNTY ADMINISTRATOR: JAIL CONSTRUCTION REPORT**

Tom Portz presented an update.

**H. BOARD ATTORNEY**

No report was presented.

**I. COUNTY ADMINISTRATOR: DATE FOR PUBLIC HEARING ON PLAT NAMES**

The Board gave a consensus to the County Administrator to set a Public Hearing date for September 5, 1995 to consider changing subdivision names. See SMB 24 Page 66 for copy of changes.

**COMP PLAN AMENDMENTS**

The Board gave a consensus to the County Administrator to send a letter to the cities and the School Board to suggest a joint cooperative effort between all entities to select a firm to administer Comprehensive Plan Amendments.

**5. CITIZENS NOT ON AGENDA**

Mr. Richard Conover commented on the Flag that was flown at the Turkey Tavern at half-mask in honor of the fallen policemen.

**6. COMMISSIONERS:**

**1. COMMISSIONER BARRETT-EAST CHAIN OF LAKES CHANNEL CLEANING-JIMMY HEARD**

The Operations Director provided information to the Commission regarding the Chain of Lakes Channel Cleaning request by Jimmy Heard. See SMB 24 Page 67 for copy. Vaden Pollard advised that

the FDEP has re-examined the proposed dredging of the ditch and has presented two options for the county to pursue. Mr. Pollard reviewed the two (2) options. Commissioner Barrett spoke in favor of the second option which requires an offset impact to 0.4 acres of bayhead. The County Administrator stated that he has negotiated with Mr. Romeis for restoration of bay wetlands, such as removal of the road through the bayhead. The County Administrator advised that Mr. Romeis was taken out to view North Lake Sebring Drive for restoration credit. Mr. Romeis would not commit one way or the other if they would allow a wetlands creation credit. Vaden Pollard, Operations Director, stated that the Army Corp of Engineers has advised that the excavation of wetlands applies only to the canal and this activity will expire on August 24, 1995. Any additional excavations related to cleaning efforts will require the Department of Army authorization. Mr. Pollard stated that until you go through the permitting process, there is no way to know what kind of wetlands species you will have to deal with.

Commissioner Gose stated that Soil Conservation has indicated that this is no longer a canal. They have exempted this area as being a part of the watershed district as it does not impact any uplands. Commissioner Barrett stated that it has impacted Mr. Heard's property. Commissioner Gose related that the canal is doing exactly what it is supposed to do.

The Board Attorney suggested that staff give Mr. Heard a Use Permit like staff did with Mr. Kahn when he wanted to perform more maintenance than the county was willing to pay from the county coffers. The Operations Director stated that there is a maintenance easement through there and if we give him a permit, he may go through to perform maintenance. The Board Attorney stated that if the county offers Mr. Heard the ability to perform a greater level of maintenance that he seems to want, he doesn't have any basis for suing. The condition of the canal is no different than when he bought the land. The Chairman asked if it was the opinion of the attorney to keep the canal clean. Mr. Macbeth replied that he doesn't believe that we have any greater responsibility in that regard than what you have with the Soil Conservation Service and they have said that they will release you from all responsibility. The level of maintenance has been the same for many years. It was that way when Mr. Heard bought his property. He doesn't have any reasonable expectation for a greater level of maintenance than what existed when he purchased the property. He doesn't have any cause for action against the county that the Board should be greatly concerned about.

Commissioner Barrett made a motion to accept option #2. The motion died for lack of a second. Mr. Barrett asked what else can we do to help Mr. Heard? Commissioner Gentry suggested an agreement with

him to allow him to maintain the canale at a higher level of maintenance than the county has chosen to. Mr. Pollard stated that he will contact Mr. Heard and talk with him about an agreement.

**2. COMMISSIONER GENTRY-CURFEW DISCUSSION**

Staff to discuss with the Sheriff's Department.

**3. COMMISSIONER CANALE-RESOLUTION IN HONOR OF JIM RODGERS**

Request was received from the Historic Preservation Committee to create a Resolution in memory of Inspector Jim Rodgers for his service to that committee. Staff was directed to prepare.

**4. COMMISSIONER GOSE-SOLID WASTE LETTER**

Staff to make corrections before mailing.

The meeting adjourned at 4:42 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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BOOK 16 PAGE 218

REGULAR MEETING OF THE BOARD, AUGUST 1, 1995

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

I.V."Buddy" McKenzie  
Carl Cool  
J. Ross Macbeth  
Louise Graham  
Lisa McClelland

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Mr. Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Sheriff Howard Godwin spoke on accepting the Budget Committee recommendation. He also mentioned the number of complaints answered each year that is about 31,000 and expect to answer between 32,000 and 32,500 complaints for 1996.

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending August 1, 1995.

- B. **CLERK**

No action was reported by Chief Deputy Clerk, I.V. McKenzie, sitting for the Clerk.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record.

**EMERGENCY MANAGEMENT DIRECTOR:**

Bruce Savage, Emergency Management Director gave a storm update and the opening of shelters in Highlands County.

4. **ACTION:**

- A. **CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as follows:

1. Approval to pay the following duly authorized warrants as listed:

Law Library	328.99
General	2,144,395.79
County Transport Trust	93,143.73
E911 Operations Fund	10,275.31
Conservation Trust Fund	100.00
Local Govt Infra Surtax	93,703.96
Affordable Housing Asst	18,043.33
Correctional Facility Fnd	42,269.55
Solid Waste	20,879.08
Water/Sewer	34,921.62
Risk Retention Fund	52,617.52
Employee Benefit Fund	83,867.78

2. Approval to execute interlocal agreement with City of Avon Park for purchasing
3. Approval to execute Subordination for S.H.I.P loan.
4. Approval to execute Satisfaction of Mortgage for CDBG. See SMB 24 Page 68.
5. Approval of Tax Collector's Recapitulation of Tax Roll for 1994. See SMB 24 Page 69.
6. Approval to execute Keep Florida Beautiful grant
7. Approval to pay invoice without purchase order-Highlands Hospitality, Inc. See SMB 24 Page 70.
8. Approval to execute Court Reporter grant agreements.
9. Approval to execute Hazardous Material Agreement for grant (96EP-3V-07-38-22-012). See SMB 24 Page 71.
10. Appointment to Industrial Development Authority-Jeff Mechlin. See SMB 24 Page 72.
11. Approval to declare nuisance, Case #94-95-027 and #94-95-058. See SMB 24 Page 73.

12. Approval of minutes of 7-18-95 meeting and 7-18-95 workshop
13. Approval of budget amendments #94-95-219 through 221 and 223 through 225
14. Approval of EMS and Library grants. See SMB 24 Page 74.
15. Appointment to Recreation Committee - Aubrey Gardner

Mr. Conover expressed his concern regarding the amount of money being spent and having blanket approval on the Consent Agenda.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. BUDGET OFFICER:**

**1. REQUEST TO CERTIFY MILLAGE RATE**

Rick Helms, Budget Officer, presented to the Commission information regarding the certification of the millage rate for 1996 with a request for certification at 8.5 mills. Mr. Helms, stated that to generate the same amount of tax dollars on the tax roll that we have this year, as was generated the current physical year, that the rate would be 8.0867 mills. If the rate of 8.5 mills was imposed that would represent an increase of 5.1 percent. The over all increase in the budget is less than 2 percent over the current budget. Mr. Macbeth, Board Attorney, also stated that the assessed value goes up every year in the county and if the same millage rate is maintained and assessed value in the county goes up more dollars will be brought in with the same millage rate.

The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to certify the millage rate at 8.5. Upon Roll call, all Commissioners voted aye. Motion carried.

**MAX LONG COMPLEX**

Commissioner Maxcy spoke regarding the funding, maintenance and the use of personnel for the Max Long Complex and the agreement between the City of Sebring to pay 25 percent and Highlands County to pay 75 percent of the maintenance cost. Also, questioned was the use of county equipment by the city to maintain the field. Bob Hoffman, City of Sebring spoke regarding the use of city's personnel, and the Fair Labor Standard Act. Mr. Hoffman also stated that the condition of the field is a team effort. Mr.

Hoffman assured the Board that the same level of maintenance will continue with a full-time employee. No action was taken.

**2. REQUEST FROM THE CITY OF AVON PARK FOR REIMBURSEMENT**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve request that the unexpended balance of \$24,466.66 from the Recreation for Avon Park account be reallocated to the same account for the current budget.

The Chairman called for public input. None was received.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 75.

**Break 10:22 A.M. - 10:33 A.M.**

**HIGHLANDS COUNTY FUNDING OF CROSSING GUARDS**

Arlene Tuck, Town Clerk of Lake Placid and Susan Boyer, City Manager of Avon Park, requested funds for school crossing guards. The consensus of the Board was to suggest that the cities work out a possible funding source. Sheriff Godwin stated that funding will be provided until September 30, 1995, but not for additional personnel. Ms. Boyer questioned whether or not the recreation money received can be used for the funding of crossing guards. The Board did not give a consensus to this request.

**C. DEVELOPMENT DIRECTOR:**

**1. APPOINTMENTS TO AFFORDABLE HOUSING COMMITTEE**

Jim Polatty, Development Services Director, recommended reappointment of the six existing members and adding Tim Marine as the residential building industry, also to fill the vacancies for the representative of labor engaged in home building and a citizen representative.

Motion by Commissioner Gentry, seconded by Commissioner Gose to appoint George Furnival as the citizen representative. Commissioner Gentry amended her motion to include Tim Marine as the residential building representative. Commissioner Gose seconded the amendment.

The Chairman called for public input. Kim O'Connor speaking as a citizen, made recommendations for filling the vacancies of the Affordable Housing Committee.



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Commissioner Gentry amended her motion to include Moetry Strong, Tim Marine and George Furnival. Commissioner Gose seconded the motion. Commissioners Gentry withdrew her motion. Commissioner Gose withdrew his second.

The Chairman called for public input. Jim Polatty presented minor changes as mandated by the state.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the resolution with the addition of Moetry Strong and George Furnival. Commissioner Gentry withdrew her motion. Commissioner Gose withdrew his second.

Motion by Commissioner Gentry to adopt the resolution as presented with the two changes that Mr. Polatty inserted and Moetry Strong in position three and George Furnival in position nine.

The Chairman called for public input. Kim O'Connor speaking as a citizen, questioned the number of years allowed to serve as a housing program beneficiary. See Res. 95-43 or Res. Book 9 Page 87.

Upon roll call, all Commissioners voted aye. Motion carried.

**2. REQUEST TO RESCIND PART OF RESOLUTION #95-34 AND REPLACE WITH REVISION**

Jim Polatty, Development Services Director, recommended certain changes on Resolution 95-34.

Motion by Commissioner Gentry, seconded by Commissioner Gose to rescind Exhibit B of Resolution 95-34 and adopt the replacement resolution with the revised Exhibit A. See Res. Book 9 Page 86.

The Chairman called for public input. None was received.

Upon Roll call, all Commissioners voted aye. Motion carried.

**D. SPECIAL PROJECT DIRECTOR: REQUEST TO EXERCISE EMINENT DOMAIN ON PROPERTY FOR EUCALYPTUS PARKWAY**

Bill Stephenson, Special Projects Director, advised the Board on the remaining properties to be purchased by the county.

Motion by Commissioner Canale, seconded by Commissioner Gentry to begin to exercise eminent domain on property for Eucalyptus Parkway. Commissioners Gose amended the motion that we proceed

with eminent domain, offer the Crowder's \$80,000, Week's \$82,000 and Terry \$77,000 which is an additional \$10,000 for each party involved. Not the same percentage, but the same amount of money for everyone involved. If they do not accept the offer then proceed with eminent domain. Commissioner Gentry seconded the amendment. Commissioner Canale amended the motion that everyone receive equal percentages, for the original appraised value, instead of the dollar amount. Seconded by Commissioner Gentry. Upon Roll call, all Commissioners voted aye. Motion carried.

The Chairman called for public input. Wendell Whitehouse speaking as a citizen, suggested that instead of spending money on additional fees, apply it to the people that are impacted.

The Chairman called for public input. None was received.

Upon roll call, all Commissioners voted aye. Amendment carried.

Motion by Commissioner Canale, seconded by Commissioner Gentry to offer Crowder, Weeks and Terry 14.3 percent above the highest appraised value, if they refuse we begin condemnation. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. HUMAN SERVICES DIRECTOR: FAMILY SAFEHOUSE LEASE AND UPDATE**

Kevin Roberts, Human Services Director, stated that the work on the Safehouse has been completed. He also received certificate of occupancy from Jim Jacobs, Building Official, and the safehouse can be used when the lease is executed between the Board and Peace River Center.

The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve the lease, as written by Ross Macbeth, Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried.

Ruth Handley, Chairman of the Children's Services Foundation and Children's Services Council, commented on the progress of the safehouse and everyone that participated.

**F. ASSISTANT COUNTY ADMINISTRATOR:  
1. JAIL CONSTRUCTION UPDATE**

Tom Portz, Assistant County Administrator, presented a Jail Construction update.

**2. CONSIDERATION OF PROPOSED 911 LEGISLATION**

Tom Portz spoke on the statewide proposed E911 Legislation. The proposal would allow taking resources from the larger counties and reallocating the fee structure to benefit the smaller counties. No action was taken.

**G. COUNTY ADMINISTRATOR: REPORT ON NACo MEETING**

This report will be presented at the August 8, 1995 meeting.

**5. CITIZENS NOT ON AGENDA:**

1. Bruce Braswell commented on the purchase of property located on Youth Care Lane by the Highlands County Housing Authority. See SMB 24 Page 76 for copy of presentation.
2. Richard Conover commented on the Government Center and the number of Board meetings held per month.

**LUNCH BREAK - 12:15 P.M. - 1:15 P.M.**

The County Administrator announced the cancellation and rescheduling of the City of Sebring Council meeting. Also, the cancellation of the Juvenile Justice meeting and the Insurance Commission meeting.

**JOINT MEETING OF THE BOARD AND HOSPITAL DISTRICT BOARD**

1. The meeting was called to order at 1:16 P.M. with the following members present:

<b>C. Guy Maxcy</b>	<b>I.V."Buddy" McKenzie</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	<b>Lisa McClelland</b>

Representing the Hospital District Board were Gary McGehee, Chairman, Bruce J. Lybarger, and Jim Clinard. Bert Harris, III, Attorney and Scott Campbell representing Highlands Hospital.

**2. DISCUSSION - CONTINUANCE OF THE HOSPITAL BOARD**

Commissioner Maxcy commented on advantages and disadvantages of discontinuing the Hospital Board.

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Gary McGehee, Chairman, suggested that the Board not be disbanded. He advised that certain functions assigned to the Board are no longer necessary. Example: the ability to levy taxes. This is a function that is no longer required. By act of resolution this can be changed, our enabling act can read accordingly. With a new lease, it is the opinion of the Board that there is a certain maintenance factor that is required, continual monitoring of the real estate to make sure that we are in compliance with the Board. Although this has never been questioned, we feel with an asset of this magnitude and a lease of that many continuances that there should be a monitoring Board in house. Also, at the regular meeting of August 24 we will be looking at funds. We have a portfolio with a request of five additional donations, which will appear before the Hospital Board. We are concerned with the allocation of health funds, even though we have a lease. Our main concern is why the Hospital Board is being disbanded and what advantage is this going to be to the Board of County Commissioners and the tax payers of Highlands County.

Commissioner Maxcy questioned the reasons for disbanding the Board. Mr. Cool, County Administrator stated reasons for not disbanding the Board would be the Board of County Commissioners would not have to provide the level of oversight of a very complicated lease structure that is now with HMA. The Board could allocate funds and request for health care needs could be turned over to the Board. Also, the Board has taxing abilities, legal expenses and audit expenses.

Commissioner Barrett questioned if the Hospital Board has started discussions on the responsibilities or duties being eliminated from the Board.

Mr. McGehee responded, this matter has not been discussed, because we do not a complete foundation of what needs to be discussed. In answer to comments made by Mr. Cool and Mr. Macbeth, we will not require a lot of legal services, because the hospital lease has been extended and we will not be experiencing the legal fees we've had for the last two or three years. Also, we will not be experiencing the need for an extended audit, because the expenditure rate will be reduced. The Board no longer needs the ability to levy taxes, if it ever comes up again there is mechanics to reinstitute that. We discussed this long ago and asked Mr. Harris and received a response. It would be a joint resolution to waive this from our enabling act and not allow us the ability to tax.

Commissioner Maxcy questioned Mr. Macbeth, Board Attorney, regarding who is in control of the Board.

Mr McGehee replied, we are appointed by the Board of County Commissioners. To disband the hospital taxing district as such, it will take an act of the legislature.

Mr. Macbeth stated that the authority the commissioners have are to appoint the Board members and can only remove them for cause. Their decision to create additional health care facilities and levy taxes for that purpose is not one you could overturn if you choose to do so. You would have to go to the legislature. The idea that you have approval authority over their decisions is not true.

Mr. Cool mentioned that the Commissioners had discussed the possibility of a change with the Hospital District. The most probable way is if both Boards agree to jointly request and prepare the possible legislation for a local bill that would go to the legislative delegation.

Motion by Commissioner Gentry, seconded by Commissioner Gose to instruct them to prepare the necessary resolution to send to the legislator that would eliminate the Hospital Board's taxing authority.

Chairman asked for public input. Mr McGehee responded by asking the Hospital Board Members if there is a problem with what the commissioners are wanting to do. Can we give a verbal consensus that we are in agreement. We can't vote on it, we can't do this until August 24. The Board of County Commissioners would like to have a joint resolution and send it to Tallahassee to have the ability to levy taxes removed. Hospital Board Members responded, we have no problem with the motion made.

Kelsey Payne stated that when the lease was consummated an agreement was written into the lease that states this Board as a body will not go into the health care business in competition with the hospital. So under the lease, it is not possible for the Board, even if they had the taxing authority to go into competition with HMA and open up another facility.

Commissioner Canale questioned whether or not an assignment was put on the lease. Mr. Macbeth responded, if they were disbanded and the county took over the facility and the lease, then we would have the same restrictions that the Board has as a leasing party. If they turned the money over to the county from the lease, and stayed in existence, the county could do many things through the general facilities that might not constitute any kind of violation of the lease.

Scott Campbell, with HMA responded to the lease agreement and

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stated that the federal law requires HMA, by the Cobra Act, to see all patients regardless of their ability to pay.

Upon Roll call, all Commissioners voted aye. Motion carried

Bruce Lybarger spoke regarding the working relationship with HMA, the health and welfare of the citizens of Highlands County. Also, if health care needs to be funded after taxing ability is removed, can that be accomplished and how would that be done?

Kelsey Payne discussed the last meeting, regarding one special district, not of legislative creation, that you could create to operate a hospital. There is also a separate chapter in the Florida Statutes allowing the County Commissioners to create, operate, fund and tax a health care facility.

Motion by Commissioner Gentry, seconded by Commissioner Gose to keep the Board intact, continue the appointment process that we have established and continue to request that the Board do the oversight for HMA. Request that they accept the responsibilities of allocating funds to those entities that make request and meet their guide lines. If there are health care issues that we would like to divert, we would divert those to them for consideration for funding.

Commissioner Canale questioned the criteria for funding an entity. Mr. McGehee advised that three areas of funding have been considered since his tenure on the Board. (1) Health Department (2) Healthy Kids Program and (3) Institution of a Nursing Scholarship. Mr. McGehee suggested an agreement with the student that receives a nursing scholarship, that they work for one year in Highlands County in a Health Care Facility.

Attorney Bert Harris suggested that the Board of County Commissioners write the checks after the Hospital Board has made their recommendations for funding.

Upon Roll call, all Commissioners voted aye. Motion carried.

The Assistant County Administrator gave an update on Hurricane Erin to allow the Board to make an emergency decision.

Motion by Commissioner Gose, seconded by Commissioner Barrett to authorize the closing of the business offices of the county for August 2, 1995 due to the Hurricane. Upon Roll call, all Commissioners voted aye. Motion carried.

Chief Deputy Clerk, Buddy McKenzie, advised that after speaking

with the Clerk, he concurs with the decision to close, however there will be a skeleton crew to maintain the computers and the finance department in order to produce the checks for Friday.

**JOINT WORKSHOP OF THE BOARD, AUGUST 1, 1995  
GOVERNMENT CENTER BUILDING DESIGN**

The Chairman called the meeting to order will all Board members present.

Dale Nederhoff introduced the team of workers with H.O.K. and presented a background of the past design. Board and staff members reviewed the new government center design. Comments were received from both organizations on the two options for design. The consensus was to allow H.O.K. develop a revision to the latest design and to bring back on August 15, 1995 for the Board to review.

The workshop adjourned at 3:45 P.M.

The Chairman called the regular meeting back to order with all members present:

**6. COMMISSIONERS**

Commissioner Canale expressed disappointment with the design of the new Government Center. There were not enough options to consider and the Board is spending a lot of money.

Commissioner Canale urged that citizens please evacuate if they are residing in a mobile home during the hurricane watch.

Commissioner Gentry suggested a designated shelter for the Board members.

The Chairman apologized to the Board for his aggressiveness during the discussion on Max Long Complex.

The meeting adjourned at 3:54 P.M.

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Chairman

Attest:

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Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 8, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, L.E. "Luke" Brooker. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending August 8, 1995. Comments were received from the Commission on the number of Inmates housed.

- B. CLERK**

1. The Clerk reported that his office has been looking for a legal revenue source for the past three (3) years to provide coffee and orange juice to jurors. The Highlands County Bar Association has agreed to furnish the coffee and the Highlands County Citrus Growers Association has agreed to donate orange juice for the jurors.
2. C. Michael Eastman, Director of Accounting and Finance, presented HRS Building Financing Proposal Comparisons. The recommendation of the Clerk's office was to accept First Union's Variable Rate of 50% of Prime, plus purchasing a Prime Interest Rate Cap of 10% for approximately \$62,000.00 and selling a Prime Interest Rate Floor of 8.75% for approximately \$54,000.00, a net cost of \$8,000.00. The Board expressed concerns with HRS leasing options and the economic future.

Motion by Commissioner Gose, seconded by Commissioner Gentry to

accept the recommendations of the Clerk's office to approve the proposal from First Union with the Variable Rate of 50% of Prime. Commissioner Gose qualified the motion, based on the Board Attorney's scrutiny of the contract. Upon Roll call, Commissioners Gose, Gentry and Barrett voted aye. Commissioners Canale and Maxcy voted nay. Motion carried. See SMB 24 Page 77 for copy of proposal.

The County Administrator advised that an Architect has been selected through the professional services acquisition. The firm selected is Architect Design, from Winter Park. Negotiations are under way and contracts have been drafted. It is possible that a contract may be presented at next week's Board meeting.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

**4. ACTION:**

**A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda with the elimination of Item #three as listed.

1. Approval of budget amendment #94-95-228
2. Approval to execute EMS Grant Application and Resolution. See Res. Book 9 Page 88.
- ~~3. Approval of request for ambulance standby at Heart Walk~~
4. Approval of Change Order No.3 Kenco, Placid Utilities watermain extension. See SMB 24 Page 79.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER PROPERTY PURCHASE, LAKE SEBRING SUBDIVISION**

Bill Stephenson, Special Projects Coordinator, presented proof of publication into the record. See SMB 24 Page 78. The Chairman called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Gentry to enter into an agreement with Ruth K. Davis for the purchase of property in the amount of \$16,000. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. SPECIAL PROJECTS DIRECTOR: CONSIDERATION TO ACCEPT DONATION OF PROPERTY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the donation of property from Sadie P. Metz for a portion of Lot 11, Block 67, Town of Sebring containing 0.0116 acres more or less. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. BUDGET OFFICER: REQUEST TO EXECUTE 911 RESOLUTION-RICK HELMS**

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt the 911 Resolution for the .50 cent levy. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 89.

**E. COUNTY ADMINISTRATOR: DISCUSSION ON HAZARDOUS WASTE INSPECTION CHARGES**

Carl Cool, County Administrator, stated that the misunderstanding that resulted in over 4,000 businesses being sent a \$50 bill by mistake has been resolved. The bill should have gone to the place of business that was identified as small quantity generators. There are 339 of these. Instead, the bills were sent to about 4,200 businesses. See SMB 24 Page 79 for copy of identifiable small quantity generator businesses.

Mr. Cool commented on the contract that the Board has with Central Florida Regional Planning Council for identifying small quantity generators. The Board discussed the amount charged for the contract. A request was made for a cost breakdown and to look at staff performing the duties.

Mark Delaney addressed the Board regarding the exorbitant rate that he was charged for occupational license. J. T. Landress, Tax Collector, brought the Commission up to date on the history of the occupational license and remarked about the good job that the committee has accomplished. The Board Attorney explained that there are two categories of licenses required. A retail license to sell beauty products and an occupational license for Mrs. Delaney to operate the beauty salon. Mr. Delaney requested a list of exempt categories who do not purchase an occupational license. The

Chairman suggested that Mr. Delaney work with Mr. Landress and Mr. Cool to try to find a solution to the problem.

Dan Foley, Citrus Growers Association, suggested that the Board consider exempting individuals from obtaining an occupational license if they are required to purchase a state license. Mr. Landress advised that he is mandated by statutes to facilitate this requirement. Mr. Foley asked for a qualification of the small quantity generator. The Board Attorney responded.

The Board Attorney will be bringing an ordinance to correct statute that was incorrectly cited.

**RECESS 10:45 A.M.**

The meeting reconvened at 10:50 A.M. with all members present.

**1. COUNTY ADMINISTRATOR-REPORT ON HISTORIC PROPERTIES GRANT**

Mr. Cool reported that \$5,041.25 for the Historic Properties Grant has been received for the Lake Placid site.

**2. LETTER FROM THE STATE ON STATUS OF EMS OVERTIME**

The County Administrator advised that a letter was received from the Department of Labor stating that no penalty has been assessed as a result of overtime violations. This was due to the cooperation from the employees. See SMB 24 Page 81 for copy of letter.

**3. ASSISTANT COUNTY ADMINISTRATOR-FLORIDA RURAL HEALTH SERVICE LEASE**

Motion by Commissioner Gentry, seconded by Commissioner Gose to release the Florida Rural Health Service, Inc. from the monthly payment of rent.

The County Administrator spoke in opposition to the motion as there is a very substantial need for other governmental services in that building. He also stated that the entity may be able to get a reimbursement of the rent through Federal Grants.

Upon Roll call, Commissioner Maxcy voted aye. All other Commissioners voted nay. The motion did not carry.

**5. CITIZENS NOT ON AGENDA**

Mr. Richard Conover spoke regarding television coverage in the back room. He also reminded the Board that the ADC tax will cease to exist in October.

**6. COMMISSIONERS**

1. Commissioner Barrett discussed the Lake Placid Town Council meeting and the matter of the purchase of the old Library Building.
2. Commissioner Barrett commented on the CDBG grant for Highway Park and the utilization of funds for water lines.
3. Commissioner Canale congratulated employees for working together so well during the hurricane preparedness and Hurricane Erin.
4. Commissioner Gentry commended the Road and Bridge Department for the ability to prevent drainage problems during the hurricane.
5. Commissioner Canale suggested a "fund raising" to benefit the American Red Cross.
6. Commissioner Gose requested a clarification on tentative committee appointments to incorporate Fire with the City of Avon Park.
7. Commissioner Canale requested a citizen appointment from the unincorporated area of Avon Park as a representative on the Recreation Committee. Commissioner Gentry volunteered to find an appointee.
8. Chairman Maxcy reported on the World Series being held at Max Long Field.

Hank Kowalski, from Lake Placid, commented on the meeting with SFWMD and their intention to remove Aquatic Weed Control from their budget. Commissioner Gentry advised that this is still in the negotiation stage.

The meeting adjourned at 11:30 P.M.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 15, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Capt. John Parrish, of the Salvation Army. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending August 15, 1995. She also shared the sad news that former Deputy Crobmond (Foots) Livingston passed away.

- B. CLERK**

The Clerk updated the Board on the Family Court Specialist position. He advised that two years ago, \$25.00 was added to the marriage license fee to fund 3 and 1/2 positions in the Tenth Judicial District. Of that 3 and 1/2 positions, Highlands County was awarded the 1/2 position. With the \$3,000, the Clerk's office was able to create a full time position. Since March, there has been almost 300 people inquiring if they would meet the criteria to qualify for protection from domestic violence. Eighty persons qualified out of the 300. This position has become very worthwhile and helpful to the county.

- C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. CONSENT AGENDA:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda as listed.

1. Approval of minutes of 8-1 and 8-8-95 meetings and 8-1-95 workshop
2. Accept into record - July Monthly Report
3. Approval of budget amendments #94-95-232, 234, and 236-241
4. Approval to release letter of credit, Barnett Bank, to Mitchell and Dolores Harvey. See SMB 24 Page 82.
5. Approval to add Spring Valley Lane to County maintained list. See SMB 24 Page 83.
6. Approval to remove Red Beach Lake from Fish Management Area status. See SMB 24 Page 84.
7. Approval of insurance recommendation - change of classification to allow Captain Bob Hopton's widow to switch over as a retired dependent in the health plan.
8. Approval of Robey-Barber recommendation. See SMB 24 Page 85.
9. Approval to purchase cascade air system - Desoto City Fire District. See SMB 24 Page 86.
10. Approval of job description - Housing Coordinator. See SMB 24 Page 87.

Upon roll call, all Commissioners voted aye. The motion carried.

**B. PUBLIC HEARING TO CONSIDER ZONING CHANGES AND SMALL SCALE PLAN AMENDMENT**

**HEARING #1360 - DONALD L. GREENHALGH**

Lots 8 and 9, Desoto Industrial Park, Phase 1 and a parcel containing approximately 17 acres in Sec. 12, TWP. 35 S. Range 29 E. Requesting a zoning change from R-3 (Multiple Family Residential) to B-4 and I-2 (Business district and Industrial district). Proof of Publication presented by the Zoning



Supervisor. See SMB 24 Page 88. The Chairman called for public input. Don Greenhalgh, petitioner, spoke in favor of the zoning change.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution and approve as requested contingent upon approval of the Small-Scale Plan amendment from the Department of Community Affairs. See Res. Book 9 Page 90. Upon roll call, all Commissioners voted aye. The motion carried.

**HEARING #1662-MARKINE OSTLING C/O LANSE PADGETT**

Requesting a zoning change from M-1 (Mobile Home Subdivision district) to B-4 (Business district). Buyer's current veterinarian facility is being rendered unusable by the expansion of U.S Hwy. 27, making it necessary to move his business. Proof of Publication entered into the record. See SMB 24 Page 89. The Chairman opened for public. None was received.

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Resolution and approve the zoning change contingent upon approval of the Small-Scale Plan amendment from the Department of Community Affairs. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 91.

**HEARING #CPA-95-016 - MARKINE OSTLING C/O LANSE PADGETT**

Requesting a Small-Scale Plan amendment from "Low Density Residential" to "Commercial". Proof of Publication entered in the record. See Proof of Publication Ordinance Book #1 Page 1. Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve CPA-016 request and adopt Ordinance for a Small - Scale Plan amendment change from "Low Density Residential" to Commercial" with mandatory findings as entered into the record. The Chairman called for public input. None was received. Upon Roll call, all Commissioners voted aye. Motion carried. The Chairman closed the Public Hearing at 9:30 A.M.

The Chairman opened the second Public Hearing at 9:30 A.M.

**C. PUBLIC HEARING TO CONSIDER ORDINANCES AMENDING CHAPTERS 12 AND 5.5 OF THE CODE OF ORDINANCES.**

The Board Attorney read the captions of the first ordinance into the record.

Proof of Publication entered into the record by the Zoning Supervisor. See Proof of Publication, Ordinance Book #1 Page 2.

The Zoning Supervisor read the proposed changes of the zoning, Section 1 through 12 into the record. See Zoning File for copy.

The Chairman called for public input to the proposed changes. Harold Seaman commented on the regulations of Park Models, RV's and Mobile Homes. Don Reeves questioned M-2 changes. Richard Conover commented on Section six regarding the time limit of five (5) years. Lt Benton suggested that staff check with the Department of State for language regarding licensing of Security Guards.

Mike Swaine, Attorney, representing Paul Poore, spoke in favor of placing C & D Landfill's in I-2 zoning. Hank Kowalski spoke on the issue of the location of the Landfill. He suggested that the Board consider changing policy. Instead of Landfills going before the Board of Adjustments with special exceptions, the Board of County Commissioners hear the request. The Board Attorney advised that the policy could be changed. The Commission discussed the request of Mr. Poore and the effect to the county maintained road. The Chairman suggested that staff bring back recommendation for the Board to hear specific I-2 requests at the next hearing. Mr. Swaine urged the Board not to make the applicant go through additional hoops.

**BREAK 10:50 - 11:00 A.M.**

The meeting reconvened with all members present, except the Clerk.

Mr. Paul Poore updated the Board on the amount of time and the steps that were involved in trying to proceed with the construction of the C & D Landfill at the proposed location.

The Zoning Supervisor explained the proposed changes in Sections 13 through 16. See Zoning File for copy. The Chairman called for public input. Hank Kowalski mentioned the fact that this Landfill will be placed in the backyard of seven (7) residents.

Motion by Commissioner Gose, seconded by Commissioner Gentry to hold the second reading of the Ordinance on September 5, 1995 at 9:00 a.m. at 411 S. Eucalyptus Street. Upon roll call, all Commissioners voted aye. The motion carried.

The County Administrator commended Gary Lower for drafting the language for the ordinances.

The Chairman closed the Hearing for the first Ordinance and opened the second Public Hearing.

The Board Attorney read the captions of the Ordinance into the

record. The Development Services Director reviewed the four sections contained in the Ordinance as listed and asked for questions.

**VESTED RIGHTS - ARTICLE FOUR, SECTION NINE**

**DRIVEWAY PERMITS - ARTICLE SIX, SECTION FIVE**

**DEVELOPMENT AGREEMENTS - ARTICLE FOUR, SECTION SIX**

**AMENDMENT TO LDR'S - SITE PLAN EXEMPTIONS**

The Chairman called for public input. None was received. Commissioner Gose related that the vesting rights have been cleaned up, basically driveways. Some U-turns have been addressed. The County Engineer stated that the requirements that were in place were codified and made more clear.

Motion by Commissioner Gose, seconded by Commissioner Barrett to hold the second hearing on September 5, 1995 in the Commission Chambers at 411 S. Eucalyptus Street at 9:00 A.M. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. SANTOS DE LA ROSA, CHAIRMAN: REPORT ON MIGRANT HOUSING PROJECT - YOUTH CARE LANE**

Mr. De La Rosa responded to the letter sent by Mr. Cool. The result was concerns raised by Mr. Braswell at the Board of County Commission meeting regarding the Youth Care Lane property. Attachments were enclosed from Polk Appraisal Service, Jim Allen of Barnett Bank and Gregory Caruthers, District Director of RECD. See SMB 24 Page 90 for copies.

The Chairman called Bruce Braswell for a response. Mr. Braswell addressed the HCHA minutes of June 6, 1995. See SMB 24 Page 91. Mr. Braswell stated concerns for the purchase price of the property that taxpayers will have to repay. Commissioner Gose directed the question to the Board Attorney as to the position of the BCC. Mr. Macbeth advised that the Board does fund the Housing Authority \$5,000. Laretta Stephens, Florida Non-Profit Housing, Inc. responded that the only control that the BCC has over the Authority at this point is the funding that is provided for administrative cost. If the HCHA purchased the property before the obligation of funds and the funds do not come through, the lender will obtain the land. The land will be put up for collateral. Ms. Stephens advised that the lender is in the process of conducting an appraisal and if it comes in lower, RECD will only pay that amount. The Chairman stated the concerns and requested a copy of the new

appraisal.

**E. EMERGENCY OPERATIONS COORDINATOR: REQUEST FOR FINANCING  
FIRE APPARATUS**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve request of Tim Eures for the Clerk's office to secure financing for a new 1250 G.P.M. Pumper for Highlands Park VFD. The District has approximately \$100,000 in SBA for budget year #94-95 to be used toward the purchase. The request is for \$45,000 to be available by November 1995. Payments to be made in annual installments up to three or four years. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 92.

**F. OPERATIONS DIRECTOR: REQUEST FOR PERSONNEL- AQUATIC WEED  
CONTROL**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve request of the Operations Director to implement an Aquatic Weed Control Crew with two positions (Pay Grade-8) Spray Operator and a (Pay Grade 15) Aquatic Weed Control Technician. Both positions to be funded by the State.

Mary Carter, President of the Highlands County Lakes Association, thanked the Board for action taken toward cleaning up the lakes in the county.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 92 for copy of request.

**OPERATIONS DIRECTOR: REQUEST FOR CHANGE OF POLICY  
CLEANING OF BEACH FRONT**

The Operations Director requested that the Board consider a change in policy and include the charge of equipment at the vehicle expense rate for lake front property clean up and chemical. The Commission suggested that Mr. Pollard bring back a memo with a cost estimate at next weeks meeting. The Chairman asked that the press present a news release to allow the general public's comment.

**G. DEVELOPMENT DIRECTOR: APPOINTMENTS TO NRAC AND EXECUTION  
OF RESOLUTION**

Motion by Commissioner Gose, seconded by Commissioner Canale to appoint Greg Reynolds as the Agricultural Representative to the Natural Resources Advisory Commission. Upon roll call, all Commissioners voted aye. The motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gose to appoint Tom Bancroft as the Environmental Representative to the Natural Resources Advisory Commission and adopt Resolution.

The Chairman called for public input. Hank Kowalski requested that the Board consider Hillary Swaine's outstanding resume.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 92.

**H. BOARD ATTORNEY:**

No report

**I. COUNTY ADMINISTRATOR: REPORT ON OCCUPATION LICENSE MEETING**

Carl Cool reported on the meeting with J. T. Landress. He stated that an Ordinance is in place, but there are still outstanding issues that will need to be addressed for Board consideration. Mr. Delaney was present at the meeting and he seemed satisfied. However other questions did arise. His suggestion was to let the Tax Collector deal with questions as they appear. There is not time for the Board to solve all the problems by October 1, 1995. Mr. Cool's recommendation is that it needs further study and correction. However the licenses have been mailed out.

Commissioner Canale stated that there was no conclusion to the discussion. Concerns were listed. Commissioner Gentry recommended that the Board bring the committee of citizens back together and revisit the issues and allow them to make a determination. Commissioner Canale suggested that verbiage in Sub-section 6.42 be changed.

**J. HAZARDOUS WASTE SURCHARGE**

Carl Cool updated the Commission on the survey sent out to recipients from CFRPC. See SMB 24 Page 94 for copy of survey. J. T. Landress, Tax Collector, advised that refunds will be forthcoming within a month. Mr. Cool suggested that the survey should be filled out. The Chairman requested that someone get the problem corrected immediately.

**5. CITIZENS NOT ON AGENDA**

Mr. Richard Conover inquired as to the attendance of the meetings by the Clerk. He was advised that Mr. Brooker was represented by the Deputy Clerk.

**6. COMMISSIONERS**

The Chairman gave a report on the World Series play-off.

**K. ASSISTANT COUNTY ADMINISTRATOR**

**1. CERTIFICATION OF TAXABLE VALUE**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the request of the Department of Revenue to revise the Certification of Taxable Value to show an additional decimal place on percentage for Line 22. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 95.

**2. REQUEST FOR SURPLUS AMBULANCE FOR THE SHERIFF'S OFFICE**

Motion by Commissioner Canale, seconded by Commissioner Gose to give the next available surplus Type II Ambulance to the Sheriff's office in lieu of the Type III that was previously approved. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. ADJOURN**

The meeting adjourned at 12:50 P.M.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, AUGUST 15, 1995**

1. The workshop meeting was called to order at 1:30 P.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

- |                        |                        |
|------------------------|------------------------|
| <b>C. Guy Maxcy</b>    | <b>Carl Cool</b>       |
| <b>Doris Gentry</b>    | <b>J. Ross Macbeth</b> |
| <b>James L. Gose</b>   | <b>Louise Graham</b>   |
| <b>John D. Barrett</b> |                        |
| <b>Jeri Canale</b>     |                        |

Also present for the workshop was Randy Chubb, Project Architect

and Philip Dangerfield, Design Architect, from Hellmuth, Obata & Kassabaum.

**2. SUBJECT: GOVERNMENT CENTER BUILDING DESIGN**

Philip Dangerfield presented a small model of the Government Center to demonstrate the basic intent of the building. Two samples were introduced, an Indiana Limestone and a Cast Stone which is man-made and more suitable to the budget. The color can be adjusted to suit the courthouse.

Mr. Dangerfield reviewed the outline of the building and locations of each elected official. The Commission agreed that the color variations were very selective. The County Administrator suggested removing some of the lattice work to create a less busy effect. The Board Attorney recommended a less horizontal effect. Commissioner Canale stated concerns as to the appearance of the building. The Chairman stated that he liked the design and it seemed functional.

The County Administrator reviewed Exhibit "B" of the contract. The floor area of the project is estimated to be 50,000 GSF. If the final project is less than 45,000 GSF, or exceeds 55,000 GSF, the fee will be adjusted by the ratio of the actual GSF floor area divided by 50,000. The estimate is at 60,000 square feet. After calculation, the amount would increase \$52,500 more money to H.O.K. due to increase in size. See SMB 24 Page 96.

Commissioner Gentry stated concerns for the increase in price. Commissioner Barrett said that it would be much cheaper to build what was needed in the beginning, rather than adding later. The commission discussed the 15 year projection. Certain areas could be left blank without carpet to decrease price.

The County Administrator stated that the important part is that we have a schematic design of the building. We do not have construction drawings. If the Commissioners have a real problem with the 60,000 sq. feet, we should renegotiate and cut it down now before it goes into the drawings. The Board will need to commit very soon.

The Board discussed the cost of financing the building in comparison to waiting two years in order to be debt free.

Commissioner Barrett suggested that he is ready to go with the design. Commissioner Gentry liked the geometry of the building. Commissioner Gose suggested just taking a section of the horizontal out and leaving the verticle in. Chairman Maxcy is happy with it

but would like another model with some trees to view in a couple of weeks.

**3. ADJOURNMENT**

The workshop adjourned at 2:45 P.M.

\_\_\_\_\_  
**Chairman**

**Attest:** \_\_\_\_\_  
**Clerk**

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**REGULAR MEETING OF THE BOARD, AUGUST 22, 1995**

The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale**

**L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Pauline White, Sebring City Council. The Pledge was led by Richard Conover.

**ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending August 22, 1995.

Commissioner Canale questioned the volume of false alarm calls made to the Sheriff's Department and the possibility of funding from fees charged to supplement school guard crossing.

**B. CLERK**

The Clerk reported a meeting of the Value Adjustment Board scheduled for August 28, 1995 at 11:00 a.m. with Commissioners Guy Maxcy, Jim Gose and J. D. Barrett. School Board members Pete Pollard and Wendy Renfro. Also attending will be the Board Attorney, Ross Macbeth and the Clerk, Luke Brooker. The meeting to be held in the small conference room.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

**4. ACTION:**

**A. CONSENT AGENDA:**

The Assistant County Administrator read the Consent Agenda into the record. Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Consent Agenda with a correction to Budget Amendment #94-95-249 as listed:

1. Approval to pay all duly authorized bills as follows:

Law Library	432.81
General	268,629.16
County Transportation Trust	25,294.86
E911 Operations	246.91
Local Govt Infrastructure Surtax	175,441.00
Affordable Housing Assistance	25,090.00
Correctional Facility	41,533.53
Solid Waste	376,973.47
Water/Sewer	5,287.04
Risk Retention	32,379.64
Employee Benefit	136,158.25

2. Accept into record transcripts of litigation sessions. See SMB 24 Page 98.
3. Approval to execute lease to Florida Rural Health Services, Inc.
4. Approval to add preferred provider - Olsten Kimberly Quality Care. See SMB 24 Page 99.
5. Approval of air conditioning requisition utilizing State DEM Base Grant (EOC). See SMB 24 Page 100.
6. Approval of budget amendments #94-95-249 through 252.
7. Appointment to Historic Preservation Commission, Keith Hunnicutt. See SMB 24 Page 101.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PAULINE WHITE AND LINDA DUNCAN: REQUEST FROM CITY OF SEBRING**

Pauline White appeared before the Board to request approval for Sebring City Pier improvements. The request was for matching in-kind engineering services from the County in the amount of \$10,500.

The City and CRA have agreed to each contribute \$10,500 to qualify for a 25% matching grant from the Department of Community Affairs.

Bill Lecher, County Engineer, suggested that the Board agree to the monetary match and when the projects came up, his department would provide the support needed if available. At this time he would recommend outside engineering.

Linda Duncan, representing the Sebring Noon Rotary, stated that the club has provided more than \$50,000 in park improvements and are planning to contribute manpower and private contributions to help offset the cost of the project.

Motion by Commissioner Canale, seconded by Commissioner Gose to support the Sebring City Pier improvements with \$3,000 in cash and \$7,500 as in-kind services to be spent in the 1996-97 budget not to exceed \$10,500.

The Chairman called for public input. Mr. Richard Conover spoke regarding the proposal, the cost figures and permits. Ms. Joan Pfluger commented on the location of the project.

Upon Roll call, Commissioners Canale, Gose, Barrett and Maxcy voted aye. Commissioner Gentry voted nay. Motion carried. See SMB 24 Page 102.

**C. JIM RICHARDSON: WASHINGTON HEIGHTS YOUTH CENTER FUNDING REQUEST**

Request was withdrawn.

**D. DIRECTOR OF ACCOUNTING AND FINANCE: RESOLUTION FOR HRS BUILDING LOAN**

The Board Attorney reviewed the changes and explained the Resolution.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution providing for the construction of a 31,000 square foot facility for the Sebring HRS Service Center and authorizing the borrowing, not to exceed \$2,500,000. Upon Roll call, Commissioners Gose, Gentry and Barrett voted aye. Commissioners Canale and Maxcy voted nay. Motion carried. See Res. Book 9 Page 92

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Resolution authorizing and directing the investment of surplus funds. Upon Roll call, Commissioners Gose, Gentry and

Barrett voted aye. Commissioners Canale and Maxcy voted nay. Motion carried. See Res. Book 9 page 93.

**BREAK 10:10 A.M.- 10:25 A.M.**

**E. DEVELOPMENT DIRECTOR:**

**1. DEPT OF COMMUNITY AFFAIRS REPORTS 95-1 AND 95-2**

**DCA ORC REPORT 95-1 - Case: Highlands County CPA-94-004 (Messana) Change from Agriculture to Medium Density Residential.**

Motion by Commissioner Canale, seconded by Commissioner Barrett to move to submit for review and comment to DCA before the County accepts the proposals.

Motion by Commissioner Barrett to amend the motion to accept staff recommendation. Upon Roll call, all Commissioners voted aye. Motion carried.

**DCA ORC REPORT 95-2 - Case: Highlands County CPA-95-007 (County Initiated)**

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept staff recommendation on CPA-95-007 that addresses pages one and two of DCA ORC. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept LPA recommendation regarding density for CPA-95-007 ORC OBJECTION 1.B. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. FALL 1995 COMP PLAN AMENDMENTS**

**CASE: Highlands County CPA-95-013 (County School Board)**

Motion by Commissioner Gentry, seconded by Commissioner Canale to accept LPA recommendation on CPA-95-013 ORC OBJECTION 1-B. Upon Roll call, all Commissioners voted aye. Motion carried.

**CASE: Highlands County CPA-95003 (County Initiated)**

Motion by Commissioner Gose, seconded by Commissioner Gentry to move to accept settlement of lawsuit.

The Chairman called for public input. Dan Foley, representing the

Citrus Growers Association, reminded the Board that most agriculture organizations were opposed to the settlement of the lawsuit.

Upon Roll call, all Commissioners voted aye. Motion carried.

**PROPOSED POLICY:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve LPA recommendation on proposed policy b. Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSIDERATION OF CPA-95-007 ORC RESPONSE**

The Development Director reviewed with the Board the DCA objections, recommendations and comments concerning CPA-95-007. Mr. Polatty requested direction on response to the ORCs, and how to revise the Comprehensive Plan's Future Land Use Map.

Discussion followed on notification of property owners regarding changing the Land Use map. The Chairman called for public input. Richard Conover and Dan Foley spoke in favor.

Motion by Commissioner Gose, seconded by Commissioner Gentry to go with the recommendations of the Local Planning Agency on all the decisions as printed with the addition that staff return with a policy and agreements to address the concerns that the county would give special consideration to original owners or people that were unaware of the change. The deadline listed as October 23, 1995 to be extended to December 5, 1995, and the deadline for original property owners to be two years.

Commissioner Canale amended the motion to notify property owners by mail of changes. Commissioner Barrett seconded the amendment.

Voting on the amendment. Upon roll call, Commissioners Canale Barrett and Maxcy voted aye. Commissioners Gentry and Gose voted nay. The motion carried.

Commissioner Gose amended his motion to leave December 5th as a cut-off for rezoning and two years for original property owners to apply. Commissioner Canale seconded the amendment.

The Board Attorney suggested that we extend the date to June 30, 1996.

Richard Conover said that he disagreed with the amount of time for

mailing letters out. OPS people could be used.

Upon Roll call, all Commissioners voted aye. Motion carried. See Comp Plan file for copy of information.

Commissioner Canale requested time to research mailing of letters. The Chairman suggested a workshop in two weeks to readdress the issue.

The Development Services Director announced a Public Hearing on September 19, 1995 to adopt ordinances for the ORC's and to hear the decisions from the Local Planning Agency for the new comp plan amendments and map.

**F. OPERATIONS DIRECTOR: REVISION TO AQUATIC WEED POLICY**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve revision to Aquatic Plant Control Cooperative Participation Policy with a reimbursable hourly rate on equipment as requested with allowance to revise these rates semi-annually. Rates not to exceed the **F.D.E.P** rate. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 103.

**G. BOARD ATTORNEY**

The Board gave a consensus to allow a litigation session regarding the Jimmy Heard Lawsuit on September 5, 1995 at 11:30 a.m.

**H. COUNTY ADMINISTRATOR**

The County Administrator suggested a workshop on September 19, 1995 at 5:30 p.m. to hear the final conclusions from the Department of Transportation regarding the alternative 27 route. The workshop to include the cities and county. The Chairman asked that the issue of limited access be discussed.

The County Administrator reported that he has met with the Public Defender and State Attorney's office regarding the disposition of felony cases. They suggested more judge time in the county to speed up the process. After meeting with Judge Langford, he advised that he will be here three days per week, instead of the two days. This will speed up the felony case load after October 1.

**5. CITIZENS NOT ON AGENDA:**

1. Hank Kowalski commented on the issue of informing the public by mail-out and the property rights issue.

2. Ms. Joan Pfleuger questioned a county fine by the DEP. The County Administrator advised that the county has not been fined.

**6. COMMISSIONERS**

1. Commissioner Gentry requested direction for a "no wake" zone on Arbuckle Creek.

Motion by Commissioner Gentry, seconded by Commissioner Canale to request staff place "no wake" zone signs near three homes at burned out bridge, in Avon Park, not south of that. Upon Roll call, Commissioners Gentry, Canale, Barrett and Maxcy voted aye. Commissioner Gose voted nay. Motion carried.

2. The Chairman designated Commissioner Gentry to work with the Lottery Program to produce a video to educate the people about our state.

**Lunch Break 12:55-2:00 P.M.**

**WORKSHOP OF THE BOARD  
SENIOR CITIZEN TAX WORK-OFF PROGRAM**

The workshop was called to order at 2:00 P.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

<b>C. Guy Maxcy</b>	<b>I.V. "Buddy" McKenzie</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

The Chairman gave a short dissertation on the Hillsborough County Senior Citizen Tax Work-off Program. He suggested that staff put the program in place for one year starting October 1, 1995.

Carl Cool, County Administrator, explained that the Personnel Director has raised the issue with Mr. Perez, the county's labor attorney. Questions were asked with some indirect answers. Mr. Cool suggested that this is the time to begin the program. Staff could realign the budget with \$8,000 from the General Fund. This would fund 20 people for the \$400 limit. This would be a trial program for a year with a report on its relative success in next year's budget hearings.

The Board Attorney listed concerns pertaining to the retirement age. He could not guarantee the legality of the program, but suggested that it be based not on residency but if they pay taxes in the county. Fred Carino, Personnel Director, explained the OHS program. The Board gave a consensus not to interfere with this program.

Commissioner Gentry mentioned the library volunteers and how it would effect them. The Chairman stated that we need to establish a criteria first. She suggested the criteria might include the garbage assessment. See SMB 24 Page 104 for copy of information.

I.V. "Buddy" Mckenzie left the meeting at 2:25 p.m. Bob Germaine sat in for the clerk.

The Chairman proposed that the program be patterned after existing counties and to keep it simple the first year. Staff to formalize a plan for approval for the first meeting in September.

The meeting adjourned at 2:45 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, SEPTEMBER 5, 1995

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Father Peter Sheehan. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending September 5, 1995. Lt. Benton also gave a report on False Alarms.

- B. CLERK**

L. E. "Luke" Brooker reported on the Value Adjustment Board meeting and the proposed upcoming hearings.

- C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as listed. Discussion followed on several items. Tom Dlugos, appointee to the Hospital District Board, introduced himself and advised that he is anxious to begin work. Richard Conover commented on items and requested the Board provide information to the public.

1. Approval of minutes of 8-15-95 and 8-22-95 meetings and 8-15-95 workshop
2. Approval to pay the following duly authorized warrants:

BOOK 16 PAGE 253

Law Library	1,022.30
General	1,436,862.70
County Transportation	74,348.07
E911 Operations	11,303.74
Conservation Trust	33.33
Law Enforcement Education	2,547.00
Local Govt Infrastructure Surtax	133,573.73
Affordable Housing Assistance	12,975.00
Correctional Facility	164,191.41
Solid Waste	24,679.43
Water/Sewer	21,153.75
Risk Retention	2,464.12
Employee Benefit	120,274.26

3. Approval of Hospital District scholarship for SFCC nursing program. See SMB 24 Page 105.
4. Appointment to Hospital District Board-Tom Dlugos, District 2. See SMB 24 Page 106 for copy of resume.
5. Approval of lease with City of Sebring for old tennis courts.
6. Approval of payment for inmate housing. See SMB 24 Page 107.
7. Approval of Recycling and Education Grant
8. Approval of agreement with SFCC for EMT training
9. Acceptance of DARE Project grant of \$45,614 (#96-CJ-2P-07-38-01-159). See SMB 24 Page 108.
10. Acceptance of DUI Enforcement grant of \$80,800 (#AL-95-05-03-02). See SMB 24 Page 109.
11. Approval of new EMS Transportation Policy. See SMB 24 Page 110.

12. Approval of capital expenditure request - Purchase of a Dell XPS P100c computer for map viewing and a HP Laser Jet Printer. See SMB 24 Page 111.
13. Approval of budget amendments #94-95-255 through 258-263 and 265.
14. Approval to expend remainder of Emergency Management grant. See SMB 24 Page 112.

Upon Roll call, all Commissioners voted aye. The motion carried.

**BOOK 16 PAGE 254**

**B. PUBLIC HEARING TO CONSIDER VACATION OF PLAT - HARDER COUNTRY CLUB II**

Proof of Publication entered into the record. See SMB 24 Page 113. The County Engineer presented request for adoption of Resolution to vacate a Plat - Lots 17,18,20,21,22,23,24,25 and 26, Block 3, and all of Loves Circle, Harder Hall Country Club II.

The Chairman called for public input. None was received. Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution, vacating the lots as mentioned in Block 3 and all of Loves Circle, lying in Harder Hall Country Club II for petitioner, Grover Love. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 94.

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 12, REGARDING ZONING**

Proof of Publication entered into the record. See Proof of Pub Ordinance Book #1 Page 3. Gary Lower, Zoning Supervisor, reviewed captions with changes to zoning.

The Chairman called for public input. Hank Kowalski questioned if the Board of County Commissioners would hear decisions as to C&D Landfills and incinerators. John Payne, Board of Adjustment member, spoke regarding the power of his Board. Attorney John McClure, representing Paul Poore, spoke regarding the I-2 zoning and the minimal impact to C & D Landfills.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt Ordinance, providing for changes to Chapter 12 of the Code of Ordinances, pertaining to zoning. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 5.5 REGARDING LAND DEVELOPMENT REGULATIONS**

Proof of publication entered into the record. See Proof of Pub Ordinance Book 1 Page 3. Jim Polatty, Development Services Director, read the captions of the ordinance into the record. He reviewed the recommendations of the LDR committee and the Local Planning Agency.

The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt ordinance, providing for land development regulation, vesting rights, driveway permits, development agreements and adding articles. Upon Roll call, all Commissioners voted aye. Motion carried.

**BOOK 16 PAGE 255**

**E. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 8, REGARDING PLAT NAMES**

Proof of publication entered into the record by the County Administrator. See Proof of Pub Ordinance Book #1 Page 4. The Board Attorney read the captions of the ordinance into the record. Three plat names are to be corrected removing offensive names. The clerk is to note the correction on the margin of the plat. The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt ordinance amending Chapter 8, renaming certain plats. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. DEVELOPMENT DIRECTOR:**

**1. FLORIDA COMMUNITIES TRUST ADDENDUM 1 TO CONCEPTUAL APPROVAL AGREEMENT - SUN' N LAKE PRESERVE**

The County Administrator commended Larry Sharpe for his work on the project. Lew Carter gave an update on the plan.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the Florida Communities Trust Addendum 1 to the Conceptual Approval Agreement. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 114.

**2. ADOPTION OF 1995-98 HOUSING ASSISTANCE PLAN AND 1992-95 PLAN AMENDMENTS**

The Development Services Director requested that this item be continued until September 12, 1995.

Commissioner Gentry read a letter into the record from Lanse Padgett of Active Properties commending the staff in the Zoning Department and especially Zoning Supervisor, Gary Lower and Linda Conrad. The County Administrator was requested to place in the employees file.

**H. SPECIAL PROJECTS DIRECTOR: CONSIDERATION TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Gentry, seconded by Commissioner Canale to approve request to accept donated property from Jane R. Rhodes, a/k/a Jane R. Stark for the NE 1/4 of the NW 1/4 of the SW 1/4, Section 35, Township 34 South Range 31 East. The Chairman called for public input. Richard Conover questioned the use of the property to the county. Upon Roll call, all Commissioners voted aye. Motion carried.

**BREAK 10:10 A.M.-10:25 A.M.**

**BOOK 16 PAGE 256**

**I. PERSONNEL DIRECTOR:**

**1. SENIOR CITIZENS TAX WORK-OFF PROGRAM**

Fred Carino, Personnel Director, presented recommendations to the Board to authorize the creation of a one-year pilot program to be called the Highlands County Senior Citizen Tax Work-Off Program for residents of Highlands County who are 65 years of age or older and who own homestead property within the County. The funding of \$8,000 would be provided through the Board's contingency fund for FY 1995/96. These funds would be used to pay approximately 20 persons who may apply and be employed under the program.

The Chairman called for public input. Richard Conover and Don Reeves asked that renters who pay a garbage assessment be included. Steve Roberts, Jr. spoke in favor of the program.

Motion by Commissioner Barrett, seconded by Commissioner Canale to move that the pilot program entitled Highlands County Senior Citizens Tax Work-Off/Tax Assistance Program be adopted as proposed. After Board discussion regarding the inclusion of assessments, Mr. Macbeth presented language appropriate to the wishes of the Board. Commissioner Barrett amended the motion to read that the program be titled the Tax Assistance Program and be available to county citizens age 65 or older who own or rent

resident property and pay the Solid Waste Assessment imposed pursuant to Chapter 8.5 of the Code of Ordinances, Highlands County. Commissioner Gose seconded the amendment as to the availability of funds and the Personnel Department to make the determination of hiring.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 115.

## **2. HURRICANE/DISASTER PERSONNEL POLICIES**

Motion by Commissioner Canale, seconded by Commissioner Barrett to move that the Board authorize staff to proceed with the recommendations on Hurricane/Disaster Personnel Policies as contained in the Memorandum of Proposals. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 116.

## **J. COUNTY ENGINEER: U.S. 27 BY-PASS PRESENTATION**

Bill Lecher, County Engineer presented a brief overview of the Florida Department of Transportation status meetings regarding the U.S. 27 Corridor Study. Mr. Lecher advised that September 19, 1995 at 5:30 p.m. the final meeting will be held for the Board to make recommendations. Mr. Lecher stated that the general consensus of the public was to make improvements to U.S. 27 or on local roadways.

### **BOOK 16 PAGE 257**

This will be the recommendation from Dot at the September 19 meeting, along with suggesting that the county go ahead and develop the Eucalyptus Parkway or improvements to SR 17 and Memorial Drive. See DOT file for copy.

The Chairman called for public input. Richard Conover questioned the name of the county road.

## **STEVE ROBERTS, JR. REQUEST ON DRAINAGE PROBLEM**

Mr. Roberts requested that SR 64 (Main Street) Avon Park drainage project be moved up from DOT Priority List #8 to #1.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the request to move Item #8 up to replace Item #1 (S. Lake Glenada Camp/SR-64) and everything else to move down sequently. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board welcomed Senator Rick Dantzler to the meeting.

G. 11:30 a.m.-DISCUSSION OF PENDING LITIGATION - pursuant to Section 286.011 (8), Florida Statutes, with those present being Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose and Doris Gentry; County Administrator Carl Cool, Board Attorney J. Ross Macbeth and a certified court reporter.

◇ JIMMY HEARD AND MARILYN M.HEARD v. HIGHLANDS COUNTY Circuit Court for Highlands County, Case No. GC95-268

See SMB 24 Page 117 for copy of proof of pub.

The meeting reconvened at 1:17 p.m. with all members present and C. Michael Eastman sitting for the Clerk.

**K. ASST. COUNTY ADMINISTRATOR**

**1. INSURANCE COMMITTEE RECOMMENDATIONS**

Committee was unsuccessful in RFP for a replacement RFP dental payroll deduction plan and recommends continuing with American Dental Plan, the current Provider. Commissioner Canale suggested a meeting with the School Board to discuss the coordination of a self-insured Dental Plan.

**A. ADOPTION OF BUDGETED EMPLOYEE RATES**

Motion by Commissioner Gose, seconded by Commissioner Canale to adopt the budgeted employee rates of \$343.09 per month. Dependent rates to remain status quo. Upon Roll call, all Commissioners voted aye. Motion carried.

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Mr. Portz reported that the plan appears to be in excellent financial shape and the rate structure would allow prepaying the Plans Debt Service (loan back to the Board). See SMB 24 Page 118.

**B. REVISED PLAN DOCUMENT**

The Asst. County Administrator reviewed the changes to the Plan Document. Motion by Commissioner Gentry, seconded by Commisser Gose to approve the Plan Document as presented. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. Fy 1995-96 BUDGET ADOPTION**

Tom Portz reviewed the dates of the Budget Adoption process with the Commission. See SMB 24 Page 119 for copy.

**3. EMERGENCY OPERATIONS REORGANIZATION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the recommendation of the Asst. County Administrator for the proposed reorganization of the EOC. This is recommended as a cost savings to the County and a more appropriate operational decision. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 120 for copy.

**4. ACQUISITION OF FIRE TRUCKS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Fire Truck Acquisition from the City of Sebring at the appraised amount of \$8,500 each to be utilized by the County and funded through the Fire Coordinator's budget and a budget amendment. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 121.

**L. COUNTY ADMINISTRATOR:**

**1. DISCUSSION ON COMP PLAN NOTIFICATION**

The County Administrator recommended that each individual landowner be sent a letter of notification when the land use designation is affected, informing them of a public hearing. The consensus was to send the notification.

**2. PRIVATE AGENCY AUDIT POLICY**

The County Administrator suggested that this item be removed and brought back at a later date.

**3. PROPOSED FAC LEGAL DEFENSE FUND**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the recommendation of the County Administrator to join the FAC Legal Defense Fund. The invoice amount is \$759. Upon Roll

**BOOK 16 PAGE 259**

call, all Commissioners voted aye. Motion carried. See SMB 24 Page 123.

**4. DISCUSSION ON HRS LEASE**

The County Administrator presented a memo advising that HRS will not be able to move into the building until January 1998 creating a delay of 13 months. He also reported that Ms. Rose Cook from the Department of HRS has suggested an Attorney General opinion. See SMB 24 Page 122. The Board discussed the cost incurred at this



point for obtaining the loan.

Motion by Commissioner Barrett, seconded by Commissioner Canale to rescind vote and not build the HRS building and to notify the Department. Upon Roll call, Commissioners Barrett, Canale and Maxcy voted aye. Commissioners Gentry and Gose voted nay. The motion carried.

The Board gave a consensus to the County Administrator to set a workshop to discuss Board Policies and Procedures.

#### **5. CITIZENS NOT ON AGENDA**

1. Frances Dillion addressed the Arbuckle Road detour and the problems she has encountered. The Chairman suggested additional shell if needed.
2. Hank Kowalski reviewed with the Board the new staff at the Archibold Station. He also questioned the size and detail of the Public Hearing notices. The Board Attorney advised that requirements have changed. Mr. Kowalski addressed the newspaper article regarding the time involved in Board meetings.
3. Rep. Bert Harris presented a warrant for the Library construction project in the amount of \$67,500. This project was funded under the Federal Library Services and Construction Act. See SMB 24 Page 124.

#### **6. COMMISSIONERS**

1. Commissioner Barrett-Resolution in objection to South Florida Water Management District increase.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution in objection to the budget increase announced by SFWMD. Upon Roll call, Commissioners Barrett, Canale, Gentry and Maxcy voted aye. Commissioner Gose voted nay. The motion carried.

2. Commissioner Gentry commended Mary Lamar on her retirement and her many years with the County.

**BOOK 16 PAGE 260**

3. Commissioner Gose reminded the citizens that the Board is trying to do some good things for the county, and to remember that this is Florida and we have to deal with certain problems.

4. Commissioner Canale commented on the organization of the Sports Committee.

7. **ADJOURN**

The meeting adjourned at 2.50 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, SEPTEMBER 12, 1995

1. The meeting was called to order at 9:00 a.m. in the Board of County Commissioners Chambers at 411 S. Eucalyptus Street, Sebring Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, Ross Macbeth. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending September 12, 1995.

- B. **CLERK**

The Clerk reported that today was the last day to file a petition with the Clerk's office to go before the Value Adjustment Board. 15 petitions have been filed as of this date.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the future meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

- A. **CONSENT AGENDA:**

The Board Attorney read the Consent Agenda into the record. Questions were presented from Richard Conover regarding the grant and the cost of the Code Book.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as listed.

1. **Approval of Street Name Changes. See SMB 24 Page 126.**
2. **Approval of name - "Justice Parker Lee McDonald Law**

Library". See SMB 24 Page 127.

3. Approval of budget amendments #94-95-273 and 274
4. Approval of Aquatic Weed Control Grant-DEP Contract #AP1014
5. Approval to execute resolution protesting SFWMD budget increase. See Res. Book 9 Page 98.
6. Approval to set price of \$160 for the new Code Book. See SMB 24 Page 128.
7. Approval of Insurance Specifications for Court Reporter RFP. See SMB 24 Page 129.

The Board discussed the costs involved in printing the Code Book and reimbursement for the Aquatic Weed Control grant.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING SMALL QUANTITY GENERATOR NOTIFICATION AND VERIFICATION SURCHARGE**

The Chairman opened the Public Hearing at 9:25 a.m. Proof of Publication entered into the record by the County Administrator. See Proof of Publication Ordinance Book 1 Page 5. The Board Attorney read the captions of the Ordinance and explained the changes to the existing code.

Motion by Commissioner Gentry, seconded by Commissioner Canale to adopt ordinance amending subsection (f) of section 8.5-27 of the Code of Ordinances, providing for an annual small Quantity Generator notification and verification surcharge.

The Board and staff discussed the contract with CFRPC. The cost involved and the appeals process were an issue. The County Administrator was directed to contact Doug Leonard to appear before the Board at next week's meeting with information.

The Chairman called for public input. Harold Stiles spoke in opposition to the assessment. Hank Kowalski suggested that Marcia Staszko from CFRPC was on the agenda to speak later and she might be able to answer some questions.

Upon Roll call, Commissioners Gentry, Canale, Gose and Maxcy voted

aye. Commissioner Barrett voted nay. The motion carried.

Motion by Commissioner Gentry, seconded by Commissioner Gose to direct the Board Attorney to prepare a type of vehicle for the assessment of the small quantity generator for individuals who do not pay an occupational license. The attorney to also outline a grievance procedure in the ordinance. Upon Roll call, Commissioners Gentry, Gose, Canale and Maxcy voted aye. Commissioner Barrett voted nay. Motion carried.

**E. COUNTY ADMINISTRATOR:**

**1. HEALTH CARE COUNCIL**

Kevin Roberts, Human Services Director, suggested that the health care task force, which has been an ad hoc group, be translated into a council with the force and authority of the commission. The council could reduce health service duplication. The goals of the council, made up of the health-care leaders and medical personnel would survey the health status of the community. Connect with community businesses, involve citizens in addressing health issues, advise the commission on courses of action and screen funding request. Mr. Roberts stated that obvious disadvantages are the creation of another level of bureaucracy and forcing members to work under the Sunshine Law.

Sandy Kuhn stated that the health-care task force has been a loosely knit organization for two years, with different members coming and going. Its becoming frustrating because there are a lot of issues that need to be looked at. One serious health issue is the absence of adult dental care for those without insurance. A council could make recommendations to the board to solve such problems.

The Board Attorney stated concerns for setting this up as a county appointed council. Commissioner Gentry said that the council does not have to be appointed by the commission. It could operate under the health department and provide input to commissioners at any time. The Chairman suggested that the Health Department Director go back to the meeting and explain the discussion of the Board of County Commissioners. See SMB 24 Page 130.

**RECESS**

The meeting recessed at 10:25 a.m. and reconvened at 11:18 a.m. with all members present and C. Michael Eastman sitting for the Clerk.

**C. MARCIA STASZKO, CENTRAL FLORIDA REGIONAL PLANNING**

**COUNCIL: TRANSPORTATION COORDINATING BOARD REPORT**

Marcia Staszko, Senior Program Manager for the CFRPC, introduced members of the Board for the Transportation Disadvantaged and presented the award for the Highlands Hardee and Okeechobee counties as the outstanding Coordinating Boards of the year.

**D. DEVELOPMENT DIRECTOR:**

**1. APPROVAL OF 1993-95 HOUSING ASSISTANCE PLAN AMENDMENTS**

**2. APPROVAL OF 1995-98 HOUSING ASSISTANCE PLAN**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve Resolutions implementing both HAPS for 1993-95 and 1995-98 Housing Assistance Plan amendments with changes as stated. Commissioner Gentry amended the motion to include the amendments of August 28, September 7 and September 12 memos. Commissioner Gose seconded the amendment. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 99.

**3. REQUEST TO EXTEND HOUSING COORDINATOR POSITION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the recommendations of the Development Director for a full time position to perform the duties of the Housing Coordinator for a period not to exceed two months or until the new Housing Coordinator is hired. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 131.

The Chairman called for public input. Richard Conover questioned the date listed on the memo.

**4. REORGANIZATION OF PLANNING AND ZONING DEPARTMENTS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the reorganization of both the Planning and Zoning Departments by upgrading the responsibilities of the current Zoning Supervisor, and salary grade from 25 to 27; eliminating the position of Planning Director and replacing with a Planning Supervisor Planner III), establishing the Planning Supervisor's salary at grade 27 and approving changes in both job descriptions; making both Zoning Supervisor's and Planning Supervisor's salary grade identical and promoting Duane Neiderman to the Planning Supervisor position. Hiring a Planner II to fill the vacancy and retaining the current Planner 1 until the Planner II position is filled. See SMB 24 Page 133.

Fred Carino, Personnel Director, stated that he supports the reorganization. Richard Conover questioned the amount of college required for the positions.

Commissioner Barrett amended the motion to accept June Fisher in the Planner II position. Upon roll call, on the amendment Commissioner Barrett and Canale voted aye. Commissioners Gentry, Gose, and Maxcy voted nay. The motion did not carry.

Voting on the main motion. Upon Roll call, Commissioners Gose, Gentry, Canale and Maxcy voted aye. Commissioner Barrett voted nay. The motion carried.

**E. COUNTY ADMINISTRATOR**

**1. PROPOSED POLICY FOR PRIVATE AUDIT REQUIREMENT**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the suggested policy with the added language for private organizations to insure that the public monies are expended in a proper and legal manner. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 133 for copy of policy.

Michael Eastman left the meeting at 12:10 p.m.

**3. BUDGET AMENDMENT REQUEST-WELL RECONSTRUCTION**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve request for a budget amendment #94-95-278 for reconstruction of a 600' well at the Arbuckle Landfill site in the amount of \$7,000 for an additional 678 bags of grout material in order to comply with the county specifications. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 134.

**5. CITIZENS NOT ON AGENDA:**

1. Mr. Cool apologized publicly to Harold Stiles regarding a conversation that occurred at the September 7 Public Hearing.

Mr. Stiles reported on the meeting of the homeowners and advised that the request was to expend the district funds to acquire shell and dirt to fill the holes and repair roads that will make them passable. The consensus of the Board was to direct the County Administrator to have an open door policy with the Red Hill Farms District and Mr. Stiles to bring back in writing the plan to upgrade the roads at next week's meeting.

**2. BOARD ATTORNEY-H.E.C. SETTLEMENT**

Motion by Commissioner Gose, seconded by Commissioner Canale to deny request of Richard Grosso of the Heartland Environmental Council to meet and talk on the settlement of the lawsuit.

The Chairman called for comments to the motion. Hank Kowalski stated that he would like to remind the Board that there was not a signed settlement.

Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS:**

1. Commissioner Gentry suggested that the Board attend the meeting Friday of the Site Selection Committee.
2. Commissioner Canale reported on the meeting of the Library Advisory Board and the proposal of discontinuing fines and circulation fees. The proposal to be presented at the next Board meeting.
3. Commissioner Barrett reported on the Driver's License Building in lake Placid. He stated that he is still looking for alternatives.
4. Request from the architect's to review the remaining elevations of the Government Center.

Motion by Commissioner Gose, seconded by Commissioner Gentry to waive the agenda to meet with the architects. Upon Roll call, all Commissioners voted aye. Motion carried.

The meeting recessed at 1:05 p.m.

The meeting reconvened at 1:11 p.m. with all members present.

Phillip Dangerfield of H.O.K. reviewed the elevation of the model of the Government Center. Questions were presented. The restroom issue was addressed. The consensus of the Board was to move forward.

**7. ADJOURN**

The meeting adjourned at 1:30 p.m.



\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, SEPTEMBER 26, 1995

1. The meeting was called to order at 411 S. Eucalyptus Street, Sebring, Florida at 9:00 a.m. with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. 'Luke' Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS**

County Administrator presented Proof of Publication of the meeting. See SMB 24 Page 152.

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending September 26, 1995.

- B. **CLERK**

L.E. "Luke" Brooker, Clerk presented an award of Professional Certification to C. Michael Eastman, Director of Accounting and Finance from the Association of Government Accountants.

Mr. Brooker also gave an update on the Value Adjustment Board Hearings.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **CONSENT AGENDA:**

The Assistant County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as follows:

1. Approval of minutes of 9-7-95 public hearing and 9-12-95 meeting
2. Approval to pay all duly authorized bills  
None were paid.
3. Approval of budget amendments #94-95-306 through 308
4. Approval to execute Emergency Management Base Grant #96CP-05-07-38-01-028. See SMB 24 Page 153.
5. Approval of payment without purchase order, S. Central Florida Express, Inc. See SMB 24 Page 154.
6. Approval of Cooperative Agreement with SWFWMD-Lake Sebring Structures. See SMB 24 Page 155.
7. Approval to execute Litter Control and Prevention Grants. See SMB 24 Page 156.
8. Approval to pay bill for inmate housing in Hardee County. See SMB 24 Page 157.

The Chairman called for public input regarding the Consent Agenda. Clayton Womer stated that he supports the discussion of the Consent Agenda. Richard Conover questioned the invoice for S. Central Florida Express and other items. The County Administrator and the Budget Officer explained the delay of billing.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. CHARLES CULLENS: REQUEST APPROVAL TO SELL GARBAGE FRANCHISE STOCK**

Mike Swaine, Attorney for Reliable Sanitation, Inc. addressed the Board regarding the assignment of the Certification Card to include a transfer of stock to Republic Waste Industries, Inc. Dan Kilburn, Regional Vice-President of Republic Waste Industries, Inc. highlighted information regarding the company. The County Administrator offered a survey on the Garbage Franchise in the counties where they are operational. See SMB 24 Page 153. Rick Helms submitted a synopsis on the stock information. The Board Attorney presented a letter of transfer with two (2) contingencies, to modify the contract with Reliable Sanitation and the Ordinance

to be accepted by the new owner with the terms, conditions and limitations.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the sale based on the acceptance of the agreement to modify the Franchise contract and the appropriate specification as outlined in the Solid Waste Ordinance. The Chairman called for public input. Richard Conover expressed concern with nationwide companies taking over in the county. Upon Roll call, Commissioners Gentry, Gose, Canale and Barrett voted aye. Commissioner Maxcy abstained, due to Mr. Cullens being a personal client. See SMB 24 Page 154.

**Recess 9:49 a.m.- 10:00 a.m.**

The Board welcomed to the meeting Nick Sudzina, Court Administrator for the Tenth Judicial Circuit and Judge Davis, Chief Circuit Judge.

**C. BOARD ATTORNEY: EMINENT DOMAIN PROCEEDINGS-EUCALYPTUS PARKWAY PHASE I**

The Board Attorney explained the process and the Resolution necessary for the condemnation. The Board discussed the appraisals and the attempts to purchase the property. The Chairman opened the floor to the public. James Doty questioned the price of the property and the extent of negotiations.

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve a Resolution determining the necessity to construct Eucalyptus Parkway Phase I from Gardenview Road to Ridgewood Drive and directing the condemnation of specified interests in property owned by the following

Parcel #1-Jack F. And Gwen B. Terry  
Parcel #2-Margaret E. Crowder  
Parcel #3-Everett and Jane Weeks

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page for copy of analysis. See Res. Book 9 Page 116.

**D. RESOLUTION ON SMALL COUNTY COALITION**

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution approving membership in the Small County Coalition for FY 95-96 and payment in the amount of \$2,150 for services through September 30, 1996.

Comments were received from Commissioner Gentry explaining the process and the degree of benefits that may be derived from the Coalition. Other Board members expressed their views. The Chairman opened the floor to the public. Clayton Womer and James Doty spoke regarding the issue.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 117.

**5. CITIZENS NOT ON AGENDA**

1. Dan Foley thanked everyone for their support at the fund raiser given by the Citrus Growers Association to establish an Ag Education Scholarship Program.
2. Richard Conover commented on the public hearing for the budget adoption held on September 21, 1995. He also requested that the mowing crew cut the grass on Memorial Drive.

**6. COMMISSIONERS**

1. Commissioner Canale commented on keeping the office of the Driver License Bureau in Lake Placid.
2. Commissioner Gentry reported that the Department of Highway Safety and Motor Vehicles have spoken and they will continue to provide driver licensing services there.

The County Administrator presented the letter from the Highway Safety and Motor Vehicles dated August 11, 1995. After speaking with Mayor Dal Hall, the issue will be brought up again on October 9th to discuss the uses of the old Library building. See SMB 24 Page 155.

Bill Trego from Lake Placid advised that 3408 petitions were collected to keep the driver's License services in Lake Placid. These petitions were sent to the state. Mr. Trego thanked the Board for their help with this matter.

3. Commissioner Gentry reported that the Ag committee will give a formal presentation in Lake County at Howey in the Hills. A video will be available for the Board to observe.
4. Chairman Maxcy announced an open house of the Spouse Abuse Shelter on October 5, 1995 from 3:00 p.m to 5:00 p.m.

7. ADJOURN

The meeting adjourned at 10:58 a.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, SEPTEMBER 26, 1995

1. The Workshop was called to order at the Board of County Commission Chambers at 411 S. Eucalyptus Street at 11:12 a.m. with the following members present:

C. Guy Maxcy

Doris Gentry

James L. Gose

John D. Barrett

Jeri Canale

Carl Cool

J. Ross Macbeth

Louise Graham

2. **SMALL COUNTY COALITION**

This item was covered in the Regular Meeting.

3. **POLICIES AND PROCEDURES MANUAL**

The County Administrator presented a draft of a proposed Policy and Procedure Manual for the Board's consideration. The manual was a modification of the St. John's County manual.

The Board discussed their feelings on changes and restructuring of the meetings. The Chairman stated that he did not wish to limit the public's input on issues. Commissioner Gentry suggested that we not limit input but request that we stay with the issue at hand.

Mr. Cool reviewed the specific changes to the Rules of the draft Polices and Procedures. The Board gave consensus to direct the County Administrator to redraft as discussed by the Board. Then go through a month trial period and consider for adoption. See SMB 24 Page 156 for copy of changes suggested.

The Board discussed evaluation of the County Administrator. It was a consensus to evaluate Mr. Cool at the end of the year. Commissioner Canale suggested that Mr. Cool keep a check list of items requested by the Board and check off as completed.

The Chairman asked the public to respond to the discussion.

Dan Foley suggested that the system that the Board uses at present is beneficial. He does not agree with limiting participation from the public. James Doty stated that the form that we have is working well. Richard Conover stated concerns but agreed to wait for the final draft.

The Workshop was recessed at 1:14 p.m. and reconvened at 2:10 p.m.

**5. SMALL QUANTITY GENERATOR VERIFICATION PROGRAM**

Doug Leonard, CFRPC, presented a hand-out of the SQGVP. He emphasized that this program is primarily a community education program. He addressed the issue of an appeal process.

Commissioner Canale suggested that the appeal process could explain the program and educate the people on how to dispose of their hazardous waste. Discussion ensued on the proposed scope of services. Christy Reed, Recycling Coordinator, stated that the average person would not have the knowledge to identify hazardous materials. She presented a cost analysis for expenses related to establishing a small quantity generator verification program operated by the county. See SMB 24 Page 157.

Doug Leonard submitted a proposal for the projected cost of the verification services at \$24,448 annually for five years beginning October 1, 1995 and ending September 30, 2000.

Rick Keck of CFRPC presented the practical application of the program.

The Board Attorney advised that the county is not compelled to assess the surcharge. For the last three (3) years it was paid out of the General Fund. Commissioner Gentry stated that the Board has two (2) options, to allow the people who are needing the service to pay or to spread it throughout.

The Board discussed the option of discontinuing the assessment. It was a consensus to place on the agenda next week for action.

**4. GOAL SETTING FOR FY 1995-96**

Commissioner Gentry suggested that the Board identify the top ten goals, listing number 10 as the highest, sign and return next Tuesday.

The workshop adjourned at 3:30 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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SPECIAL MEETING OF THE BOARD, SEPTEMBER 29, 1995  
OCCUPATIONAL LICENSE

1. The meeting was called to order at 2:00 p.m. with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

J.T.Landress  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. Notice of meeting presented by the County Administrator. See SMB 24 Page 158.
3. The Tax Collector gave a prepared statement. See SMB 24 Page 159.
4. The Board Attorney presented guidance to the Chairman on repealing the Ordinance.
5. County Administrator gave an overhead projection highlighting the history of the Occupational License Ordinance.
6. Chairman opened the discussion to the Board. The Commission addressed several ways to fix the ordinance and to solve the problem.
7. Petitions entered into the record.
8. The Chairman opened the floor to the public. The following persons spoke in opposition to the ordinance:

Claude Stampa, speaking for his wife who is a registered nurse. Dorothy L. Reed, R.N.; Allen Branch, P.A.; Joanne Dilella, Highlands County Home Health Unit. Attorney Lobozzo explained the nurse practice act.

Commissioner Gose requested that the Board instruct the Tax Collector to not mail any more notices until the committee has time to re-evaluate the list and come up with a criteria for billing.

Steve Marabel addressed the Real Estate Licensure. Jeanne Warner, representing the Lake Placid Realtors spoke in opposition to the license. Maria Sikes, nurse volunteer; Claudia Price, Cosmologist, speaking for the hairdressers.

**Break 3:30 - 3:40 p.m.**

Input continued:

Don Kneuer, speaking in opposition; Bill Sager, Equity Study Commission; Willa Vance, speaking on Federal Constitution Rights; Nancy Yacoboni, Central Florida Health Care.

9. Chairman called for direction or a motion from the Board.

Motion by Commissioner Barrett, seconded by Commissioner Canale to repeal this Ordinance Chapter 6-42, Professions, Businesses, Occupations, Subsection 1 through 4 until three (3) weeks from now and have the committee study this and make recommendations to the Board.

Discussion was called for by the maker of the motion.

Commissioner Barrett amended his motion to set a public hearing date for November 7 and November 28, 1995 to start the process for amending the ordinance.

10. The Chairman called for public input to the motion on the floor.

Gail Woepfel, representing ResCare Home Health, spoke in favor of the motion.

Upon Roll call, all Commissioners voted aye. Motion carried.

11. The Chairman requested discussion on forming a new committee.

Motion by Commissioner Gentry, seconded by Commissioner Gose to support the composition of the committee as presented by the Tax Collector as two or more members of the Board; two members of the original committee and staff members.

Board discussion regarding the composition of the committee resulted in Commissioner Gentry withdrawing her motion.

Dolores Champion spoke in favor of the composition of the committee as the motion stated.

Motion by Commissioner Gose, seconded by Commissioner Barrett to appoint two commissioners; two staff from the Tax Collector's office and two of the original committee to readdress the issue.

The Board Attorney suggested that the committee only contain one member from staff to avoid sunshine laws. Commissioner Gose

amended the motion to include two commissioners; one staff and two original committee members. Commissioner Gose amended the motion to add an attorney to the committee. Commissioner Barrett accepted the amendments. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry to direct the Tax Collector to stay with the original ordinance as deals with the Occupational License section, and to readdress at the public hearings. The Board Attorney stated that the Board of County Commissioners can not direct the Tax Collector as to how to carry out his job. Commissioner Gose withdrew his motion.

The meeting adjourned at 4:15 p.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, OCTOBER 3, 1995

1. The meeting was called to order at 9:00 a.m. at the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

I.V. "Buddy" McKenzie  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Richard Conover.

The Chairman recognized the Realtors present in the audience.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 3, 1995.

- B. **CLERK**

The Chief Deputy Clerk, I.V. "Buddy" McKenzie, presented a report on the Value Adjustment Board Hearings that were held with the Special Master where he presented his findings of fact. The Clerk advised that the VAB Hearing schedule ran very smooth this year.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

Hank Kowalski called attention to the 4th Annual Lake Arbuckle Appreciation Day to be held on 10/7/95 at Lake Arbuckle State Forest and State Park. See SMB 24 Page 160 for brochure.

4. **ACTION:**

- A. **RESOLUTION 4-H WEEK IN HIGHLANDS COUNTY**

Commissioner Gentry read the Resolution into the record. Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution proclaiming the week of October 1-7, 1995 as 4-H week in Highlands County. The Chairman recognized the members of the 4-H club. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 118.

**B. RECOGNITION FOR FAMILY SAFEHOUSE CONTRIBUTORS**

Kevin Roberts, Director of Human Services, gave special Board recognition to Ralph Hollenberg and Archie Wolfe, General Contractors. Suzanne S. Hunnicutt, Architect with Chastain Skillman, Evelyn Stulting, who was willing to sell her property at a discounted price. Roy D. Gaither, Executive Director of Peace River Center for Personal Development, who agreed to hire staff from Highlands County and provide day-to-day operations of the Family Safehouse. The Chairman presented a plaque to these individuals for the support and commitment to help in the establishment of the Family Safehouse for victims of domestic violence. See SMB 24 Page 161. Mr. Roberts announced an open-house on 10/5/95 from 3:00 p.m. to 6:00 p.m.

**Recess for 5 minutes**

**OCCUPATIONAL LICENSE DISCUSSION**

Claude Boring speaking for the Realtors of Highlands County, addressed the issue of the Occupational License Ordinance. Commissioner Gentry suggested that Mr. Boring represent the committee as a resource member. The Chairman advised that the committee will consist of two members from the original committee, two members from the Board of County Commissioners, one staff member from the Tax Collector's office and two resource members.

The Chairman appointed Jeri Canale as the Chairperson of the committee with J. D. Barrett as the other Commissioner. Michael O'Meara and Stephen Libby as original members. J. T. Landress as Tax Collector, Claude Boring, representing the Realtors and Dr. Fritz, representing the nurses, as the resource members.

The Board Attorney advised that the Realtors should be paying the fee as they have in the past. They are not a new category. If changes are made, then the fee can be refunded. Mr. Boring stated that this is questionable based on the ordinance. The consensus was to pay the fee until the committee can address these issues.

**C. CHAIRMAN, HISTORIC PRESERVATION COMMISSION: RESOLUTION IN MEMORY OF JIM RODGERS**

Margurite Skipper, Chairman of the Historic Preservation Commission read a resolution and a letter into the record in honor of the memory of the late Jim Rodgers.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to adopt Resolution as presented for James E. Rodgers, past Charter Chairman of the Historic Preservation Commission to express appreciation to be sent to the family and spread upon the minutes of the meeting.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 119.

**D. CONSENT AGENDA:**

The Consent Agenda was read into the record by the Asst. County Administrator.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the Consent Agenda as listed.

1. Approval of minutes of 9-19-95 meeting, 9-19-95 workshop and 9-21-95 public hearing
2. Approval to pay all duly authorized bills as listed:
 

Law Library	280.25
General	1,402,086.92
County Transportation Trust	42,814.42
E911 Operations	9,368.52
Local Govt Infrastructure Surtax	146,507.76
Affordable Housing Asst	10,000.00
Correctional Facility	255,462.60
Solid Waste	3,684.06
Water/Sewer	139,851.83
Risk Retention	69,452.50
Employee Benefit	100,224.94
Tax Deed Surplus	2,311.79
3. Approval to execute lease with City of Sebring for parking lot. See SMB 16 Page 162 A.
4. Approval of request to change multiple patient charge for EMS. See SMB 24 Page 162.
5. Approval of Subdivision Improvement Agreement

Tomoka Heights Section IX. See SMB 24 Page 163.

**E. SUSAN BENTON, SHERIFF'S DEPT: OVERVIEW OF SHOWCAP PROGRAM FOR JUVENILE OFFENDERS**

Lt. Benton provided an overview of the Program that focuses on serious habitual offenders. See SMB 24 Page 164 for copy of material explaining the program. Pete Estrada, State Attorney's office mentioned the educational training required. The Chairman directed the County Administrator to send a letter of support from the Board for the program.

**DALE NIEDERHOFF - UPDATE ON THE GOVERNMENT CENTER AND JAIL**

Dale Niederhoff, a representative of HOK engineering firm gave a brief update on the Government Center and explained that the design and Development Phase has been completed and drawings have been sent to officials. They will be proceeding with the Construction Document Phase. HOK is working closely with the county engineer's office. The site development work and civil engineering will be done by county staff.

Mr. Niederhoff explained that the Highlands County Detention Center kitchen area will be completed next month. The new jail pod will be ready by December. The second phase of construction will begin in January. Completion is expected in eight to 10 months.

**F. SPECIAL PROJECTS DIRECTOR: CONSIDERATION TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept donated property from Louis R. Jones for Lot 13, Block 15 of Section 19 of Placid Lakes. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. ASST. COUNTY ADMINISTRATOR: DISCUSSION OF PRE-TRIAL RELEASE SERVICES CONTRACT**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to approve the Pre-Trial Release Contract. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 165.

The Asst County Administrator updated the Commission on the final Certification of Taxable Value. See SMB 24 Page 166 for copy.

**H. BOARD ATTORNEY**

No report was presented.

**I. COUNTY ADMINISTRATOR**

1. Commendation for Richard Gordon from Ed Morse Automobile Dealership.
2. Policies and Procedures manual presented to the Board with a suggestion from the Sheriff's Department to delete language under "disruption of meetings". Discussion on posting of signs on outside door regarding "disruption of meetings". Consensus to place in the back of the room.
3. Projected route of Hurricane Opal.

**5. CITIZENS NOT ON AGENDA**

1. Keith Renish reported on the Water Task Force. He invited the Board to attend the next meeting. Mr. Renish questioned the answers given to residents who have experienced flooding southwest of Lake Jackson. The Chairman directed the County Administrator to check out this issue.
2. David Moore, Deputy Executive Director of SWFWMD Resource Management, spoke to the Board regarding Highlands County Water Resource issues.
3. Scott Burns, Director of the Water Use Division of the South Florida Water Management District, stated that he would be happy to bring his group together at the Water Task Force meeting to provide information on how the force is trying to protect the water resources of Highlands County.

**6. COMMISSIONERS**

1. Commissioner Gentry suggested all Board members read the article on property rights in the County Reporter.
2. Commissioner Canale requested a motion to remove late fees on library books.

Motion by Commissioner Canale, seconded by Commissioner Gentry to remove the policy regarding late fees at the Library with October as amnesty month. Upon Roll call, all Commissioners voted aye. Motion carried.



3. The Chairman advised that he will be appointing a member to the Hospital Board to replace Gary McGehee, who is resigning.
4. The Chairman requested staff attend the meeting with Bert Harris, Streamlining Government Regulations.
5. The Chairman advised that he will be bringing back innovative ideas to reduce the budget.

7. ADJOURN

The meeting adjourned at 10:08 a.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, OCTOBER 10, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

<b>C. Guy Maxcy</b>	<b>L.E. "Luke"</b>
<b>Brooker</b>	
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>Jeri Canale</b>	<b>Louise Graham</b>

Commissioner J. D. Barrett was not present.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by Richard Conover.

The Chairman requested an update on the condition of former Commissioner Archie Summers.

**3. ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 10, 1995. She also reported on support for the SHOWCAP Program.

An update on the Jail Construction was given by the

Assistant County Administrator.

**B. CLERK**

No report was presented.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the upcoming meetings into the record. Additional meetings were presented for the benefit of the public.

**4. ACTION:**

**A. PUBLIC HEARING TO CONSIDER REPEALING ORDINANCE 91-12, REGARDING DEVELOPMENT AGREEMENTS**

The Chairman opened the public hearing at 9:10 a.m. Proof of Publication was presented by the County Administrator. See Proof of Publication Ordinance Book 1 Page 6. The Board Attorney read the captions into the record and explained the provisions.

The Chairman called for public input. None was received.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance #95-32 repealing ordinance #91-12. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. CONSENT AGENDA:**

The Asst. County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as listed:

1. Approval of minutes of 9-16-95, 9-29-95 and 10-3-95 meetings
2. Approval of Conservation Easement for Marl Pit site  
See SMB 24 Page 168.
3. Approval to declare nuisance, cases #94-95-083, #94-95-084 and #95-96-001. See SMB 24 Page 169.
4. Approval to conduct Public Hearing, NW Lake Sebring Drive. See SMB 24 Page 170.
5. ~~Approval of Budget Amendments #95-96-002 and 003~~

The Chairman called for public input. Richard Conover questioned Item #4, regarding the Public Hearing and Item #5, budget amendments. The County Administrator suggested that Item #5 be deleted from the Consent Agenda. Commissioner Gose amended his motion to include the deletion. Commissioner Canale seconded the amended motion.

Upon Roll call, all Commissioners voted aye. Motion carried.

**APPROVAL OF BUDGET AMENDMENTS #95-96-003**

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve budget amendment #95-96-003. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. JOHN WILLIAMS: ANTI-LITTERING PROPOSAL**

John Williams addressed the Board with an anti-littering/anti-dumping ordinance patterned from a Hollywood, Florida ordinance. The ordinance provided for heavy fines to be placed on litter and rewards of \$100 for tips that resulted in a littering conviction. Mr. Williams also suggested that vehicle owners be responsible for any litter thrown onto roadsides. The Commissioners discussed the littering vehicle and advised that the county's solid waste ordinance may address a number of these issues. It was a consensus to refer the matter to the "Keep Highlands Beautiful" and the Recycling staff to incorporate these ideas. See SMB 24 Page 171. Memo was received on behalf of the members of "Keep Highlands Beautiful", Engineering and the Solid Waste Department supporting an ordinance for the deterrence of litter. See SMB 24 Page 172.

**D. ASST. COUNTY ADMINISTRATOR: CAFETERIA PLAN AND AMENDMENT EXECUTION**

This item was pulled from the agenda for review by the Board Attorney.

**E. BOARD ATTORNEY**

Mr. Macbeth reminded the Commission of the Hearing on Comp Plan Amendments to be held next week.

**F. COUNTY ADMINISTRATOR: DISCUSSION OF MINUTE**

**KEEPING FOR APPOINTED BOARDS**

Motion by Commissioner Gose, seconded by Commissioner Gentry to adopt draft of standards for keeping minutes of appointed committees and boards.

The Chairman called for public input. Richard Conover questioned the taping of meetings.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 173 for copy of policy.

The County Administrator read a letter into the record commending Sam Henderson and Tom Higgins, from the EMS crew, who saved a persons life when she suffered a heart attack.

The Board gave a consensus to allow the County Administrator to develop a book of policies for new commissioners coming on board.

Carl Cool presented an update on the condition of former commissioner, Archie Summers.

**5. CITIZENS NOT ON AGENDA**

1. Richard Conover spoke on illegal dumping and commended a host of people who worked diligently to keep the problem from becoming serious.
2. Mr. Conover requested information regarding meetings with municipalities. The Chairman suggested the County Administrator be open to the cities for needed scheduling of meetings.

Commissioner Canale suggested that the Board wait until after January since new members are coming on board.

3. Mr. Conover commented on the article written by the Tampa Tribune Reporter, Heather Iarusso.

## 6. COMMISSIONERS

1. Commissioner Gentry addressed the issues coming before the Florida Association of Counties. She requested that the Board review and respond to her in order to represent their wishes as a member of the Board of Director's.
2. Commissioner Canale requested consensus to implement an "Employee of the month program". Discussion to be considered.
3. Commissioner Canale requested a meeting of the Occupational License Committee on October 16, 1995 at 10:00 a.m. Discussion occurred on the committee appointments. The Chairman moved Stephen Libby up to a regular member status to replace Richard McClain.
4. Commissioner Canale - Discussion on replacement of appointment to the Tourist Development Council

Motion by Commissioner Canale, seconded by Commissioner Gose to appoint Mr. George Hensley to the Tourist Development Council to replace Margie Rhoades. Upon Roll call, all Commissioners voted aye. Motion carried.

- 5. Commissioner Gose questioned the impact of the letter written to C. Michael Eastman, Director of Accounting and Finance from the Tax Collector. See SMB 24 Page 174.

The County Administrator explained that the \$58,109.23 refund of tax monies for the Lakeshore/Sebring Limited Partnership will reduce the County's cash brought forward by that amount. Commissioner Gose suggested that the Board should be informed of issues that impact the budget in this amount.

- 6. Chairman Maxcy requested a Workshop to be held on October 24, 1995 at 9:00 a.m to discuss innovative ideas on reducing the budget.

**7. ADJOURN**

The meeting adjourned at 10:31 a.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, OCTOBER 17, 1995

1. The meeting was called to order at 9:00 a.m in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

L.E. "Luke" Brooker  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, L.E. "Luke" Brooker. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

1. Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 17, 1995.
2. Lt. Benton gave a brief update on the Traffic Enforcement Unit.
3. Submitted for signature by the Chairman, the final request for reimbursement for the Department of Transportation grant.

- B. CLERK**

1. L. E. "Luke" Brooker, Clerk listed new innovative ideas for catching "Dead Beat Dads".
2. Mr. Brooker expressed his condolences to C. Michael Eastman, Director of Accounting and Finance, in the loss of his brother.

- C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the Action Agenda as amended by the Chairman with Item #5 removed from the Consent Agenda and listed as AA and the Spring Amendments as CC under the Action Agenda. Upon Roll call, all Commissioners voted aye. Motion carried.

A. CONSENT AGENDA:

The County Administrator read the Consent Agenda into the record. Correction to the minutes of the Sun'n Lake Fire District to include that Commissioner Barrett was not present for the meeting of 10-10-95.

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve the Consent Agenda as listed:

1. Approval of minutes of 10-10-95
2. Approval to pay all duly authorized bills as follows:

Law Library	218.50
General	843,026.94
County Transportation Trust	48,234.12
E911 Operation	9,150.85
Local Govt Infrastructure Surtax	208,942.04
Affordable Housing Assistance	8,295.00
Correctional Facility	115,562.75
Solid Waste	77,061.62
Water/Sewer	13,954.14
Risk Retention	698,076.18
Employee Benefit	159,995.52
3. Approval of non-maintained road. See SMB 24 Page 176 for a list of roads.
4. Approval of County Public Health Unit contract for FY 95-96. See SMB 24 Page 177.
5. ~~Approval of resolution on road closing-Sun'N Lakes Unit-9.~~
6. Appoint Alvin Conner to Recreation Committee. See

SMB 24 Page 178 for copy of Resume.

7. Approval of Preliminary Assessment for Nuisance Abatement. Marion H. Peters III. See SMB 24 Page 179.
8. Approval of Budget Amendments #95-96-004 through 007

Upon Roll call, all Commissioners voted aye. Motion carried.

**AA. APPROVAL OF RESOLUTION ON ROAD CLOSING-SUN'N LAKES UNIT**

The Chairman opened the Public Hearing at 9:18 a.m. Proof of Publication entered into the record by the County Engineer. See SMB 24 Page 180.

Commissioner Gose stated concerns for closing the right-of-way without acknowledgment from the District. The Zoning Supervisor advised that the vacation would cause no non-conformities.

The Chairman called for public input. Joan Pfluger and Richard Conover spoke regarding the closing.

Motion by Commissioner Gose, seconded by Commissioner Canale to close the road and adopt the Resolution contingent upon a letter of endorsement from the Board of Supervisors from the District. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 120 A.

The Chairman closed the Public Hearing at 9:45 a.m.

The Chairman asked for any changes to the Agenda. None were received.

**B. PUBLIC HEARING TO CONSIDER ZONING CHANGES:**

The Chairman opened the Public Hearing at 9:45 a.m.

**HEARING #1366-JACK & BLANCHE LENNON C/O RICK WHIDDEN**

Requesting a zoning change from B-3 (Business district to I-2 (Industrial district). The applicant desires to continue industrial uses and to comply with the adopted Future Land Use Map.

Proof of Publication entered into the record by the Zoning Supervisor. See SMB 24 Page 181. Staff reports presented. The

Chairman called for public input.

Andy Tully presented hand-outs with a petition from landowners on Sunset Drive and Berton Drive in opposition to the rezoning of the property from B-3 to I-2. See SMB 24 Page 182. Discussion by the Commission regarding additional information being presented, not made available to the Planning and Zoning Board.

Questions were presented regarding notification of property owners within 500 feet of property. The Zoning Supervisor advised that all property owners were notified and that Mr. Casanova was notified under his business name.

Rick Whidden, representing the petitioner, submitted pictures and spoke in favor of the consistency rezone.

Richard Conover spoke on extending the notification due to the railroad. Margo Tully spoke in opposition to the zoning. Hank Kowalski suggested that the Commissioners send the Hearing back to the Zoning Board due to the lack of a full Board.

Motion by Commissioner Canale, seconded by Commissioner Gentry to send the Hearing back to the Zoning Board for participation from the Board Attorney and the Zoning Supervisor. The Chairman called for input on the motion. Rick Whidden responded to the motion in opposition.

The Board discussed the notification issue. Commissioner Barrett amended the motion to include the residents on Berton Drive and the same distance on Sunset. Commissioner Canale seconded the amendment. The Chairman called for input on the amendment only.

John Borgemeister advised that it sets a bad precedent to start changing the distance for notification. Andy Tully noted that it was a waste of postage as everyone is against the change. Rick Whidden asked for a yes or no vote today. Upon Roll call, on the amendment Commissioner Barrett voted aye. All other Commissioners voted nay. The amendment did not carry.

Voting on the main motion, Commissioner Canale voted aye. All other Commissioners voted nay. The motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Barrett to deny the recommendation of the Planning and Zoning Board and the Zoning request and to bring into consistency with the Land Use Map.

The Chairman called for public input on the motion. Joe Clarke, representing Citizens for Constitutional Property Rights, voiced

objection to denying the property owner the right to use his property.

The Chairman recessed the Hearing at 11:07 and reconvened at 11:20 a.m.

Rick Whidden suggested a consideration of I-1 zoning if the I-2 is not approved.

Commissioner Gentry commented on what is available in I-1 zoning. Margo Tully stated that she supports the motion and would like to retain the zoning as B-3.

Upon roll call, Commissioners Gose, Barrett and Canale voted aye. Commissioner Gentry and Maxcy voted nay. The motion carried.

The Chairman closed the Public Hearing at 11:33 a.m.

**HEARING #1367-ANTHONY TZOVARRAS, HAROLD GOFF & HARRY CANO CORPORATION INC.**

The Chairman opened the Public Hearing at 11:33 a.m. Gary Lower presented petition.

Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business District). Applicant desires to open a pub. Proof of publication entered into the record. See SMB 24 Page 183. The Chairman called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution approving the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 120. The Chairman closed the Public Hearing at 11:35 a.m.

**C. PUBLIC HEARING REGARDING SECTION 5.5 CODE OF ORDINANCES, REGARDING BUILDING CODE.**

The Chairman opened the Public Hearing at 11:35 a.m. The County Administrator presented the Proof of Publication into the record. See Proof of Publication Ordinance Book 1 Page 7. Captions of the ordinance read into the record. Changes were referenced by the Board Attorney. The Chairman called for public input.

Helen Canter, Administrative Assistant to the Building Department, answered questions presented by the Commission regarding the changes to the Building Code.

The Clerk left the meeting at 12:00 p.m.

Joe Clarke, Joe Messana and Jeff Parker, builders in the county, spoke regarding the block test and the building code.

Commissioner Canale commented on the Construction Licensing Board allowing a contractor to reciprocate an NAI exam without taking the Block exam. After Board discussion it was a consensus to set a workshop with the Construction Licensing Board on October 25, 1995 at 6:00 p.m.

Lunch Break 12:20-1:25 p.m.

**CC. PUBLIC HEARING TO ADOPT SPRING COMP PLAN AMENDMENTS  
CPA-94-004, CPA-95-001, CPA-95-003 & CPA-95-007**

Jim Polatty, Development Services Director, presented Proof of Publication into the record. See Proof of Pub Ordinance Book 1 Page 8. Changes were referenced to the amendments. The Board Attorney read the captions into the record. The Chairman called for public input. Attorney Wendell Whitehouse, representing Joe Messana, stated concerns for grouping of other cases that might not be approved. The Board Attorney suggested that DCA will probably separate by case and settle what is not an issue and continue to hearings on others. Mr. Whitehouse suggested that staff request DCA treat the amendments as a separate issue. He also presented corrected language regarding the potable water supply and the map to the Board Attorney.

Joe Messana spoke to the Board in regards to supplying water to the Sebring Lakes area. Joe Clarke reiterated support by the Board. The Commission discussed the cost involved and the Chairman asked for ideas to be presented to staff and maybe workshop later.

Jimmy Wohl requested information on the HEC Settlement, and the Commission advised that this will be presented to DCA as proposed.

Joe Clarke advised that he wanted to go on record in support of the Board regarding the HEC settlement. The Board Attorney submitted as a part of the record the letter from Richard Grosso with HEC comments and from this hearing, supporting documentation, along with tapes, minutes and transcripts of the earlier hearings.

Motion by Commissioner Gose, seconded by Commissioner Barrett to accept ordinance with the amendments, the new map, and corrected language as approved by the Board Attorney. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. COUNTY ENGINEER: EUCALYPTUS PARKWAY PHASE II DESIGN STANDARDS**

Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt the Manual of Uniform Standards for Design, Construction and Management for Streets and Highways (Green Book) and AASHTO as the design criteria. Commissioner Barrett amended the motion to include that the County develop its own access management plan for Eucalyptus Parkway Phase II. Commissioner Gose seconded the amendment. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 184.

The County Engineer reported that DOT will be starting their Drainage Project on State Road 17 from South of Lakeview Drive to Emerson Avenue beginning on October 20th and continue for approximately 120 days. See SMB 24 Page 185 for copy of letter

**E. DEVELOPMENT DIRECTOR: REQUEST APPROVAL OF LETTER TO PROPERTY OWNERS**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the short simple generic letter to notice property owners who currently have Agriculture zoning that may be affected with the adoption of the maps. Commissioner Canale added language to the letter "Subject Land Use Zoning on your Property".

Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gentry to waive the cost of the application fees until December 4th and the advertisement fees to be passed on to the applicant. The Chairman called for public input on the motion. Dan Foley, Citrus Growers Association, noted that this is not an effort from the property owners. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 186 for copy of letter.

**F. ASST. COUNTY ADMINISTRATOR: CAFETERIA PLAN AND AMENDMENT EXECUTION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to approve the Cafeteria Plan and amendment execution. The Chairman called for public input. Richard Conover questioned eligibility issues. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. BOARD ATTORNEY**

The Board concurred with Mr. Macbeth on a decision regarding the SHIP program and the need to not follow the guidelines of the Professional Services Acquisition Committee as proposed in the Purchasing Manual.

**H. COUNTY ADMINISTRATOR: CANDIDATE FOR GENERAL SERVICES SUPERVISOR:**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept Robert M. Jamison for the position of General Services Supervisor. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 187.

Carl Cool presented a Press Release declaring October as Amnesty Month for Overdue Fines at the Local Library and requested participation from all patrons. See SMB 24 Page 188.

The County Administrator gave a report on the bids received for the waterline extension.

**5. CITIZENS NOT ON AGENDA**

1. Hank Kowalski reported on the Water Task Force meeting.
2. Richard Conover commented on requiring a full Board present for zoning hearings.
3. Mr. Conover questioned the issue of Fire Hydrants in the City of Avon Park. The County Administrator responded.

**6. COMMISSIONERS**

1. Commissioner Gose requested direction on the new policies and procedures in reference to when a Board members calls for question in the middle of a discussion. The determination was to allow the Chair to make that decision.
2. Commissioner Gose-discussion on questionnaire. Consensus to suggest that Commissioner Gentry complete report.
3. Chairman Maxcy-discussion on ways to reduce the budget.

**7. ADJOURN**

The meeting adjourned at 3:30 p.m.

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Chairman



Attest: \_\_\_\_\_  
Clerk

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WORKSHOP MEETING OF THE BOARD, OCTOBER 24, 1995

1. The meeting was called to order at 9:00 a.m. with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

C. Michael Eastman  
Thomas Portz  
J. Ross Macbeth  
Louise Graham

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by the Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Richard Conover.

The Chairman read into the record a fax from Florida House of Representatives, Bert J. Harris, Jr. noting the cancellation of the public hearing scheduled for October 26, 1995 by the Streamlining Governmental Regulations Committee.

- a. Statements from Commission
- b. Tom Portz, opening comments
- c. Fred Carino, implement an employee suggestion program. Present to the Employee Awareness Committee.
- d. Canale, solicit Elected Officials to join with the Board for their suggestions on budget reduction
- e. Canale, suggestion to move the Law Library to the Sebring Library. The Board Attorney stated that it needs to be at the courthouse location for use by the Attorneys.
- f. Canale, recommend that an Insurance Consultant be hired and paid by the hour. Request that the Assistant County Administrator revisit the computations.
- g. Canale, installation of Fire Hydrants - find ways to make other agencies cover the cost of fire hydrant installation.
- h. Parks Department discussion - request reduction in the \$5,000 annual trash disposal bill at H.L. Bishop Park and Istokoga Park.

- i. Library - Mary Myers, State Aid cuts
  - 1. Personnel Director-unfunded position, level of service affected
  - 2. Update on Lake Placid Library

Break 9:55 - 10:10 a.m.

- j. Keith Albritton, Animal Control Services - Start charging for free animal trapping services provided by the county.

The Chairman called for public input. Mr. Don Reeves suggested a program for employees that allow cost savings to be used as a part of the performance evaluation. The employee's supervisor establishes the rating and if it is proven a good cost savings idea, the employee is awarded through a merit program. The Chairman requested that Mr. Reeves present the program in detail to the Personnel Director.

Claude Stampa, speaking as a citizen, suggested that the Law Library should be on line. Other points were utilization of the Health Department or Fire Department for the physicals.

- k. Reduce litigation fees. The Board Attorney suggested that the county is paying about \$250,000 a year into an insurance pool.
- l. Practice "zero-based" budgeting - Tom Portz stated that all line items are regularly reviewed, and department heads seeking funds have to justify them at the start of every budget.
- m. Eliminate cost-of-living raises
- n. Offer county employees "Cafeteria plan" benefit packages
- o. Establish a four-day, 10-hour work week
- p. Find new ways to conserve energy consumption
- q. Place on hold the construction of a government center.
- r. Prohibit property owners from pulling building permits not on a county-maintained road
- s. Charge impact fees to cover the cost of new road

construction

- t. Lower Road and Bridge Department costs by having the county bid for jobs along with private contractors
- u. Pay county employees once a month, rather than bi-weekly
- v. Start a motor pool of vehicles used by employees

The Chairman directed the Personnel Director to report back after discussion with the Employee Awareness Committee in regards to the Osceola Program. He also charged all Department Heads to bring back ideas on a 10% reduction. The Asst. County Administrator was directed to write a letter to the constitutional Officers requesting that they be present at the second workshop on November 28, 1995 at 9:00 a.m. to also present their ideas.

Commissioner Gose suggested staff should look into contracts and place on hold until a decision is made regarding the Government Center.

**3. ADJOURN**

The meeting adjourned at 12:15 a.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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REGULAR MEETING OF THE BOARD, NOVEMBER 7, 1995

1. The meeting was called to order in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida at 9:00 a.m. with the following members present:

C. Guy Maxcy  
Doris Gentry  
James L. Gose  
John D. Barrett  
Jeri Canale

C Michael Eastman  
Carl Cool  
J. Ross Macbeth  
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Karl. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 7, 1995. Questions were presented to Lt. Benton regarding the health care issues of the inmates. Commissioner Barrett requested information from School Board member, Pete Pollard, regarding gang activities.

- B. **CLERK**

C. Michael Eastman reported that the Clerk is at the Sebring High School, where his son is being inducted in the National Honor Society. He will be attending the meeting after that. Mr. Eastman also gave a report on the Clerk's year-end report.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Commissioner Barrett advised that the Mayor of Lake Placid has requested that all meetings with Board or staff be publicly noticed. Joel Lowman presented a report on Lake Placid being chosen as Florida's Rural Community of the year.

- D. **EMPLOYEE AWARENESS COMMITTEE PRESENTATION**

Carla Stroup, representing the Employee Awareness Committee, reported that a garage sale was held by county employees to raise funds to purchase a heater for the Mission. Funds were presented

to Rev. Karl in the amount of \$700.

**E. INTRODUCTION OF JIM STANFILL, ECONOMIC DEVELOPMENT DIRECTOR**

Jim Crawford, representing the IDA. and E.D.C., presented Jim Stanfill, as the replacement for Betty Neale upon her retirement.

**4. ACTION:**

**A. CONSENT AGENDA:**

The Asst. County Administrator read the Consent Agenda into the record.

Commissioner Canale questioned the length of the auditor's contract. Ross Macbeth presented concerns for the grant contracts.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Consent Agenda with the deletion of Item #3; and the addition of an amount of \$55,000 on the New Hope contract with all the grant contracts to be approved contingent upon the approval of the Clerk and the Board Attorney.

- 1. Approval of minutes of 10-17-95 meeting and 10-24-95 workshop

- 2. Approval to pay all duly authorized warrants as listed:

Law Library	51.73
General	1,942,690.19
County Transportation Trust	108,520.41
E911 Operations	9,818.03
Local Govt Infrastructure Surtax	53,955.78
Affordable Housing Assistance	9,945.00
Correctional Facility	216,013.57
Solid Waste	218,469.99
Water/Sewer	15,662.31
Risk Retention	15,811.36
Employee Benefit	184,160.60

- 3. ~~Approval to execute 1995-2000 Small Quantity Generator contract~~

- 4. Approval of appointment to Tourist Development

Council-Kimberly Miller. See SMB 24 Page 189 for copy of resume.

5. Approval of Landfill fee schedule. See SMB 24 Page 190.
6. Approval of contracts for Grant in Aid requests
7. Approval of budget amendments #94-95-337 and #95-96-11, 13 through 16 and 18
8. Approval of excess inmate housing. See SMB 24 Page 191.
9. Approval of EMS Grant C-9528

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER AMENDING THE OCCUPATIONAL LICENSING ORDINANCE**

The Chairman opened the public hearing at 9:35 a.m. Proof of Publication entered into the record. See Proof of Pub Ordinance Book 1 Page 9. Captions of the ordinance and explanation read into the record by the Board Attorney. Committee reports presented by Commissioners Canale and Barrett. J.T. Landress, Tax Collector, spoke on the history of the Licensing Ordinance, the importance of the Ordinance and the inequities. The Chairman opened the floor to the public. Carol Stevens, Associate Executive Director of Highlands Regional Medical Center for Patient Services, requested that the minutes reflect that Mr. Landress was incorrect in stating that the hospital was intending to bring a class action suit or at any time threatened a class action suit. What was brought forward to the Commissioners was for knowledge that the Florida Supreme Court in 1955 stated that a registered nurse was not cited as a professional and that was the basis for asking for that exclusion.

The County Administrator reviewed the proposed ordinance with the Board. The second public hearing will be held on November 28, 1995 for adoption. The Chairman closed the hearing at 10:21 a.m.

**Break 10:21-10:36 a.m.**

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING LAKE HAVEN ESTATES SPECIAL BENEFIT DISTRICT**

The Chairman opened the Public Hearing at 10:36 a.m. Proof of Publication entered into the record by William Stephenson. See Proof of Publication Ordinance Book 1 Page 10. Captions and explanations of the ordinance read into the record. The Chairman opened the floor for public input. Don Darling of Lake Haven Estates spoke in favor of the Special Benefit District.

Motion by Commissioner Gentry, seconded by Commissioner Gose to adopt ordinance establishing Lake Haven Estates Special Benefit District. Upon Roll call, all Commissioners voted aye. Motion carried.

L.E. "Luke" Brooker, Clerk arrived at the meeting at 10:50 a.m.

**D. REPRESENTATIVE BERT HARRIS: PRESENTATION OF CDBG GRANTS**

Representative Harris presented a contract to the Board in the amount of \$741,000 to be used for the Highway Park Subdivision water system. Mr. Harris congratulated the Board for their leadership in this project. He also awarded a contract to Mayor Rudasill, City of Sebring, in the amount of \$600,000.

Commissioner Gentry requested information on the Aquatic Weed Control grant with a switch of funds from the Recycling and Education grant. Rep. Harris stated that it has been considered but not favorable.

Commissioner Gose requested support for the new makeup of the Private Industrial Council Board to include Highlands, Hardee and Desoto counties. Rep. Harris suggested a Resolution defining the request.

**E. TAX COLLECTOR J.T. LANDRESS: END OF YEAR REPORT**

Mr. Landress presented three documents, the Mobile Home Revenue collected, a Florida Statute Reference Guide, detailing the duties of the Tax Collector and the Summary of Fiscal Year 9/30/95. See SMB 24 page 192 for copy.

**F. GOVERNMENT CENTER BUILDING DISCUSSION**

Opening comments were received from Elected Officials, J.T. Landress, Raymond McIntyre, Jimmy Whitehouse and the Clerk of Courts, Luke Brooker in favor of building the Government Center.

After discussion by the Board, a motion was made by Commissioner Gose and seconded by Commissioner Gentry to build the Government Center. Upon roll call, Commissioners Gose, Gentry, Barrett and



Maxcy voted aye. Commissioner Canale voted nay. The motion carried.

**G. NORB WALZ: REQUEST TO CREATE NON-AD VALOREM TAX DISTRICT IN ORANGE BLOSSOM ESTATES**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve request to establish Unit 12, Orange Blossom Estates. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 193 for copy of information.

**Lunch Break 12:05-1:15 p.m.**

The meeting reconvened at 1:15 p.m. with all members present and C. Michael Eastman sitting for the Clerk.

**H. NATHAN SILVA, GLATTING-JACKSON: U.S. 27 CORRIDOR STUDY ALTERNATIVES**

Motion by Commissioner Gentry, seconded by Commissioner Gose to accept the recommendation of DOT for improvements to the local system to be determined as we move forward with the Planning, Development and Environmental Study. Upon Roll call, all Commissioners voted aye. Motion carried. Refer to tape for further details.

**I. REQUEST FOR PROCLAMATION: WORLD AIDS DAY**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to authorize the Chairman to sign the proclamation designating December 1, 1995 as World Aids Day. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 121.

**J. DEVELOPMENT DIRECTOR: FUTURE LAND USE MAP REZONES WHICH CREATE NON-CONSISTENCY**

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve each consistency rezone on a case by case basis with direction to staff that the four actions be followed where applicable, including development of a new zoning district and amending the non conformity section of the zoning code to address newly created agriculture non conformities. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 194.

**K. ZONING SUPERVISOR**

**1. APPOINTMENT OF ALTERNATE MEMBER TO PLANNING &**

**ZONING COMMISSION**

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept the resignation of Mr. William Perin from the Planning and Zoning Commission. Upon roll call, all Commissioners voted aye. The motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Canale to appoint Ms. Karen Rudolph as an alternate member to the Planning & Zoning Commission. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 195 for copy of resume.

**2. DISCUSSION ON APPLICATION FEE FOR RESUBMITTING HEARINGS**

Motion by Commissioner Gose, seconded by Commissioner Barrett to waive the application fee for Jack and Blanche Lennon for resubmitting Hearing #1366. Upon Roll call, all Commissioners voted aye. Motion carried. The Planning & Zoning Board to discuss the policy for waiving of application fees for resubmitting hearings and bring back to the Board of County Commissioners.

**3. REQUEST FOR CODES OF ORDINANCES**

The consensus of the Board was to provide the Planning & Zoning Board with the new Codes of Ordinances. The Chairman opened the floor to the public. Richard Conover spoke on the issue of members not attending the Planning & Zoning meetings. See SMB 24 Page 196.

**J. HOUSING COORDINATOR: PROPOSED CHANGE TO HOUSING AUTHORITY**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to increase the membership of the Authority to six members and to submit to the governor the resume of Mr. Alan C. Miller for appointment as the sixth member of the Housing Authority. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 197 for copy of resume. The Resolution will be presented at next week's meeting.

**M. PERSONNEL DIRECTOR:**

**1. JOB RECLASSIFICATION**

Motion by Commissioner Gentry, seconded by Commissioner Gose to reclassify the position of Senior Mechanic, Heston Watford, Position #1, Pay Grade 17 to Mechanic II, Position #8, Pay Grade 16 and the Parts Expeditor position, Pay Grade 11, be reclassified as Assistant Shop Supervisor, Pay Grade 14 creating an annual salary

savings of \$1,102.40. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 198.

**2. MERIT RAISE ADJUSTMENTS**

The Personnel Director presented a proposal for 19 employees that have reached the cap and will not receive another performance based merit raise. The proposal also included a reclassification of the County Engineer to a higher pay grade from pay grade 30 to 32, retroactive to 10/4/95. The impact of the merit raises would increase the budget \$9,757.22. See SMB 24 page 199 for copy.

The Chairman opened the floor to the public. Clayton Womer spoke in opposition to the proposal. The Commissioners discussed the salary increase proposal.

Motion by Commissioner Gose, seconded by Commissioner Gentry to accept the recommendation of the Personnel Director and spend the \$9,757.22 to give the employees a 2% increase. The Board Attorney advised that the Board can not make it retroactive, it must be prospective. Commissioner Gose amended the motion to make it effective 11/15/95. Upon Roll call, Commissioners Gose and Gentry voted aye. Commissioners Barrett, Canale and Maxcy voted nay. The Motion did not carry.

Commissioner Gentry suggested a discussion on Commissioners salaries.

Motion by Commissioner Barrett, seconded by Commissioner Canale to discuss this issue at the November 28 Workshop. Upon Roll call, all Commissioners voted aye. Motion carried.

**N. ASSISTANT COUNT ADMINISTRATOR:**

**1. CLOSED CAPTION TV SYSTEM**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve request to directly negotiate with vendors for a CCTV System as allowed under statute but not provided for in the Purchasing Manual. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 200.

**2. DISCUSSION OF TALBOTT CIRCLE MAINTENANCE**

Motion by Commissioner Barrett, seconded by Commissioner Gentry to assume maintenance of Talbott Circle per request of Mr. Don Griffing to comply with the 1972 minutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 201.

**3. JAIL PROJECT UPDATE - CHANGE ORDER DISCUSSION**

Mr. Portz advised that the change orders in the amount of \$27,642.28 have been processed for the subcontractors so they are not adversely affected. Of this amount there is still \$6,000 that is HOK's responsibility and there will be continued dialogue to resolve this issue. See SMB 24 Page 202 for copy of change orders.

**O. BOARD ATTORNEY**

The Board gave a consensus to hold an executive session on 11/14/95 at 11:00 a.m. to discuss the cases of Heartland Environmental Council, Jimmy Heard and Phypers vs. Glades County.

**P. COUNTY ADMINISTRATOR:**

**1. REQUEST FOR LETTER OF SUPPORT FOR OUT OF SCHOOL SUSPENSION PROGRAM**

Motion by Commissioner Gentry, seconded by Commissioner Canale to send a letter of support for the Children's Home Society proposal for an OUT-OF-SCHOOL Suspension Program in Highlands County and encourage the continued efforts toward obtaining a grant for the program. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 24 Page 203

**2. TOMOKA HEIGHTS WASTE WATER PLANT EXPANSION**

The County Administrator advised that bid tabulations were received and Lionel LaGrow was the low bidder. After a review of the project, Mr. LaGrow realized that he has underbid the project by \$100,000. The Board will be asked to make a decision next week regarding Mr. LaGrow with revision to the Specs. See SMB 24 Page 204. The County Engineer suggested that it would be to the County's advantage to work with the low bidder.

**3. BOARD RULES AND POLICIES MANUAL**

The Commission discussed the Board Rules and Policies and the consensus was to table for further comments.

The Chairman recessed the regular meeting at 3:37 p.m. to hear the Special Tax District request.

The regular meeting reconvened at 3:50 p.m. with all members present. C. Michael Eastman left the meeting at 3:51 p.m.

**4. REQUEST FOR RESOLUTION ON SINGLE FAMILY MORTGAGE LOAN**

**BONDS**

Motion by Commissioner Gose, seconded by Commissioner Barrett to hold a public hearing to consider execution of an Interlocal Agreement with the Lee Authority on the Single Family Mortgage Loan Bonds. Upon Roll call, all Commissioners voted aye. Motion carried.

**1. COMMISSIONER CANALE: TOURIST DEVELOPMENT COUNCIL RECOMMENDATION**

Letter read into the record by Commissioner Barrett from Jim Cash in opposition to the Tourist Tax. See SMB 24 Page 205.

Recommendation presented by Commissioner Canale. See SMB 24 Page 206.

Commissioner Canale left the meeting at 4:00 p.m.

Motion by Commissioner Gentry, seconded by Commissioner Barrett to table the proposed Tourist Tax issue until next meeting to allow Commissioner Canale to be present and vote. Upon roll call, all Commissioners voted aye. The motion carried.

**3. APPROVAL TO EXECUTE 1995-2000 SMALL QUANTITY GENERATOR CONTRACTS**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve to execute 1995-2000 Small Quantity Generator contracts. Upon Roll call, all Commissioners voted aye. Motion carried.

**5. CARL COOL, HIGHWAY PARK WATER SYSTEM GRANT**

Discussion on options for expanding the water system to meet deadlines so as not to jeopardize the Town Council in receiving their grant. The County Administration suggested that he and Commissioner Barrett attend the Town Council meeting Monday night to pose the question of the Council owning the Highway Park system.

**6. PRIVATIZING PROBATION DEPARTMENT**

Report presented by the County Administrator.

**5. CITIZENS NOT ON AGENDA:**

1. Richard Conover presented comments regarding the final Value Adjustment Board Hearings and the budget cuts.

2. John Lengyel commented on the discussion of salary merit increases.

6. COMMISSIONERS:

1. Commissioner Gose commented on the Block Grants to be distributed by the Governor.

2. Commissioner Gose advised that a Road and Bridge County Employee has suggested a way to cut the budget would be to consider a four-day 10 hour day work week.

3. Commissioner Gentry commented on the meeting in Tallahassee regarding Health Care.

4. Commissioner Maxcy commented on budget reduction.

7. ADJOURN

The meeting adjourned at 4:31 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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SPECIAL MEETING OF THE BOARD, NOVEMBER 7, 1995

1. The meeting was called to order at 3:37 p.m at the Board of County Commissioners Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

- |                 |                    |
|-----------------|--------------------|
| C. Guy Maxcy    | C. Michael Eastman |
| Doris Gentry    | Carl Cool          |
| James L. Gose   | J. Ross Macbeth    |
| John D. Barrett | Louise Graham      |
| Jeri Canale     |                    |

2. APPROVAL TO PAY ALL DULY AUTHORIZED WARRANTS:

Motion by Commissioner Gose, seconded by Commissioner Gentry to approve payment of warrants for the following Special Tax Districts:

Sun'N Lakes Lake Placid Fire	18,676.19
Desoto City Fire	4,379.40
Orange Villa Special Benefit	75.80
Avon Park Lakes Road District	110.00
Placid Lakes Special Benefit District	1,358.17
Sebring Country Estates Benefit	869.63
Istokpoga Marsh Improvement District	735.00
Avon Park Estates Special Benefit	205.20
Highlands Lakes Fire Special District	1,779.83
Leisure Lakes Special Tax Fire District	198.10
Highlands Park Fire Special Benefit	361.56
Sebring Hills Light Special Benefit	649.42
Red Hill Farms Improvement District	7,463.30
Sun'N Lakes Placid Recreation	277.78
Orange Blossom Country Club	5,553.01

Upon Roll call, all Commissioners voted aye. Motion carried.

3. ADJOURN

The meeting adjourned at 3:38 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**AVON PARK LAKES SPECIAL BENEFIT DISTRICT**

- 1. The meeting was called to order at 3:38 p.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring Florida, with the following members present:

<b>C. Guy Maxcy</b>	<b>C. Michael Eastman</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

- 2. **REQUEST FROM AVON PARK LAKES SPECIAL BENEFIT DISTRICT TO CREATE A NON-AD VALOREM TAX DISTRICT**

Motion by Commissioner Gentry, seconded by Commissioner Barrett to proceed with the request to create a non-ad valorem tax district. The Chairman called for public input.

Mr. Warner spoke to the Commission in favor of the taxing district in order to increase the assessment and improve the roads in the district. Mr. Warner also requested additional wording be placed in the letters mailed to the property owners.

Upon Roll call, all Commissioners voted aye. Motion carried.

- 3. **ADJOURN**

The meeting adjourned at 3:50 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, NOVEMBER 8, 1995  
BUILDING CODES**

1. The Chairman called workshop to order at 6:05 p.m. with the following members present:

<b>C. Guy Maxcy</b>	<b>Carl Cool</b>
<b>Doris Gentry</b>	<b>J. Ross Macbeth</b>
<b>James L. Gose</b>	<b>Russ Lehman</b>
<b>J.D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. Proof of Publication entered into the record by the County Administrator . See SMB 25 Page 6.
3. County Administrator-Discussion on the Building Code.
4. Russ Lehman, Building Official, - Discussion on the Block Exam and the NAI Exam
5. Ross Macbeth explanation of the Block Exam
6. Will Randall-Board is following state guidelines. Do not cut requirements.
7. Commissioner Gose-give flexibility to the Speciality Contractor
8. Commissioner Barrett questioned why require the Block Exam in relation to being licensed and qualified to do the job.
9. Brad Bowen-not in favor of any changes. We follow state guidelines.
10. Commissioner Canale-Tree Trimmers and Pressure Cleaners should be regulated.

The Board Attorney explained how the Block Exam guarantees that the books are kept and that sub contractors are paid and no liens are placed on the property. Commissioner Gose requested flexibility with the Speciality Contractor. Sandy Swartzfischer spoke in opposition to changing the test. Carter Gordon, general contractor, stated that the idea is to protect the public and cutting the experiences is not helping in that regard. Brad Bowen stated that not having the requirements puts too much pressure on the Board. Bo Seignous spoke regarding flexibility or fairness.

Commissioner Gentry stated that the Board should give the Construction and Licensing Board direction so they will be able to do their job.

Joe Kupec stated that the system works good. It does not need to be changed. A mistake was made and the Board chose not to appeal it. Michael Knott advised that he was the Chairman that voted

against the ordinance. He was wrong to cast the vote. The Board Attorney read the duties of the Construction and Licensing Board.

Other members speaking in favor of current requirements were Clarence Polston, Brad Bowen, Michael Knott and Will Randall. Michael Carr suggested a review of the regulations. Frank Bogardus, Pressure Cleaner, suggested that pressure cleaners become a contractor and be controlled.

Commissioner Gentry requested that the Board revisit Pressure Cleaners. The Chairman suggested that they also examine Tree Trimmers.

Commissioner Gose asked direction on deleting item "F". The County Administrator advised that a Public Hearing will be held in December to adopt the ordinance. Mike Care suggested a modified tree ordinance that would encompass removal of trees so the Building Department would not be required to handle this. Commissioner Gentry was not in favor of this idea.

11. The Chairman adjourned the hearing at 7:35 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 14, 1995**

1. The meeting was called to order at 9:00 A.m. in the Board of County Commissioners Chambers at 411 South Eucalyptus Street, Sebring Florida with the following members present:

<b>C. Guy Maxcy</b>	<b>L.E. 'Luke' Brooker</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

**A. SHERIFF**

Sgt. Fred Edgemon presented the Daily Jail Log of Inmate Count for the period ending 11/14/95.

**B. CLERK**

L.E. "Luke" Brooker, Clerk congratulated Rebecca Shinholser of Sebring High School for being chosen as "Student of the Month." Rebecca is the daughter of Olin Shinholser, County Judge. The Clerk also gave a report on Jury Trials that are being held this week.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

The Clerk left the meeting at 9:12 a.m. and was replaced by C. Michael Eastman, Director of Accounting and Finance.

4. **ACTION:**

**A. CONSENT AGENDA**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Barrett, seconded by Commissioner Canale, to approve the Consent Agenda as listed:

1. Approval of Budget Amendments #95-96-21 through 23
2. Approval to execute Keep Highlands Beautiful, Inc. Contract Agreement
3. Accept into the record - Constitutional Officers' Financial Reports. See SMB 25 page 1.

The Chairman called for public input on the motion. Richard Conover questioned the amount of donations that were received on the grant agreement. Questions were also presented by Commissioner Barrett regarding the budget amendments. Upon roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING REQUEST TO RECORD LIEN**

The Chairman opened the Public Hearing at 9:15 a.m. Alan Decker presented Lien information and proof of publication into the record. See SMB 25 Page 2. Motion by Commissioner Barrett, seconded by Commissioner Canale, to approve request to record lien, Case #93-113, Marion H. Peters III. The Chairman called for input to the motion. None was received. Upon roll call, all Commissioners voted aye. Motion carried. The Chairman closed the Public hearing at 9:20 a.m.

**C. RECOMMENDATION FROM TOURIST DEVELOPMENT**

Commissioner Canale presented recommendation from the Tourist Development Council on the proposed Tourist Tax. The Council feels that the Board should place the item before the voters in the form of a referendum on the September 1996 ballot. If the issue passes, the Council recommends the revenue from the proposed tax be used for the items contained in the budget presented. See SMB 25 Page 3 for copy of the proposed budget plan. The County Administrator gave a summary of how the budget was developed. David Hazelett of the Holiday Inn spoke in favor of the Tourist Tax. Jim Cash of Lake Placid spoke in opposition. After Board discussion, the Chairman suggested a vote be taken from the industry. The County Administrator to construct a one message question with a yes or no vote in favor or against on whether it should be placed on the ballot. This item to be placed back on the agenda the first meeting in December.

**D. COUNTY ENGINEER:**

**1. U.S. 27 improvement in Avon Park**

The County Engineer presented proposal which does not involve the right-of-way acquisition or business damages. The project will involve revision of the existing medians, milling, resurfacing of the pavement, and restriping for three lanes in each direction, and construction of sidewalks. These changes present a total cost savings of \$10,760,000.00 reducing the project cost to an estimated \$4,890,000.00. The original construction plan proposed widening the pavement which requires right-of-way acquisition and the reconstruction of the pavement and medians.

Motion by Commissioner Gose, seconded by Commissioner Barrett, to approve the FDOT construction proposal for U.S. 27 improvements from Hal McRae Road to SR 64 (Alternate B). The Chairman called for public input on the motion. Richard Conover pointed out the discussion of the elimination of the Bike Path by the Avon Park Council. See SMB 25 Page 4 for copy of proposal. Upon roll call, all Commissioners voted aye. The motion carried.

**2. KEEP HIGHLANDS BEAUTIFUL, INC.**

Bob Harrington, Director, introduced Peggy Melvin, Coordinator for the "Keep Highlands Beautiful" Program. He also thanked staff from the Engineering Department and other members who participated in the certification of the program. Ms. Melvin spoke to the Commission regarding the importance and the goals of the program.

Break 10:10 a.m. - 10:25 a.m.

**3. TOMOKA HEIGHTS WASTEWATER TREATMENT PLANT EXPANSION**

Motion by Commissioner Gose, seconded by Commissioner Barrett, to award the contract to LaGrow Systems, Inc. as the lowest responsible bidder in the amount of \$331,000 along with the changes in Attachments 1 and 2 of the contract. Commissioner Gose amended the motion at the suggestion of the Board Attorney with a change in Article 3.1 (a) to delete the lime stabilization system and to add an Addendum D to the contract. See contract file for copy. The Chairman called for input on the motion. Richard Conover commented on the modification to the contract. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Gentry, to approve a short term loan from the General Fund to the Placid Utilities Enterprise Fund in the amount of up to \$115,000 to pay for the plant expansion until the cash flow from the grant and the deposits from the tap-in-fees of the waste water users are realized with a time limit of six months on the loan. The Chairman called for input on the motion. C. Michael Eastman, Director of Finance and Accounting, stated that it would be an arms length transaction with an interest-bearing loan. Placid Utilities would be paying the General Fund interest during the period of the loan. Upon roll call, all Commissioners voted aye. Motion carried.

**E. Board Attorney**

No report.

**F. County Administrator**

**1. Proposed Resolution on Hospital District**

Motion by Commissioner Gose, seconded by Commissioner Barrett, to accept the Hospital District Resolution and adopt the Board of County Commission Resolution. The Chairman called for input on the motion. The Board Attorney explained that the District will retain the power of eminent domain and borrowing authority. They also have a revenue stream that the Hospital Board may use. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 122.

**2. Request from Town of Lake Placid**

This item was withdrawn at the request of Bert Harris to allow him to be present.

**3. Budget Amendment #95-96-025**

Motion by Commissioner Gose, seconded by Commissioner Gentry, to approve budget amendment #95-96-025 to allocate the monies for the Eucalyptus parkway reimbursement from the City of Sebring for further use in land acquisition. Upon roll call, all Commissioners voted aye. Motion carried.

**4. Press Release in the Interest of County Maintenance of Roads**

The County Administrator gave a short dissertation on being able to get a road accepted for county maintenance in Highlands County. See SMB 25 page 5.

**5. COMMISSIONERS**

1. Commissioner Barrett suggest that staff contact SFWMD and be aggressive toward getting the holes patched in Red Hill Farms.
2. Commissioner Gentry also reported that she has received complaints from the Red Hill Farms residents, pertaining to drainage and that materials have negatively impacted certain residents. She has requested that they contact Mr. Stiles to discuss the issue.
3. Commissioner Canale reported that she has met with Mr. Harold Stiles and his complain was not so much with the county but with SFWMD. The County Administrator reported that there were two roads that were requested to be improved (Exter and Ruth). Exter was approved and materials have been placed and the road was graded. Ruth has been approved by both Water Management Districts. The concern was that it went through wetlands. The county will request the approval in writing.
4. Commissioner Gose announced the second annual Pig Festival to be held at the Fairgrounds on December 8 and 9.
5. Commissioner Gentry announce that Heartland Health Kids Program is being expanded to include private and home schooled children. Questions may be answered by Human Services Director, Kevin Roberts.

**6. Citizens Not on Agenda**

1. Richard Conover commented on people speaking that do not give their name.

The meeting recessed at 10:55 a.m. to go into an executive session.

**F. 11:00 a.m. - EXECUTIVE SESSION with those present being Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose, Doris Gentry; County Administrator Carl Cool;**

County Attorney J. Ross Macbeth and a certified court reporter, pertaining to pending litigation:

- 1. **Heartland Environmental Council, Inc., v. Dept. of Community Affairs and Highlands County - State of Florida, Division of Administrative Hearings, D O A H 9 4 - 2 0 9 5 G M**
- 2. **Heard v. Highlands County Circuit Court for Highlands County, GC95-268**
- 3. **Piefer v. Glades Electric Co-op, Inc., and Board of County Commissioners Circuit Court for Highlands County, GC95-51**

See SMB 27 Page 187 for Proof of Publication.

The regular meeting was called back to order at 11:50 a.m. with all members present.

**7. ADJOURN**

Motion by Commissioner Canale to adjourn the regular meeting. The Chairman called for a show of hands in favor. All members voted aye. The motion carried to adjourn.

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, NOVEMBER 21, 1995**

1. The meeting was called to order at 9:00 a. m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

<b>C. Guy Maxcy</b>	<b>L.E. 'Luke' Brooker</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending 11/21/95.

- 1. RESOLUTION-DRUNK AND DRUGGED DRIVING PREVENTION MONTH**

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution proclaiming the month of December as Drunk and Drugged Driving Prevention Month and December 15, 1995 as "Lights on for Life Day" in Highlands County to support the fight against driving while under the influence of alcohol and other drugs. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 123.

Lt. Benton made a public announcement that 13 officers in Highlands County, specifically designated over and above the regular patrol personnel, will be working on enforcement safety for the Thanksgiving Holidays. Lt Benton also reported that Highlands County has been selected for inclusion in the SHOWCAP Initiative Program.

The Chairman suggested that the Sheriff consider looking at new legislation that charge inmates \$1.00 for their meals.

- B. CLERK**

1. Mr. Brooker reported on Jury Trials that were held last week. All trials were

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completed with the exception of one. This trial is still going on and will be possibly completed in the afternoon.

2. The Value Adjustment Board met for their final meeting for this year. The Special Master presented the final two petitions. The Special Master concurred with the Property Appraiser on the assessment of both petitions. This completed the Value Adjustment Board and the roll is in tact.
3. The Clerk reported on the implementation of the Teen Court Program in Highlands County. Assistance may be available through grants to help with the program.

**C. FUTURE UPCOMING MEETINGS:**

Commissioner James Gose read the reported meetings into the record. Additional meetings were announced for the benefit of the public. The County Administrator presented a press release announcing the addition of two new staff at the EOC for additional calls during the holiday.

**4. ACTION:**

**A. ELECTION OF CHAIR AND VICE-CHAIR**

Motion by Commissioner Gose, seconded by Commissioner Canale to elect Commissioner Gentry as Chairperson of the Board of County Commissioners.

The Chairman called for input on the motion. Preston Colby addressed Chapter 99 of Fl. Statutes that provides that no officer may qualify for a candidate of a public office if the terms run concurrently without resigning from the office they presently hold. The Board Attorney advised that the office that Commissioner Gentry is seeking is not a concurrent term but a consecutive term. It commences the same day as the County Commission. Commissioner Barrett suggested that research be completed through the Election office and report back on this matter.

Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gentry to elect Commissioner J.D. Barrett as the vice-chair of the Board of County Commissioners. Upon Roll call, Commissioner Gose voted nay. All other Commissioners voted aye. Motion carried.

The Chairman called a five minute break at 9:25 a.m. to allow the new Chairperson to take the gavel.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Action Agenda of the items outlined. Upon Roll call, all Commissioners voted aye. Motion carried.



**B. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda as listed:

The Chairman called for input on the motion. Richard Conover presented questions regarding items in the minutes of 11/7/95 and 11/14/95. Preston Colby questioned advertising procedures.

**1. Approval to pay all duly authorized bills**

<b>Law Library</b>	<b>566.50</b>
<b>General</b>	<b>354,592.24</b>
<b>County Transportation Trust</b>	<b>73,596.99</b>
<b>E911 Operations</b>	<b>473.32</b>
<b>Local Govt Infrastructure Surtax</b>	<b>660,838.46</b>
<b>Affordable Housing Assistance</b>	<b>165.00</b>
<b>Correctional Facility</b>	<b>55,930.00</b>
<b>Solid Waste</b>	<b>16,739.15</b>
<b>Water/Sewer</b>	<b>21,254.11</b>
<b>Risk Retention</b>	<b>2,367.88</b>
<b>Employee Benefit</b>	<b>127,579.16</b>

**2. Approval of minutes of 11-7-95 and 11-14-95 meetings**

**3. Accept into record - October Monthly Report**

**4. Approval to pay for overflow inmate housing. See SMB 25 Page 7.**

**5. Approval of budget amendment #95-96-028**

**6. Approval of discarded books proposal. See SMB 25 Page 8.**

Upon Roll call, all Commissioners voted aye. Motion carried.

**C. PUBLIC HEARING TO CONSIDER THE PURCHASE OF CROWDER PROPERTY FOR EUCALYPTUS PARKWAY**

Proof of Publication entered into the record by Bill Stephenson. See SMB 25 Page 9.

Chairperson opened public hearing and called for public input. Richard Conover spoke regarding the 1992 appraisal. After public participation ended the Board discussed the proposed purchase.

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Motion by Commissioner Gose, seconded by Commissioner Canale to approve purchase of property in the amount of \$80,000 for the Eucalyptus Parkway.

Preston Colby asked for a determination on Board members being related to the seller. There was no response by members.

Upon roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER THE PURCHASE OF RYAN AND STRATTON PROPERTY FOR GOVERNMENT CENTER**

Chairperson opened public hearing. William Stephenson presented proof of publication. See SMB 25 Page 10. He explained the need of the property for additional parking. Commissioner Maxcy requested that staff provide discussion on the parking need for the next twenty years. Commissioner Canale suggested staff call moving companies for removal of buildings for a donation to needy families.

The Chair opened the floor to the public. No comment was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve purchase of Ryan and Stratton property for the Government Center. Commissioner Maxcy questioned the lot value. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PUBLIC HEARING TO CONSIDER ZONING CHANGES AND SMALL-SCALE AMENDMENT RECOMMENDATIONS**

Chairman opened public hearing at 10:08 a.m.

**HEARING #1368-LAKE PLACID HOLDING COMPANY**

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district). Applicant proposes mini warehouses and storage area. Proof of Publication entered into the record by the Zoning Supervisor, Gary Lower. See SMB 25 Page 11. Staff reports presented. Mandatory Findings also entered into the record.

**HEARING #CPA-95-023-LAKE PLACID HOLDING COMPANY**

Requesting a Small-Scale amendment from "General Agriculture" to "Commercial".

The Chair called for public input. None was received.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the Hearing with the mandatory findings as entered into the record and adopt the Resolution and Ordinance contingent upon the approval of the small-scale plan amendment for a "Commercial Community Serving" designation on the Future Land Use Map. Upon Roll call, all Commissioners voted aye. Motion carried. See Zoning file for copy. See Res. Book 9 Page 124.

**HEARING #1369-SUN'N LAKE INC**

Chairman opened public hearing at 10:10 a. m.

Requesting a zoning change from B-2 (Limited Business district) and R-3 (Multiple Dwelling district) to B-3 (Business district). Applicant desires a retail center, restaurant and lounge.

Proof of publication entered into the record. See SMB 25 Page 11. Analysis of Petitioner's proposal presented and mandatory findings entered into the record.

The Chairperson opened the floor to the public. Lowell J. Fricker, Sr., representing the buyer and purchaser spoke in favor of the zoning. Richard Conover requested that proximity to wetlands be considered .

Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve the B-3 zoning with adoption of the Resolution . Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 125.

**HEARING #1370-HIGHVEST CORPORATION C/O ROBERT C. AMANN, SR.**

Requesting a zoning change from AU (Agriculture) to B-4 (Business district). Applicant desires to rezone the property to comply with the Future Land Use Map.

Chairperson opened the Public Hearing at 10:15 a.m. Proof of Publication and mandatory findings entered into the record See SMB 25 Page 11. The Chair called for public input. Robert Amann, representing the owner, spoke in favor.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the recommendations of the Planning and Zoning Board and adopt Resolution with mandatory findings. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 126.

**HEARING #1372-WILLIAM F. HUTCHINSON III**

Chairperson opens public hearing at 10:20 a.m.

Requesting a zoning change from R-1-A (Residential district) to B-4 (Business district). Applicant desires B-4 uses. Proof of publication entered into the record. See SMB 25 Page 11.

**HEARING #CPA-95-024-WILLIAM F. HUTCHINSON III**

Requesting a Small-Scale amendment from "General Agriculture" to "Commercial".

The Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the recommendations of the Planning and Zoning Board to deny the approval of the B-4 zoning and the small-scale plan amendment for a Commercial Community Serving designation on the Future Land Use Map. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. PUBLIC HEARING TO CONSIDER ADOPTION OF LAND DEVELOPMENT REGULATIONS FOR UTILITY PERMITS AND MINING PERMITS**

**BOOK 16 PAGE 361**

Chairperson opened public hearing at 10:27 a.m. Proof of Publication entered into the record. See SMB 25 Page 11. Jim Polatty presented synopsis. The Chair opened the floor to the public on the utility Permits. No comments were received. The Chair opened the floor to the public on the mining Permits. No comments were received. Motion by Commissioner Gose, seconded by Commissioner Canale to accept elements for Utility Permits and Mining Permits of the Land Development Regulations into the ordinance. The Board thanked the public, staff and the LDR Task Force for their many hours of dedication in developing regulations. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. FAYE OLDS, HRS: PROCLAMATION OF ADOPTION AWARENESS MONTH**

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Proclamation recognizing the month of November 1995 as "Adoption Awareness Month" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 127.

**Break 10:36 - 1044 a.m.**

**H. DAN FOLEY, CITRUS GROWERS: PROCLAMATION "FARM-CITY WEEK"**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt Proclamation recognizing the period of November 17 through November 23, 1995 as Farm-City week and to participate in social events conducted during that week. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 128.

**I. DEVELOPMENT DIRECTOR:**

- 1. RECOMMENDATION TO ADOPT FALL COMP PLAN AMENDMENTS**
- 2. SET TIME FOR PUBLIC HEARING TO ADOPT FALL COMP PLAN AMENDMENTS**

Motion by Commissioner Canale, seconded by Commissioner Barrett to authorize staff to advertise the adoption of the Fall 1995 Comprehensive Plan amendments as approved and transmitted by the County Commission to the Department of Community Affairs in September and to set a public hearing to be held at 9:00 a.m. on December 19, 1995. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 25 Page 12.

**J. COUNTY ADMINISTRATOR: APPOINTMENT TO INDUSTRIAL DEVELOPMENT AUTHORITY**

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Motion by Commissioner Maxcy, seconded by Commissioner Barrett to appoint Tom Koppein to fill the remaining term of James Ridley to the Industrial Development Authority. The term of office will expire on 2/20/98. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 25 Page 13 for resume. Commissioner Canale suggested a copy of resumes be included for appointees that are considered.

**1. CONSIDERATION OF THE TOURIST DEVELOPMENT QUESTION**

The County Administrator presented the question regarding the 2% Tourist Development Tax being placed on the Ballot. See SMB 25 page 14 for copy. The Board discussed the wording of the question to be presented to the Industry. The Chair suggested a list be compiled and presented to the Board for their approval. The Chair called for public input. Preston Colby, Harold Seaman and Jim Cash spoke regarding the Tax.

Motion by Commissioner Barrett, seconded by Commissioner Gose to place on the agenda the first meeting in December to make the decision on whether the Board wants to place it on the ballot and to work on the language and the list. Commissioner Barrett amended the motion to place on the Action Agenda on January 9, 1996. Commissioner Gose accepted the amendment. Upon Roll call, all Commissioners voted aye. Motion carried. Chairperson Gentry requested that Commissioner Canale receive direction from the Tourist Development Council on the Language and the list at their meeting and report back on the 3rd Tuesday in December.

**2. BUDGET AMENDMENT #95-96-032**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to waive the agenda to consider the budget amendment. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the budget amendment transferring from the salary account to Unemployment Compensation for the Planning Department and from Repair & Maintenance to Unemployment Compensation for the Emergency Management Department. Upon Roll call, all Commissioners voted aye. Motion carried.

**K. BOARD ATTORNEY:**

**1. ORANGE BLOSSOM AGREEMENT**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the agenda for discussion of the agreement. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to authorize the Chairperson to sign the agreement to receive the funds for the Orange Blossom District. Upon Roll call, all Commissioners voted aye. Motion carried.

**5. CITIZENS NOT ON AGENDA:**

- 1. PRESTON COLBY - DISCUSSION ON REASONABLE PUBLIC NOTICE**
- 2. PRESTON COLBY - ALLEGED VIOLATION OF PERSONNEL MANUAL BY THE COUNTY ADMINISTRATOR-DISCUSSION**
- 3. PRESTON COLBY - ALLEGED VIOLATION OF FS 812 BY COUNTY ADMINISTRATOR & CHAIRPERSON**
- 4. PRESTON COLBY - ALLEGED VIOLATION OF FS 815 BY COUNTY ADMINISTRATOR & CHAIRPERSON**
- 5. PRESTON COLBY - ALLEGED VIOLATION OF FS 839 BY COUNTY ADMINISTRATOR & CHAIRPERSON**
- 6. PRESTON COLBY - ALLEGED VIOLATION OF FS 112 BY COUNTY ADMINISTRATOR & CHAIRPERSON**

The Board Attorney responded that the issue was really whether it was a corrupt use or an unauthorized use. The Government has programs that assists employees who are furthering their education in a way that would enhance their employer. In most instances tuition assistance may be allowed. If the course qualifies for tuition assistance, the same rationale could apply. The Board may want to adopt a policy that could address the issue.

The Board discussed the accusations. Commissioner Canale suggested a Hearing Officer. The Board Attorney advised that since Mr. Colby is alleging criminal violations the recourse is the State Attorney's office. The Board of County Commissioners can not hold a hearing.

**6. COMMISSIONERS:**

1. Mr. Maxcy commented on the positive effect of education enhancement.
2. Mr. Maxcy entered a letter into the record from the FDOT regarding the construction plans for the U.S. 27 six lane project.
3. Mr. Maxcy suggested that the Board look at the lots that are owned by the county and consider a reallocation of assets.
4. Mr. Maxcy commented on budget reduction.

**7. ADJOURN**

**BOOK 16 PAGE 364**

The meeting adjourned at 12:30 p.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**BOOK 16 PAGE 365**

**REGULAR MEETING OF THE BOARD, NOVEMBER 28, 1995**

1. The meeting was called to order at 9:00 a.m. with the following members present:

<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>John D. Barrett</b>	<b>J. Ross Macbeth</b>
<b>Jeri Canale</b>	<b>Louise Graham</b>
<b>James L. Gose</b>	
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Richard Conover.

Proof of Publication of meeting entered into the record by the County Administrator. See SMB 25 Page 16.

3. **PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTION 6-42 OF THE CODE OF ORDINANCES, PERTAINING TO OCCUPATIONAL LICENSES FOR PROFESSIONS, BUSINESSES AND OCCUPATIONS.**

Proof of Publication entered into the record. See Proof of Pub Ordinance Book 1 Page 11. Captions of the Ordinance read by the Board Attorney. Mr. Macbeth explained the amendment to Section 6-42. The change is a repeal of the Occupational License Tax on professions. It would have those professionals operating an office where a profession is practiced to be taxed under 6.43 of the Code of Ordinances. Sec. 6.43 is a General Service Business License, being licensed for the business of engaging in a profession. The Professional operating office would be taxed as a public service.

The Chairperson opened the floor to the public. Chip Boring, speaking for the Sebring Board of Realtors, stated that the record should reflect that while Realtors are not considered employees, but independent contractors, they should not be required to have an individual license.

Only the brokers that work under the Realtors will be required to purchase a business license for each office that they operate.

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the ordinance amending Section 6-42 of the Code of Ordinances, pertaining to Occupational Licenses for professions, businesses, and occupations. Upon Roll call, all Commissioners voted aye. Motion carried.

4. **PERSONNEL DIRECTOR: PROPOSED MODIFICATION TO DRUG AND**



**ALCOHOL TESTING PROGRAM FOR BOARD EMPLOYEES**

The Chairperson read the proposal into the record. Motion by Commissioner Canale, seconded by Commissioner Barrett to participate in the Drug and Alcohol Testing Program for board employees, applicants and volunteers that are required to hold a commercial drivers license. The required testing to be paid for by the county based on the best negotiated price. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 17 for copy.

**5. APPROVAL OF BUDGET AMENDMENTS #95-96-33 THROUGH 35**

The Chairperson suggested removal of #95-96-33 as it involved a Special Tax District. Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve budget amendments #95-96-34 and #95-96-35. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. APPROVAL OF MINUTES OF 11-8-95 WORKSHOP MEETING**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve minutes of 11-8-95 workshop meeting with a correction to Minute Book 16 Page 353 to include Mike Carr suggested a modified tree ordinance that would encompass removal of trees so the Building Department would not be required to handle this.

**7. COUNTY ADMINISTRATOR-REPORT ON RUTH ROAD IN RED HILL FARMS DISTRICT**

Mr. Cool reported that the trucks and grader has been scheduled and plans are to complete the roadway work on November 30 and December 1, 1995 on Ruth Road in the Red Hill Farms District. Drainage problems were also addressed.

Commissioner Maxcy presented to Lt. Susan Benton an article from Marion County addressing the \$1.00 meal charge for inmates. He requested that the Sheriff review and consider for implementation in this county.

The Chair closed the meeting at 9:25 a.m.

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, NOVEMBER 28, 1995  
BUDGET REDUCTION**

1. The meeting was called to order at 9:26 a.m. with the following members present:

<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>John D. Barrett</b>	<b>J. Ross Macbeth</b>
<b>Jeri Canale</b>	<b>Louise Graham</b>
<b>James L. Gose</b>	
<b>Jeri Canale</b>	

2. County Administrator presented an opening statement.
3. Constitutional Officers present were Clerk of Courts, L.E. "Luke" Brooker; Sheriff, Howard Godwin; Tax Collector, J.T. Landress and Elections Supervisor, Jimmy Whitehouse. Each officer presented a statement outlining the duties of their office and discussion on levels of service and the effect of a 10% budget reduction.
4. Departments of the Board represented included Human Services Director, Kevin Roberts; General Services Supervisor, Robert Jamison; Management and Budget, Rick Helms; Development Services Director, Jim Polatty; Emergency Medical Service, Rick Weigand; Animal Control, Keith Albritton; Engineering, Bill Lecher; Natural Resources, Larry Sharpe; Emergency Operations, Tim Eures; Special Projects Coordinator, Bill Stephenson; Personnel, Fred Carino; Road and Bridge and Solid Waste, Vaden Pollard. The Department Heads reviewed with the Commission aspects of cutting their budget by 10% and the effect of losing personnel and cutting services.
5. Questions were presented to the Board Attorney regarding a reduction in attorney services.
6. Chairperson Gentry suggested that each Commissioner review the information presented and if they have specific examples of budget cutting to bring back for discussion at the December workshop.
7. Commissioner Maxcy suggested a Citizens Advisory Committee to work with the Departments. The Chair asked for a scope of the committee outlined for the Board to review.
8. Carl Cool outlined efforts that have been implemented toward budget reduction.
9. Chair recommended that each Board member list committee assignments.
10. Workshop adjourned at 12:20 p.m.

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Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, DECEMBER 5, 1995**

1. The meeting was called to order at 9:00 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

**Doris Gentry  
John D. Barrett  
Jeri Canale  
James L. Gose  
C. Guy Maxcy**

**C. Michael Eastman  
Carl Cool  
J. Ross Macbeth  
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending December 5, 1995.

- B. CLERK**

1. L. E. "Luke" Brooker, Clerk, reported that Juvenile Crime has increased 30%.
2. The Clerk extended condolences to the family of Roberta Bailey, who passed away recently. Mrs. Bailey was Probate Clerk from 1969 to 1987 for the Clerks office.
3. The Clerk read the Resolution into the record naming the Highlands County Law Library the "Justice Parker Lee McDonald Law Library."

- C. FUTURE UPCOMING MEETINGS:**

The Chairperson read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Special recognition was given to former Commissioner, Archie Summers.

**4. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Action Agenda with the removal of Item #6; Insurance Renewal and Addendum and with an addition under Commissioners "Discussion of Cell Phones. Upon Roll call, all Commissioners voted aye. Motion carried.

**A. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record. Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve the consent agenda with the deletion of Item #6.

**1. Approval to pay all duly authorized bills as listed:**

Law Library	480.58
General	1,441,965.39
County Transportation Trust	23,944.00
E911 Operations	9,371.03
Local Govt Infrastructure Surtax	56,747.23
Correctional Facility	288,811.90
Solid Waste	16,291.82
Water/Sewer	10,100.24
Employee Benefit	105,263.17

**2. Approval of request to declare nuisance cases #94-95-100, #95-96-007 and 011. See SMB 25 Page 18.**

**3. Approval of request to record nuisance release, case #94-95-077.**

**4. Approval of minutes of 11-21-95 Board meeting and acceptance into the record the minutes of the 11-20-95 Value Adjustment Board meeting**

**5. Approval to execute Adopt a Highway agreement**

~~**6. Approval to execute insurance renewal and addendum**~~

**7. Approval to execute Glades County Interlocal Agreement**

**8. Approval to execute FDEP Grant Contract for Household Hazardous Waste**

**9. Approval of budget amendments #94-95-341 and #95-96-36 through - 38**

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**10. Approval of CDBG Contract**

Discussion on the CDBG contract by the Commission. The Chair called for public input on the motion. Richard Conover questioned the CDBG program and budget amendment detail.

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORANGE BLOSSOM ESTATES UNIT 12 SPECIAL BENEFIT DISTRICT**

Proof of Publication entered into the record by Bill Stephenson. See Proof of Pub Ordinance Book 1 Page 12. Captions of the Ordinance read into the record by the Board Attorney. Norbert Walz, Petitioner for the District, gave a presentation explaining the need for the water and improvements. Responses from property owners were entered into the record. The Chair called for public input. Waldo Parker, Jim Haile, Mark Macbeth, Ferris Rushlow, Pat Hahs and Jack Bennett spoke in opposition to the inclusion of the north section to the district. The Board Attorney explained the appropriation of funds to be received from the Land Sales Board.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt ordinance providing for an amendment to Orange Blossom Estates Unit 12 Special Benefit District with the deletion of the Northern side of Andalusia. Upon Roll call, Commissioner Barrett voted nay. All other Commissioners voted aye. Motion carried.

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE PROVIDING FOR AN AMENDMENT TO AVON PARK LAKES SPECIAL BENEFIT DISTRICT**

Proof of Publication entered into the record by Bill Stephenson. See Proof of Pub Ordinance Book 1 Page 13. Captions of the Ordinance read into the record by the Board Attorney. The Chair called for public input. Richard Conover questioned the date of publication.

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Ordinance providing for the Avon Park Lakes Special Benefit District. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. PUBLIC HEARING TO CONSIDER VACATING REPLAT OF A PORTION OF OAK HILL BURIAL PARK**

Proof of Publication and petition entered into the record by the County Engineer. See SMB 25 Page 19. The Chair opened the floor to the public. Richard Conover questioned the amount of unidentified graves at the cemetery. Jim Fulton, Town of Lake Placid, responded that the replat included areas that have not been used. Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt Resolution to close a portion of a replat of Oak Hill Burial Park. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 130.

**E. PUBLIC HEARING TO CONSIDER VACATING A PORTION OF A PLAT IN SUN'N LAKE UNIT 9, PAGE 59, BLOCK 132-LOTS 57-69 AND LOTS 14-40**

Proof of publication and petition entered into the record by the County Engineer. See SMB 25 Page 20. The Chair opened the floor to the public. Richard Conover questioned the public notice requirements.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to adopt Resolution vacating a portion of the plat located in Sun'N Lakes, Unit 9, Lots 57-69 and Lots 14-40, Block 132.

The Board Attorney responded to the public notice questions. After discussion by the Commission, a motion was made by Commissioner Canale to table until next Tuesday to allow the Petitioner to advertise an additional time to meet the requirements of public notice. Upon roll call, all Commissioners voted aye. The motion carried.

**RECONSIDERATION OF AREA IN ORANGE BLOSSOM ESTATES**

No action was taken by the Board on the request from Mr. Norbert Walz to reconsider inclusion of an area north of Andalusia to the district. The motion remains to exclude the northern side of Andalusia.

**Break 10:29-10:40 a.m.**

**F. NORM FEDER, DOT: WORK PROGRAM PRESENTATION**

Mr. Norm Feder gave a brief overview of the work program. Questions were presented on specific projects. Refer to tape for additional information. Motion by Commissioner Gose, seconded by Commissioner Barrett to approve endorsement of the work program. Upon Roll call, all Commissioners voted aye. Motion carried. Mr. Feder presented a check in the amount of \$297,187.00 for reimbursement of funds for the advanced JPA study.

**G. BERT HARRIS, TOWN OF LAKE PLACID: REQUEST FOR ALLOCATED FUNDS - INTERLAKE PHASE II BEAUTIFICATION**

Motion by Commissioner Gose, seconded by Commissioner Barrett to give consideration to an Interlocal agreement with the FDOT to advance the costs of construction for the Transportation Enhancement Project in the amount of \$483,000 along the U.S. Highway 27 median, allowing construction to commence during the 1997-1998 fiscal year. Upon Roll call, all Commissioners voted aye. Motion carried.

**CONSIDERATION OF BUDGET AMENDMENT FOR THE TOWN OF LAKE PLACID**

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The consensus of the Commission was to direct staff to proceed with a budget amendment in the amount of \$10,000, the sum initially allocated to the Town of Lake Placid for the beautification projects to be used for the well and pump. See SMB 25 Page 21.

**H. DEVELOPMENT DIRECTOR:**

No action was taken.

**I. COUNTY ENGINEER:**

**1. UPDATE ON EUCALYPTUS PARKWAY PHASE II**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve that the Board request FDOT delay further work on the P.D. & E. Study for Eucalyptus Parkway II until the feasibility of the abandonment of the South Central Florida Railroad right-of-way along Highlands Avenue is determined for up to a period of two (2) years. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 22.

**2. APPROVAL OF PLAT RECORDING - OAK HILL BURIAL PARK**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve Oak Hill Burial Park, Fourth Replat for recording. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. APPROVAL TO EXECUTE PRECONSTRUCTION SERVICES AGREEMENT WITH PETER BROWN CONSTRUCTION, INC.**

The County Engineer presented the consultants recommendation for the Construction Manager for the Government Center, Phase I. The Construction Manager will work with the architect, HOK, to design the building and value engineer the different components. A fee of \$31,135.00 was negotiated for the first Phase.

Motion by Commissioner Maxcy to offer as a negotiation fee the amount of \$20,000 to Peter Brown Construction, Inc. for preconstruction services for Phase I with a completion fee of \$5,000. The motion died for lack of a second.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to waive the purchasing procedures generally, to consider a different way to construct the government center. Upon Roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried.

Motion by Commissioner Gose to authorize the Chairman to sign the agreement with Peter Brown Construction for Preconstruction services in the amount of \$31,135.00. The motion died for lack of a second.



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Motion by Commissioner Gose, seconded by Commissioner Maxcy to negotiate the fee of \$27,000 with Peter Brown Construction for Phase I only. Upon Roll call, Commissioners Canale and Barrett voted nay. All other Commissioners voted aye. Motion carried. See SMB 25 Page 23.

**K. CLERK OF COURTS: RESOLUTION NAMING “JUSTICE PARKER LEE MCDONALD LAW LIBRARY”**

The Clerk introduced the Chief Judge from the Tenth Judicial Circuit, Judge Charles Davis and Court Administrator, Nick Sudzina. The Chair requested information from the Chief Judge regarding Article Five costs.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Resolution naming the Highlands County Law Library the “Justice Parker Lee McDonald Law Library.” Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 129.

The Chair recessed the meeting at 12:00 p.m. and reconvened at 1:00 p.m.

**AGENDA ITEM #6-APPROVAL TO EXECUTE INSURANCE RENEWAL AND ADDENDUM-GAIL ROEBUCK**

Commissioner Canale requested information on whether the Insurance Committee had reviewed and approved the Renewal and Addendum. She was advised that it did go before the committee for their review and approval.

Motion by Commissioner Canale, seconded by Commissioner Gose to execute the Insurance Renewal and Addendum. After Board discussion on the motion, Commissioner Canale withdrew the motion.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Contract. Upon Roll call, all Commissioners voted aye. Motion carried.

**J. ASST. COUNTY ADMINISTRATOR: MONTHLY PROGRESS REPORT ON DETENTION CENTER**

Tom Portz presented an outline of the monthly progress report on the Detention Center. See Jail file for copies.

**J-1. BOARD ATTORNEY**

**1. ELECTIONS COMMISSION QUESTION-RESIGN TO RUN**

Mr. Macbeth stated that he has researched the last ten years election commission opinions and he does not find anything close to what was represented at the last meeting. The resign to run laws provide that you are required to resign where the office that you are running for has a period of

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concurrency with the office that you hold. It is a consecutive term, where your term would end at the same time or before the new office you are running commences. The statutes are not applicable to the Commissioners that are sitting for the positions that they are seeking. If there is a change in intent of offices, it could be different.

**2. EMINENT DOMAIN ACTIONS REPORT**

Mr. Macbeth presented a report on the progress of the Eminent Domain proceedings.

**1. BOARD RULES AND POLICIES MANUAL PRESENTATION**

The County Administrative presented the Rules and Policies Manual for review. He suggested the Commission take it for a trial run before adoption. See SMB 25 Page 24.

**2. LEGISLATIVE DELEGATION PRESENTATION AND ISSUES**

Motion by Commissioner Canale, seconded by Commissioner Gose to request that Doris Gentry be the presenter for the Board at the meeting of the Legislative Delegation. Upon Roll call, all Commissioners voted aye. Motion carried.

The Chairperson suggested that the Board look at big ticket items that could be eliminated and prioritize the ones that benefit the entire state. She requested that the list be presented next week and prioritized under the Commissioner's item. Commissioner Gose added to the list to support the Work Force Imitative Board to form our own region and to go with Highlands, Hardee and Desoto Counties.

**3. JANUARY MEETING DATES**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve to hold meetings on January 9, 16, and 23rd, with a workshop to held on the 30th if needed. No meeting will be held on January 2nd. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. ANNUAL REPORT**

The County Administrator presented the Highlands County Annual Report for Fiscal Year 1994-1995. See Report File for copy.

**5. NEWS RELEASE**

The County Administrator read into the record a news release regarding a joint project with the Buildings Operations and Maintenance and the Sheriff's office. This project enhanced the Board of County Commissioners' utilization level of inmate and work release labor for various county projects saving the county \$90,000. See SMB 25 Page 25 for copy.

**6. EMERGENCY MEDICAL TECHNICIAN RECRUITMENT**

Motion by Commissioner Gose, seconded by Commissioner Barrett to waive the agenda for consideration of this item. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to grant an exception to policy and permit the Personnel office to hire a candidate from the previous interview list. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 26 for copy of the request.

**5. CITIZENS NOT ON AGENDA:**

1. Dr. Fred Fields- request for support of Military Personnel for Christmas by sending mail or cards to service personnel.
2. Mike Swaine, Highlands County Health Facility Authority-Resolution

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the agenda to consider the Resolution. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to authorize Resolution approving the issuance by the Orange County Health Facilities Authority of its Variable Rate Demand Revenue Bonds, Series 1995. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 132.

3. Preston Colby - Board Policy
  - a) Mr. Colby commented on Rule 1.401A-County Administrator. The County Administrator is not the Administrative Head of the Board of County Commissioners. Also mentioned was verbiage pursuant to the County Administrator's contract. Suggestion to replace with "Pursuant to Florida Statutes". Other comments were presented regarding travel. The Chairperson advised that the Board will continue to work on the policies.
  - b) Mr. Colby requested response from Mr. Cool on the publication issue. The Chair advised that additional information will be presented to Mr. Colby.
4. Wendell Whitehouse-Jack and Gwen Terry-ACL Train Depot-Order of Taking Hearing

Attorney Whitehouse presented a request to continue the December 8, 1995 Hearing until January 31, 1996 to allow him to review the entire documents. The consensus of the Board was to instruct the Board Attorney to cancel the December 8, 1995 Hearing and to reschedule for a later date.

5. Bill Marshall, Commander of the American Legion Post in Lake Placid, spoke

regarding the issue of requiring occupational licenses for additional tables at the Flea Market. The Chair suggested that Mr. Marshall be present at the next Advisory Committee meeting for a resolution to the matter. Commissioner Canale to arrange the meeting.

**6. COMMISSIONERS**

**1. COMMISSIONER GENTRY: EXISTING COMMITTEE ASSIGNMENTS AND REQUESTED COMMITTEE ASSIGNMENTS**

The Chair suggested a proposed listing of committee assignments to be given to her for appointments.

**2. COMMISSIONER GENTRY-LEGISLATIVE SESSION ISSUES**

Discussion

**3. COMMISSIONER GENTRY-WORKSHOP**

The consensus of the Board was to not hold a workshop on December 26, 1995.

**4. COMMISSIONER GOSE-CELLULAR PHONES**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve that each commissioner be responsible for their own cellular phone bills.

The Chair called for public input. Bill Trego, Bill Marshall and Wilson Elliott spoke in opposition to the motion.

Upon Roll call, Commissioners Gose, Maxcy and Gentry voted aye. Commissioners Canale and Barrett voted nay. The motion carried.

**5. COMMISSIONER CANALE-WORKSHOP FOR DISCUSSION OF RECREATION AND LIBRARY ISSUES**

The Chair set the workshop for January 16, 1996 at 1:00 or 2:00 p.m. depending on the adjournment of the regular meeting.

**6. COMMISSIONER CANALE- POLICY OF PERSON IN CHARGE IF THE COUNTY ADMINISTRATOR OR THE ADMINISTRATIVE AIDE IS NOT AVAILABLE**

The County Administrator advised that the Department Head that the issue affects should be contacted.

**7. COMMISSIONER CANALE- REQUEST FROM CONSTITUENT TO CHANGE AGENDA FORM TO ALLOW CITIZENS TO SPEAK AT THE BEGINNING OF THE MEETING.**

The Chair will address the request.

**8. COMMISSIONER MAXCY-COORDINATION OF COMMISSIONER EFFORTS**

Commissioner Maxcy suggested that the Board each set up a log of the projects that they are working on with the Administrative Aide, and then before a commissioner starts to solve a problem, call Ms. Brooks to confirm if another commissioner is already working on the problem. See SMB 25 Page 27.

**9. COMMISSIONER MAXCY-VOLUNTEER RECOGNITION WITH CERTIFICATES**

Discussion

**10. COMMISSIONER MAXCY- HOSPITAL BOARD ISSUES**

The Chairperson suggested that the Hospital Board members should request that this item be placed on the Board of County Commissioners agenda for discussion.

**11. COUNTY ADMINISTRATOR-TAX COLLECTOR APPOINTMENT**

The County Administrator reported that Ann Revels from the Governor's office has requested that the Commissioners be informed that Charles Bryan has been appointed to the position of Tax Collector, effective January 1, 1996.

**7. ADJOURN**

The meeting adjourned at 2:59 p.m.

\_\_\_\_\_  
**Chairperson**

Attest: \_\_\_\_\_  
**Clerk**

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REGULAR MEETING OF THE BOARD, DECEMBER 12, 1995

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus Street, Sebring, Florida with the following members present:

<b>C. Guy Maxcy</b>	<b>C. Michael Eastman</b>
<b>Doris Gentry</b>	<b>Carl Cool</b>
<b>James L. Gose</b>	<b>J. Ross Macbeth</b>
<b>John D. Barrett</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator. The Pledge of Allegiance was led by Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending December 12, 1995.

- C. **SUSAN HOPTON: COPS PROJECT BLUE LIGHT**

Sheriff Godwin introduced special guest, Idava Rodgers and Susan Hopton. He reminded the Board of the losses from the Sheriff's Department of Capt Bob Hopton, Jim Rodgers, Fred Fisher and Myra Fleeger.

Susan Hopton gave a presentation in their honor and requested the placement of blue lights by everyone. She specifically requested that the Board place blue lights in an area in front of the Courthouse with the erection of a small sign explaining the purpose of the Blue Light Project. She also requested a Resolution in the future to continue the project each year at Christmas to show support for all the fallen law enforcement personnel.

Motion by Commissioner Barrett, seconded by Commissioner Canale to instruct the County Administrator to complete this project as requested. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **CLERK**

C. Michael Eastman, representing the Clerk, reported on Jury Trial week in Highlands County. He thanked the City of Sebring for the use of their facility.

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

**4. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the action agenda with the addition to raise from the table, Public Hearing for Plat Vacation, Sun 'N Lakes, immediately following the Consent Agenda and Item G. with the approval of Charles Bryan's Bond. Upon roll call, all Commissioners voted aye. Motion carried.

**A. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record with an explanation to each item. Motion by Commissioner Gose, seconded by Commissioner Canale to approve the Consent Agenda with the deletion of Item #5. (Approval to execute agreement with SFCC for training at shooting range) The County Administrator suggested language addition; subject to the Board Attorney and Sheriff approval.

- 1. Approval of minutes of 11-28-95 meeting and workshop**
- 2. Approval of amendment to Commodities Contract**
- 3. Approval of budget amendments #95-96-41 and -42**
- 4. Approval to trade in equipment for Landfill. See SMB 25 Page 28.**
- 5. ~~Approval to execute agreement with SFCC for training at shooting range.~~**

The Chairperson called for public input on the motion. Mr. Clayton Womer thanked the Chair for the explanation of the items.

Upon Roll call, all Commissioners voted aye. Motion carried.

**PLAT VACATION-SUN'N LAKES, UNIT 9-COUNTY ENGINEER**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to raise from the table, Public Hearing to consider Plat Vacation . Upon Roll call, all Commissioners voted aye. Motion carried.

Proof of readvertisement entered into the record. See SMB 25 Page 29. The County Administrator

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explained the cause for an additional advertisement. The Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt Resolution approving the Plat Vacation for Sun’N Lakes Estates, Unit 9, Block 132 Lots 57-69 and Lots 14-40. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 131.

**B. PUBLIC HEARING TO CONSIDER AMENDING SECTION ONE, ARTICLE 6, CHAPTER 5.5., REGARDING BUILDING CODES**

Proof of Publication entered into the record. See Proof of Pub Ordinance Book 1 Page 14. Captions and changes of the Ordinance read into the record by the Board Attorney. The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Ordinance amending Section One, Article 6, Chapter 5.5., regarding building codes. Commissioner Canale requested consideration of the insurance requirement for Pressure Cleaners and Tree Trimmers. The County Administrator advised that this would be appropriate to consider as an amendment to the Ordinance. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 30.

**D. HAROLD OWEN, FRIENDS OF THE LIBRARY: DONATION TO THE BOARD OF LOTS IN PLACID LAKES**

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept lots donated in Placid Lakes, PB 8, Pg 63, Lot 3, Block 206 and PB 8, Pg 63 Lot 11, Block 202 and to sell the property to buy books for the County Library Fund. The Chairman called for public input on the motion. Preston Colby spoke regarding statutory requirements. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Maxcy to charge the Executive Board of Directors to make a decision on who should handle the sale of the property. After the Chair called for discussion on the motion, Commissioner Canale and Maxcy withdrew motion. The Chairperson instructed the attorney to move forward with the sale of the property.

**E. BOARD ATTORNEY**

Mr. Macbeth advised that he will not be present at the meeting the 4th Tuesday in January. Attorney Cliff Able will be sitting in his charge. Preston Colby suggested that Mr. Able not represent any parties that are presently adverse to the interest of the Board. The Board Attorney advised that Mr. Able does not.

**F. COUNTY ADMINISTRATOR:**



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**1. (A) HAZARDOUS WASTE DISCUSSION**

Report by Carl Cool. No action was taken.

**5. APPROVAL TO EXECUTE AGREEMENT WITH SFCC FOR TRAINING AT SHOOTING RANGE**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to execute the agreement with SFCC for training at the shooting range subject to the Board Attorney and Sheriff attorney. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 31.

**1. APPOINTMENTS TO LIBRARY BOARD**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to reappoint Mrs. Jane Barben, District One; Mrs. Margaret Rhoades, District Three; and Mrs. Sarah Fisher, District Four to the Library Advisory Board. The terms will expire 12/98. The Chair called for public input to the motion. Preston Colby spoke in regards to dual office holding. The Board Attorney responded that the Library Board has only advisory duties. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 32 for resumes.

**2. APPOINTMENT TO HOSPITAL BOARD**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to appoint Mr. Wally Cox to the Hospital Board to serve the remainder of the term which will expire 12-23-97, vacated by Gary McGehee. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 33.

**3. LEGISLATIVE DELEGATION**

Issues listed for discussion with the Chair as presenter included:

- a) Aquatic weed control, specifically hydrilla
- b) Limiting the taxing powers of the hospital district board
- c) Timely manner to reissue driver licenses
- d) Objecting to a proposed increase in the homestead exemption from \$25,000 to \$50,000 for resident 65 and older who have incomes lower than \$20,000
- e) Support to increase the State Aid to Libraries budget
- f) Support for work force to form an entity to include Highlands, Hardee and Desoto counties and request the Chair send a letter of support.

**4. DISCUSSION OF HOLIDAYS FOR 1996**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt the list of holidays that will be observed by the courts system for 1996 with the addition of Good Friday and Christmas Eve.

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Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 34.

**5. REQUEST FROM AVON PARK COUNCIL**

Request was received from the City of Avon Park to hold another joint meeting with the Board of County Commissioners. The consensus of the Board was to meet on February 5, 1996 in the City Chambers.

**6. PRESS RELEASE FROM COUNTY EXTENSION**

Pesticide Application Seminar from Pat Hogue regarding Training Session

**7. DEPARTMENT OF TRANSPORTATION**

The County Administrator reported that a check has been received from the Department of Transportation for \$400,000 for the planning effort on the Eucalyptus Parkway.

**8. PLANNING AND HOUSING**

The County Administrator commended the Planning and Housing Department for recognition given by the newspaper.

**G. TAX COLLECTOR BOND-CHARLES BRYAN**

Motion by Commissioner Gose, seconded by Commissioner Canale to accept the Bond from Old Republic Insurance and the Oath of Office for the appointment of Charles Bryan as Tax Collector to be recorded with the State. Upon Roll call, all Commissioners voted aye. Motion carried.

**5. CITIZENS NOT ON AGENDA**

1. Preston Colby-rebroadcast of B.C.C. meeting in Lake Placid and perception that a portion of the tape was deleted.
2. Preston Colby-answers to questions of Board of County Commissioner meeting of 11/21/95 pertaining to County Administrator contract.
3. Preston Colby-nature of meeting in Room #50 on 12/7/95. Discussion of Veterans Beach project
4. Preston Colby-F.S. 112.313 & 839.25 Board Policy-acceptance of gift from Ben Hill Griffin-exceeds \$10.00 limit.

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5. Preston Colby-cellular phone use by county employees-discussion. See SMB 25 Page 35.
6. Questions regarding Haz Mat. Response by the County Administrator

The Chairperson suggested that questions will be addressed at a later date. Refer to tape for further details.

**6. COMMISSIONERS**

1. Commissioner Barrett-Veterans Beach Project discussion
2. Commissioner Barrett-Cellular phone discussion
3. Commissioner Barrett-request for donation for the Potter's Home for girls
4. Commissioner Maxcy-per capita expenditures
5. Commissioner Maxcy-goals for the County Administrator for 1996
6. Commissioner Maxcy-gift acceptance explanation
7. Commissioner Canale-cellular phone cost saving measures

C. Michael Eastman, Director of Accounting and Finance, explained the chart that was presented for total charges on county cell phones. After discussion, it was a consensus to place this item on the agenda for further discussion.

8. Commissioner Gentry-discussion on committee appointments

**7. ADJOURN**

The meeting adjourned at 12:11 p.m.

\_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, DECEMBER 19, 1995**

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

<b>Doris Gentry</b>	<b>L.E. 'Luke' Brooker</b>
<b>J D Barrett</b>	<b>Carl Cool</b>
<b>James L Gose</b>	<b>J. Ross Macbeth</b>
<b>Jeri Canale</b>	<b>Louise Graham</b>
<b>C Guy Maxcy</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**
  - A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending December 19, 1995. She also reported that the "Blue Lighting ceremony" will be held 12/20/95 at 6:30 p.m. in front of the Courthouse in memory of all fallen policemen.

- B. **CLERK**

1. The Clerk reported on the dedication of the new Justice Parker Lee McDonald Law Library in Highlands County.
    2. Mr. Brooker presented an update on Jury Trial Week.
    3. Report on the "Blue Light Services" at the Courthouse
    4. Extended condolences to the family of Bette Parnell

- C. **FUTURE UPCOMING MEETINGS:**

The Chair read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

- D. **PEGGY MELVIN, KEEP HIGHLANDS BEAUTIFUL: PRESENTATION TO THE BOARD**

Peggy Melvin thanked the Board, the County Administrator and the Attorney for all their help in getting the program started. She introduced Jim Baker from Keith and Schnars, Engineers. Mr. Baker is Treasurer for the program. He presented the Board with a copy of the original print given to the first county that participated in the "Keep Florida Beautiful" Program. The photograph is to be displayed in the Commission Chambers.

**E. SPECIAL GUEST PRESENTATION-SANTA CLAUS**

**4. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to set the Action Agenda as listed. Upon Roll call, all Commissioners voted aye. Motion carried.

**A. CONSENT AGENDA:**

Motion by Commissioner Gose seconded by Commissioner Canale to approve the Consent Agenda as listed:

**1. Approval to pay all duly authorized bills:**

<b>Law Library</b>	<b>369.64</b>
<b>General</b>	<b>741,910.74</b>
<b>County Transportation Trust</b>	<b>46,819.90</b>
<b>E911 Operations</b>	<b>595.11</b>
<b>Conservation Trust</b>	<b>2,500.00</b>
<b>Intergovt Radio Communications</b>	<b>2,834.89</b>
<b>Law Enforcement Education</b>	<b>548.80</b>
<b>Local Govt Infrastructure Surtax</b>	<b>139,144.71</b>
<b>1966 Cert Indebtedness</b>	<b>61,312.50</b>
<b>1973 Refunding Cert Indebtedness</b>	<b>7,218.75</b>
<b>Correctional Facility</b>	<b>25,981.50</b>
<b>Solid Waste</b>	<b>49,609.71</b>
<b>Water/Sewer</b>	<b>12,732.30</b>
<b>Risk Retention</b>	<b>144,003.72</b>
<b>Employee Benefit</b>	<b>70,025.88</b>
<b>Highlands Hospital Pass Thru</b>	<b>20,000.00</b>

**2. Approval of minutes of 12-5-95 meeting**

**3. Accept into record November Monthly Report**

**4. Approval to execute Plan Document Amendment**

5. **Approval to execute agreement with City of Sebring-Little Lake Jackson project**
6. **Adopt Resolution setting public hearing date - Highpoint Subdivision. See Res. Book 9 Page 132.**
7. **Adopt Resolution setting public hearing date - Lake Sebring Drive. See Res. Book 9 Page 133.**
8. **Approval of reduction in EMS standby rate. See SMB 25 Page 37.**
9. **Approval to execute grant contract with ARC**
10. **Approval to execute Joint Project Agreement and Resolution on school crossing maintenance. See Res. Book 9 Page 134 & SMB 25 Page 38.**

Upon Roll call, all Commissioners voted aye. Motion carried.

**B. PUBLIC HEARING TO CONSIDER ISSUE OF MORTGAGE REVENUE BONDS BY LEE COUNTY HOUSING FINANCE AUTHORITY**

Proof of publication entered into the record. See SMB 25 Page 36. An explanation was presented by the Board Attorney regarding the participation by William R. Hough & Company. He advised that this is Lee County's TEFRA Hearing being held today and if the County decides to move forward with the Hough Company, their TEFRA Hearing must be held in January. The Chair recognized Rick Oldfield, Treasure Coast Mortgage Corporation and Phil Harlow with Raymond James & Association. Also recognized were Bonnie M. Wise and Katherine Driver from William R Hough & Co. After a small presentation from the individual companies a motion was presented by Commissioner Gose and seconded by Commissioner Canale to adopt the Resolution and Interlocal Agreement with Raymond James and Associates approving the issuance by the Housing Finance Authority of Lee County of single family mortgage revenue bonds not to exceed \$60,000,000. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 135.

**Break 9:50-10:00 a.m.**

The meeting reconvened at 10:00 a.m. with all members present and C. Michael Eastman sitting for the Clerk.

**C. PUBLIC HEARING TO CONSIDER PROPOSED ZONING CHANGES**

**HEARING #1371-SAXON GROVES, INC.**

Requesting a zoning change from AU (Agricultural) and B-3 (Business district) to B-4 (Business district). Applicant desires B-4 uses.

Proof of Publication and an analysis of petitioner's proposal entered into the record by Gary Lower. See SMB 25 Page 39. Mandatory findings presented in the record. The Chair called for public input. None was received. Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve recommendations of the Planning and Zoning Board and approve the B-4 zoning and adopt Resolution. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 136.

**HEARING #1373-JACK & BLANCHE LENNON C/O RICK WHIDDEN**

Requesting a zoning change from B-3 (Business district) to I-1 (Industrial district). The applicant desires to continue industrial uses and to comply with the adopted Future Land Use Map.

Proof of Publication and Mandatory findings entered into the record. See SMB 25 Page 40. The Chair called for public input. Rick Whidden, representing the petitioner, spoke in favor of the consistency rezone. The Chair recognized those in opposition. Cliff Rhoades, Attorney for the Tully family, Hank Kowalski, and Andrew Tully spoke in opposition to the rezone. Pete McDevitt, representing the seller and Joe Clarke, representing the Citizens for Constitutional Property Rights, presented comments.

After Board discussion, a motion was made by Commissioner Barrett, seconded by Commissioner Canale to deny the zoning change from B-3 to I-1 zoning. Upon Roll call, Commissioners Barrett, Canale, and Maxcy voted aye. Commissioner Gose and Gentry voted nay. Motion carried. See zoning file for copy of staff report.

**D. PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO CHAPTER 12, CODE OF ORDINANCES**

Proof of publication entered into the record. See Proof of Publication Ordinance Book 1 Page 14. Gary Lower, Zoning Supervisor explained the changes to Chapter 12. Captions of the ordinance was read into the record. The Chair opened the floor to the public. Hank Kowalski identified a correction to page 12.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the second hearing on January 9, 1995 at 9:00 a.m. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PUBLIC HEARING TO CONSIDER VACATION OF A PLAT IN LAKE SEBRING ACRES**



Proof of Publication entered into the record by the County Engineer. See SMB 25 Page 41. Petition presented by the County Engineer, Bill Lecher. The Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt the Resolution to vacate Section 12, Township 34 South, Range 28 East, Block C, Lot 3, Lake Sebring Acres. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 137.

**F. PUBLIC HEARING TO CONSIDER ADOPTION OF FALL 1995 COMPREHENSIVE PLAN AMENDMENTS**

Proof of Publication presented into the record. See Proof of Publication Ordinance Book 1 Page 15. The Development Director reviewed Comprehensive Plan Amendment cases: CPA 95-002, 95-008, 95-009, 95-010, 95-018, 95-019A, 95-019B, 95-020A, 95-020B, 95-021A and 95-021B. Recommendations from the Local Planning Agency presented. See SMB 25 Page 42. Letter from Mr. Charles G. Pattison, Director of Planning and Management DCA, entered into the record with objections, recommendations, comments and report review agency comments. The Chair called for public input on the proposal as outlined by Mr. Polatty. Preston Colby, Joe Clarke and Hank Kowalski presented statements. See Development Directory file for copy.

After Board discussion on the amendments, a motion was made by Commissioner Gose, seconded by Commissioner Canale to adopt ordinance deleting the Sun'n Lake Preserve and Lake Aphorpe Preserve, and approving the changes for amendments to the Future Land Use Element. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. DEVELOPMENT DIRECTOR: SHIP GRIEVANCE PROCEDURE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt the Grievance procedure for the SHIP program that was approved by the Affordable Housing Committee on December 7, 1995, to be used as the formal procedure when a complaint is taken concerning the Housing Program. Questions were presented by the Board regarding the complaint and grievance procedure. Commissioner Maxcy amended the motion to add language to number three: If remedy is not provided, then the complaint and or grievance shall be heard by the County Administrator, then if remedy is not provided, the complaint and or grievance shall be heard by the Board of County Commissioners, if approved by the majority vote of the Board. Commissioner Canale seconded the amendment. The Chair called for discussion on the motion by the public. Preston Colby spoke in favor of the amendment. The Board Attorney suggested that the Board table this item to allow the provisions to be rewritten to appropriately state the process.

Motion by Commissioner Gose, seconded by Commissioner Barrett to table this item until

January 9, 1995. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. BOARD ATTORNEY**

No discussion

**I. COUNTY ADMINISTRATOR**

**1. REQUEST TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to accept donated property by the American Heart Association to the Board of County Commissioners for Lots 1 through 10, inclusive, and Lots 22,23, and 24, Block 113, Red Hill Farms and Lot 13, Block of Section 19 of Placid Lakes. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. RESPONSE TO ALLEGED VIOLATIONS OF 11-21-95 AND 12-5-95 MEETINGS**

Motion by Commissioner Barrett, seconded by Commissioner Gose to waive the Action Agenda and recess the Regular Meeting to take up the items on the Special Tax District. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. The meeting recessed at 11:45 a.m.

The regular meeting reconvened at 12:15 p.m. with all members present.

Motion by Commissioner Barrett, seconded by Commissioner Canale to place this Item (I-2) on the agenda for January 16, 1995 to allow ample time for discussion. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. PAYMENT OF WARRANTS**

The County Administrator advised that payment of warrants for the Board of County Commissioners will be made on January 9, and January 23, 1996.

**4. VERBIAGE FOR THE TOURIST DEVELOPMENT COUNCIL**

Mr. Cool advised that the verbiage that was presented to the Board to be placed on the ballot, regarding the vote on the bed tax, was exactly what the Tourist Council wanted.

**5. NEWS RELEASE**

The County Administrator reported that the County Library System will be able to provide "On Line" and search over 55 databases for patrons who wish to use FirstSearch. The service is provided by the State Library System in Tallahassee. See SMB 25 page 46.

**5. CITIZENS NOT ON AGENDA**

No action

**6. COMMISSIONERS**

1. Commissioner Barrett indicated support for the troops in Bosnia.

**7. ADJOURN**

The meeting adjourned at 12:20 p.m.

\_\_\_\_\_  
Chairperson

Attest:

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Clerk

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