

REGULAR MEETING OF THE BOARD, JANUARY 9, 1996

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>C. Michael Eastman</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>	

( Proof of Publication for the advertised meeting. See SMB 25 Page 47)

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending January 9, 1996. She also presented the yearly figures for the Jail Work Release Program and the cost savings to the county. Calls for Service Request for 1995 totaled 33,781.

**DOT CHILD RESTRAINT GRANT APPLICATION**

Motion by Commissioner Gose, seconded by Commissioner Barrett to authorize the Chairperson and Clerk to execute the Child Restraint grant application to receive the funds in the amount of \$27,000. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **CLERK**

No report was given.

- 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:**

Request to move Item #F up to be heard before the Consent Agenda. Item #1-4-7-17-18-19 to be removed from the Consent Agenda for further discussion. Richard Conover suggested an addition to include nuisance case #94-95-039.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the action agenda as stated. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. PROCLAMATION: "DIAMOND JUBILEE CELEBRATION YEAR"**

The Chairperson welcomed Mayor Rudisall of Sebring and Mayor Hall of Lake Placid to be a part of the presentation. Mayor Gordon Marshall of Avon Park was not present. Marguerite Skipper, representing the Highlands County Historical Preservation Commission, read the proclamation into the record.

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt proclamation in honor of the creation of Highlands County on April 20, 1921 and designating 1996 as the "Diamond Jubilee Celebration Year"; and proclaiming the week of April 21, 1996 as the "75th Anniversary Week" in Highlands County, Florida. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 141. L.E. "Luke" Brooker, Clerk of Courts joined the group to attest the Proclamation. Mr. Brooker also presented newspapers dated April 20, 1921 with the name of "The Sebring White Way" reporting the formation of the five (5) counties. See SMB 25 page 48. Mrs. Skipper read a letter into the record thanking Commissioner Canale as the liaison to the Preservation Commission.

**A. CONSENT AGENDA:**

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

1. ~~Approval to pay the following duly authorized warrants:~~
2. **Approval of request for Lakewatch office space. See SMB 25 Page 49.**
3. **Approval of request to declare nuisance, case #95-96-020 and to record release of nuisance, case #94-95-039. See SMB 25 Page 50.**
4. ~~Approval of grant contract with Avon Park Chamber~~
5. **Approval of minutes of 12-12-95 and 12-19-95 meetings**

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6. **Approval to execute documents for plat recording-Cloverleaf Estates. See SMB 25 Page 51.**
7. ~~Approval to trade in copier from Lake Placid Library.~~
8. **Approval to execute Adopt a Highway Agreement-Pine Hill Lane Civic Assn.**
9. **Approval to execute Adopt a Highway Agreement-Highlands Ridge Associates**
10. **Approval to execute Adopt a Highway Agreement-Interact Club**
11. **Approval to execute Adopt a Highway Agreement-Whispering Pines Church.**
12. **Approval to grant easement-Dumont**
13. **Approval of request to record nuisance release case #94-95-100. See SMB 25 Page 52.**
14. **Approval of State Aid to Libraries Contract. See SMB 25 Page 53.**
15. **Approval of budget amendments #95-96-049 and -050**
16. **Approval to remove fire apparatus from inventory. See SMB 25 Page 54.**
17. ~~Approval to execute resolution establishing road closing-Self Ave. See Res. Book 9 Page.~~
18. ~~Approval to execute Joint Project Agreement and Resolution with DOT-U.S. 27 Tubbs to Sparrow. See SMB 25 Page and Res. Book 9 Page.~~
19. ~~Approval to record County-maintained road map~~

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

**B. PUBLIC HEARING TO CONSIDER ROAD CLOSING-LAKE SEBRING DRIVE**

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Petition and Proof of Publication entered into the record by the County Engineer. See SMB 25 Page 55. No objection was received from staff and two objections were received from residents. See SMB 25 Page 56. Request was initiated by the Operations Director due to the vehicular surface being unsafe and the cost to reconstruct the road is very expensive. Cost estimate to reconstruct the road was presented. The Board discussed options and the Chair opened the floor to the public.

Preston Colby presented arguments against closing the road. Helen Rinehold, Lane Bradford, Bernie Brassard, Loren Ebey and Chris Miller also spoke in opposition.

Motion by Commissioner Barrett, seconded by Commissioner Canale to leave the road open. The Chair called for discussion by the Commission. After discussion, Commissioner Gose amended the motion to keep the road open, and engineering office to leave the road the exact same width and construct the road with the proper signage. Commissioner Canale seconded the amendment.

Upon Roll call on the amendment, all Commissioners voted aye. Motion carried.

Upon Roll call on the main motion, all Commissioners voted aye. Motion carried.

The Commission directed the Engineer and Operations Director to come back in two weeks with recommendations. See SMB 25 Page 57.

**Break 10:19 a.m. - 10:30 a.m.**

**C. PUBLIC HEARING TO CONSIDER ROAD CLOSING-HIGHPOINT SUBDIVISION**

Petition and Proof of Publication presented by the County Engineer. See SMB 25 Page 58. Request was made by Gerald Earnest, Solid Waste Manager. Some of the roads are located within the existing Construction Debris site, and others are located in areas earmarked for future expansion. After Board discussion, the Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution closing the Interior Roads only, Oakwood, Hillcrest, Pinewood, Wilowood, Midwood and Wilowood Drive. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 142 and SMB 25 Page 59.

**D. PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO CHAPTER 12 OF THE CODE OF ORDINANCES**

Proof of Publication presented by Gary Lower, Zoning Supervisor. See Proof of Publication Book 1 Page 16. The captions of the ordinance read into the record by the

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Board Attorney. The Chair opened the floor to the public.

Preston Colby presented questions in opposition. Bill Nielander with Swaine and Harris, Attorney's suggested that the amendment not be changed. Kris Delaney requested the Board table the ordinance to give more time for response. Neil Bush also requested the Commission table as he is not in favor. Harry Ramsland, vice president of the Meadowlake Homeowners spoke regarding deed restrictions and in opposition to adoption of the ordinance. Gary Lower, Zoning Supervisor, reiterated the county requirements and how they far exceed other counties. Harold Owens presented questions regarding LDR's discussion.

Motion by Commissioner Canale, seconded by Commissioner Gose to table this issue for further discussion and to form a committee with the people that are concerned and inform them of the meeting and to try and work out the problem.

The Board Attorney suggested that the problem concerned involved three words, why not adopt the ordinance with the deletion of the three words and the places that they appear.

Commissioner Canale restated her motion to adopt the ordinance, excluding pages 5 and 13, the following words " The Commercial of". Commissioner Gose seconded the motion.

The Chair called for input on the motion. Kris Delaney stated that he wanted the public to have the time to review the proposal. He spoke in opposition to the motion.

Upon roll call, Commissioners Gose and Gentry voted aye. Commissioners Canale, Barrett and Maxcy voted nay. The motion did not carry.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to table this ordinance and request staff prepare other copies with the changes that is proposed and an insertion and deletion format. The notice to meet proper requirements. The Chair called for input on the motion. Preston Colby suggested placing rationale for the changes to be noted. Richard Conover suggested that copies have been available for the public since December 12, 1995.

Upon Roll call, Commissioners Canale, Barrett, Maxcy and Gentry voted aye. Commissioner Gose voted nay. Motion carried.

**E. PUBLIC HEARING TO CONSIDER AMENDING RESOLUTION #95-58**

Proof of Publication entered into the record by Jim Polatty, Development Director. See SMB 25 Page 60. Mr. Polatty stated that the re-zoning was conditioned on the approval of an amendment to the Future Land Use Map (FLUM). Staff has since discovered that a FLUM amendment was not needed. Therefore, it would be appropriate for the adoption of the resolution.

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The Chair called for public input. Preston Colby raised questions regarding the zoning.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution #96-01, repealing Section 4 of Resolution No. #95-58, providing for an amendment to the official zoning atlas. ( Planning and Zoning Hearing #1365) See Res. Book 9 Page 142. Upon roll call, all Commissioners voted aye. The motion carried.

**G. RESOLUTION ON WORKFORCE DEVELOPMENT SYSTEM**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to adopt Resolution requesting that the Governor of the State of Florida designate the counties of Desoto, Hardee, and Highlands to begin actively working together as a new Workforce Development System, under the title of " The Heartland Jobs and Education Partnership" as of July 1, 1996 and designate these three (3) counties as a new and separate Service Delivery area. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 143.

**H. DEVELOPMENT DIRECTOR:**

**1. STATE HOUSING INITIATIVE PROGRAM (SHIP) GRIEVANCE PROCEDURE**

This item was withdrawn for further revision.

**2. REQUEST FROM CLIFF RHOADES FOR COMP PLAN AMENDMENT**

Cliff Rhoades made a request to the Board to table this item until February 6, 1996 to allow for further preparation on the part of his client.

Motion by Commissioner Barrett , seconded by Commissioner Canale to table this item until February 6, 1996 meeting. The Chair called for discussion on the motion from the public. Attorney Whitehouse, representing John Lennon, spoke in opposition to the motion to table. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 25 Page 62 for copy of request.

**Lunch Break 12:00 p.m. - 1:00 p.m.**

The meeting reconvened will all members present.

**I. SPECIAL PROJECTS DIRECTOR: CONSIDERATION OF COUNTY-OWNED PROPERTY LIST**

William Stephenson, Special Projects Coordinator, reviewed with the Commission the

master list of county owned property. The County Administrator indicated the property that might be appropriate for the Board to consider for sale. The estimated value of the lots for future sale was listed at \$190,000, which is the just value from the Property Appraiser's office. Commissioner Maxcy suggested consideration for the sale of the property in order to generate monies for certain special projects and to allow the property to be placed back on the tax rolls. The Chairperson requested that this item be placed back on the agenda in one month for action after a review by the Board. See SMB 25 Page 63 for copy of property.

Preston Colby questioned the methodology used to identify the property classified as sale properties. The County Administrator advised that the determining factor was if there was a need or a future need for the parcel.

**J. DALE NEEDERHOFF-PRESENTATION ON THE JAIL AND GOVERNMENT CENTER**

Mr. Dale Neederhoff, Hellmuth, Obata and Kassabaum. Inc. , gave a brief update on the status of the Highlands County Jail and Government Center.

**J. COUNTY ENGINEER: K. MICHAEL KNOX DEVELOPMENT (MARINA) IMPROVEMENT AGREEMENT**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve Improvement Agreement between K. Michael Knox, the Board of County Commissioners and Wauchula State Bank for the development of a marina on the shore of Lake Istokpoga and meets the compliance with the 1985 land Development Regulations. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 64.

**K. BOARD ATTORNEY: DEED TO TOWN OF LAKE PLACID FOR FORMER LIBRARY BUILDING**

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve a deed restriction permitting use of the property for a public purpose, and authorize the Chairman and Clerk to execute a County Deed to the Town of Lake Placid. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 65.

**L. COUNTY ADMINISTRATOR:**

**4. CONSENT AGENDA**

**4. Approval of grant contract with Avon Park Chamber**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Grant Contract with the Avon Park Chamber of Commerce. Commissioner Maxcy spoke in

opposition to the motion, due to another layer of government being imposed. The Chair called for input from the public. Preston Colby spoke regarding accountability and in opposition to the motion. Maria Sutherland, Executive Director of the Chamber, spoke in favor of the motion. Upon Roll call, Commissioners Gose, Barrett, Canale and Gentry voted aye. Commissioner Maxcy voted nay. The motion carried.

**1. APPROVAL TO PAY ALL DULY AUTHORIZED WARRANTS**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the following duly authorized warrants as listed:

<b>Law Library</b>	<b>560.52</b>
<b>General</b>	<b>1,363,295.55</b>
<b>County Transportation Trust</b>	<b>105,948.49</b>
<b>E911 Operations</b>	<b>9,367.13</b>
<b>Law Enforcement Education</b>	<b>2,220.00</b>
<b>Local Govt Infrastructure Surtax</b>	<b>41,864.06</b>
<b>Affordable Housing Assistance</b>	<b>6,465.00</b>
<b>Correctional Facility</b>	<b>152,700.10</b>
<b>Solid Waste</b>	<b>26,635.70</b>
<b>Water/Sewer</b>	<b>14,382.28</b>
<b>Risk Retention</b>	<b>2,143.83</b>
<b>Employee Benefit</b>	<b>138,933.42</b>

The Chair called for discussion on the motion. Commissioner Barrett questioned why the Board did not receive the listing of warrants in advance of approval. Mike Eastman, Director of Accounting and Finance explained the functions of the Clerk's office. Preston Colby questioned the dollar amount of the warrants and requested that it be available in the agenda packet.

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

**7. APPROVAL TO TRADE IN COPIER FROM LAKE PLACID LIBRARY**

Motion by Commissioner Canale, seconded by Commissioner Gose to approve request from Mary Myers, Director of Libraries, to trade-in the Savin 7250 Copier from the Lake Placid Library to the Xerox Corporation for a new Xerox Copier (5328ZT). Upon Roll call, all Commissioners voted aye. Motion carried.

**17. APPROVAL TO EXECUTE RESOLUTION ESTABLISHING ROAD CLOSING-SELF AVE.**



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Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution #96-02, setting a public hearing date for February 6, 1996 to consider road closing-Self Avenue. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 144.

**18. APPROVAL TO EXECUTE JOINT PROJECT AGREEMENT AND RESOLUTION- U.S. 27 TUBBS TO SPARROW**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to execute the Joint Project Agreement and Resolution-U.S. 27 Tubbs to Sparrow.

The Chair called for discussion on the motion. Kris Delaney spoke in opposition to the motion, stating that the lighting is excessive. Richard Conover spoke in favor of the motion but requested that staff write DOT to upgrade the staff name listing. Preston Colby questioned the need of the lighting. The County Engineer stated that the determination is made by DOT to meet the criteria as set by their minimum uniform lighting standards.

Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 145.

**19. APPROVAL TO RECORD COUNTY-MAINTAINED ROAD MAP**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve to record County-Maintained Road Map. Preston Colby questioned the cost of the \$15.00 fee. The County Administration explained that the cost was derived based on the materials cost to produce the map. Commissioner Gose amended the motion to remove the cost of the map but to accept the map for recording and to come back with a cost analysis.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 66.

**L. COUNTY ADMINISTRATOR:**

**7. REIMBURSEMENT OF OCCUPATIONAL LICENSE TAX**

Motion by Commissioner Canale, seconded by Commissioner Barrett to authorize the Clerk to reimburse the payment of the Occupational License Tax, retroactive to October, from the list produced by the Tax Collector's office.

Mike Eastman advised that completing the reimbursement request form certifying that it should not have been paid would give the Finance office a certain comfort level. The Tax Collector suggested that he has written a letter to the Chairman certifying that this is a proper list.

The Chair called for public input on the motion. Harold Owens spoke in favor of the motion.

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

The County Administrator gave an update on a news release regarding a new license plate that will generate funds for the Library.

**DELINQUENCY FEE ON OCCUPATIONAL LICENSE**

The Tax Collector reported that his office is about to mail out notices to individuals who has not paid their license fee that expired on August 31, 1995. According to the ordinance, a delinquent fee should be charged up to \$250.00 for over 150 days. The next step would be to turn the matter over to the Board's Code Enforcement. The number that have not paid is estimated between 800 to 1,000. It was a consensus of the Commission to assess the delinquency fee on Occupational License Tax.

**1. REQUESTED RESOLUTION ON TRANSPORTATION OF WATER**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to adopt Resolution setting forth policies of the Board regarding transportation of water resources across groundwater and surface water basin boundaries in opposition. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 146.

**2. DISCUSSION OF PROPOSED HYDRANT AND WATER LINE POLICY**

**4. SUGGESTION ON JOINT TOWN-COUNTY MEETING**

The County Administrator reported that the Board will be meeting with the Avon Park Town Council on January 22, 1996 at 6:00 p.m. in the Council Chambers to discuss proposed Hydrant and Water Line Policies. See SMB 25 Page 68 for copy of Hydrant and Water Line Policy.

**3. APPOINTMENTS TO HOSPITAL DISTRICT BOARD**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to reappoint Tom Dlugos, District 2 and Jim Clinard, District 4 to the Hospital District Board. Upon Roll call, all Commissioners voted aye. Motion carried.

**5. PRESENTATION OF ROAD WORK PROGRAM FOR 1995-2000**

The County Administrator requested that the Board review the work Program and ride the upcoming road projects with Vaden Pollard or Phil Poulos and to bring back in two (2) weeks for action.

**6. DISCUSSION OF BOARD APPOINTMENTS FOR 1996**

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See SMB 25 Page 67 for copy of Board Appointments-1996.

Commissioner Barrett suggested that a representative from each chamber be appointed to the Industrial Development Authority. The Chair advised that she will discuss this at the next IDA meeting.

Commissioner Canale suggested a discussion on term limits and attendance.

### 5. CITIZENS NOT ON AGENDA

1. Hank Kowalski-Dedication of the Scrub Jay Mural in Lake Placid
2. Hank Kowalski-Zoning Special Exceptions
3. Richard Conover-Board of County Commissioners Rules and Policies-Board to preserve order and decorum. Request to adopt these policies.
4. Richard Conover- Question on the appointment of Standing Committees. The Chairperson advised that she has made the appointments. This was not a Board action.

### 6. COMMISSIONERS

1. Canale-WWOJ-request to be the sole public relation provider for the 75th Diamond Jubilee. The Chair suggested that criteria should be set and mailed out to the stations.
2. Canale-Diamond Jubilee Pens-recognition for special persons
3. Canale-Diamond Jubilee Celebration-discussion on a new logo
4. Canale-Recycling Program- Thanks to everyone
5. Canale-Request a copy of duly authorized bills to be placed at the back of the board room.
6. Appointment of the new Tax Collector to the Occupational License Committee

Motion by Commissioner Canale, seconded by Commissioner Barrett to appoint Charles Bryan, the new Tax Collector to the Occupational Licensing Committee. Upon Roll call, all Commissioners voted aye. Motion carried.

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7. Gose-request to get permission from DOT to move lights closer together at Kenilworth Corner due to a safety issue.
8. Commissioner Maxcy-not enough time to speak on certain issues
9. Chair Gentry-Hal Morris, facilitator for a workshop at the Ag Center, conference room regarding goal setting for our county-January 23, 1996 at 2:00 p.m.
10. Commissioner Canale- request for volunteer services by Bill Elliott to help with the Diamond Jubilee Celebration

7. ADJOURN

The meeting adjourned at 2:56 p.m.

\_\_\_\_\_  
Chairperson

Attest:

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Clerk

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**REGULAR MEETING OF THE BOARD, JANUARY 16, 1996**

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>C Michael Eastman</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>	

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts.

**ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending January 16, 1996.

**B. CLERK**

No 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.

**D. PRESENTATION TO HANK EURES**

The Chairperson presented a plaque to Hank Eures on his retirement from the Building Department for 23 years of faithful service to the county.

**E. MARY CARTER: SPECIAL RECOGNITION TO JULIE BISHOP FROM THE UNIVERSITY OF FLORIDA-LAKE WATCH PROGRAM**

**4. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Action Agenda with the following changes:

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1. Deletion of Item #1- Approval to record nuisance release, case #9495-039 as this item was previously approved.
2. Item#10-Approval to execute Sun'n Lake Clubhouse fencing contract to the Special Tax District.
3. Addition of Item#12 for a letter of support to the Peace River Basin Board for Lake Watch Equipment.
4. Item #9-Approval of purchasing resolution-Tomoka Heights Wastewater Treatment Plant (remove for further discussion)
5. Item #8- Approval of budget amendments 95-96-51 and 53 (remove for discussion)

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

**A. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda as stated:

2. **Approval to execute Interlocal Agreement with City of Avon Park for maintenance of parks**
3. **Approval to execute Interlocal Agreement with City of Sebring for maintenance of parks**
4. **Approval of Adopt a Highway Agreement with Future Farmers of America Alumni**
5. **Approval to execute Resolution in support of Library expansion grant. See Res. Book 9 page 147.**
6. **Approval of grant expenditure from Special Law Enforcement Trust Fund. See SMB 25 Page 78.**
7. **Approval of policy amendment-Human Services. See SMB 25 Page 69.**
11. **Approval to execute Supplemental Agreement-Upper Josephine-Jackson Watershed project**

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**12. Letter of support to the Peace River Basin Board for the Lake Watch request for equipment**

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

**B. PUBLIC HEARING TO CONSIDER ZONING CHANGES AND LARGE-SCALE PLAN AMENDMENT**

**HEARING #1374 - WILLIAM J. SCHLOSSER C/O RUSS ALBRITTON, JR.**

Requesting a zoning change from AU (Agricultural to EU (Estate District) Applicant desires single family lots. Recommendation of the Planning and Zoning Commission was to approve subject to staff reviewing the proposed Chastain-Skillman maps as an additional determination that there are no environmental concerns and to make the determination part of the record at the Board of County Commissioners meeting.

Proof of Publication and staff reports entered into the record by the Zoning Supervisor. See SMB 25 Page 70.

The Chair called for public input. Russ Albritton, Jr., petitioner, spoke in favor of the zoning change.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the recommendations of the Planning and Zoning Commission and adopt Resolution #96-06 and Resolution #96-07 for the north and south property, approving the zoning hearing. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 148.

**HEARING #CPA-96-026 - WILLIAM J. SCHLOSSER C/O RUSS ALBRITTON, JR.**

Requesting a Large-Scale Plan amendment from "Urban Agriculture" to "Low Density Residential". Applicant desires single family lots.

The Chairperson called for public input. Preston Colby presented questions regarding the agenda wording. Russ Albritton, Jr. spoke in favor of the ordinance.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the recommendation of the Planning and Zoning Agency and to adopt Ordinance #96-01 for transmittal to DCA. Upon Roll call, all Commissioners voted aye. Motion carried.

The Development Services Director advised that this Hearing was the Board of County Commissioners Spring Comp Plan amendment.

**HEARING #1375-IRELAND E. SANDERS & RICHARD WILLIAMS C/O RICK WHIDDEN**

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Requesting a zoning change from B-1 (Neighborhood Business District) to B-3 (Business District). Applicants proposes providing general retail and wholesale and professional offices that would not be permitted in B-1 or B-2. Recommendation of the Planning and Zoning Commission was to deny the request.

Proof of Publication and staff reports entered into the record. See SMB 25 Page 71. The Chair opened the Public Hearing to the public. Rick Whidden, representing the petitioner, spoke in favor of the zoning change. Mr. Whidden requested the Board review a site plan due to the denial by the Planning and Zoning for lack of a site plan. Hank Kowalski suggested that this Hearing should go back before the Zoning Board since this is new information.

Motion by Commissioner Canale, seconded by Commissioner Gose to to send the zoning hearing back to the Planning and Zoning Board. Upon Roll call, all Commissioners voted aye. Motion carried.

**C. PRESTON COLBY: QUESTIONS RELATING TO EXPENDITURE OF PUBLIC FUNDS BY CHAMBER OF COMMERCE**

Mr. Colby addressed information relating to the expenditure of funds by the chamber of commerce and accountability of the \$7,000 appropriation designated to each chamber. The Chairperson directed that the County Administrator meet with all three chambers and to draft methodology by which they would submit bills to the Board of County Commissioners with specific direction and bring that recommendation to the Board for discussion at the first meeting in February. Mr. Colby suggested a committee of the Budget Officer and citizens to determine legitimate expenditures. No action was taken on that request.

**D. SPECIAL PROJECTS DIRECTOR: REQUEST TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to accept donated property (Lot 5, Block 23, Section K, of Highlands Park Estates) and pay back taxes in the amount of \$154.27 and immediately put up for sale and use the money for volunteers in the county. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. HUMAN SERVICES DIRECTOR: DIRECTORY OF COMMUNITY SERVICES**

Kevin Roberts reported that the Children's Services Council and the Children's Services Foundation, in partnership with United Way of Central Florida, has developed a Directory of Community Services for Highlands County. He requested that the Commission review the Directory before distribution. The cost of printing and binding was absorbed by the Children's Services Foundation and United Way of Central Florida. See SMB 25 Page 72.



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The Board commended Mr. Roberts on this project.

**F. ASSISTANT ADMINISTRATOR:**

**1. NEW JAIL FURNITURE PURCHASE-BUDGET AMENDMENT #95-96-052**

Motion by Commissioner Gose, seconded by Commissioner Barrett to to approve Budget Amendment #95-96-052 to effect new Jail Furniture purchase in the amount of \$75,000 to be taken from the Reserve for Contingency. See SMB 25 Page 73 for explanation of request. Mike Eastman, Director of Accounting and Finance, explained that by investing the funds during the construction, it has netted over \$64,000 that was not anticipated. Preston Colby spoke in opposition to the motion.

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

**2. JAIL UPDATE**

The Asst. County Administrator presented Jail construction update.

Break 10:24 - 10:34 a.m

**G. BOARD ATTORNEY**

Mr. Macbeth reminded the Commission that he will not be present at the meeting of January 23, 1995. Attorney Cliff Ables will be present and will be made aware of the issues for approval.

**H. COUNTY ADMINISTRATOR:**

**8. APPROVAL OF BUDGET AMENDMENTS #95-96-51 AND 53**

The County Administrator gave an explanation of the budget amendments. Rick Helms presented information pertaining to the budget. Preston Colby questioned the Economic Analysis by the Industrial Development Authority. He also questioned the Tomoka Heights Wastewater plant expansion.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the budget amendments as stated. Upon Roll call, all Commissioners voted aye. Motion carried.

**9. APPROVAL OF PURCHASING RESOLUTION-TOMOKA HEIGHTS WASTEWATER TREATMENT PLANT**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve purchasing

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resolution-Tomoka Heights Wastewater Treatment Plant. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 149.

**RESPONSE TO ALLEGATIONS OF 11-21 AND 12-5-95 MEETINGS**

- 1. Can a candidate for another local county office remain in the office of County Commissioner while being a candidate for the other office?**

The Board Attorney advised that a ten (10) year research has been accomplished through the Elections office and finds that in the case of Commissioner Gentry and Commissioner Gose there is no problem with them remaining in office while a candidate for another office due to the consecutive terms.

The Board discussed this issue and reviewed the answer by the Attorney. A motion was made by Commissioner Barrett that no county employees or agent of this Board be used to do work that will benefit any individual Board Member or County Employee without prior approval by a majority vote of the Board of County Commissioners. Commissioner Canale seconded the motion. The Chair recognized Preston Colby to speak regarding the motion. Discussion ensued pertaining to the research that was performed by the Attorney. Mr. Macbeth advised that no cost was involved on his part. Mr. Macbeth also advised that there is no conflict as suggested by Mr. Colby.

Upon roll call, Commissioners Gentry, Gose, Barrett and Canale voted aye. Commissioner Maxcy voted nay.

- 2. Alleged violation of personnel manual by County Administrator dealing with outside employment**

Mr. Cool answered the allegation with reference to his contract dated June, 1991 that recognizes and approves his ability to have secondary employment. The contract also provides for the conditions that he must meet to conduct this secondary employment. Mr. Cool advised that notices have been completed and presented to each Board member on any consulting employment. Commissioner Barrett presented questions in relation to the Personnel Rules and Regulations and if they would apply to the County Administrator.

Fred Carino, Personnel Director, explained that the clause specifically does not address anyone above the level of Director. He also advised that a revision will be reviewed to tighten up the language. Preston Colby spoke in relation to the accuracy and consistency of Mr. Cool's reporting.

- 3. Alleged violation of FS 815, FS 839 and FS 112 by County Administrator and Chairperson**

**BOOK 16 PAGE 409**

Mr. Cool presented a full response including a copy of everything that was typed on the County Computer in regards to personnel and equipment used in connection with Public Administration classes. He stated that he viewed this effort as job related. However, he apologized to the Board for any negative publicity caused. Commissioner Maxcy discussed the reimbursement of tuition to the County Administrator. A point of order was ruled on in that the motion made covered this issue. Preston Colby stated that Mr. Cool has misrepresented the issue.

Discussion was presented on the policy for reimbursement of tuition. The Chair advised that it must be approved by the Board.

1. Suggested changes to the Board's Policy and Procedure Manual.

The Commission gave a consensus not to adopt at this point.

2. Were taxes on cell phone calls paid by County employees and Commissioners?

Taxes were not paid until Monday, December 11, 1995. The Board Attorney has given his opinion that a pro rata share of the taxes should be paid by the user of the County cell phone.

Mike Eastman advised that this was an insignificant amount. In the future, Finance will add 2.1 and 2.2% miscellaneous tax to the personal use of those phones. Preston Colby stated that county employees should not be using county phones for personnel business at any time.

3. Who takes care of biohazardous waste and blood borne pathogens in County government.

The County Administrator advised that the County does not have staff designated to be responsible for picking up biohazardous waste, however the Board has a policy on Blood Borne Pathogens. The Chair will speak with Tim Eures, and agenda the item for further information.

4. Was the County in error in the design or construction of the improvements at Veterans' Memorial Park.

The County Administrator gave a report. See back up documentation. SMB 25 Page 74.

Preston Colby presented questions regarding the issue.

**COUNTY ENGINEER-REPORT ON PLACID UTILITIES**

## BOOK 16 PAGE 410

Refer to tape for further information

### 5. CITIZENS NOT ON AGENDA

1. Hank Kowalski made a statement regarding special exceptions coming back to the Board after they have been heard by the Board of Adjustment. The Hearing in question was the C&D Landfill. Mr. Kowalski spoke in opposition to the approval.
2. Joan Pflueger presented questions to the Board regarding Sea walls. The Chair advised that research will be completed.
3. Joe Clarke stated concerns relating to the Heartland Environmental Council petition for hearing. The Chairperson suggested that the Board agenda this item for the second Tuesday in February. The County Administrator suggested that the Board allow Mr. Macbeth to continue to update the information and not get involved in the legal procedures. The Chair stated that she would like to reserve the time and meet with Mr. Clarke.

The Board Attorney gave an update on the cases.

4. Preston Colby addressed the December 13, 1995 memo and advised that the Sunshine Amendment should be considered. The Board discussed the issues and no action was taken. See SMB 25 Page 75 for copy of memo.

**Lunch break 12:45 p.m-2:00 p.m.**

The meeting was called back to order at 2:00 p.m. with all members present.

## WORKSHOP

### 1. LIBRARY ALTERNATIVE FUNDING

Mary Myers, Director of Libraries, presented an outline of alternative funding. See SMB 25 Page 76 for copy of information. She suggested a marketing plan to create support to place on the ballot for library funding. The Chair advised the Director to take this back to the Library Committee and ask for their recommendation.

### 2. RECREATION PLANNING AND BUDGETING

Wally Randall, Chairman of the Recreation Committee, presented the five (5) year budget for the Capital Improvement Plan. The Recreation Committee is requesting that the County begin now to look for land to place new recreational facilities. See SMB 25 Page 77 for copy of plan. A 1% Utility Fee Estimate was presented for discussion.

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Commissioner Canale requested a commitment from the Board to allow the Committee to start site selection of approximately 30 acres and give them a date for financing. The Chair suggested a inventory of county property. Carl Cool spoke on the need for funding of recreation in the county and the funding of necessities. The Chair advised that the Board will be discussing the goal setting process and will take recreation under advisement.

**Break 3:00 p.m.-3:10 p.m.**

The Chair resumed the regular meeting at 3:10 p.m with all members present.

**6. COMMISSIONERS**

1. Commissioner Gose presented the history of the Private Industry Council and the functions of that council. Refer to the tape for further explanation. The Chair suggested that this report should be reduced to writing for better clarity.
2. Commissioner Gose requested an update on the Melaleuca pilot project.
3. Commissioner Canale announced the Diamond Jubilee Fashion Show at the Holiday Inn 1/20/96 from 12:00 p.m. to 3:00 p.m.
4. Commissioner Canale-funding of the Government Center furnishings-discussion
5. Commissioner Canale-Board of Adjustment-request for further discussion
6. Commissioner Barrett-discussion on needs for the Government Center
7. Commissioner Maxcy-Stay well Clinic update
8. Commissioner Maxcy-Reconsideration of Occupational License penalty

The Board Attorney advised that the effective date could be delayed until next year. Two public hearings would need to be set to change the date. A requirement for three notices could be added reminding the people of the \$250.00 penalty. The Tax Collector suggested that he meet with the County Administrator for a workable solution. The Board directed the County Administrator to set a public hearing date.

9. The Chair requested that all Board members begin soul searching and thinking about the policy and rules not to interrupt when someone else is speaking.

**7. ADJOURN**

The meeting adjourned at 3:57 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, JANUARY 23, 1996**

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>C Michael Eastman</b>
<b>J D Barrett</b>	<b>Cliff Ables</b>
<b>James L Gose</b>	<b>Louise Graham</b>
<b>Jeri Canale</b>	
<b>C Guy Maxcy</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending January 23, 1996.

- B. CLERK**

1. Report on Occupational License Refunds

Mr. Brooker reported that refunds on the Occupational License are in the system and will be mailed out, upon the approval of the bills. Total count of the refunds were listed at 224 at a cost of approximately \$9,000.

2. Request for approval of Community Juvenile Justice Partnership Grant-Teen Court

Motion by Commissioner Gose, seconded by Commissioner Barrett to authorize the Chairperson to execute the contract. Upon Roll call, all Commissioners voted aye. Motion carried.

- C. FUTURE UPCOMING MEETINGS:**

The Asst. County Administrator read the reported meetings into the record.

4. **A. ACTION**

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Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve to set the Action Agenda as follows:

1. Removal of Item #2-Approval of appointments to Industrial Development Authority for discussion.
2. Removal of Item #4-Approval of fee schedule for public records
3. Removal of Item #6-Approval to execute Joint Project Agreement-light at U.S. 27 and George Blvd.-for discussion
4. Removal of Item #7-Approval of Traffic Signal Maintenance Agreement-for discussion
5. To add Work Enforcement under Commissioners for further explanation

Commissioner Canale advised that Item #1, duly authorized bills, is correct except for a \$4.00 refund. Mike Eastman reported that this amount was verified through the Tax Collector's office and is correct.

The Chair called for public input on the motion. Ms. Joan Pfluger presented questions.

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

The Chair welcomed Attorney Cliff Able, sitting for the Board Attorney.

**A. PROCLAMATION: " TONY BUONO DAY"**

Proclamation read into the record by Attorney Cliff Able. Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Proclamation in memory of Tony Buono as the official Sports Ambassador; and proclaim January 27, 1996 as "Tony Buono Day" in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 151.

**B. CONSENT AGENDA:**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the Consent Agenda as listed, noting that there was no error in the duly authorized bills.

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

<b>Law Library</b>	<b>1,742.15</b>
<b>General</b>	<b>376,205.15</b>
<b>County Transportation Trust</b>	<b>27,185.47</b>
<b>E911 Operations</b>	<b>222.66</b>



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<b>Conservation Trust</b>	<b>600.00</b>
<b>Law Enforcement Education</b>	<b>863.60</b>
<b>Local Govt Infrastructure Surtax</b>	<b>97,067.81</b>
<b>Affordable Housing Assistance</b>	<b>30,880.00</b>
<b>Correctional Facility</b>	<b>9,778.40</b>
<b>Solid Waste</b>	<b>29,534.44</b>
<b>Water/Sewer</b>	<b>8,026.99</b>
<b>Risk Retention</b>	<b>1,245.79</b>
<b>Employee Benefit</b>	<b>67,882.25</b>

3. **Approval to execute Glades County Hazardous Waste Grant #HW3308. See SMB 25 Page 81.**
5. **Approval of Sebring Fire Dept. request to use Fernleaf EMS Station for training. See SMB 25 Page 82.**
8. **Approval of minutes of 1-9-96 meeting**
9. **Approval of budget amendments #94-95-342,344 and #95-96-056**
10. **Accept into record-December 1995 Monthly Report**
11. **Accept into record-Sheriff's Audit Response. See SMB 25 Page 83.**

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

**C. OPERATIONS DIRECTOR:**

**1. ROAD PROGRAM FOR 1995-96**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the road program for 1995-96. Commissioner Barrett questioned the resurfacing of College Drive and amended the motion to eliminate College Dr. from the list for later consideration. Commissioner Canale seconded the amendment. Upon Roll call on the amendment, Commissioner Barrett voted aye. Commissioners Canale, Gose, Maxcy and Gentry voted nay. The Motion did not carry.

Voting on the main motion to approve the Road Program for 1995-1996, all Commissioners voted aye. The motion carried.

**2. REQUEST TO APPROVE RESURFACING OF NW LAKE SEBRING DR.**

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Motion by Commissioner Gose, seconded by Commissioner Canale to approve Northwest Lake Sebring Drive for resurfacing this fiscal year in exchange for Swallow Avenue and Altwater Road, which will be resurfaced in fiscal year 1996-1997. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 84.

**D. DEVELOPMENT DIRECTOR:**

**1. SHIP GRIEVANCE PROCEDURE**

Motion by Commissioner Gose, seconded by Commissioner Barrett to adopt the Grievance procedure for the SHIP program as the formal procedure to be used when a complaint is taken concerning the County's Housing Program. This procedure was approved by the Affordable Housing Committee on 12/7/95 and reviewed and amended by the Board of County Commissioners on 12/19/95. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 85.

**2. CDBG WATER LINE**

Motion by Commissioner Barrett, seconded by Commissioner Gose to authorize staff to proceed with the CDBG program as currently contracted and that Highlands County cooperate in helping the Town of Lake Placid with its application to R.E.C.D. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 86.

**E. COUNTY ENGINEER: PRESENTATION OF WATER SERVICE BIDS**

Discussion of contract with Spring Lake Service by the Commission. Motion by Commissioner Canale, seconded by Commissioner Gose to execute the contract between Highlands County and Spring Lake Services in the amount of \$96,845.96 for the installation of water services in Placid Utilities and that the contract cost will increase due to additional properties signing up for services pursuant to the contractual unit prices. The approval of the contract based on the Board Attorney's approval.

Be it further moved that Placid Utilities be authorized to borrow \$15,000 from the General Fund at the prevailing interest rate for a period of twelve (12) months. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 87.

**6. APPROVAL TO EXECUTE JOINT PROJECT AGREEMENT-LIGHT AT U.S. 27 AND GEORGE BLVD.**

Motion by Commissioner Canale, seconded by Commissioner Gose to approve and execute the State of Florida Department of Transportation Joint Project Agreement and adopt Resolution for Highway Lighting at U.S. 27 and George Blvd. The Chair called for input from the public. Joan Pfluger presented questions. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 152 and SMB 25 Page

88 A.

**7. APPROVAL OF TRAFFIC SIGNAL MAINTENANCE AGREEMENT**

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the Traffic Signal Maintenance Agreement. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 88.

**2. APPROVAL OF APPOINTMENTS TO INDUSTRIAL DEVELOPMENT AUTHORITY**

Motion by Commissioner Canale, seconded by Commissioner Barrett to appoint Mr. Edwin Roberts to the Industrial Development Authority to fill the unexpired term of Charlie Cullens. The Chair called for public input on the motion. Preston Colby spoke regarding the term of the appointee. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 25 Page 89. Other appointments will be placed on the agenda at a later date.

**F. COUNTY ADMINISTRATOR**

Tom Portz, acting County Administrator, read into the record two (2) news releases (Information regarding a Home Study Course and Speakers Bureau information). These will be presented to the press.

Break 10:08-10:15 a.m

**5. CITIZENS NOT ON AGENDA**

1. Preston Colby presented information supported by documentation regarding revocation of the County Administrator's engineering and surveying license. Other information presented were Mr. Cool's time sheet dated June 15, 1993. Mr. Colby alleges that this document was falsified. See SMB 25 Page 90 for copy. Mr. Colby stated that Mr. Cool has filed statements of financial interest consistent with Chapter 112 Fl. Statutes as required. He has indicated that he received a source of income from consulting engineering at his home. A search of the Tax Collector's office records evidenced no occupational license issued to Mr. Cool for years 90-91 to the present. Mr. Colby advised that the Administrator is charged with the directives and polices of the board of county commissioners to enforce all orders, resolutions, ordinances and regulations of the board to assure that they are executed. However, he does not obey the law.

After Board discussion, a motion was made by Commissioner Canale, seconded by Commissioner Barrett to ask Mr. Cool for his resignation and

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that Mr. Portz be placed in the position of acting Administrator until the Board locates a new county administrator. The Board to also place Fred Carino in the position of acting Asst. County Administrator. The Commission discussed the motion and an amendment was made by Commissioner Barrett to suspend Mr. Cool without pay and to fill the vacancies as suggested and allow Mr. Cool to respond to the allegations the first meeting in February. Commissioner Canale seconded the motion and rescinded her first motion. The Chair suggested that a special meeting should be held next Tuesday to resolve the matter. Fred Carino called for a point of order and advised that the suspension without pay could have legal ramifications and the Board should consult with the Labor Attorney before proceeding with that action. Commissioner Canale amended the motion to suspend with pay and present full response at the January 30 meeting.

Preston Colby, Joe Clarke and Kris Delaney spoke in favor of the motion.

Upon roll call, Commissioners Gentry, Barrett, and Canale voted aye. Commissioners Maxcy and Gose voted nay. The motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Canale to direct Mr. Portz to secure official documents from Tallahassee and any other documents pertaining to this issue.

Commissioner Gose called for a point of order in that this item was not on the agenda. This discussion was presented under "Citizens not on the Agenda" and should be made as a part of the record of these minutes.

The Chair called for discussion on the motion from citizens. Preston Colby presented a list of documents that should be obtained.

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

Commissioner Canale suggested that it be made a part of the record that this discussion and action was legal.

**6. COMMISSIONERS:**

**A. COMMISSIONER CANALE**

**1. RECOMMENDED APPOINTMENT OF CHRISTINE HAND TO  
TOURIST DEVELOPMENT COUNCIL**

Motion by Commissioner Canale , seconded by Commissioner Gose to appoint Christine Hand to fill the remainder of Ms. Karen Rudolph's appointment. Ms. Rudolph's term of

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office began June 1, 1995, and expires June 1, 1998. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. REQUEST DELAY ON TOURIST TAX DECISION UNTIL APRIL 16, 1996.**

Motion by Commissioner Canale , seconded by Commissioner Gose to approve request to delay decision on Tourist Tax until April 16, 1996. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. COMMISSIONER GOSE: UPDATE ON WORK ENFORCEMENT BOARD**

**7. ADJOURN**

The meeting adjourned at 11:12 a.m.

\_\_\_\_\_  
Chairperson

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

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**BOARD WORKSHOP ON GOAL SETTING**

**JANUARY 23, 1996**

1. The workshop was called to order at 11:38 a.m. at the Agri-Civic Center, Conference Room #2 in Sebring, Florida with the following members present:

- |                     |                      |
|---------------------|----------------------|
| <b>Doris Gentry</b> | <b>Hal Morris</b>    |
| <b>J D Barrett</b>  | <b>Louise Graham</b> |
| <b>James L Gose</b> |                      |
| <b>Jeri Canale</b>  |                      |
| <b>C Guy Maxcy</b>  |                      |

2. Hal Morris, facilitator for the workshop, outlined information to establish basic leadership skills and fundamental planning for setting goals and establishing team leadership that will be appropriate for our county.

Lunch Break 12:00 p.m-1:15 p.m.

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- 3. Mr. Morris presented an exercise for participation by board members. A list was developed and each was assigned topics to develop goals.

Refer to tape for further information.

- 4. The Chair suggested a change in the format. Regular meetings to be held on the first and third Tuesday with public hearings on the 4th Tuesday. The second Tuesday would be used for a workshop, if needed. Other Board members were asked to think about this and to discuss later. Commissioner Canale requested a discussion to move Citizens not on Agenda at an earlier time.
- 5. The workshop adjourned at 3:20 p.m. A second workshop to be held in two (2) weeks.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**SPECIAL MEETING OF THE BOARD, JANUARY 30, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Thomas Portz
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. W. C. Holden with special recognition for Len Hammer in his passing.

3. **BOARD ATTORNEY: MEETING PROCEDURE**

Ross Macbeth outlined the meeting procedures. Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the procedures as read into the record.

Commissioner Canale expressed the need of the Labor attorney to be present at the meeting. The Board Attorney advised that the issue before the Board is not a labor issue.

The Chair asked for discussion from the public on procedures. Preston Colby addressed the Board regarding falsification of documents.

Upon roll call, Commissioners Gose, Maxcy and Gentry voted aye. Commissioners Canale and Barrett voted nay. The motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept into the record the documents before the Commission for review.

Preston Colby requested an identification of documents presented. All were identified.

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

Motion by Commissioner Canale, seconded by Commissioner Barrett to contact the Labor Law attorney with the documentation regarding the DPR findings and have the information faxed to the Board regarding Class III, Group III offenses. Mr. Macbeth advised that this issue was not relative to Group III offenses.

The Personnel Director advised that they sent a letter to the Labor attorney with very

specific questions.

Preston Colby gave suggestions to the Commission to change the wording of the motion. They took no action.

Upon Roll call, Commissioners Canale and Barrett voted aye. Commissioners Gose, Maxcy and Gentry voted nay. The motion did not carry.

**4. CARL COOL: ANSWERS TO QUESTIONS**

- A. PERFORMING ENGINEERING SERVICES WITHOUT A CURRENT STATE LICENSE**
- B. PERFORMING ENGINEERING SERVICES WITHOUT A COUNTY OCCUPATIONAL LICENSE**
- C. CERTIFICATION OF CONTINUING EDUCATION COMPLIANCE IN CONNECTION WITH RENEWAL OF STATE PROFESSIONAL LAND SURVEYOR LICENSE**
- D. COUNTY HOURS WORKED TIME SHEET FOR JUNE 3, 1993**

Mr. Cool presented answers to questions. See County Administrator's file for copy of back up documentation.

**Break 10:30 a.m. - 10:40 a.m.**

**5. COMMISSION-QUESTIONS TO MR. COOL REGARDING STATEMENT**

**6. COMMENTS FROM THE PUBLIC**

The Chair advised that comments will be limited to the items listed. All persons must deliver a slip to the Board's Clerk, prior to Mr. Cool's presentation. Each person will be called in the order in which the Board's Clerk receives the slips. The presentation of each person will be limited to three minutes.

The Chairperson called the following to the podium for input:

- a. Willow Vance, Correspondent for the News Sun, spoke regarding double standards.
- b. Preston Colby spoke regarding the scope of Mr. Cool's presentation and opposing the reinstatement.



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- c. Harold Owens, representing the Twin Lakes Homeowners Property Association, spoke in support of Mr. Cool.
- d. Bill Lecher, County Engineer, spoke in support of the reinstatement.
- e. Earl Pickett, Taxpayer, spoke in support.
- f. C.D. Boring, Remax Realty, spoke in support.
- g. Don Reeves, citizen, spoke in support.
- h. Gladys J. Hungling spoke opposing the reinstatement.
- l. Archie Summers spoke in support.
- j. Jack Hancock spoke in support.
- k. Jim Brooks spoke in support.
- l. Yvon Richard spoke in support
- m. Frank Celentano, Jr. spoke in support
- n. Bill Sager spoke in support.
- o. Hank Kowalski spoke opposing the reinstatement.
- p. Robert M. Gay spoke in support.
- q. Mayor Dal Hall spoke in support.
- r. Bert Harris spoke in support.
- s. Jean Nichols requested that the Board consider the "double standard" issue.

**7. COMMENTS RECEIVED FROM THE COMMISSIONERS REGARDING CHARGES**

**8. FRED CARINO, ACTING ASST. COUNTY ADMINISTRATOR: COMMENTS REGARDING COUNTY EMPLOYEES FEAR**

**9. MOTION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to rescind the suspension, take it off the record, charge the week off to annual leave and to restore a vote

of confidence to the County Administrator.

The Board Attorney advised that he would question the charging of the time to annual leave, which is a benefit county employees accrue from their work. If the Board chooses to end the suspension, leaving him as a regular paid employee during that time, would set him back where he was before this happened. If the Board chooses to charge it to annual leave, the labor attorney should be consulted. Commissioner Gose amended his motion to strike the annual leave portion. Commissioner Maxcy seconded the amendment.

The Chair repeated the motion to include removing the suspension and giving the County Administrator a vote of confidence. The Board Attorney suggested that this motion would be the effect of reversing the action taken last week. It would remove the suspension, however, the suspension would remain in the file.

The Board discussed an amendment that would allow a reprimand. The Chair called for the question to be voted on before any other action.

Upon roll call, Commissioners Gose, Maxcy and Gentry voted aye. Commissioners Canale and Barrett voted nay. The motion carried.

Commissioner Maxcy discussed what options were available to reprimand Mr. Cool for failure to restore the Surveyor's license. The Personnel Director advised that their options are unlimited as far as disciplining any county employee, however, from the information as provided in the hearing, they may not have grounds to evoke any disciplinary action. At this juncture, there could be a verbal warning. His recommendation was to not record any official sanction at this point.

They took no other action for or against the County Administrator.

The Chairperson stated that any other allegations to be brought against Mr. Cool should be done in writing with the documentation attached and given to her for circulation among the Commission. She will then ask the Board to vote whether they should address this in a public forum. Mrs. Gentry stated that she will take action as the Chairperson to see that no county employee will be harassed and the Commission will be in charge of the county.

The meeting adjourned at 12:30 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, FEBRUARY 6, 1996**

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>C Michael Eastman</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.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending February 6, 1996. Lt. Benton advised that she spent last week learning more about the SHOWCAP Program and will be updating the Board on the information.

- B. **Clerk**

C. Michael Eastman reported that the Clerk is hosting a Child Support Training Program at the Ag Center. The session started on Monday and runs through Wednesday. Seven (7) counties are attending the program. The Clerk is excited to be the host county for this program.

- C. **Future upcoming meetings:**

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

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to set the Action Agenda as presented with an addition to Commissioners: to accept an update from Mr. Gose on the Workforce Program and Ms. Canale on the Occupational License meeting. Upon Roll call, all Commissioners voted aye. Motion carried.

- A. **Consent agenda:**

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The County Administrator read the Consent agenda into the record with a brief explanation of each item.

Motion by Commissioner Gose, seconded by Commissioner Barrett to waive the agenda to make corrections to the Action Agenda. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to remove the minutes of January 16 and January 23, as copies were missing from agenda packets and to also remove Item #15 - Approval of Sun’N Lake Preserve Management Plan to be placed under the County Administrator. Upon roll call, all Commissioners voted aye. The motion carried.

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

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

<b>Law Library</b>	<b>647.96</b>
<b>General</b>	<b>1,413,951.21</b>
<b>County Transportation Trust</b>	<b>50,997.71</b>
<b>E911 Operations</b>	<b>151.82</b>
<b>Law Enforcement Education</b>	<b>805.00</b>
<b>Local Govt Infra Surtax</b>	<b>82,937.77</b>
<b>Affordable Housing Assistance</b>	<b>13,975.00</b>
<b>Correctional Facility</b>	<b>128,032.21</b>
<b>Solid Waste</b>	<b>501,080.55</b>
<b>Water/Sewer</b>	<b>8,179.66</b>
<b>Risk Retention</b>	<b>3,027.92</b>
<b>Employee Benefit</b>	<b>65,459.14</b>

- 2. Approval of minutes of 1-30 special meeting**
- 3. Approval to execute resolution accepting deed to Mir-Wood Drive. See Res. Book 9 Page 153.**
- 4. Accept into record - Audited Financial Statements from garbage franchisers**
- 5. Approval of communications tower space for Town of Lake Placid. See SMB 25 Page 92.**
- 6. Approval of payment for housing inmates in Hardee County. See SMB 25 Page 93.**
- 7. Approval to execute grant contract with Lake Placid Chamber of Commerce**
- 8. Approval of fee schedule for public records. See SMB 25 Page 94.**

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- 9. Approval to execute Adopt a Highway Agreement with Sebring Board of Realtors**
- 10. Approval of plat recording - Thomas Estates. See SMB 25 Page 25.**
- 11. Approval to execute commodities contract Amendment**
- 12. Approval of budget amendments 95-96-65 through -69**
- 13. Approval to endorse acquisition of Bumblebee Island. See SMB 25 Page 96.**
- 14. Approval of two additional preferred providers**

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

**B. Public Hearing to consider a resolution to close portions of Self Ave., W. Circle and Prairie St.**

Proof of Publication and petition presented by the County Engineer. See SMB 25 Page 97. The Chairperson opened the floor to the public. Attorney Cliff Ables, speaking for the petitioner, explained the request.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution closing those portions of Self Avenue, West Circle Street and Prairie Street as submitted, all lying in the Town of Avon Park, Section 21, Township 33 South, Range 28 East and subsequently approve the recording of the Grant of Easement document, and the Unity of Title as a part of this closing. See Res. Book 9 Page 154.

**C. Public Hearing to consider a small-scale plan amendment HEARING #CPA-96-025-JACK PAPS AND MARY F. PAPS**

Proof of Publication and staff reports presented by Gary Lower, Zoning Supervisor. See SMB 25 Page 97. Requesting a Small-Scale Plan amendment from “Medium Density Residential” to “High Density Residential”. The Chair called for public input. Attorney Cliff Rhoades, representing Mark and Maria Baker, purchasers of the property spoke in favor. Upon entering the mandatory findings into the public hearing record a motion was made by Commissioner Canale, seconded by Commissioner Gose to approve the small-scale plan amendment and adopt ordinance #96-2 . Upon Roll call, all Commissioners voted aye. Motion carried.

**(a) Direction regarding consistency rezone requests**

The Chair advised that this issue will be addressed at a later time to allow for review.

**D. Maria Formosa, FDOT: Update on U.S. 27 from Highway 64 to Polk County**

Maria Formosa discussed the project development for the six-laning of U.S. 27 from State Road 64 to the County Line with the use of existing right of way. The County Engineer explained the proposal. Commissioner Maxcy addressed the median access and the danger involved. Ms. Formosa reviewed an Evaluation Matrix. This Matrix tabulates the criteria that staff looks at during all the studies.

Gwen Pipkin, Environmental Project Manager for the Department of Transportation, addressed the environmental issues of the project.

**Break 10:00 a.m - 10:10 a.m.**

**E. Development Director:**

**1. Request for Comp Plan amendment for Old Creel Pump site**

Motion by Commissioner Barrett, seconded by Commissioner Canale to not discuss this issue on the advice of the attorney, due to pending litigation in the court system. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 99.

**2. Request authorization of Administrative Assistant for Housing Office**

Motion by Commissioner Canale, seconded by Commissioner Gose to authorize the position of Administrative Assistant for Housing (pay grade 9) for the CDBG and SHIP programs for the period of 18 months. Commissioner Maxcy amended the motion that at the end of the grant period that we do not absorb the employee into county staff. The amendment died for lack of a second. Upon Roll call on the motion, all Commissioners voted aye. Motion carried. See SMB 25 Page 100.

**F. Assistant County Administrator:**

**1. Recommendation from Public Safety Coordinating Council**

Motion by Commissioner Barrett, seconded by Commissioner Canale to issue an RFP for Pre-Trial services with Program to Aid Drug Abusers and have the Public Safety Coordinating Council review the RFP's and come back to the Board with recommendations. Commissioner Canale amended the motion to also include that Mr. Portz ask the Committee to consider that a fee be added. Commissioner Maxcy seconded the amendment. The Chair called for discussion on the amendment. Richard Conover suggested attendance by the Board on February 27, 1996 when all representatives will be in a meeting. Earl Pickett spoke regarding the overcrowding of the jail. Upon Roll call on the amendment, all Commissioners voted aye. Motion carried. Upon roll call on the main motion all Commissioners voted aye. The motion carried. See SMB 25 Page 101.

**2. Date for tour of new Jail Facilities**

The Assistant County Administrator presented the recommendation to set the joint tour with the Board of the new jail facilities for Tuesday February 13, 1996 at 4 p.m. The Commission advised that this date was acceptable. See SMB 25 Page 102.

**3. Tuition assistance request**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve tuition request from Michael Durham, Code Enforcement Officer. The Chair called for input from the public on the motion. Preston Colby spoke on statute limitation. The Personnel Director explained that this was a valid request from Mr. Durham. Mr. Macbeth presented statutes that solidified the action. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 103.

**4. Additional Security measures**

Mr. Portz advised that recommendations on additional security measures will be presented at a later date based on actions taken by the Board.

**G. Board Attorney: Resolutions authorizing issuance and delivery of trespass notice**

The Board Attorney explained a Resolution authorizing the issuance of a Trespass Warning to any person who enters any property owned by or leased to the Board of County Commissioners after having been warned by a County employee not to enter or depart. After Board discussion, Commissioner Canale made a motion that this item be placed for a workshop and allow more public input and the development of a policy. Commissioner Barrett seconded the motion. The Chair called for discussion. Carl Cool spoke in opposition to the motion. The Board Attorney explained the substance of the Resolution. Commissioner Barrett withdrew his motion on the basis of allowing employees the freedom to perform their duties without interference. The motion died for lack of a second.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt Resolution issuing and authorizing the delivery of a trespass warning pursuant to Sections 810.08 and 810.09, Florida Statutes. Commissioner Gose amended the motion to include the Constitutional Officers and their employees. Commissioner Maxcy accepted the amendment.

The Chair called for input on the motion. Preston Colby, Emil Jakim and Thomas Welch spoke in opposition to the motion. Fred Carino, Personnel Director, made a public apology to Mr. Colby for using profanity and spoke in favor of the Resolution. Lew Carter, Clayton Womer and Von Whiteside spoke in opposition to the motion.

Commissioner Gose made an amendment to the motion to follow the Chairperson's advice and to put this Resolution in action in two (2) months to allow time to set a workshop and receive input with an implementation date of April 2, 1996. Commissioner Canale seconded the amendment. After discussion by the Board, the Chair called for public input from the floor. Preston Colby and Mike Starcivic spoke regarding the amendment. Upon roll call, Commissioners Gose and Gentry voted aye. Commissioners Barrett, Maxcy and Canale voted nay. The amendment did not pass.

Upon roll call on the motion to adopt Resolution, all Commissioners voted nay. The motion did not carry. See SMB 25 Page 104 for copy.

Motion by Commissioner Canale, seconded by Commissioner Gose to put this issue to workshop and at that time when all commissioners are satisfied, it will be voted upon. Upon Roll call, all Commissioners voted aye. Motion carried.

The Board Attorney introduced another Resolution authorizing the delivery of a trespass warning to Preston H. Colby with an explanation of the document. The Board discussed the background incidents and problems that have occurred. A motion was made by Commissioner Maxcy to issue and authorize a trespass warning to Preston H. Colby. The motion was seconded by Commissioner Gose. The Board discussed the motion.

The Chair called for public input on the motion. Preston Colby, Thomas Welch and Kelsey Payne spoke in opposition. Lisa Burley spoke in favor and in regards to financial liability if employees are not protected from harassment. Upon roll call, Commissioners Maxcy, Gose and Gentry voted aye. Commissioners Canale and Barrett voted nay. The motion carried. See Res. Book 9 Page 155.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to allow Commissioners to invite Mr. Colby into their office if they wish to talk to him. The Chair called for public discussion. Preston Colby stated concerns for attaining the agenda package for inspection. The Chair advised that it will be available for inspection. Kelsey Payne spoke in opposition to the motion. Upon roll call, Commissioners Gose, Maxcy, Barrett and Gentry voted aye. Commissioner Canale voted nay. The motion carried.

**H. County Administrator: Recommendations from meeting with non-profit agencies**

1. Carl Cool presented recommendations that staff work with the agencies and stay with the exact verbiage and not start amending the agreements. Next year staff will have a better handle on the situation and maybe develop the agreements to a softer point. See County Grants file for copy.
2. Press Release commending Rick Helms on the completion of the Florida Government Finance Officer's Association Certification Program. See SMB 25 Page 105.
3. Letter of commendation for three EMS employees, Mickey Byrd, Lance Truax and Todd Krulen.

**15. Approval of Sun'n Lake Preserve Management Plan**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Resource Management Plan, less the three (3) words; concessions or leases; and submit to the Florida Communities Trust for their review and consideration. Upon Roll call, all Commissioners voted aye. Motion carried.

**4. PIC Resolution**



The County Administrator reminded the Board that it may be necessary to send one staff to the Polk County Commission meeting to speak in favor of the PIC Resolution.

**5. CITIZENS NOT ON AGENDA:**

1. Richard Conover - DOT information not visible for the TV Camera.
2. Thomas Welch - prepared statement regarding decision to deny public criticism unless placed in writing. See SMB 25 Page 106.
3. Preston Colby - The Chair advised Mr. Colby that allegations should be placed in writing and given to her for review or placed on the agenda with back-up documentation before presentation before the Board.

**6. COMMISSIONERS**

1. Commissioner Maxcy responded to Mr. Welch's comments on limiting access.
2. Commissioner Canale thanked Dr. Montsdecoa and Highlands Regional for their donation of free physicals.

**7. ADJOURN**

The meeting adjourned at 1:35 p.m.

\_\_\_\_\_  
*Chairperson*

*Attest:*

\_\_\_\_\_  
*Clerk*

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**WORKSHOP OF THE BOARD  
Subject: Goal Setting**

**2:00 p.m. Room #50  
County Commission Building**

1. The workshop was called to order at 2:00 p.m. in the County Commission Building Room #50 with all members present except Commissioner J.D. Barrett. Hal Morris was sitting as the facilitator.
2. Mr. Morris reviewed the home work assigned to each Board Member. Discussion held regarding the mission statement, specific goals and if measurable.
3. Special emphasis on Technology and a time certain for goals.
4. The Chair adjourned the workshop at 3:40 p.m. with a commitment to meet back in two (2) weeks for further study. For detailed information, refer to tape.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, FEBRUARY 13, 1996**

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:

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Father Peter Sheehan.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate County for the period ending February 13, 1996.

- B. CLERK**

1. The Clerk reported that a new P.C. has been installed in the file room of the Courthouse for easy access to the civil and criminal system. There is also one located in the Recording Department for retrieving official records by the public.
2. Mr. Brooker also reported on Jury Trials being held in 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. Don Hansen gave a small presentation regarding priorities from the Governor's office.

4. **ACTION:**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the action agenda with the deletion of Items #4-Approval of supplemental agreement and budget amendment for library expansion, Item #5-Approval to resurface Concert Dr. and

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Concert Place. These items are to be placed under the County Administrator for further discussion.

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

**A. CONSENT AGENDA:**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the Consent agenda as listed:

1. **Approval of minutes of 1-16-96 and 1-23-96**
2. **Approval to execute Lorida Building Education Agreement**
3. **Approval to execute Adopt-a-Highway Agreement with Home Savings Bank**
4. **~~Approval of supplemental agreement and budget amendment for library expansion~~**
5. **~~Approval to resurface Concert Dr. and Concert Place.~~**
6. **Approval of variance request fee waiver-Sun’N Lake Blvd. See SMB 25 Page 107.**
7. **Approval to execute grant contract for Sebring Chamber of Commerce**
8. **Approval to execute emergency food (FEMA) grant application**
9. **Approval of County road map fee. See SMB 25 Page 108.**

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

**B. PUBLIC HEARING TO CONSIDER PURCHASE OF PROPERTY FOR GOVERNMENT CENTER**

Proof of Publication entered into the record by Bill Stephenson. See SMB 25 Page 109.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to waive the requirement of obtaining an appraisal for the purchase of the property. Upon Roll call, all Commissioners voted aye. Motion carried.

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Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the agreement to purchase the property from Robert D. And Beverley J. Hayes in the amount of \$27,984. for the construction of the Government Center. Commissioner Canale amended the motion to set the rent at \$250 and they pay for any necessary repairs. Upon Roll call on the amendment, all Commissioners voted aye. Motion carried.

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

**C. HUMAN SERVICES DIRECTOR: RESOLUTION ON TEENAGE PREGNANCY PREVENTION**

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt Resolution on Teenage Pregnancy Prevention with direction to forward a copy to numerous state agencies in support of House Bill 257 and Senate Bill 200. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 156.

**D. THERESA WILLIAMS, STAR PROGRAM**

The Star Advisory Board Members submitted a proposal application seeking funding for a part-time parks and recreational director to work at the Martin Luther King, Jr. Star Center in Highway Park. Ms. Williams requested that the Board agree to fund a total of \$17, 986 for one Outreach Worker. The Commission suggested that Ms. Williams present her request at budget time. See SMB 25 Page 110 for copy of proposal and letters of support.

**E. SPECIAL PROJECTS DIRECTOR: CONSIDERATION OF COUNTY-OWNED PROPERTY LIST**

The County Administrator explained the list of county owned property. Mr. Stephenson reviewed donated parcels that might be needed for future county use and the property that could be put up for sale. A list of eight (8) properties were determined to be marketable.

Motion by Commissioner Maxcy to declare the eight parcels surplus and put up for bid. After Board discussion, Commissioner Maxcy withdrew his motion.

The Board Attorney advised that this is not how statutes mandate that you dispose of the property. After it has been declared surplus, these properties can be put up for sale. It must be the best bid who is willing to pay cash for the lots. Statutes dictate bid requirements.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to declare the lots for surplus and put up for bid.

The Board discussed the motion and requested that staff present a cost of the current

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amount of taxes for the properties.

Motion by Commissioner Gose, seconded by Commissioner Canale to table the preceding motion until staff has obtained sufficient information. Upon Roll call, all Commissioners voted aye. Motion carried.

**Break 10:00 a.m.-10: 13 a.m.**

**F. BOARD ATTORNEY**

**1. INTERLOCAL AGREEMENT WITH DESOTO AND HARDEE**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve Interlocal Agreement for the Heartland Workforce Investment Board with the two (2) corrections and the Dissolution of the previous Interlocal Agreement. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 157.

**5. CITIZENS NOT ON AGENDA:**

1. Joan Pflueger-comments regarding spraying of Lake Jackson and the construction of the Bike Path. Questions also presented on purchasing procedures. SMB 125 Page 111 for copy of map. The County Administrator gave an update.
2. Richard Conover- questioned the changing of format for meetings or workshops to be held on the 5th Tuesday. The Chairperson suggested that she will present a new schedule.
3. Richard Conover- in favor of term limits for committee members. Suggest Board members attend budget hearings. Suggest that Planning and Zoning meetings be televised.

**E. SPECIAL PROJECTS DIRECTOR: CONSIDERATION OF COUNTY-OWNED PROPERTY LIST:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to bring back to the table the motion on the sale of property. Upon Roll call, all Commissioners voted aye. Motion carried.

The County Administrator reported that the taxable value of the parcels combined, on the property is \$18,430. The taxes as listed are \$410.78.

Upon roll call on the property motion, Commissioners Maxcy and Barrett voted aye. Commissioners Canale, Gose and Gentry voted nay. The motion did not carry. See SMB

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25 Page 112 for copy of property.

**G. COUNTY ADMINISTRATOR: REQUEST FOR CLARIFICATION OF 1-16-96 MOTION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to rescind motion of 1-16-96, Book 16 Page 408, that no county employees or agent of this Board be used to do work that will benefit any individual Board Member or County Employee without prior approval by a majority vote of the Board of County Commissioners and substitute Florida Statute 112.313. (No public officer, employee of agency or local government attorney shall corruptly use or attempt to use his or her office position or any property or resource which may be within his or her trust, or perform his or her official duties to secure a special privilege, benefit, or exemption for himself, herself or others) and to also place in the county's policy and procedures manual. See SMB 25 Page 113.

The Chair called for public input. Jeff Ludwig spoke in favor of the motion.

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

**4. Approval of supplemental agreement & budget amendment for library expansion**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to enter into an agreement with Chastain Skillman for the library expansion study. The commission held discussion on providing satellite areas in the county.

Upon Roll call, Commissioners Gose, Maxcy, Barrett and Gentry voted aye. Commissioner Canale voted nay. Motion carried.

**5. Approval to resurface Concert Dr. and Concert Place**

Commissioner Barrett also presented an additional request to resurface a small road that intersects Gloria and Drama for two residents that live on this road. The Chair called Mrs. August Temple, a resident, to the podium for her comments. Vaden Pollard, Operations Director, explained the map and the recommendations. The Commission discussed the problem of resurfacing roads that are not on the list.

Motion by Commissioner Gose, seconded by Commissioner Canale to accept the recommendations of the Operations Director and stick with the Road policy, and if damage was caused from county vehicles to repair the road.

The Chair called for input from the public. Mrs. August Temple presented comments regarding repair of another road. Clayton Womer spoke in favor of following the road policy. See SMB 25 Page 114 for copy of recommendations and map.

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

The County Administrator advised that the Engineering staff will be bringing a full report to the Commission meeting next week on the Placid Utilities Water System after one year's operation.

### 6. COMMISSIONERS

1. Commissioner Canale - terms on committee members. The Chair suggested that this item be placed on the agenda for next week.
2. Commissioner Canale - request to place on the agenda next week the Tourist Development council budget.
3. Commissioner Canale - fund raiser to raise money for the ROTC and Children's Hospital
4. Commissioner Gose- Highlands County Fair Announcement.
5. Commissioner Gose- letter from the Governor in support of the Pig Festival
6. Commissioner Barrett- Water Task Force- Jeff Ludwig presented a report.
7. Commissioner Maxcy- request by the Hospital Board on how to spend the money. The Chair suggested that it be placed on the agenda.
8. Commissioner Gentry- report on the appointment of Don Hansen as the President of Children's Summit
9. Commissioner Gentry- implementation of the following agenda changes:
  1. All public hearings to be held the fourth Tuesday of each month, beginning at 9:00 a.m.
  2. Regular meetings to begin with Announcements and Meetings. Second, Citizens not on agenda with a five (5) minute time frame. Continue with not taking action on the Citizen speaking. If action is needed to place on the agenda the next time. Under action, place Proclamations and Resolutions, if they are present. Next, take public agenda items, then Departments. Consent Agenda at the end. Citizens speaking on agenda items will be held at three (3) minutes if possible. Then the Commissioners. This to be done a little different with staff or department heads presenting the issues. Then call for public input. Next, the motion and vote.



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The Chair called for input on the information. Phil Askew stated that the changes will be helpful.

**7. ADJOURN**

The meeting adjourned at 11:45 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, FEBRUARY 20, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate County for the period ending February 20, 1996.

- B. CLERK**

No 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.

4. **CITIZENS NOT ON AGENDA:**

1. Mr. Richard Conover advised that the focus of today should be on our children, as a study has been completed that suggest Senior Population will be decreasing in Florida.
2. Mr. Earl Pickett presented a letter relating to the County Administrator that ran in the News Sun on Sunday.
3. Ms. Joan Pfluger requested the Board place the Sebring Library Expansion on hold to allow time to discover the "Technology of the Future".

4. Mr. Ray Napper spoke regarding information on the BFI Franchise.
5. Mr. Preston Colby questioned the county money spent on the Highlands County State Fair Booth. The Chair advised that answers will be presented.
6. Mr. Preston Colby spoke on the issues of Public Funds being used for False Business Cards for the County Administrator. The Chair advised that the answer will be presented at next weeks meeting.

### **AGENDA DISCUSSION**

The Commissioners gave the Chair a consensus to formalize and set the agenda at her discretion.

### **5. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Barrett to set the Action Agenda with an addition under B-1: Preston Colby- Leave Form authorization. Upon Roll call, all Commissioners voted aye. Motion carried.

#### **A. PUBLIC HEARING TO CONSIDER ZONING CHANGES AND SMALL SCALE AMENDMENTS:**

#### **HEARING #1375-IRELAND E. SANDERS & RICHARD WILLIAMS C/O RICK WHIDDEN**

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district). Applicant proposes to provide general retail and wholesale and professional offices that would not be permitted in B-1 or B-2.

Gary Lower, Zoning Supervisor, presented proof of publication and staff reports into the record. See Proof of Publication Ord. Book #1 Page 17. See SMB 25 Page 116. Mandatory Findings presented. The Chair opened for public input. Richard Conover presented questions regarding traffic engineering.

Rick Whidden, representing the applicant, presented the history of the zoning request. A letter from Attorney Sheehan was entered into the record stating that he has been retained to prepare a restrictive covenant forbidding the use of the property as a paint and auto body shop. See SMB 25 Page 117.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to accept the recommendations of the Planning and Zoning Commission and approve the B-3 zoning for this property upon entering the mandatory findings into the public hearing and adopt Resolution. Upon roll call, all Commissioners voted aye. The motion carried. See Res.

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Book 9 Page 157.

**HEARING #1376 -CROCKETT LAKE SIDE VILLAGE ASSOC. C/O JACK SHIVES AND CPA-96-027**

Requesting a zoning change from AU (Agriculture) to B-2 (Limited Business district) and a Small Scale Land Use amendment from "General Agriculture" to "Commercial". Applicant desires professional offices.

**CPA-96-028 - CROCKETT LAKE SIDE VILLAGE ASSOC. C/O JACK SHIVES**

Requesting a zoning change from AU (Agriculture), R-3 (Multiple Dwelling district) and R-3 CU (Multiple Dwelling district with a Conditional Use- to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development)

Proof of Publication entered into the record by the Zoning Supervisor. See SMB 25 Page 118 and Proof of Pub Book 1 Page 17. The Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to adopt Ordinance on the small scale amendment and approve Resolutions for the zoning change. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 159, 160 and 161.

**HEARING #1377-ETOILE ALTMAN C/O RICK WHIDDEN**

Requesting a zoning change from I-2 (Industrial district) to B-4 (Business district). Applicant desires a restaurant and to comply with the land use map. Staff reports and Proof of Pub entered into the record. See SMB 25 Page 119. The Chair called for public input. Rick Whidden, representing the petitioner, spoke in favor. Richard Conover suggested a review of traffic impact. John Borgemeister, representing Mrs. Altman, stated that this is a consistency rezone dictated by the Comp Plan.

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the recommendations of the Planning and Zoning Board and adopt Resolution approving Hearing #1377, including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 162.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 12**

Proof of Publication entered into the record. See SMB 25 Page 120 and Proof of Publication Book 1 Page 17. Discussion on options presented by the Zoning Supervisor. The Chair called for public input. Preston Colby and John Borgemeister suggested

additional language. Pete Bell and Bill Needlander expressed support. Motion by Commissioner Maxcy, seconded by Commissioner Gose to select option #3 and adopt ordinance with an effective date to be immediate upon filing with the Department of State with the exception of: Sections 3 (c)(1) and 4 (c)(1) to be effective June 1, 1996, giving the county time to meet with the Meadowlake Homeowners Association and initiate a rezone to Section 12-84, R-1A. Upon roll call, all Commissioners voted aye. The motion carried.

Break - 10:25-10:35 a.m.

**B-1. PRESTON COLBY: COUNTY ADMINISTRATOR TRAVEL**

Mr. Colby presented allegations of a possible unlawful expenditure of public funds for travel reimbursement by the County Administrator. He cited statutes 125.74 County Administrator; powers and duties. See SMB 25 Page 121 for copy of travel voucher of Mr. Cool. Staff responded to actions. The Board Attorney stated that the County Administrator ordinance gave a general delegation of authority to Mr. Cool. That general delegation of authority was broad enough to cover the approval of travel vouchers. The Chair advised that issues will be addressed in two weeks.

**C. ZONING SUPERVISOR: REQUEST FOR DIRECTION ON CONSISTENCY REZONES**

The Chair suggested that the Zoning Supervisor process as many as would be feasible for the Board to hear.

**D. ECONOMIC DEVELOPMENT DIRECTOR: REQUEST FOR INDUSTRIAL DEVELOPMENT AUTHORITY TERMS**

Request that the Board of County Commissioners adjust the IDA Board appointment schedule to coincide with the EDC By-laws and the fiscal year. Mr. Macbeth commented that there is no provision in the statutes that would allow terms of other than four (4) years. If the Board took this action, they would have to go to Circuit Court and get a declaratory judgement decree setting those dates.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve reappointment of James Crawford, Jeffrey Mechlin and Lee Shafer to another four (4) term. Upon Roll call, Commissioners Gose, Maxcy, Gentry voted aye. Commissioner Canale and Barrett voted nay. Motion carried. See SMB 25 Page 122 for copy of IDA/EDC list of current terms of office with suggested terms that include the necessary change.

Mr. Stanfill presented for the record a booklet with a listing of Business and Industry Economic Incentives and a booklet of Highlands County Manufacturers Directory. See Economic Development file for copy. Mr. Stanfill gave an update of the accomplished

projects and incentives.

**E. DAVID HAZELETT: TOURIST DEVELOPMENT COUNCIL PLAN AND BUDGET**

Mr. Hazelett presented the Mission Statement of the Tourist Development Council. He also reviewed with the Commission the Strategic Marketing Plan and Budget for year one and year two. See Tourist Development Council file for copy.

The Chair called for public input. Jim Cash of Lake Placid requested that the businesses affected by this tax get polled.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Plan as presented. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. SPECIAL PROJECTS DIRECTOR: CONSIDERATION TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Gose, seconded by Commissioner Barrett to accept and record donated property from Olive Banks for Lot 15, Block 39, Sun'N Lake Estates, Section 2. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to put this property up for sale. Upon Roll call, Commissioners Maxcy, Barrett, and Canale voted aye. Commissioners Gose and Gentry voted nay. Motion carried.

**G. COUNTY ENGINEER:**

**2. RECOMMENDATION ON FRANSVILLA**

Bill Lecher, County Engineer, presented recommendations for the waterline extension to the Fransvilla area. This area would include approximately 100 customers. The estimated cost of the extension is approximately \$225,000. The loan for this project would be in the form of a future advance on the existing 1.2 million note financed at 6.35%, with an 18 year amortization, and a balloon payment in 8 years. Interest and principle on this amount is approximately \$21, 154 per year according to the Finance Department. Mike Eastman presented financial information regarding the project. Carl Cool spoke in favor of proceeding with the project.

The Chair called for public input. Harold Owen and Ann Harris spoke in favor of the project.

Motion by Commissioner Barrett , seconded by Commissioner Canale to authorize staff to return with a proposal to implement the extension of water lines to the Fransvilla/Lake

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Francis area. See Placid Utilities file for copy of information. Upon Roll call, all Commissioners voted aye. Motion carried.

Lunch Break 12:03-1:15 p.m.

The meeting reconvened with all members present except Commissioner Canale.

**1. REPORT ON PLACID UTILITIES**

Financial status presented by the County Engineer. Carl Cool gave a statement for the record regarding the cash flow chart. Mike Eastman presented the Board with the financial balance sheet, revenues and cash flow as of 9/30/95 and 12/31/95. Mike explained the accrual statement as the best method to obtain a clear picture of the operation. He reviewed the statements with the Commission.

Commissioner Canale arrived back at the meeting at 1:27 p.m.

**A. UTILITIES SPECIALIST POSITION**

Motion by Commissioner Barrett, seconded by Commissioner Canale to authorize approval of a Utility Specialist Position and authorize staff to bring back a job description for approval with funds coming from the Enterprise Fund. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. ORDINANCE AMENDMENT**

The Commission gave the County Engineer a consensus to proceed with a public hearing to amend Ordinances #94-12 and #95-20.

See Placid Utilities file for copy of all information

**BOB PORTER: LAKE PLACID MURAL SOCIETY**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the agenda for consideration of the Mural Society. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to accept the proposal from the Mural Society for the Citrus Mural to be placed on the County Building in Lake Placid with them being responsible for the maintenance. Upon Roll call, all Commissioners voted aye. Motion carried.

**H. DEVELOPMENT DIRECTOR: AMENDMENTS TO SHIP HOUSING ASSISTANCE PLAN**

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Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution authorizing modification to the fiscal years 1992-1995 SHIP Housing Assistance Plan and adopt Resolution authorizing modification to the fiscal years 1995-1998 SHIP Housing Assistance Plan. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 9 Page 163.

**I. BOARD ATTORNEY**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to accept into the public record at the request of the Board Attorney, the transcripts of litigation sessions conducted on March 21, 1995 Sanders v. Allstate Insurance Company and June 6, 1995 Highlands County, GC 93-379. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 123.

**I-a LENNON PROPERTY UPDATE**

The Board gave Mr. Macbeth a consensus to place this item on the agenda at the next regular meeting with a recommendation on how to proceed with the case.

**J. COUNTY ADMINISTRATOR:**

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

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve request of the County Administrator that the 5-person Professional Services Acquisition Committee be expanded to 7 people for the one task of the evaluation and recommendation of the economic analysis of professional spring training baseball for Highlands County. The two people to be added to the committee are Lee Shafer and John Shoop. See SMB 25 Page 124.

**2. RECOMMENDATION ON JOB RECLASSIFICATION**

Carl Cool presented the proposal for the County Engineer reclassification. The Chair opened for public input. Clayton Womer spoke in opposition. Motion by Commissioner Canale, seconded by Commissioner Barrett to approve a reclassification of the County Engineer (PG 30) to the position of Public Works/ County Engineer (PG 32) and a 2.58% increase in the base salary as of 2/21/96. This is to compensate the position for the extra responsibilities of the water and sewer system. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 125.

**3. NEWS RELEASE**

Brown Bag Musicales February 23-March 1-15-22-29, 1996. See SMB 25 Page 126.



**K. CONSENT AGENDA:**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve the Consent agenda as listed:

1. **Approval to pay all duly authorized bills**

Law Library	73.00
General	412,397.00
County Transportation Trust	53,852.65
E911 Operations	480.11
Intergovt Radio Communications	190.00
Local Govt Infra Surtax	128,411.87
Affordable Housing Asst	14,288.00
1966 Cert of Indebtedness	875.00
Correctional Facility	23,449.34
Solid Waste	96,888.69
Water/Sewer	9,608.59
Risk Retention	26,292.56
Employee Benefit	58,666.25
2. **Approval to declare nuisance-case #95-96-006. See SMB 25 Page 127.**
3. **Accept into the record-January Monthly Report**
4. **Approval of budget amendments #95-96-73 and -76**
5. **Approval to execute Resolution and Joint Project Agreement with FDOT ( US 27 and Fairmount Dr to Lake Glenada Camp Rd.) See Res. Book 9 Page 164.**
6. **Approval of minutes of 2-6-96 meeting**

Carl Cool introduced Hardee County Manager, Gary Odum and Vida A. Tomlinson, Office Manager/Budget Officer. They were present to hear Robert Sheets, David M. Griffith and Assoc. presentation on the County Cost Allocation Plan.

**L. ROBERT SHEETS, DAVID M. GRIFFITH AND ASSOC.: PRESENTATION OF COST ALLOCATION PLAN**

See David M. Griffith and Assoc. File for copy.

**6. COMMISSIONERS:**

**A. COMMISSIONER MAXCY: DIRECTION FOR HOSPITAL DISTRICT BOARD**

Discussion by the Commission. The Chair suggested that this item be placed on the agenda for workshop next week and each Board Member come back with two (2) assignments. One the dollar amount and the top three (3) priorities of health care. Staff to also bring back what has been funded in the past and the request that have been received. The Chair to send a memo to the District with information. See SMB 25 Page 128 for copy of request.

**B. COMMISSIONER CANALE: WORKSHOP FOR SAFETY OF EMPLOYEES**

The Chair set the workshop for the second Tuesday in March.

**1. COMMISSIONER CANALE: DISCUSSION OF TERM LIMITS FOR APPOINTED COMMITTEES**

After continued discussion, the Chair challenged Commissioner Canale to come back to the Board with a Plan for appointment of committees and if a workshop is needed it will then be set.

**C. COMMISSIONER GOSE: REPORT ON HEARTLAND WORKFORCE INVESTMENT BOARD**

Commissioner Gose reported that Highlands County is now part of a new service delivery area. (#19-Heartland Workforce Investment Board) under the JTPA rules and regulations.

**D. COMMISSIONER GENTRY: WORKSHOP AFTER REGULAR MEETING NEXT WEEK ON GOAL SETTING**

Carl Cool responded to the allegations made by Preston Colby on the State Fair Booth and business cards that were ordered during the time that the Surveyor license were not valid.

**7. ADJOURN**

The meeting adjourned at 3:35 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

\*\*\*\*\*

REGULAR MEETING OF THE BOARD, MARCH 5, 1996

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:

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Wilmont McCrary of the First Assembly of God Church.

3. **ANNOUNCEMENTS:**

- A. SHERIFF: PRETRIAL RELEASE PROGRAM**

Howard Godwin, Sheriff, presented a prepared statement with recommendations from the Public Safety Coordinating Council. Tom Portz, Asst. County Administrator, gave a brief update on the Program.

After Board discussion, the Chair opened the floor to the public. Richard Conover spoke in favor of the program.

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept the recommendation of the Public Safety Coordinating Council to accept Option #3 with the deletion of Items number 3 and 4. Upon Roll call, Commissioners Barrett and Canale voted aye. Commissioners Gose, Maxcy, and Gentry voted nay. The motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the original desire of the Committee with the deletion of the administrative entity and to hire the people as county employees to serve under the Judge's office with no fee to the participants. Commissioner Gose amended the motion to send a notice of cancellation of contract to PAD and seek to convert directly the contract employees that are currently in this position. Upon roll call, Commissioners Maxcy and Gose voted aye. All other Commissioners voted nay. The motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Canale to ask for cancellation of the contract and not charge the defendant a fee, create job descriptions, advertise and place the employees under the direction of the Judge. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 129.

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Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending March 7, 1996.

**B. CLERK**

1. Mr. Brooker presented plans for Highlands County's 75th birthday celebration.
2. Announcement of National Day of Prayer the first week of May.
3. Update of meeting with Judge Shinholser regarding first appearance proceedings by video.

**C. MEETINGS:**

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

The Clerk of Courts left the meeting at 9:40 a.m. and was replaced by C. Michael Eastman.

**4. CITIZENS NOT ON AGENDA**

1. Hank Kowalski addressed the issue of a statement made by Commissioner Canale concerning term limits. It applied to Board appointees volunteering their services and the request for a public announcement by the Barry Foster show.
2. Joan Pfluger presented questions regarding the ad placed for closed circuit television to be used for first appearances by the Judge.
3. Ms. Pfluger thanked the Chair for placing citizens at the beginning of the agenda. She also voiced objection to the meeting schedule.
4. Ray Napper spoke on the BFI residential services. He requested the Chair set a workshop for an in-depth discussion.
5. Clayton Womer voiced objection to the new meeting schedule.
6. Earl Pickett, President of Twin Lakes Homeowners Assoc., presented a prepared statement into the record in recognition of accomplishments by the Sheriff, Howard Godwin. See SMB 25 Page 130 for copy.
7. Richard Conover questioned the new schedule of meetings. He urged citizens to attend the upcoming budget hearings to hold the rate on millage

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and to attend all workshops to try and streamline operations for better government.

8. Preston Colby spoke on the county acquiring medical equipment for emergencies at the courthouse and security measures to reduce accidents.
9. Preston Colby presented discussion on the Vehicle Use Policy.
10. Preston Colby requested an explanation of two (2) travel vouchers for the County Administrator dated in 1993.
11. Robert Saland from Affordable Land Marks presented plans for building affordable housing in Sebring using state and federal funding. The Chair advised that the Board will be expecting a recommendation from the Affordable House Committee. See SMB 25 Page 157.

**Break 10:12-10:23 a.m.**

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to set the Action Agenda as follows:

1. An addition under Commissioner Gose-Reassignment of the Public Risk Management position.
2. An addition under Commissioner Canale-Plan for appointment of Committees
3. An addition under the Board Attorney, term limits.
4. An addition under the Asst. County Administrator, add budget amendments #95-96-87 and 88.
5. An addition under the County Administrator, add a request from the Sebring Rotary Club.

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

**A. RESOLUTION "JUVENILE JUSTICE WEEK"**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to adopt Resolution proclaiming March 25 - March 29, 1996 as "JUVENILE JUSTICE WEEK" in Highlands County . Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 9

Page 165.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 6, RELATING TO OCCUPATIONAL LICENSE TAXES**

Proof of Publication presented into the record. See SMB 25 Page 131. Ordinance read into the record by the Board Attorney. Suggested change by the Tax Collector in paragraph three (3), to change the date to: After June 1, 1996 and an insertion of the word **(and)**, to correct clerical error. The Chair opened the floor to the public. Preston Colby spoke of inadequacies in the ordinance.

The Chair advised that this was the first reading of the ordinance and a public hearing would be scheduled for the adoption. This ordinance was the consensus of the Occupational License committee. Mr. Macbeth advised that the verbiage was taken from statutes.

**C. PUBLIC HEARING TO CONSIDER PLAT VACATION - SUN'n LAKES UNIT 13**

Proof of Publication entered into the record by Administrative Aide, Lisa Burley. See SMB 25 Page 132. She presented the petition to close a portion of Calatrava Ave, Cecilia Ave and various lots to accommodate the development of a gated community. The Chair opened the floor to the public. None was received.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to adopt Resolution vacating a portion of the plat located in Sun 'n Lakes, Unit 13 and approve the recording of the Blanket Utility Easement. See Res. Book 9 Page 166 and SMB 25 Page 133.

**D. PUBLIC HEARING TO CONSIDER PURCHASE OF CHIRICO PROPERTY FOR GOVERNMENT CENTER**

Proof of Publication entered into the record by Bill Stephenson. See SMB 25 Page 134. Explanation of property description presented. The Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the appraisal procedures and approve the purchase of property in the amount of \$27,360 from Julie Chirico for the Government Center construction. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. PUBLIC HEARING TO CONSIDER PURCHASE OF BATEMAN PROPERTY FOR GOVERNMENT CENTER**

Proof of Publication presented by Bill Stephenson. See SMB 25 Page 135. Explanation

of property presented. The Chair opened the floor to the public. None was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to waive the appraisal procedures and approve purchase agreement with Cheryl R. Bateman in the amount of \$33,900 for the purchase to continue the construction of the Government Center. Upon roll call, all Commissioners voted aye. The motion carried.

**F. PUBLIC HEARING TO CONSIDER PURCHASE OF YOUNG PROPERTY FOR GOVERNMENT CENTER**

Proof of publication entered into the record by Bill Stephenson. See SMB 25 Page 136. Explanation of description presented. The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve purchase agreement with Richard E. and Adelaide E. Young in the amount of \$46,000. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. PRESTON COLBY:**

**3. QUESTIONS ON MANAGEMENT LETTER FROM DORRELL & HANCOCK**

Mr. Colby requested back up documents for grant monies that were not utilized. The Chair suggested that Mr. Colby check with the Grants Officer. Other questions regarded the understatement of insurance expense. Mr. Macbeth explained to Mr. Colby that under Fl. Statutes, the Clerk of Court is performing a function as auditor to the Board of County Commissioners and therefore all documents are found in that office. Mr. Colby also discussed the Solid Waste assessment understatement and travel voucher expense. Mr. Colby requested information regarding the public notice of last year's pre-audit meeting and minutes of that meeting.

**1. 2-23-96 LETTER FROM ROSS MACBETH**

Mr. Colby addressed the letter received from the Board Attorney. It was in response to his fax containing information from the Government-in-the-Sunshine Manual. Mr. Macbeth read the letter and suggested that his response was right to the point. No action was taken. See SMB 25 Page 137 for copy.

**2. QUESTIONS ON BOARD PERSONNEL RULES**

Mr. Colby presented a newspaper article that addressed moral turpitude. The article was written in reference to the policies of the School Board. Mr. Colby suggested that personnel address this issue so that employees have adequate definition in order to

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properly govern their behavior. Mr. Carino read the Board personnel policy that address these issues. The Chair suggested that maybe we need to provide clearer definition for employees.

**H. ECONOMIC DEVELOPMENT DIRECTOR: REQUEST TO AMEND BUDGET AND ENTER INTO CONTRACT WITH DMG**

Jim Stanfill presented the recommendation of the Industrial Development Authority to reduce the budget of the IDA by \$25,000, and to allocate the \$25,000 to the Board for their use in acquiring a contract to complete a baseball complex feasibility study. A proposal was presented from David M. Griffith and Associates for a review of the economic viability of a proposed capital facility investment. The Board discussed the issue. Mr. Macbeth stated reservations regarding the RFP and the selection process of David M. Griffith. The Chair suggested that Mr. Stanfill return to the committee for further direction. The Chair opened the floor to the public. Ray Napper and Eric Annett spoke in opposition to the proposal. See SMB 25 Page 138.

**I. HUMAN SERVICES DIRECTOR: APPOINTMENTS TO CHILDREN'S SERVICES COUNCIL**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the appointment of Judge Clifton Kelly as an honorary member and Raymond W. Cameron and Leo Rosenbaum as voting members of the Children's Services Council. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 139.

**J. PERSONNEL DIRECTOR: EMPLOYEE WELLNESS AWARDS POLICY**

Motion by Commissioner Canale, seconded by Commissioner Barrett to replace the current Board Policy on Employee Wellness Award with the new Policy as presented by Fred Carino, Personnel Director. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 140.

**K. BUDGET OFFICER: FY 96-97 BUDGET DEVELOPMENT POLICY AND CALENDAR**

Rick Helms, Budget Officer presented the Budget Development Policy and Calendar for fiscal year 96-97. Discussion ensued regarding the phone lines being available for interested participants. The consensus was to instruct staff not to hire additional personnel but to use volunteers or other staff. See Budget file for copy.

The Chair presented the gavel to Commissioner Barrett at 12:00 p.m. and left the meeting. Commissioner Barrett recessed the meeting at 12:00 p.m. for lunch.

The meeting reconvened at 1:15 p.m. with Vice-Chairman Barrett presiding and Mike



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Eastman sitting for the Clerk. Doris Gentry was not present.

**L. ASST. COUNTY ADMINISTRATOR-BUDGET AMENDMENT #95-96-087-088**

At the request of the Chairman this item was moved to the consent agenda.

**M. BOARD ATTORNEY:**

**1. TERMS OF OFFICE FOR APPOINTED BOARD AND COMMITTEES**

Ross Macbeth presented terms of office as established by the Code or Florida Statutes for several Boards and Committees. Commissioner Canale advised that she will present suggestions under Commissioners. See SMB 25 Page 141 for copy.

**2. REQUEST FOR MEDIATOR IN LENNON CASE**

Mr. Macbeth presented a letter in response to Mr. Whitehouse's letter dated January 18, 1996, requesting the appointment of a special master pursuant to the Florida Land Use and Environmental Dispute Resolution Act of 1996. After discussion, the Board requested that Mr. Macbeth go back to the other attorneys to see if a reasonable solution can be reached before proceeding with the Special Master process. See SMB 25 Page 142 for copy of correspondence.

**3. DISCUSSION ON PUBLIC HEARING TO CONSIDER ORDINANCE ON EX-PARTE COMMUNICATIONS**

After discussion, the Board suggested that a review of this ordinance should be presented to the Planning and Zoning Board before action is taken to adopt the ordinance. See SMB 25 Page 143 for copy. The Chair called for input. Hank Kowalski, Dan Foley and Wendell Whitehouse spoke regarding the issue. Mr. Macbeth advised that this item will be placed on the Planning and Zoning agenda.

**4. EXECUTIVE SESSION - PIFER v HIGHLANDS COUNTY AND GLADES ELECTRIC**

The Board gave Mr. Macbeth a consensus to hold a session on March 19, 1996 at 11:45 a.m. to discuss this case.

**N. COUNTY ADMINISTRATOR:**

**1. RECOMMENDATION ON TRAVEL APPROVAL**

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The County Administrator presented policy for Class A, B, and C travel for Board adoption.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve Rule 1.304 out of the proposed Board of County Commissioners Rules & Policies for Commissioner's travel. Commissioner Gose amended his motion to not ask the Chair to approve the travel, but to bring before the board. After discussion, Commissioner Gose withdrew his motion.

Motion by Commissioner Gose to approve Rule 1.304 of the Board's proposed policy read that reimbursement for Commissioner's travel expense must be approved by a consensus of the Board.

The Board Attorney suggested that the statute is specific in terms of approval by the head or delegation. If you want to bring it up, so that everyone is informed, then delegate to each one the authority to sign your own travel vouchers. Otherwise there has been no action by the agency head.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to delegate to each Commissioner the power to approve their own travel.

The Chair opened the floor to the public. Preston Colby spoke regarding the auditor's comment on travel and suggested that it is poor management to approve your own travel.

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

**COUNTY EMPLOYEE TRAVEL**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to authorize the County Administrator and Asst. County Administrator to approve all Class A travel as described in Section 112.061 (2) (k) Florida Statutes for all employees and volunteers.

Authorize the immediate supervisor of any county employee to approve all Class B or Class C travel as described in Section 112.061 (2) (l) & (m), Florida Statutes.

Authorize the immediate supervisor to approve after the fact any county employee or volunteer Class B or Class C travel as described in Section 112.061 Subsection (2) (k) (l) (m) Florida Statutes, if the travel is either an emergency or the travel is in the opinion of the immediate supervisor, warranted for the betterment of the county or for a more efficient operation of the county.

The Chairman called for public input. Preston Colby, John Martz and Dan Foley spoke regarding the motion.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 144.

**2. ANSWER TO RAY NAPPER'S QUESTIONS**

The Chairman requested that this item be placed on the agenda for a workshop for the second Tuesday in April.

**3. RECOMMENDATION ON HOSPITAL DISTRICT FUNDING**

After Board discussion, a motion was made by Commissioner Gose, seconded by Commissioner Canale to send Commissioner Maxcy as a liaison to the Hospital Board meeting with the policy. The Chair called for public input. Richard Conover presented input regarding the utilization of the surplus funds. Upon roll call, Commissioners Gose and Barrett voted aye. Commissioners Maxcy and Canale voted nay. The motion did not carry.

The Board instructed the County Administrator to set this issue for a workshop the second Tuesday in April and invite the Hospital Board to come and meet with the Commissioners. See SMB 25 Page 145 for copy of suggested recommendations.

**4. ANSWERS TO 2-20-96 ALLEGATIONS**

The County Administrator presented a memo with answers to proposed allegations by Preston Colby. See SMB 25 Page 146. Preston Colby objected to the answers.

**5. BOARD CONTRACTS**

The County Administrator presented copies of all active county contracts for review. No action was taken.

**6. REQUEST FROM THE SEBRING ROTARY CLUB TO WAIVE DUMPING FEES**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to waive the dumping fees for the waste products that will be generated from the circus sponsored by the Rotary Club. One-half of the profits to benefit the Children's Library. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. REPORT ON PROPOSED VIOLATION OF PUBLIC NOTICE REGARDING INTERVIEWS**

The County Administrator reported that the State Attorney's office has ruled that there was no violation of the State Law of Chapter 286.011. However, all future interviews will be publicly noticed meetings. This will allow the public to come and observe but not to participate. See SMB 25 Page 158.

**8. TERMINATION OF COUNTY ENGINEER**

The County Administrator reported that the County Engineer, Bill Lecher, will be leaving his position to begin work in Putnam County as the Public Works Director. Commissioner Maxcy stated regret for the loss of the County Engineer and suggested that the actions by Mr. Colby to the Engineering Department has caused a lot of grief and has caused Mr. Lecher to seek other employment. Commissioner Canale asked if that was an assumption or a fact. Mr. Cool advised that he would restate that as a fact. Mr. Lecher shared that it was a factor that he considered, due to the harassment that he and his staff had been placed under.

**0. CONSENT AGENDA:**

Motion by Commissioner Canale, seconded by Commissioner Gose to remove the appointment of Joe Rey from the Consent Agenda, due to his position as a Lake Placid Councilman. Upon Roll call, all Commissioners voted aye. Motion carried.

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

**1. Approval to pay the following duly authorized bills**

<b>Law Library</b>	<b>374.28</b>
<b>General</b>	<b>1,222,305.06</b>
<b>County Transportation Trust</b>	<b>350,240.04</b>
<b>E911 Operations</b>	<b>52.03</b>
<b>Intergovt Radio Communications</b>	<b>10,458.00</b>
<b>Law Enforcement Education</b>	<b>480.00</b>
<b>Local Govt Infrastructure Surtax</b>	<b>161,198.41</b>
<b>Affordable Housing Assistance</b>	<b>2,575.00</b>
<b>Correctional Facility</b>	<b>85,492.60</b>
<b>Solid Waste</b>	<b>6,242.58</b>
<b>Water/Sewer</b>	<b>47,582.89</b>
<b>Risk Retention</b>	<b>2,194.58</b>
<b>Employee Benefit</b>	<b>139,436.83</b>

**2. Approval for Elections Supervisor to sell equipment. See SMB 25 Page 147.**

**3. Approval to execute Adopt A Highway Agreement with Whispering Pines Church. See SMB 25 Page 148.**

**4. Appointments to Health Facilities Authority - Gene Polk. See**

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**SMB 25 Page 149.**

- 5. Approval of grant contract revision - Children's Museum of the Highlands**
- 6. Approval to accept donation of projector screen from Lykes Bros., Inc. See SMB 25 Page 150.**
- 7. Accept into record - Sebring Airport Financial Records. See SMB 25 Page 151.**
- 8. Approval to auction drag line. See SMB 25 Page 152.**
- 9. Approval of Children's Services Council By-laws. See SMB 25 Page 153.**
- 10. Approval of Utilities Specialist job description. See SMB 25 Page 154.**
- 11. Approval of capital expenditure request from Animal Control. See SMB 25 Page 155.**
- 12. Approval of request to waive landfill fee for Eagle Scout project. See SMB 25 Page 156 copy of request.**
- 13. Approval of minutes of 2-13 and 2-20-96 meetings**
- 14. Approval of budget amendments 95-96-081 and 086, 87 and 88**
- 15. Approval of weed control contract amendment and budget amendment 95-96-082**

The Chairman called for public input on the motion. Richard Conover questioned Items number 2, 6, and 11.

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

**6. COMMISSIONERS**

- 1. Commissioner Canale - Discussion on term limits. She suggested that members withdraw from the membership. Send them a letter and ask them if they would like to serve on that Board and if so, put them on, not as a**

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recommendation but as interested persons and give us the option to select, like pick 4 or pick 2. She also suggested the Commission go ahead and set term limits at 8 years.

Motion by Commissioner Canale that the committees that make recommendations submit names of interested parties and the Board make their selection from those individuals. The motion died for lack of a second.

The consensus of the Board was to instruct Commissioner Canale to place the policy in writing and bring back to the Board for discussion, and to send letters advising of appointments that will be open to the Chamber and other organizations for possible future appointments.

Commissioner Canale suggested that Mr. Eric Annett be placed back on the Tourist Development Council, due to the resignation of Kim Miller. Commissioner Gose suggested that it should be placed on the Consent Agenda for action.

**2. COMMISSIONER GOSE- PUBLIC RISK MANAGEMENT**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to remove Commissioners Gose and Canale from the Public Risk Management Group and appoint the Asst. County Administrator as the Board Member and the Personnel Director as the Alternate. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. O.J. SQUEEZE CONTEST TO BE HELD AT THE AVON PARK MALL FESTIVAL, MARCH 30, 1996 AT 10:30 A.M.**

Request participation by the Commissioners

**7. ADJOURN**

The meeting adjourned at 3:15 p.m.

\_\_\_\_\_  
Chairperson

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

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**WORKSHOP MEETING OF THE BOARD, MARCH 12, 1996**

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:

Doris Gentry	
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **EMPLOYEE SAFETY**

1. Carl Cool suggested three items for discussion.
  - a) De-escalation Training
  - b) Building Security
  - c) Building Operation

De-escalation Training is class type instruction in how county employees that typically deal with the public can calm the situation with a disgruntled citizen or employee before the situation gets out of hand. One area that needs to be addressed is harassment of employees. Sexual harassment is an issue that the county is very concerned with. Department Heads and Supervisors are instructed in that area and a policy has been developed. Mr. Cool suggested that the college obtain literature and offer a training session in De-escalation. Violence in the workplace was also discussed.

2. Fred Carino, Personnel Director, presented an excerpt from a seminar by Alley and Alley, labor attorneys, with information regarding the origins of anti-harassment policies. Other information was a publication on "How to avoid negligent hiring claims and violence in the workplace." Mr. Carino pointed out the statistics on workplace violence.

Mr. Carino mentioned that the county participates in preventive measures for employment. It provides employee assistance programs and is a drug free workplace employer. A sexual harassment policy is in place in the personnel manual. See Employee Safety file for copy of information.

Commissioner Canale suggested a self defense class with the participation of the Sheriff's Department.

Mr. Carino reminded the Board that Building Operations has employees leaving the premises at 2:00 a.m. when no one is around.

Mr. Earl Pickett suggested that employees should remind the Sheriff's Department what time they will be leaving and would like support from that department.

Vernon Malloy, Building Operations Supervisor, stated that he would request that his employees give the intruder access to what that want, rather than act in a defensive manner as they are not responsible for securing the building.

The Chair suggested that the Personnel Director bring back policies on anti-harassment. and a proposal for training for the employees.

3. Buddy McKenzie presented the new procedures that the Clerk has implemented to provide the necessary security for the courthouse. A security system, hardwood doors, plexiglass support windows and panic buttons have been installed for the protection of the employees. This was accomplished after attending a seminar on building security. Bud Dixon, Clerk of Polk County also attended the Seminar and implemented security measures for his employees.

The Clerk is embarking on a video first appearance hearings and arraignments. This will create safety not only for the prisoners, but court staff and clerk staff, since it is a potential hostage situation every time employees are mixed with defendants in one room.

The Clerk addresses the security measures each time he talks with citizens or at juror orientation.

4. Vernon Malloy explained the different measures that have been taken at county facilities. Additional lighting was installed for the benefit of the Tax Collector. He recognizes the need for further protection.

**Break 10:00 - 10:15 a.m.**

5. Vaden Pollard presented his ideas on defusing a potential violent situation.
6. Commissioner Barrett suggested an area specifically designated for records request.
7. The Board Attorney spoke in favor of a trespass warning notice giving a



- specific person the authority to issue.
8. The Chair advised that she will place the trespass notice issue on the agenda for a later date and request the Sheriff to be present.

The Board Attorney suggested an addition to the Executive Session on next week's agenda to include Highlands County v Terry - case #95-388, parcel #3 dealing with Everett Weeks Eminent Domain.

**4. LIBRARY LONG RANGE PLAN**

- A. The County Administrator requested a delegation of authority to the Constitutional Officers for the buildings occupied. The Chair advised that she will place on the agenda for further discussion.
- B. Carl Cool reviewed the long range adopted plan for the Library System.
- C. Commissioner Canale requested additional members to the Library Advisory Board. She recommended the Board allow the president of the Friends of the Library of each municipality to become alternate voting members. The Chair suggested the proposal be placed on the agenda for a vote by the Board.

**5. DOUG LEONARD, CENTRAL FLORIDA REGIONAL PLANNING COUNCIL**

Mr. Leonard announced a workshop in the Board of County Commission Chambers on March 13, 1996 at 6:00 p.m. regarding the Strategic Regional Policy Plan. There are five (5) areas for discussion.

**A. STRATEGIC REGIONAL POLICY PLAN**

1. **Natural Resources**
2. **Economic Development**
3. **Regional Transportation**
4. **Affordable Housing**
5. **Emergency Preparedness**

Mr. Leonard gave a presentation on the problems associated with Economic Development.

The Chair reported that she is meeting with two planners from Boston to design the layout

on the Lockett Estate. Six counties will be involved with the development of the regional facility. Several other boards will also be involved. The group will be setting goals and promoting the facility as a destination, not as a drive by activity.

**6. VISION STATEMENT FROM GOAL SETTING WORKSHOP**

The Commission discussed the vision statement presented by the Chair. She suggested that other members bring back input to work toward a county vision statement. Review of mission statement for technology. Discussion to continue at Board meeting.

**7. COMMISSIONER BARRETT: TAXING DISTRICT**

Commissioner Barrett advised that the Venus Fire Department would like to create a Special Tax District. The County Administrator was instructed to contact Jerry Hill with information.

**8. ADJOURNMENT**

The workshop adjourned at 11:35 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, MARCH 19, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Paul Hinman presented the Daily Jail Log of Inmate Count for the period ending March 19, 1996.

Commissioner Maxcy requested the total amount of assets listed in the inmates commissary accounts for review at the next meeting.

- B. CLERK**

No report presented

- C. FUTURE UPCOMING MEETINGS:**

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

**KEVIN ROBERTS-EXCESS PROPERTY - AVON PARK AIR FORCE RANGE**

The Chair gave the Human Services Director a consensus to move forward with the proposal to secure property at the Air Force Range for the operation of a juvenile or correctional facility. Mr. Roberts will form a planning panel or workgroup to study the matter and make a recommendation back to the Commission. The planning panel will include representatives from the Department of Juvenile Justice (District 14), County Sheriff's office, Highlands County Juvenile Justice Council, Highlands County School Board, Children's Services Council, Human Services and other groups as deemed

necessary. See SMB 25 Page 160 for all back-up documentation.

**4. CITIZENS NOT ON AGENDA:**

1. Eric Annett, representing Annett Bus Lines, spoke in favor of placing the Tourist Tax on the Ballot without any further surveys.
2. John Lengyel spoke to the Board on employee turnover and recommended an employee survey be conducted by an outside consulting firm in conjunction with the Personnel Director.
3. Hank Kowalski suggested an ordinance requiring businesses and residents to display their address on structures large enough to be seen from the street.
4. Joan Pflueger spoke regarding the building of sea walls without obtaining permits. Other comments were the disappearance of wood ducks and enforcement of activity on lakes.
5. Earl Pickett presented a handout of a newspaper article and requested the adoption of an anti-harassment policy.
6. Richard Conover suggested that the public Safety meeting be placed on the agenda under upcoming meetings. Other comments were regarding Pre-Trial Release, Court Litigation and appointments to the Construction Licensing Board.
7. Preston Colby addressed several items for discussion:
  - (a) Carl Cool delegating policy making authority (trespass notice)
  - (b) Staff meeting items presented by Carl Cool (complimentary letters)
  - (c) Keep Highlands Beautiful questions
8. Ray Napper presented items of concerns regarding the BFI Franchise. The Chair advised that a workshop was set for April 9, 1996.

Mr. Cool responded to questions regarding the trespass notice and his advice to employees dealing with Mr. Colby on the telephone. Mr. Cool advised that employees have always been credited for complimentary letters received. In response to the "Keep Highlands Beautiful" program. This program is a service to the County and is in place and working well. The Board Attorney responded that the Corporation was set up by him as the attorney and is a normal procedure. He did not receive any extra fees for doing this. He appointed the Board as usual procedure. The Personnel Director also corrected statements presented by Mr. Colby. The Chair advised that the discussion will continue

in April.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to set the Action Agenda with the deletion of Item H, number two, BFI Franchise agreement and insert a Proclamation for Public Health Week. The franchise agreement to be discussed at a workshop in April. Upon roll call, all Commissioners voted aye. Motion carried.

**A. LEE SHAFER, IDA, AND CHRISTINE HANDS, TOURIST DEVELOPMENT COUNCIL: LOCAL OPTION TOURIST TAX**

Christine Hands, speaking for the Tourist Development Council, requested the Board waive the requirement of an industry survey.

The Chair opened the floor to the public. Jack Bennion and Jim Cash spoke in opposition to the tax referendum. David Hazelett, representing the Holiday Inn, spoke in favor of placing the Local Option Tourist Tax on the ballot.

Motion by Commissioner Canale to give the opportunity to the public to place the Local Option Tourist Tax on the ballot in the September primary and not require the industry survey. Commissioner Gose seconded the motion with an amendment to place on the ballot for the General Election. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. See SMB 25 Page 161.

**B. VETERANS' SERVICES OFFICER: NATIONAL CEMETERY PROPOSAL**

Roy Carr, Veterans Service Officer, presented a proposal for a National Cemetery to be placed at the Avon Park Air Force Bombing Range. Letters of endorsement entered into the record. See file for copy.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt Resolution in support of establishing a National Cemetery within the boundaries of the Avon Park Air Force Range.

The Chairperson called for input on the motion. The following persons spoke in support of the proposal:

Elbert Bennett, O.J. Stevens, Gene Cornell, Frank Pettinger, Roy Whitton, H. C. McElroy and Steffin Murphy. Hank Kowalski suggested that the proposition should be transferred to Desoto County, due to the environmental aspects and the responsibilities of the Air Force. Ann Bennett advised that there is enough property located at the range that is not being utilized and could benefit the Veterans in the state of Florida.

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

The Chair complemented Roy Carr on an outstanding job in getting all the partners together in order for Highlands County to be competitive in this process. See Res. Book 10 Page 1.

**C. OPERATIONS DIRECTOR: ROADS IN LEISURE LAKES**

Vaden Pollard reviewed the petition requesting the construction of Waterway and Oleander Drive in Leisure Lakes. He presented documentation of the history of the roads that were constructed in the late 70's and stated that reconstruction would likely take permitting due to wetland jurisdictional areas and require mitigation. In addition to impacting the road program, the roads will be very expensive to permit, mitigate and reconstruct.

The issue of Board concern is whether or not these roads should even be county maintained. Documentation noted several deficiencies that the county brought to light upon inspection of the roads in 1978. Corrective action should have been made prior to assumption of county maintenance and these improvements were never made.

The Board discussed the agreement between the county and Leisure Lakes. Commissioner Barrett presented questions on certain sections of the agreement. The Chair called for public input. Mr. Frank Gallagher, president of Leisure Lakes Homeowners Assoc., expressed concern for safety. Road signage should be addressed or renaming of the roads. The Chair suggested that staff work with Mr. Gallagher to correct concerns. See Leisure Lakes file for copy of information.

**D. ASST. COUNTY ADMINISTRATOR: PRE-TRIAL RELEASE PROGRAM-JOB DESCRIPTIONS**

Mr. Portz presented recommendation for approval of the job descriptions. The Chair called for input on the issue. Lt. Hinman from the Sheriff's office spoke in support of the bilingual capability of the Program Assistant.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve job descriptions for a pay grade 12, Program Coordinator and pay grade 10, Program Assistant with an addition under minimum qualifications of pay grade 10 to read bilingual spanish preferred for the Pre-Trial Release Program. Tentative interviews to be set for April 19 and employment to begin on May 1, 1996. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 162 for copy of job descriptions.

**E. DEVELOPMENT DIRECTOR:**

**1. AGREEMENT WITH RURAL ECONOMIC AND COMMUNITY DEVELOPMENT AGENCY**

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Motion by Commissioner Gose, seconded by Commissioner Barrett to void the agreement dated April 4, 1995 and substitute the cooperation agreement with R.E.C.D. as recommended by the Affordable Housing Committee on March 7, 1996. Upon roll call, all Commissioners voted aye. Motion carried.

**2. NRAC RECOMMENDATION ON PRESCRIBED BURNING**

Kurt Olsen, representing the NRAC, presented a Resolution in support of prescribed burning in Highlands County. Letters of support from the Audubon Society, Highlands County Cattlemen's Association and the Heartland Environment Council entered into the record. See SMB 25 Page 163.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to adopt Resolution that endorses prescribed burning as an effective environmental management tool. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 2.

**3. FALL 1995 COMP PLAN AMENDMENTS**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to authorize staff to demand that DCA mediate with the county to resolve the impasse concerning the Fall and Spring, 1995 Comprehensive Plan amendments. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 164 for copy.

**F. BUDGET OFFICER: CAPITAL IMPROVEMENT PLAN**

Rick Helms presented a draft copy of the Capital Improvement Plan that has been submitted. Staff will be reviewing these items and making a recommendation in approximately 30 days. He suggested that other items may be added by the commission. Commissioner Canale reminded the Budget Officer of the plan of the Recreation Committee for proposed purchase of property. See Budget file for copy.

**G. BOARD ATTORNEY**

No report

**H. COUNTY ADMINISTRATOR:**

**1. APPOINTMENTS TO CONSTRUCTION LICENSING BOARD**

Motion by Commissioner Barrett to appoint Monte Delaney to the citizen slot in the place of Ralph Leighton and Keith Reinish to the alternate slot. The motion died for lack of a second.

Motion by Commissioner Canale, seconded by Commissioner Barrett to appoint Ralph

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Leighton and Keith Renish as regular members and Monte Delaney as the alternate to replace Mr. Stokes . Upon roll call, Commissioners Canale, Barrett and Maxcy voted aye. Commissioners Gentry and Gose voted nay. Motion carried. See SMB 25 Page 165.

**2. BFI FRANCHISE AGREEMENT DISCUSSION**

This item will be discussed the second Tuesday in April.

**3. PROCLAMATION: PUBLIC HEALTH WEEK**

Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt proclamation declaring April 1-April 7, 1996 as Public Health Week in Highlands County . Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 3.

**I. CONSENT AGENDA:**

The County Administrator read the Consent Agenda and presented a brief explanation of each item.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the Consent Agenda as presented:

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

<b>Law Library</b>	<b>714.76</b>
<b>General Fund</b>	<b>659,468.54</b>
<b>County Transportation Trust</b>	<b>50,655.41</b>
<b>E911 Operations</b>	<b>19,002.22</b>
<b>Intergovt Radio Communications</b>	<b>3,260.51</b>
<b>Local Govt Infrastructure Surtax</b>	<b>216,821.20</b>
<b>Affordable Housing Assistance</b>	<b>11,128.00</b>
<b>Correctional Facility</b>	<b>515.05</b>
<b>Solid Waste</b>	<b>200,113.36</b>
<b>Water/Sewer</b>	<b>17,877.08</b>
<b>Risk Retention</b>	<b>149,148.05</b>
<b>Employee Benefit</b>	<b>67,482.97</b>

**2. Accept into record - February Monthly Report**

**3. Approval for paving scale house approach at new landfill. See SMB 25 Page 166.**

**4. Accept into record - transcript of litigation, case GC94-445,**



Keystone Fruit Co. See SMB 25 Page 167.

5. **Approval to execute Emergency Management Grant #96EMU -07-38-10-028**
6. **Approval of minutes of 3-5-96 meeting**
7. **Accept into record - Highlands County Hospital District audit report**
8. **Accept into record - Ridge Water Control District Public Facilities Report for 1996**
9. **Approval to execute Grant Contract revision - Big Brothers/Big Sisters Inc.**
10. **Accept into record - Quarterly Contract Variance Report for period ending 12-31-95 from the County Public Health Unit Administrator. See Health Department file for copy.**
11. **Approval to execute Traffic Signal Maintenance Order**
12. **Approval to execute Adopt a Highway Agreement - Cloverleaf Road**
13. **Approval to execute Adopt a Highway Agreement - Lake Francis Road**
14. **Approval of Budget Amendments 95-96-092 through -096**
15. **Approval to execute Transfer of Tax Certificates. (Loretta Turner). See SMB 25 Page 169.**

Upon roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried.

**J. RESOLUTION: "KEEP AMERICAN BEAUTIFUL MONTH - APRIL 1996"**

Peggy Melvin, Executive Director, of "Keep Highlands Beautiful", mentioned the Great Avon Park Clean Up scheduled for April 13, 1996. Other activities are environmental clean ups with the high schools and solid waste activities with the elementary schools.

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Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt Resolution proclaiming the month of April, 1996 as "Keep American Beautiful Month" in Highlands County . Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 4.

Commissioner Gose presented a statement as to allegations by Preston Colby regarding Ms. Melvin's qualifications being associated with his campaign. Mr. Gose related that she worked at South Florida Community College as a computer wizard and at her home she has the capability with her computer to produce labels. She was president of the Humane Society and obtained many grants. Her qualifications are many.

**11:45 a.m. - Executive Session regarding Piefer v. Glades Electric Co-op, Inc. and Board of County Commissioners, Circuit Court for Highlands County, GC95-51, 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, County Attorney, J. Ross Macbeth and a certified court reporter, Amanda Hoover. See SMB 25 Page 170 for copy of Proof of Publication.**

The regular meeting reconvened at 12:30 p.m. with all members present except the Clerk.

### 6. COMMISSIONERS

1. Commissioner Canale-Discussion of establishing a Multicounty Library Cooperative. See SMB 25 Page 168 for information. The Chair suggested that this be placed on the agenda for further discussion.
2. Commissioner Canale- How to create trust with commissioners and citizens.
3. Commissioner Canale- Traffic problem on Schumacher Road caused by Newspaper boxes.
4. Commissioner Barrett- Letter from Tom Portz to HOK
5. Commissioner Barrett- Proposal from Small County Coalition to Governor
6. Commissioner Maxcy- Melaleuca on Shamrock Drive. Request that staff investigate.

### 7. ADJOURN

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The meeting adjourned at 12:40 p.m.

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**Chairperson**

**Attest:**

\_\_\_\_\_  
**Clerk**

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REGULAR MEETING OF THE BOARD, APRIL 2, 1996

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:

Doris Gentry	LE 'Luke' Brooker
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. Mike Karl.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending April 2, 1996.

- D. **SHERIFF: SERIOUS HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM**

Sheriff Howard Godwin gave a small presentation on the SHOCAP Program, explaining that the program is a systematic information-based process for dealing with the small population of chronic and recidivistic juvenile offenders committing serious crimes in our community. The Sheriff requested a motion to execute the agreement. Motion by Commissioner Canale, seconded by Commissioner Barrett to approve the agreement. The Board Attorney read the agreement into the record. Signatures were received from the Sheriff, State Attorney, Superintendent of Schools, Chief of the City of Avon Park, Acting Juvenile Justice Manager, Chief, City of Sebring, Doris Gentry, Chairperson and Luke Brooker, Clerk of Courts. The Chair thanked all participants in the program. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **CLERK**

1. **COMPREHENSIVE ANNUAL FINANCIAL REPORT**

The Clerk presented the Comprehensive Annual Financial Report and the report to the Comptroller for the fiscal year ended September 30, 1995. He expressed appreciation to county staff, external auditors and the Clerks office for preparing it in a timely matter. Mr. Brooker

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advised that it has been submitted and the Clerks office expects to again receive the award for excellence in reporting for the 4th year in a row. Of most importance is how this report depicts the financial health of Highlands County and great emphasis is placed on its contents when we are in a borrowing position.

**2. HISTORIC PRESERVATION COMMISSION**

Mr. Brooker gave a report on the County's 75th Birthday Celebration to be held on the Courthouse Lawn April 19, 1996 at 2:00 p.m.

**3. NATIONAL DAY OF PRAYER**

The Clerk reminded everyone of the National Day of Prayer to be held on Thursday May 2, 1996 at 11:00 a.m. on the courthouse lawn.

**4. CHECK RECEIVED FROM THE COMPTROLLER'S OFFICE**

Mr. Brooker reported that his office received a check in the amount of \$17,000 from the Comptroller's office, Department of Banking and Finance. This check represents the sale of timber and timber products. One-half of the portion will go to the county for roads.

**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. CITIZENS NOT ON AGENDA:**

1. Mr. Jimmy Wohl, representing Super Sweet Farms, presented a request to the Board to use a Deer Depredation permit application to destroy nine (9) deer that are destroying his watermelon crop. The meat would be given to the New Testament Mission and Church. The property is leased from the county and is a portion of Section 27, Township 34 South Range 30 East. The request would be a written permission from the Board, as the property owner, to destroy the animals and then Mr. Wohl would apply for the permit.

Comments were received from the Commission regarding the steps taken by Mr. Wohl before his request to the Board.

The Chair advised Mr. Wohl that the Board will take action under the County Administrator.

Rev. Karl stated that the meat from the deer would be used to feed the homeless.

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2. Margie Garza stated that she works at the Super Sweet Farms and if the deer keeps eating the watermelons, they will have nothing to harvest.
3. Mark Bryan also spoke regarding the deer problem and effect of the family income.
4. Mr. Preston Colby presented Fl. Statutes regarding the acquisition of property for county right of ways by Mr. Stephenson and the requirement to negotiate within the Sunshine Law.
5. Peggy Melvin, Keep Highlands Beautiful, Inc., encouraged everyone to participate in the great Avon Park Clean Up on April 13, and the great Sebring Clean up on April 20, 1996.
6. Maria Sutherland, Director of the Avon Park Chamber of Commerce, commented on the winner of the Orange Juice contest. She presented Luke Brooker, Clerk of Courts, with a trophy as the team winner. The Clerk presented a certificate to each participant of the Clerks office.
7. Carl Cool, County Administrator, addressed the negotiations made by Mr. Stephenson for the purchase of land. He advised that Mr. Stephenson has not been given the authority of the Board of County Commissioners to negotiate and bind them in any way. He does bring back an agreement for the Board to consider. The Statutes that Mr. Colby read does not apply. The Board Attorney suggested that Mr. Cool's statement is true. The Board has to have a public hearing to consider the offer. The offer is from the property owner not the Board. Mr. Colby presented arguments to these comments.

The Clerk left the meeting at 9:50 a.m. and was replaced by C. Michael Eastman, Director of Accounting and Finance.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to set the action agenda with the addition of the Deer Depredation Permit Application to be discussed under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.  
Break: 9:56 a.m-10:02 a.m.

**A. PRESTON COLBY: VEHICLE USE POLICY**

Mr. Colby discussed the County Vehicle Use Policy as implemented by Mr. Cool. The Board Attorney responded that the Board of County Commissioners has the authority to over rule any policy implemented by the County Administrator in terms of the delegated

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areas that he has been given administrative responsibility. The Board has given Mr. Cool the authority to set up guidelines in a wide range of things that are necessary on a day to day basis for the operation of the county. If the Board agrees with this policy, they may adopt or they may add to or change the name policy to procedure. See SMB 25 Page 172 for copy of information.

**B. JACK BANION: ACTIONS AT MARCH 19 MEETING**

Mr. Jack Banion presented a verbal protest for actions taken at the March 19, 1996 meeting where the Board voted to place the Tourist Development Tax on the ballot without a survey being conducted. The Chair opened the floor to the public. Linda Allen, Jim Cash and Anne Bond spoke in opposition to the vote without a survey. Preston Colby presented recommendations for a poll. The Chair suggested that Commissioner Canale as liaison to the Tourist Development Council set up debates and the Tourist Development Council get out and educate the public, so that both sides of the issue can be presented. The citizens will then make the decision.

**C. ED BART, HOK ARCHITECTS: JAIL CONSTRUCTION DISCUSSION**

Mr. Ed Bart, HOK, Architect, appeared before the Board to review the change order for the Kitchen Dishwasher Hook-Up. Mr. Bart advised that his office was not informed of the difference in electrical service requirements and the problem was not discovered until the hook-up of the equipment was being performed. A change order was issued for \$9,719. Correspondence was reviewed from the Assistant County Administrator advising the company of negligence on their part. Mr. Bart suggested that HOK would be responsible for a \$2,000 credit against the change order. After discussion by the Board and staff a motion was made by Commissioner Barrett, seconded by Commissioner Canale to follow the recommendations of Mr. Portz's letter to not pay the change order, as this was not the fault of the county.

Commissioner Canale requested that Raymond Kiraouc of the Sheriff's Department present his recommendations. His recommendations were for the county not to assume responsibility for the payment. John Lengyel also spoke against the county paying for the change order. Upon roll call, Commissioners Canale and Barrett voted aye. All other commissioners voted nay. The motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Maxcy that the contractor and the county each pay one-half of the change order. The Chair called for input from the public on the motion. Raymond Kiraouc, Preston Colby and Clayton Womer spoke in opposition to the motion. Upon Roll call, Commissioners Gose and Maxcy voted aye. Commissioners Barrett, Canale and Gentry voted nay. The Motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Canale to ask HOK to pay the entire bill. The Chair called for input on the motion. Preston Colby spoke in favor of the

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motion. Mr. Bart advised that HOK would pay the whole amount if that was the wishes of the Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 173.

**E. LIBRARY DIRECTOR: MULTI-COUNTY LIBRARY COOPERATIVE COMMITTEE APPOINTMENTS**

The Chairperson appointed Commissioner Canale as the representative to any future meetings held to plan the multi county cooperative and suggested that she will also be involved in the six county cooperative.

Motion by Commissioner Barrett, seconded by Commissioner Gose to support the development of a multi county library cooperative that will benefit the citizens of the county and, that Commissioner Canale, County Administrator, Carl Cool and County Library Director, Mary Myers, be appointed as the members of the cooperative planning committee. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 174.

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

No other information presented.

**G. BOARD ATTORNEY**

1. Litigation Session set for April 16, 1996 at 11:30 a.m in case Lowell v Maxcy
2. The Chair instructed the County Administrator to seek legal council in rezone cases where Mr. Macbeth has a special interest.
3. The Board Attorney discussed agenda procedures for emergency items. He advised that the Commission has in the past made the determination on a case by case basis. Preston Colby suggested the Commission develop a criteria for emergency issues. Clayton Womer spoke in favor of the request for Jim Wohl.

**H. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO LIBRARY BOARD**

Motion by Commissioner Canale, seconded by Commissioner Gose to accept the resignation of Mr. Frank Hughes from the Library Advisory Board and to hold off on the appointment for a later date to review other resumes. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 175.



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**2. ANSWERS TO MR. COLBY'S QUESTIONS**

The County Administrator presented a memo in response to questions asked by Preston Colby. Refer to tape for discussion by Mr. Colby. See SMB 25 Page 176.

**3. REPORT ON WOOD DUCK POPULATION ON LAKE JOSEPHINE**

See memo from Carl Smith, SMB 25 Page 177.

**4. REQUEST TO GRANT APPROVAL OF A DEER DEPREDATION PERMIT APPLICATION**

Motion by Commissioner Gose, seconded by Commissioner Canale to grant permission to Mark Bryan to seek a Deer Depredation Permit Application for the problem at the landfill and if successful to waive the policy of "no hunting or firearms" for the temporary problem.

The Chairperson called for public input on the motion. Peggy Melvin speaking as an animal activist, spoke in support of the motion.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 178.

**5. PRESS RELEASE - FUND RAISER AT THE LINCOLN HEIGHTS VFD TO ASSIST IN PLACING A FIRE EXTINGUISHER AND SMOKE DETECTOR IN HOUSEHOLDS IN THAT DISTRICT**

**6. CORRECTED REPORT FROM PERSONNEL REGARDING THE TURN-OVER RATE IN HIGHLANDS COUNTY. SEE SMB 25 PAGE 179.**

**I. CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Consent Agenda with correction to the minutes of March 12, 1996, Book 16 Page 464, to read the County Administrator was instructed to contact James Hill, Fire Chief from Venus with information.

**1. Approval to pay all duly authorized bills**

<b>Law Library</b>	<b>610.50</b>
<b>General</b>	<b>1,333,607.04</b>
<b>County Transportation Trust</b>	<b>109,003.23</b>
<b>E911 Operations</b>	<b>83,844.17</b>
<b>Intergovt Radio Communications</b>	<b>738.03</b>

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<b>Law Enforcement Education</b>	<b>1,831.00</b>
<b>Affordable Housing Assistance</b>	<b>616.40</b>
<b>Correctional Facility</b>	<b>93,611.07</b>
<b>Solid Waste</b>	<b>19,872.63</b>
<b>Water/Sewer</b>	<b>145,611.64</b>
<b>Risk Retention</b>	<b>5,162.91</b>
<b>Employee Benefit</b>	<b>78,879.13</b>
<b>Tax Deed Surplus</b>	<b>2,439.14</b>
<b>Local Govt Infrastructure Surtax</b>	<b>85,699.55</b>

2. **Approval of minutes of 3-12-96 workshop and 3-19-96 regular meeting**
3. **Approval to execute Certificate of Governmental Unit-Taylor Oil Co. See SMB 25 Page 180.**
4. **Approval to record Nuisance Release, Case #9596-011. See SMB 25 Page 181.**
5. **Approval of street name change - Fentress Blvd to Health Way See SMB 25 page 182.**
6. **Approval to execute Adopt a Highway Agreement - Catfish Creek Rd.**
7. **Approval to execute modification to Emergency Management Grant #96CP-05-07-38-01-028. See SMB 25 Page 183.**
8. **Approval to remove items from warehouse inventory. See SMB 25 Page 184.**
9. **Approval to participate in Drug Abuse Grant.**
10. **Approval to execute Heartland Rural Health Agreement**
11. **Approval of budget amendments #95-96-100, 102 and 103. See SMB 25 Page 185.**

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

**6. COMMISSIONERS**

1. Commissioner Canale congratulated the clerk and staff as the OJ contest

winner.

2. Commissioner Canale commented on working with the Multi-county Library Cooperative Program.
3. Commissioner Canale commended Highlands County on the state education competition.
4. Commissioner Maxcy advised that he takes exception to Mr. Colby's actions at Board meetings.
5. Commissioner Barrett commended Mr. Portz on his work with HOK.

**7. ADJOURN**

The meeting adjourned at 12:30 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, APRIL 16, 1996**

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:

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending April 16, 1996.

- B. CLERK**

1. Mr. Brooker reminded everyone of the celebration of the 75th Birthday of Highlands County on Friday April 19, 1996 at 2:00 p.m.
2. Announcement of the "National Day of Prayer" to be held on May 2, 1996 on the Courthouse Lawn.

- 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 was replaced by C. Michael Eastman, Director of Accounting and Finance.

4. **CITIZENS NOT ON AGENDA:**

1. Hank Kowalski praised Commissioner Barrett as one of the hardest working commissioners.
2. Mr. Kowalski spoke regarding a special meeting of the Sun'N Lakes of Lake

Placid Special Recreational District in which the Board considered a set of rules for the District. The Chair suggested that discussion will be continued under the Special Tax District.

3. Mr. Preston Colby spoke regarding the representations made by Mr. Gose at the Sun'n Lakes Forum relating to a delay requested during the hearing on January 30 to study the materials at a greater length. The record does not support that contention. The record shows that Commissioner Canale asked for a continuation to have the Labor Attorney here so that he could provide informed comment to the Board. It did not relate to the additional material that was provided. It was to get advice and council to the Board on labor issue.
4. Mr. Colby spoke to the Board regarding the issuance of county checks by staff and the methodology used.
5. Mr. Colby spoke regarding the resignation of the County Engineer and allegations of harassment.

Mr. Cool responded to Mr. Colby's statement on the resignation of the County Engineer and allegations of harassment. Mr. Eastman also responded to Mr. Colby regarding the issuance of county checks and the county benefit exemption clause. The Board Attorney advised that he would need to research the issue on exemption.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to set the action agenda as amended:

1. An addition to the County Administrator for action regarding a letter from Charles Bryan, Tax Collector, for redistribution of funds to the cities.
2. A deletion under the Personnel Director to strike E - #2 Employee Wellness Clinic Contract, to be discussed by the Insurance Committee.

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

**A. LAMONTE DELANEY: CHAIN LINK FENCE REQUIREMENTS:**

Mr. Delaney addressed the issue of the requirement of a block test to obtain a license to build fencing. He stated that the block test is designed to test the skills of bookkeeping and does not test the skills or abilities of fence installation. The Board discussed the request. Mr. Macbeth presented information relative to the requirement of the Block Exam and the wishes of the Construction and Licensing Board. The Chair suggested that she will send

a letter to the Construction and Licensing Board and request that they revisit the issue again.

**B. MIKE WILLINGHAM, SEBRING AIRPORT AUTHORITY: AMENDMENT TO INTERLOCAL AGREEMENT**

Mike Willingham, Sebring Airport Authority, gave a presentation to the Board for a modification to the Interlocal agreement to construct an aircraft manufacturing facility containing approximately 40,000 sq. feet.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve request for a modification to the Airport Authority and the City of Sebring Interlocal Agreement to add Leza Aircraft to the list of approved projects. Upon Roll call, all Commissioners voted aye. Motion carried. See Sebring Airport Authority for copy.

**C. HUMAN SERVICES DIRECTOR: AVON PARK AIR FORCE RANGE**

Kevin Roberts, Human Services Director, presented information in favor of obtaining 45 acres located at the Avon Park Air Force Range for the purpose of operating a juvenile or other correctional facility. Greg Chinault, Juvenile Justice, spoke in favor of the facility.

Carl Cool, County Administrator, mentioned that in the 45 acres is a water system that supplies water to the Avon park Correctional system. If the county acquires the property, they may want to convey the water system to them.

Motion by Commissioner Barrett , seconded by Commissioner Gose to officially notify the United States Air Force to express Highlands County's support for obtaining all rights and title to 45 acres of excess property and improvements located at the Avon park Air Force Range for the purpose of operating a juvenile or corrections facility. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 189.

**D. LIBRARY DIRECTOR: CONSTRUCTION GRANT APPLICATION FOR SEBRING LIBRARY**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the application for a construction grant to be used to match local funding for expansion and remodeling of the Sebring Public Library. Upon Roll call, all Commissioners voted aye. Motion carried. Suzanne Hunnicutt, representing Chastain Skillman, provided the Board with a design of the construction.

**E. PERSONNEL DIRECTOR:**

**1. REVISED EXPOSURE CONTROL PLAN**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt the revised Bloodborne Pathogens Exposure Control Plan and Procedures. Upon Roll call, all Commissioners voted aye. Motion carried.

**2. EMPLOYEE WELLNESS CLINIC CONTRACT**

This item was withdrawn at the request of the Personnel Director.

**F. ECONOMIC DEVELOPMENT COMMISSION DIRECTOR: STRATEGIC REGIONAL POLICY PLAN**

Jim Stanfill, Director of the Economic Development presented an update of the Highlands County and IDA/EDC officials as to the current status of the proposed Strategic Regional Policy Plan. Jim Polatty, Development Director, stated concerns for the Policy Plan. He advised that when his draft is complete, he will share these with the Board. Doug Leonard gave an outline of the Plan. See Economic Development File for copy.

**G. COUNTY ENGINEER: SPRINGLAKE SERVICES CONTRACT AMENDMENT #1**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve amendment number one to the contract with Spring Lake Services for the Placid Utilities non contaminated water service installation and authorize the Chairman to execute the contract amendment and to approve the Public Works Director be authorized to award change orders for house services not provided for in the contract, not to exceed \$1,000. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 190.

The Public Works Director gave an update on the agreement for the water system in the Fransvilla area.

**DESIGNATION OF THE VOLUNTEER OF THE WEEK AWARD**

Susan Foster, representing the Renaissance, presented Richard Conover with balloons and candy in designation as the Volunteer of the Week award.

**H. ASSISTANT COUNTY ADMINISTRATOR:**

**1. EMS MAIN STATION REPLACEMENT**

Motion by Commissioner Barrett, seconded by Commissioner Gose to appoint a project team of Tom Portz, Rick Weigand and Bob Jamison to solicit a request for proposal from the modular industry for the replacement of the EMS Main Station. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 191.

**2. FY 1994-95 AUDIT RESPONSE**

Review of the audit response presented by the Asst. County Administrator. See SMB 25 Page for copy 192.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve audit responses as presented and to forward to the Auditor General office. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. REPORT ON REQUEST TO PIGGY BACK ON FACC BENCHMARK STUDY**

The determination was that the contractual services with FACC for the Benchmark Study can not be utilized on behalf of the Board of County Commissioners. There must be a separate RFP. Staff would need a generic scope of work presented on what they would like accomplished. Staff to then present back to the commission.

**J. COUNTY ADMINISTRATOR: APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to appoint Keith Hunnicutt and James Fitch to the Historic Preservation Commission for a four year term. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 193.

**6. 11:30 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, to discuss:**

***Lowell, et al. v. Maxcy, et al., Circuit Court for Highlands County, Case no. GC94-418***

**K. DOUG LEONARD: REQUEST FOR SUPPORT OF REGIONAL COMMUNITY TRAFFIC SAFETY PROGRAM**

Doug Leonard, CFRPC gave a presentation for sharing of costs among Polk, Hardee, and Highlands Counties and the Regional Planning Council. FDOT will grant \$30,000 toward the cost of continuing the Regional Community Traffic Safety Program Coordinator's position for the 1996-97 year. The grant is contingent upon local funding to support the program to make up a total of approximately \$82,000 to cover the position as direct costs. The request is for Highlands County to fund \$10,000 for 25% participation from July 1, 1996 to June 30, 1997. The Chair called for input. Susan Benton spoke on the benefits that DOT has provided to the county in the past.

Motion by Commissioner Barrett seconded by Commissioner Gose to approve the request



to support the Regional Community Traffic Safety Program Coordinator's position for the 1996-97 year, with the \$2500 to come from the Contingency for this year and to budget the remaining necessary funds for the coming year.

The County Administrator spoke in opposition to the motion.

Upon roll call, Commissioners Barrett and Gose voted aye. Commissioners Gentry, Maxcy and Canale voted nay. The motion did not carry. The Chair suggested that Mr. Leonard report back with information regarding the access of DOT funding. See SMB 25 Page 194.

Lunch Break 12:17 p.m. - 1:30 p.m.

**J. COUNTY ADMINISTRATOR**

**1. OCCUPATIONAL LICENSE REDISTRIBUTION**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve redistribution of 1995-96 occupational license monies that were due the cities as requested by the Tax Collector. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 25 Page 195 for copy of amounts due.

The Board Attorney was instructed to bring back an Interlocal Agreement for consideration of other monies to the cities.

**2. LETTER OF COMMENDATION TO RUSS LEHMAN**

The County Administrator reported that this letter will be placed in the personnel file of the Building Supervisor.

**3. DELINQUENT OCCUPATIONAL LICENSE LETTER**

The Board gave a consensus to Mr. Cool to mail a delinquent notification to the 298 business owners who have not purchased their license for this year. The letter states that a civil penalty of \$250.00 is assessed against each license not renewed by or before June 1, 1996. The letter is signed by the Code Enforcement Officer. See SMB 25 Page 196 for copy.

**I. BOARD ATTORNEY**

Mr. Macbeth gave an update on the Lennon case. The consensus of the Commission was to instruct Mr. Whitehouse to move forward with the lawsuit.

**L. CONSENT AGENDA:**

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

Comments were received regarding budget amendments. Rick Helms explained that these budget amendments does not require a public notice. There is a mention in the FI Statutes of a public notice, but that refers to a totally different type of an amendment to the budget.

**1. Approval to pay all duly authorized bills.**

<b>Law Library</b>	<b>10.68</b>
<b>General Fund</b>	<b>451,913.58</b>
<b>County Transportation Trust</b>	<b>54,625.86</b>
<b>E911 Operations</b>	<b>250.16</b>
<b>Intergovt Radio Communications</b>	<b>19,799.00</b>
<b>Law Enforcement Education</b>	<b>278.00</b>
<b>Local Govt Infrastructure Surtax</b>	<b>41,923.70</b>
<b>Special Law Enforcement</b>	<b>605.18</b>
<b>Correctional Facility</b>	<b>8,828.09</b>
<b>Solid Waste</b>	<b>42,770.30</b>
<b>Water/Sewer</b>	<b>56,901.10</b>
<b>Risk Retention</b>	<b>19,528.68</b>
<b>Employee Benefit</b>	<b>54,523.40</b>
<b>Tax Deed Surplus</b>	<b>832.80</b>

See Check Register for back-up information.

- 2. Approval of minutes of 3-26-96 public hearing**
- 3. Approval to loan tables and chairs to Florida Non-Profit Housing. See SMB 25 Page 197 .**
- 4. Approval to execute tax certificate transfer form. See SMB 25 Page 198.**
- 5. Accept into record - March Monthly Reports**
- 6. Approval of street name - Gentner Estates Road. See SMB 25 Page 199.**
- 7. Appointment to Library Advisory Board (Barbara Hergianto). See SMB 25 Page 200.**

- 8. **Approval to execute Quit Claim Deed from Kahn Groves, Inc.**
- 9. **Approval of expenditure from Special law Enforcement Trust Fund. See SMB 25 Page 201.**
- 10. **Approval of budget amendments #95-96-107 through 110.**
- 11. **Approval of Preliminary Assessment Roll. See SMB 25 Page 202.**
- 12. **Approval to execute agreement with Polk Community College for paramedic students**

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

**7. COMMISSIONERS**

- 1. Commissioner Gose presented an update on the JTPA agreement.
- 2. Commissioner Canale reported on the candidate forum.

**8. ADJOURN**

The meeting adjourned at 2:01 p.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 16 PAGE 501**

**REGULAR MEETING OF THE BOARD, MAY 7, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Capt. John Parrish of the Salvation Army.

**3. ANNOUNCEMENTS:  
A. SHERIFF**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending May 7, 1996.

**B. CLERK**

No report was given.

**C. FUTURE UPCOMING MEETINGS:**

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

**D. NICK SUDZINA: RECOGNITION OF COUNTY COURT MEDIATION VOLUNTEERS**

Nick Sudzina gave an update on the County Court Mediation Program and presented thirteen (13) certificates to volunteers that participate in the program. County Judge, Olin Shinholser, thanked the Board for supporting the program and the mediators who provide the valuable service to the court and the community.

**E. PROCLAMATION-SALVATION ARMY WEEK-MAY 13-19, 1996**

**F. PROCLAMATION-NATIONAL NURSES WEEK- MAY 6-12, 1996**

**G. PROCLAMATION-CORRECTIONAL EMPLOYEE WEEK-MAY 5-11, 1996**

## BOOK 16 PAGE 502

The Chair read the proclamations into the record in recognition of the participants. See Res. Book 10 Page 12.

### 4. CITIZENS NOT ON AGENDA:

1. Ms. Joan Pflueger spoke regarding the problems related to spraying of Lake Josephine.
2. Ms. Pflueger also spoke in reference to the disaster caused to the lake after the Lake Jackson Canal was dug out from Skipper Road to Lake Josephine for Buttonwood Bay. She requested a workshop to discuss rules on the lakes. The Chair advised that the issue could be placed on the agenda the second week of June.
3. Hank Kowalski recommended that a representative from the county attend a conference in Ft. Myers on the subject of Watchable Wildlife.
4. Mary Lou Balogh, President of the Highlands County Concert Band, presented a request to the Board for help in obtaining a showmobile for the use by musical groups to hold concerts throughout the county. See Picture file for copy of video.
5. Mr. Vaughn Whitesides, representing the Audubon Society, spoke in opposition to the RV Resort zoning in Lake Placid and the importance of preserving the county.
6. Richard Conover questioned the public hearing scheduled for today's meeting. The Chair advised that this hearing was mandated by statutes for a specific time.
7. Richard Conover presented questions regarding the Senior Citizen Tax Write-off Program.

### 5. ACTION:

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to set the Action Agenda with the deletion of Consent Agenda Item #9 at the request of Tom Portz; Item #1; and #7, at the request of Commissioner Canale and Item #12, budget amendment # 95-96-122 at the request of Richard Conover to be placed under the County Administrator for further discussion.

**BOOK 16 PAGE 503**

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

**A. PUBLIC HEARING TO CONSIDER AN ORDINANCE PROVIDING FOR CHANGES TO CHAPTER 12, PERTAINING TO ZONING**

Proof of Publication entered into the record by Gary Lower, Zoning Supervisor. See Proof of Publication Book 1 Page 124. The Board Attorney read the captions of the ordinance and explained the changes. This hearing is the first of two hearings. Changes were reviewed by the zoning supervisor. The Chair opened the floor to the public. No one came forward.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the next public hearing on May 28, 1996 at 9:00 a.m. Upon roll call, all Commissioners voted aye. Motion carried.

**B. DAN DORRELL: PRESENTATION OF FINANCIAL STATEMENT FROM AUDITORS**

See Audit file for copy of presentation.

**C. OPERATIONS DIRECTOR:**

**1. REQUEST EXECUTION OF CONSENT ORDER-DEPT OF ENVIRONMENTAL PROTECTION**

The Operations Director reviewed the non-compliance issues and the fines levied by the DEP.

Motion by Commissioner Gose, seconded by Commissioner Barrett to authorize the execution of the Consent Order for hazardous waste citations that were issued last year. Upon roll call, all Commissioners voted aye. Motion carried. The Board gave the Operations Director instructions to seek an RFP for a consultant for the Solid Waste Department.

**2. PAVING OF MONROE AND PATTON ROADS**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve request of the Operations Director to pave Monroe and Patton Roads while the paving crew is in the vicinity paving Columbus Avenue. Upon Roll call, Commissioners Barrett, Maxcy, Gose and Gentry voted aye. Commissioner Canale voted nay. Motion carried. See SMB 26 Page 1.

**3. ROADS IN LEISURE LAKES**

## **BOOK 16 PAGE 504**

Motion by Commissioner Barrett, seconded by Commissioner Gose to rename Waterway Drive to Waterway Terrace and extend Clover Court to Waterway Drive. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 2.

### **4. BRIDGES ON LAKE JOSEPHINE**

Motion by Commissioner Canale, seconded by Commissioner Gose to not replace the five one-lane bridges at Josephine Court and Sentinel Point Roads with aluminum culverts and to leave as is. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 3.

### **5. EQUIPMENT REQUEST**

Motion by Commissioner Gose, seconded by Commissioner Canale to advertise for an RFP and to approve the budget amendment #95-96-117 to realign funds to facilitate the purchase of specialized grading equipment (Cat D5H-LGP) at \$113,681. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 4.

### **6. ROAD CONSTRUCTION REPORT**

The County Administrator presented a report detailing Highlands County Road Progress in the last four (4) years. See SMB 26 Page 5. The Operations Director gave an update on road projects.

#### **D. PERSONNEL DIRECTOR:**

##### **1. SOLID WASTE DEPT. POSITION RECLASSIFICATION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy that the position reclassification within the Solid Waste Department Pay Grade 12 position be deleted from the recycling operation to be replaced with a Pay Grade 14 position at the landfill. The Chair called for discussion on the motion. Richard Conover spoke on the requirements of the position and the guidelines of Hazardous Waste in relation to the position. Commissioner Gose qualified his motion by indicating that the previous position description required a high school education or a GED and this position should maintain that requirement. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 6.

##### **2. WELLNESS PROGRAM-PROPOSED AGREEMENT**

Motion by Commissioner Canale, seconded by Commissioner Gose to accept staff recommendation and enter into the agreement with the Central Florida Health Care, Inc. of Avon Park to perform the Wellness Screening Program. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 7.

Lunch Break 12:10-1:30 p.m.

**E. DEVELOPMENT DIRECTOR:**

**1. SHIP HOUSING ASSISTANCE PLAN AMENDMENTS**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve changes as submitted on April 24, 1996 for the SHIP Housing Assistance Plans. Upon Roll call, all Commissioners voted aye. Motion carried. See SHIP file for copy.

**2. ACCEPTANCE OF HABITAT FOR HUMANITY FOR SHIP**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the Resolution and proposal with Highlands County Habitat for Humanity for SHIP funding. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 13.

**3. REQUEST FOR OPS HELP IN HOUSING OFFICE AND BUDGET AMENDMENT 95-96-124**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve budget amendment 95-96-124 to provide an OPS Employee to work on old files (SHIP) and to provide overtime for the Administrative Assistant. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 8.

**4. EXPLANATION OF PROPOSED BUDGET AMENDMENT 95-96-097**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve budget amendment #95-96-097 for the following:

1. Preparation for and response to negotiations, mediation, and administrative hearings with DCA for a new Future Land Use Map. (FLUM)
2. An amendment to add funds in the Zoning budget in response to the Zoning Supervisor's salary upgrade.
3. Reconstruction of Code Enforcement office

The Chair called for public input on the motion. Richard Conover questioned the overtime monies.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 9.

**5. SHIP AGREEMENT WITH RIDGE AREA ARC**



**BOOK 16 PAGE 506**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution and approve agreement with Ridge Area Association for Retarded Citizens, Inc. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 14.

**F. SPECIAL PROJECTS DIRECTOR: CONSIDERATION TO ACCEPT DONATED PROPERTY**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to accept donated property, Lot 18, Block 182, Sun'n Lakes Estates of Sebring, Unit 10. Commissioner Canale questioned the amount of taxes owed on the property. Mr. Stephenson advised that the taxes owed list at \$450. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to place the property up for sale. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. BUDGET OFFICER: COMPENSATION PACKAGE FOR FY 1996-97**

Rick Helms requested direction from the Board on the compensation to county employees for budget purposes. Commissioner Canale suggested that the Board delay the decision to allow the Insurance Committee to vote on a dental plan as a part of the package. Mr. Cool suggested that the Board go ahead and grant a suggested package. The consensus of the Board was to follow the recommendation of the County Administrator to give the employees a merit of 0-1-2 or 3% in October and on April 1, 1997 a 2% increase. Commissioner Maxcy requested a 3% reduction as an addition to the budget submittal. See SMB 26 Page 10.

**H. VETERANS SERVICES OFFICER: NATIONAL CEMETERY UPDATE**

Mr. Roy Carr advised that the Bombing Range has been determined not to be a suitable area for a National Cemetery due to the environmental issue. Another area on US 98 owned by SFWMD is being researched. Mr. Carr updated the Board on the cost involved to the Federal Government to establish the Cemetery and the economic reasons for the county to donate the property. Mr. Carr advised that after a site is determined and a commitment letter has been received, he will be requesting that the Commission approve a travel request for him to solidify the project.

**I. ASSISTANT COUNTY ADMINISTRATOR:**

**1. EMERGENCY RESPONSE FOR GATED COMMUNITIES**

The County Administrator presented information regarding Emergency Response for "Gated" Communities in Highlands County. The Commission directed staff to continue to

## **BOOK 16 PAGE 507**

work for uniformity and try to solve the problem. See SMB 26 Page 11.

### **2. FACILITY USE PROGRAM SPECIALTY INSURANCE**

The Board did not recommend the specialty coverage for facility rental. See SMB 26 Page 12.

### **3. COMMUNICATIONS REQUEST FROM TOWN OF LAKE PLACID**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve request to purchase one mobile radio and two hand-held radios for the Lake Placid Police Department for a total expenditure of \$2008.95. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 13.

### **4. APPROVAL TO EXECUTE RESOLUTION ON HOSPITAL DISTRICT BOARD'S FUNDS**

The Board directed staff to draft a Resolution on Hospital District Board's funds and bring back for action.

## **J. BOARD ATTORNEY**

1. The Commission gave Mr. Macbeth a consensus to hold an Executive Session on May 21, 1996 at 11:30 a.m. on the following cases:
  1. Heartland Environmental Council vs Dept of Community Affairs cs. 94-2095-GM
  2. Highlands County vs Jack Terry et al-Weeks property Cs. GC-95-388
  3. Peiffer vs Glades Electric Coop and the Board of County Commissioners Cs. GC-95-51
2. The Board Attorney updated the Commission on the HEC lawsuit contract cost. Chairperson Gentry set a special meeting for May 14, 1996 at 9:00 a.m. to review the contracts and to approve a budget amendment for cost involved.

## **K. COUNTY ADMINISTRATOR:**

### **1. PROPOSED AGENDA FOR JOINT MEETING**

The Chair set the time limit for two (2) hours. Item #9, Sebring Airport Authority was deleted. Commissioner Canale requested that Item # 4 be moved up to #1. See SMB 26 Page 14.

### **2. UPDATE ON SUN'N LAKE ESTATES PRESERVE NEGOTIATIONS**

County Administrator presented an update.

**3. REQUEST TO DISPOSE OF SURPLUS PROPERTY**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve all of the list of buildings that are located on Fernleaf, South East of Eucalyptus and the one on Commerce Avenue be declared surplus to Highlands County and authorize the County Purchasing Department to advertise to sell them to the highest bidder or, if no bids are received, to advertise to have the buildings removed. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 15.

Break 3:05-3:10 p.m.

**L. CONSENT AGENDA:**

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

- 2. Approval of minutes of 4-2-96, 4-16-96, 4-23-96 meetings and 4-9-96 workshop**
- 3. Approval to donate 911 equipment to SFCC. See SMB 26 Page 16.**
- 4. Approval to execute Surety Bond (Department of Transportation) See SMB 26 Page 17.**
- 5. Appointment to EMS Advisory Council-David Duke, Program Manager of AeroMed II. See SMB 26 Page 18.**
- 6. Approval to record nuisance, case #9596-020. See SMB 26 Page 19.**
- 8. Approval to execute Transfer of Tax Certificates. See SMB 26 Page 21.**
- 10. Approval of plat recording - Orangewood Acres. See SMB 26 Page 22.**
- 11. Approval to execute Commodity Contract amendment. See SMB 26 Page 23.**

12. Approval of budget amendments 95-96-118, 119, 123, 125 and 127.
13. Approval to execute Interlocal Agreement with City of Sebring

**AGENDA ITEMS # 1-7-12**

Discussion on items by the Commission

1. Approval to pay the following duly authorized bills:

Law Library	916.03
General	1,784,636.89
County Transportation Trust	49,111.15
E911 Operations	9,530.76
Intergovt Radio Communications	690.92
Affordable Housing Asst	5,600.00
Correctional Facility	69,161.32
Solid Waste	210,822.24
Water/Sewer	62,236.12
Risk Retention	1,246.28
Employee Benefit	128,708.73
Local Govt Infra Surtax	60,700.37

7. Approval to pay invoice from Nature Conservancy for appraisal of properties. See SMB 26 Page 20.
12. Approval of budget amendment 95-96-122

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the additional agenda items as listed. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. COMMISSIONERS:**

- A. **COMMISSIONER CANALE: APPOINTMENT TO TOURIST DEVELOPMENT COUNCIL**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve appointment of Brad Bowen, Jr. to fill the unexpired term of Ms. Kimberly Miller and to reappoint Ms. Jeri Canale and Mr. George Hensley to the Tourist Development Council. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 24.

**BOOK 16 PAGE 510**

- B. Commissioner Gose advised that he will not be present at the meeting of May 21, 1996.
- C. Commissioner Barrett presented questions regarding the Mediator Agreement.
- D. Commissioner Gentry reminded the Commission of her meeting in Washington with the Congressional Delegation from Florida regarding the future use of the Bombing Range.

**7. ADJOURN**

The meeting adjourned at 3:34 p.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 16 PAGE 511**

**BOARD OF COUNTY COMMISSIONERS  
and the  
PLANNING AND ZONING COMMISSION  
May 7, 1996 - 5:30 p.m.  
WORKSHOP AGENDA**

1. The meeting was called to order at 5:30 p.m. with the following members present:

<b>Doris Gentry</b>	<b>Carl Cool</b>	<b>Margo Tully</b>
<b>John D. Barrett</b>	<b>J. Ross Macbeth</b>	<b>Lew Carter</b>
<b>Jeri Canale</b>	<b>Lisa McClelland</b>	<b>Bill Borgemeister</b>
<b>James L. Gose</b>	<b>John Payne</b>	<b>Karen Rudolph</b>
<b>C Guy Maxcy</b>	<b>David Travers</b>	

Members absent were:

<b>C.B. Jones</b>	<b>Jim Osborn</b>
<b>Jim Brooks</b>	<b>Glenn Hunter</b>

Notice of meeting presented by the County Administrator. See SMB 26 Page 25

2. **Considering the concept of RV lot sales:**

*Issue: Should existing RV Parks comprised of rental spaces convert to individual ownership?*

Mr. Polatty commented on the number of developed and undeveloped sites for Mobile Homes and RV parks in the county. Also, discussed the quality and development issues of individual ownership of RV lots. See SMB 26 Page 26

*Should proposed RV Parks be designed for multiple ownership?*

Mr. Brooks and Mr. Osborn being absent from the meeting sent in their comments. See SMB 26 Page 27

Mr. Polatty discussed Homeowners Associations handling the maintenance problems of some RV parks.

Commissioner Canale questioned the maintenance and restrictions of RV parks with an individual owner or a Homeowners Association.

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Mr. Polatty stated RV parks are usually owned by one person and are easier to maintain than with a group of owners.

Mr. Macbeth commented on the depreciation of RV's with age and the long term effect it may have on the county.

Mr. Cool discussed the requirements of maintaining a RV park under individual ownership versus a Homeowners Association.

Mrs. Tully questioned the number of RV parks with Homeowners Associations currently?

Mr. Lower stated there is one Homeowners Association and RV park that sells lots.

Commissioner Canale commented on the deterioration of RV parks and the year round use.

Mr. Borgemeister discussed the individual ownership, requirements and maintenance of RV parks.

Commissioner Gentry discussed the responsibility of the infrastructure needs and the possibility of these being handled by a Homeowners Association.

Mr. Macbeth commented on the problems that arise when the Homeowners Associations assess RV lots for infrastructure improvements.

Mr. Payne and Mr. Travers arrived late for the meeting.

Commissioner Gose spoke against the issue of individual ownership.

Mr. Payne commented on the sale of RV lots in Lake Placid and keeping the zoning classifications of the RV parks as they are now.

Commissioner Gose stated that he agreed with Mr. Payne on the issue and commented on the difference between RV parks and mobile home parks.

Commissioner Barrett commented on the maintenance of lots and the burden it would cause for Code Enforcement and the property rights involved.

Mr. Borgemeister commented on the condition of a RV park he recently visited. He also stated he did not agree or disagree on the issue and maybe these RV parks could have strict rules for people who leave.

Commissioner Gentry expressed the need to know why, we need to make a change in RV parks.

Rick Whidden commented on the difference between selling the lots for RV's use and having a

mobile home subdivision.

Commissioner Gentry suggested changing the zoning to mobile home.

Rick Whidden stated, that he tried to change zoning and was told by the county attorney the zoning could not be changed.

Mr. Macbeth stated the problem as far as zoning is that mobile home subdivisions are for mobile homes and not RV's.

Rick Whidden suggested changing the definition of a park model and, suggested zoning be changed to M-1 FUD.

Mr. Cool commented on the condition of mobile home subdivisions in the county and the maintenance upkeep involved.

Rick Whidden stated when maintenance costs go up, raise the price of dues to the association to cover cost of repairs.

Commissioner Gentry stated she was not in favor of individual ownership.

Mr. Lower stated mobile home parks cannot sell lots. Mobile home subdivisions can.

Don Reeves stated RV's are not being controlled by anyone and discussed the differences between a mobile home and a park model.

Margo Tully questioned how many acres should be set aside for mobile home parks.

Mr. Lower discussed the definition of a mobile home park.

Commissioner Gentry asked for any further comments on the issue. None were made.

**4. Evaluation and Appraisal Report (EAR) for Highlands County:**

*Issue: Extent of staff, Commission and citizen involvement to affect a sufficient EAR*

Mr. Polatty stated EAR is required by the state to appraise the Comp Plan and the county is under the state mandated requirement to evaluate and amend it based on the evaluation.

**3. Mediation preparation for DCA 95-1 and DCA 95-2 Comprehensive Plan Amendments:**

*Issue: The County's position respecting the FLUM designations beyond those listed in DCA's Notice*



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*of Intent*

Duane Neiderman discussed redoing the Comprehensive Plan, the due date, work involved and citizens participation.

Mr. Polatty recommended the board set up a citizen advisory board to help with the Comp Plan.

Mr. Payne discussed the Vision Plan and the commitment involved to make it work.

Commissioners Gentry and Gose left meeting at 6:15 p.m.

Mr. Payne questioned the problems that would accrue if the board accepted the ordinance.

Mr. Lower stated he has not noticed any violations or received any complaints regarding the ordinance.

Don Reeves discussed eliminating RV's from M2 zoning, the reason being RV's on a mobile home lot have no protection under the law.

Commissioner Barrett called for public input. None was received.

Mr. Polatty discussed the Comp Plan Amendment and possible changes.

No decision was made. The board will continue discussion at the next meeting.

**5. Other issues**

None were discussed.

**6. ADJOURN**

The meeting was adjourned at 6:30 p.m.

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Chairman

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

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**BOOK 16 PAGE 515**

**SPECIAL MEETING OF THE BOARD, MAY 14, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

- A. The County Administrator presented the proof of publication for the special called meeting. See SMB 26 Page 28.
- B. 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 set the Action Agenda as listed. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Macbeth reported that the Hearing with HEC on the Comprehensive Plan will commence on June 10, 1996 and continue during that week at the City Council Chambers. A budget amendment is proposed to allocate \$100,000 for professional services. Contracts are also proposed with Adley, Brisson, Engman, Inc. and Breedlove, Dennis & Associates, Inc.

- A. **PROPOSED AGREEMENTS IN CONNECTION WITH HEC LAWSUIT**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to waive the bid procedures in regards to the contracts. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the contract with Breedlove, Dennis & Associates, Inc. Upon Roll call, all Commissioners voted aye. Motion carried.

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Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve contract with Adley, Brisson, Engman, Inc. Upon Roll call, all Commissioners voted aye. Motion carried.

The other two contracts will be presented at next week's meeting.

**B. BUDGET AMENDMENT #95-96-128 REGARDING THE HEC**

Motion by Commissioner Canale, seconded by Commissioner Barrett to approve transfer from Reserve for Contingency in the amount of \$100,000 to the Professional Services and Expert Witness accounts for anticipated expenditures in defending the Comprehensive Plan (Heartland Environmental Council litigation). Upon Roll call, all Commissioners voted aye. Motion carried.

**5. WORKSHOP:**

**A. SHERIFF'S DEPT: JUVENILE JUSTICE ISSUES**

1. Lt. Susan Benton gave a presentation on youth issues and services.
2. Cpl. Brown spoke on the School Resource Unit within the Sheriff's office and the law enforcement roll.
3. Rodney Hollinger addressed funding for the different school programs.
4. Deputy Kevin Sapp presented a brief overview of Street Gang information.
5. Pete Estrada, State Attorney's office, addressed the gang violations and the process of detention.
6. Lt. Benton explained the detention criteria and the process of assessment.

Lt. Benton advised that her purpose was to make the Board aware of the programs available and to solicit future support from the county to continue the effort.

BREAK 10:40 a.m.- 10:50 a.m.

**B. BUDGET PRIORITIES FOR 1996-97 BUDGET**

1. Carl Cool gave a presentation on flattening bureaucracy. See SMB 26 Page 29.

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2. Rick Helms requested that the Board mark budget priorities. See SMB 26 Page 30 for copy of categories. He mentioned that he has been working with other jurisdictions and trying to set up bench marks to see how our county performs in comparison to other counties, not just in Florida but nationwide. Staff is continuing to look for ways to cut the budget and provide information.
3. Commissioner Maxcy requested a survey from the Department Heads with a 3% reduction in their budget. He suggested a game plan be presented for reducing the budget. Questions were presented regarding the gas tax funds.
4. Commissioner Canale requested information on article pertaining to a County Administrator who has consistently shown counties how to reduce their budget, increase salaries and services and save taxpayers money. Other reduction ideas were consolidation of purchasing services and a print shop.
5. The Asst. County Administrator presented several ideas that the county has already implemented.
6. Commissioner Gose presented a statement in response to providing services versus cutting the budget.
7. Carl Cool spoke on the budget process and the ability to strive for an efficient method of providing services.
8. Commissioner Gose reminded the Board of the devaluation of property and the impact of the tax cut by the property appraiser.
9. Fred Carino, Personnel Director, presented corrected turnover rate data for 1994 and 1995. Discussion regarding statistics and salary survey. See SMB 26 Page 31.

**C. FREENET**

The Chairperson advised that this item will be revisited at the June workshop.

\_\_\_\_\_  
Chairperson

Attest:

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Clerk

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**BOOK 16 PAGE 518**

**REGULAR MEETING OF THE BOARD, MAY 21, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending May 21, 1996.

- B. CLERK**

No report presented.

- 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. **CITIZENS NOT ON AGENDA:**

Commissioner Barrett requested the Chair waive the 5 minute limit to allow Mr. Colby to present information regarding the recent drowning at H.L. Bishop Park.

1. Mr. Preston Colby addressed the issue of five (5) fatalities in the swimming area of the park. All have been identical in that the victims were all male and teens with the exception of one. Mr. Colby requested information regarding the standard design of the beach and suggested that the Board take appropriate action to determine the risk analysis, obtain lifesaving equipment and signage for all swimming areas. See SMB 26 Page 32 for copy of handout.

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The County Administrator responded that experts have reviewed the area and appropriate measures were taken. The Chair advised that she will agenda this item for the first week in June for discussion and action.

2. Hank Kowalski addressed the Eco-Tourism meeting. The Chair reminded Mr. Kowalski that FREDI will be holding a workshop on June 13, 1996.
3. Ms. Joan Pflueger questioned the schedule of the Aquatic Weed Control.
4. Mr. Tom Piller spoke in opposition to funding for Mr. Saland's proposed Housing project. See SMB 26 Page 33 for copy of statement.
5. Ms. Elizabeth Swanson addressed the Resolution of the Avon Park Lakes District and the acceptance of county roads for maintenance. See SMB 26 Page 34. The Board Attorney advised that the Commission has not undertaken the responsibility of maintenance for these roads. The Resolution was a dedication of the plat. The policy for accepting roads is in place. The Chair advised that this issue will be addressed during budget.
6. Richard Conover reminded everyone of the budget hearings June 3-7 1996.

### 5. ACTION:

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to set the Action Agenda as follows:

- (1) Addition under the County Engineer, Item F - Supplemental Agreement number one with HOK
- (2) Deletion under the Development Director, Item G-1 granting of Special Exceptions by the County Commission.
- (3) Addition under the County Administrator, Item J-2. Seek comments of the Board on the Sebring Airport Authority appointments.
- (4) Move the Consent Agenda items below, according to policy.
- (5) Remove Consent Agenda Items 3; 12; & 13 for further discussion under the Board Attorney.

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

### A. JIMMY WOHL: REQUEST CHANGES IN LEASE AGREEMENT

Mr. Wohl reviewed the lease changes and the Board discussed the fencing requirements. Comments were received from the Commission regarding the lateness of receiving the agreement to review. Assignment of the lease was also discussed.

Motion by Commissioner Canale, seconded by Commissioner Barrett to table this item until



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the first meeting in June. Upon Roll call, Commissioners Canale, Barrett and Gentry voted aye. Commissioner Gose and Maxcy voted nay. Motion carried. See SMB 26 Page 35.

**B. ROBERT SALAND: REQUEST FOR SHIP FUNDS**

Motion by Commissioner Canale, seconded by Commissioner Barrett to deny the request for funding from the County's SHIP budget. Upon Roll call, all Commissioners voted aye. Motion carried.

Break 9:50 a.m.-10:00 a.m.

**C. CHAMBER OF COMMERCE: ANNUAL REPORTS AND REQUESTS FOR FUNDS**

Presentation by Maria Sutherland, Avon Park Chamber of Commerce, Joel Lowman, Lake Placid, Chamber and Allon R. Fish, Executive Vice President of the Sebring Chamber of Commerce. Each associate gave an oral annual report and submitted a request for reimbursement for county funds. See SMB 26 Page 36.

**D. DOUG LEONARD, CFRPC: ANSWERS TO QUESTIONS ON COMMUNITY TRAFFIC SAFETY PROGRAM COORDINATOR**

Mr. Leonard made a presentation regarding sharing of costs among Polk, Hardee, and Highlands Counties and the Regional Planning Council for the Community Traffic Safety Program Coordinator's position. This grant is contingent upon local funding to support the program to make up a total of approximately \$82,000 to cover the position as direct costs. Questions were presented to Lt Susan Benton as to the continued presence of the Committee, whether the county participates with the funding. She advised that the committee is a very valuable resource in the community and regional. The concerns are there is no job description, salary amounts as compared to local positions. Mr. Leonard spoke in opposition to the funding. The Asst. County Administrator recommended that this item be placed in the budget for consideration. Mr. Leonard requested that the Board consider a \$1700 increment to get him through this fiscal year. No action was taken. See SMB 26 Page 37.

**F. COUNTY ENGINEER:**

**1. SUPPLEMENTAL AGREEMENT NO. 37 WITH CHASTAIN-SKILLMAN FOR DESOTO CITY LANDFILL**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to execute Supplemental Agreement No. 37 with Chastain Skillman, Inc in the amount of \$19,724.00 for the construction plans and specifications for closure of Cell 3 at the Desoto City Landfill. Upon Roll call, all Commissioners voted aye. Motion carried.

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**2. CONTRACT, SUPPLEMENTAL AGREEMENT #35 BUDGET AMENDMENT AND RESOLUTION FOR FRANSVILLA EXTENSION DESIGN**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve Supplemental Agreement #35, budget amendment and to record the Resolution for the design and construction administration services for the Fransvilla extension project and record the Resolution. The Chair called for input on the motion. Richard Conover questioned how much taxpayers are paying for this water system. Carl Cool related that this is set up as an Enterprise Account and no other tax monies are used. See Res. Book 10 Page 15. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. APPROVAL OF BID AND EXECUTION OF CONTRACT FOR MONITOR WELL CONSTRUCTION**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the bid and execution of the contract for the monitor well construction. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 39A.

**4. SUPPLEMENTAL AGREEMENT #1- CONTRACT FOR ARCHITECTURAL SERVICES FOR THE GOVERNMENT CENTER**

Motion by Commissioner Barrett, seconded by Commissioner Gose to proceed with Supplemental Agreement #1 and enter into an agreement for a third party estimate between owner and consultant, Hellmuth, Obata & Kassabaum, Inc for a detailed cost estimate in the amount of \$14,050, inclusive of all expenses for the Government Center. Carl Cool recommended a workshop to go through the process and arrive at a guaranteed maximum price. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The Motion carried. See SMB 26 Page 39.

The County Engineer introduced the new Civil Engineer #1, Ramon Gavarrete. The Commission welcomed him aboard.

**G. DEVELOPMENT DIRECTOR:**

~~1. GRANTING OF SPECIAL EXCEPTIONS BY THE COUNTY COMMISSION~~

**2. CDBG PURCHASING PROCEDURE**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve a tentative procurement policy for purchases made with the Community Development Block Grant funds. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 40 and Res. Book 10 Page 16.

**3. CHANGE OF PUBLIC HEARING DATES FOR FALL 1996 COMP PLAN AMENDMENTS**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to change the Application deadline to May 28, 1996 and the Public Hearing date for fall Comprehensive Plan amendments to July 9, 1996 for the Planning and Zoning Commission and July 23, 1996 for the Board of County Commissioners. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 41.

**H. HOUSING COORDINATOR: SHIP RESOLUTION AND BUDGET AMENDMENT**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution authorizing an amendment to the SHIP Housing budget. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 17.

**I. BOARD ATTORNEY: CONTRACTS RELATED TO HEC LAWSUIT**

**3. APPROVAL TO EXECUTE MEDIATOR AGREEMENT WITH WILLIAM SALOMONE**

Motion by Commissioner Gose, seconded by Commissioner Canale to execute Mediator Agreement with William Salomone (Department of Community Affairs v. Highlands County, DOAH Case Numbers 95-6178 GM and 96-975 GM).

Richard Conover questioned the fee for travel. The Board Attorney explained the procedure. Upon Roll call, all Commissioners voted aye. Motion carried.

**12. APPROVAL TO EXECUTE STIPULATED AGREEMENT WITH DEPT. OF BPR**

No action was taken on stipulated agreement with party. Mr. Macbeth will bring back as soon as details are completed.

**13. APPROVAL OF COMMISSIONER APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Commission appointments with the following changes:

- (1) an addition to the Value Adjustment Board, to add Gentry and Maxcy to serve with Gose.

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- (2) a deletion of the Public Risk Management appointment
- (3) an addition of Canale to the Multi-Co Library Board
- (4) an addition of Gose as the liaison to the Volunteer Fire Department.

The Chair called for discussion on the motion. Richard Conover questioned the appointment list. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve contracts for the HEC lawsuits for consultants with review by the attorney, and to waive the purchasing policy. Upon Roll call, all Commissioners voted aye. Motion carried.

**J. COUNTY ADMINISTRATOR: APPOINTMENT TO INDUSTRIAL DEVELOPMENT AUTHORITY**

The County Administrator presented a request for an appointment of Mr. Paul Poore to the Industrial Development Authority Board of Directors. Discussion followed regarding only one resume being presented. The Chair advised that the Economic Development was following the wishes of the Board of County Commissioners. Commissioners Barrett and Canale suggested a review of all resumes for the appointments.

A motion was made by Commissioner Barrett to see all resumes before making appointments. Commissioner Canale seconded the motion. The Chair called for discussion on the motion. Richard Conover spoke in favor of the motion. Upon roll call, Commissioners Barrett and Canale voted aye. All other Commissioners voted nay. The motion did not carry.

Motion by Commissioner Canale to ask the Chambers of Commerce to advertise in their Newsletter and to publish an announcement when we are seeking help in advisory committees. The motion died for lack of a second.

Motion by Commissioner Barrett to direct the County Administrator to advertise at least two weeks prior to Board appointments to submit resumes. The motion died for lack of a second.

Motion by Commissioner Gose, seconded by Commissioner Canale that approval of Board appointments requires at least two names to be submitted. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Barrett to appoint Mr. Paul Poore to the Highlands County Industrial Development Authority Board of Directors. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. See SMB 26 Page 43. The Chair directed the County Administrator to send a letter to the Executive Directors of boards to request that resumes be forwarded to the Board of County Commissioners. Commissioner Canale to contact the Chambers for

participation.

**SEBRING AIRPORT AUTHORITY BOARD OF DIRECTORS  
NOMINATIONS**

Comments were received on the proposed appointments. A motion was made by Commissioner Gose to send an opinion on the appointment of Ellene Fields, Will Randall, Don Harris and Haywood Taylor for the Sebring Airport Authority Board of Directors. The motion died for lack of second. See SMB 26 Page 44.

**K. 11:46 A.M. - EXECUTIVE SESSION**

**Present- Commissioners C. Guy Maxcy, Jeri Canale, John Barrett, James L. Gose, Doris Gentry, County Administrator Carl Cool, Board Attorney J. Ross Macbeth, and a certified court reporter. The purpose is discussion pertaining to pending litigation:**

- (1) Heartland Environmental Council, Inc. v. Department of Community Affairs and Highlands County  
State of Florida, Division of Administrative Hearings, Case No. 94-2095GM
- (2) Highlands County v. Jack F. Terry, et al. Parcel No. 3 Everett C. Weeks and Jane P. Weeks Circuit Court for Highlands County, GC95-388
- (3) Piefer v. Glades Electric Co-op, Inc. and Board of County Commissioners  
Circuit Court for Highlands County, GC 95-51

The regular meeting reconvened at 12:12 p.m. with all members present except Commissioner Guy Maxcy and C. Michael Eastman.

**E. CONSENT AGENDA:**

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

**1. Approval to pay all duly authorized bills**

<b>Law Library</b>	<b>1,492.80</b>
<b>General</b>	<b>257,005.80</b>
<b>County Transportation Trust</b>	<b>78,239.58</b>
<b>E911 Operations</b>	<b>680.85</b>
<b>Conservation Trust</b>	<b>9,000.00</b>
<b>Law Enforcement Education</b>	<b>314.00</b>

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<b>Local Govt Infra Surtax</b>	<b>452,238.39</b>
<b>Affordable Housing Asst</b>	<b>4,050.43</b>
<b>Special Law Enforcement</b>	<b>19,011.23</b>
<b>Correctional Facility</b>	<b>848.88</b>
<b>Solid Waste</b>	<b>26,344.09</b>
<b>Water/Sewer</b>	<b>55,055.20</b>
<b>Risk Retention</b>	<b>3,094.86</b>
<b>Employee Benefit</b>	<b>115,570.06</b>
<b>Tax Deed Surplus</b>	<b>4,278.79</b>

**See Check Register for back up documentation.**

- 2. Accept into record - April Monthly Report**
- 4. Approval of Budget Amendments #95-96-132 through 135**
- 5. Approval to execute Certificate of Public Convenience and Necessity**
- 6. Approval to grant easement - Lake Lillian section of Highlands Lakes Subdivision.**
- 7. Approval of amendment to Spring Lake Contract - Placid Utilities. See SMB 26 Page 45.**
- 8. Approval of minutes of 3-28-96 Venus Volunteer Fire Department meeting. See SMB 26 Page 46.**
- 9. Approval to execute Resolution on Hospital District Board funds See Res. Book 10 Page 18.**
- 10. Approval to execute Transfer of Tax Certificates. See SMB 26 Page 48.**
- 11. Approval to execute Inter-institutional Articulation Agreement-SFCC-Sheriff's Dept.**

**6. COMMISSIONERS:**

**A. Commissioner Canale: Appointment to Tourist Development Council**

Motion by Commissioner Gose, seconded by Commissioner Canale to waive the policy adopted for requirement of resumes for today's appointment. Upon Roll call, all

Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Barrett to appoint Joe Rey to the Tourist Development Council as recommended by the Lake Placid Town Council. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 47 for copy of resume.

**B. Commissioner Gentry - report on the meeting in Washington.**

**7. ADJOURN**

The meeting adjourned at 12:15 p.m.

\_\_\_\_\_  
**Chairperson**

**Attest:**

\_\_\_\_\_  
**Clerk**

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**JOINT WORKSHOP MEETING OF THE BOARD, JUNE 3, 1996**

**POLK COUNTY, HIGHLANDS COUNTY, DESOTO COUNTY, HARDEE COUNTY**  
**OKEECHOBEE COUNTY**

**DISCUSSION OF REGIONAL POLICY PLAN**

1. The meeting was called to order at 7:10 p.m. at the Agricultural Center at 4509 W. George Blvd., Sebring, Florida with Highlands County Commissioners present as follows:

Doris Gentry, Chairperson  
J. D. Barrett, Vice Chair  
James L. Gose  
Jeri Canale

Also present:

County Administrator, Carl Cool, Deputy Clerk, Louise Graham, and Planning Staff. Hardee, Desoto and Polk County Commissioners, their staff and attorney. See SMB 26 Page 64 for copy of listed names.

2. Proof of Publication presented into the record. See SMB 26 Page 65.

3. **MEETING PURPOSE:**

To review the latest draft of the Regional Policy Plan and discussion implications for county governments. To determine a joint position on issues affecting each county.

4. Jim Polatty, Development Services Director, presented a brief statement on why a Regional Plan is required and why we are doing it.
5. Bob Koncar, County Administrator of Desoto County, presented philosophical and practical issues that underlie the entire concept of the Regional Policy Plan and how it impacts local governments. See SMB 26 Page 66.
6. Bill Royce, Okeechobee County Planner, presented concerns why the Plan is flawed and suggested that we start over.
7. Merle Bishop, Polk County Planner, presented comments regarding the Plan.
8. Chairperson opened the floor for questions or comments
  - A. Commissioner Jeri Canale stated that she did not agree with the format, that staff did not do their homework. Her concern was that this Plan



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supersedes the Comprehensive Plan.

- B.** Commissioner J.D. Barrett stated negative concerns for the Plan.
- C.** Chairperson advised that everyone in the room does not agree with the format; does not agree with approach and the data is flawed. Suggest that we have a plan or a different approach.
- D.** Commissioner Jim Gose stated concerns for the time issue.
- E.** Suggestion that a representative from each county come together and talk about the philosophical issues, and split the work between staff.
- F.** Other representatives stating concerns and alternatives were Ted Hite, Hardee County Commissioner, Gary Vorbeck, County Attorney for Desoto County, Gary Odum, Hardee County Commissioner and Joe Varnadore, Desoto County Commissioner.
- G.** Chairperson suggested that a tape of this meeting be sent to Doug Leonard for his review.
- H.** Consensus to take the document prepared by Desoto County and each county to prepare five philosophical ideas and send to Bob Koncar, County Administrator of Desoto County and meet again on June 17, 1996 at the Agricultural Center at 7:00 p.m. and invite all Planning Council.
- I.** The Workshop adjourned at 8:20 p.m.

\_\_\_\_\_  
**Chairperson**

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

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**BOOK 16 PAGE 533**

**REGULAR MEETING OF THE BOARD, JUNE 4, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending June 4, 1996. She also gave a schedule of the summer school programs and the participation of the Resource Officer.

- B. CLERK**

No report given.

- C. FUTURE UPCOMING MEETINGS:**

1. The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.
2. Mr. Cool commented on letters received from the Elementary School commending Keith Albritton, Animal Control Officer, for his participation at the school, regarding the care of animals.
3. Announcement of a clean up Saturday morning, June 8, 1996 at Veterans Memorial Beach.
4. National County News reported that Highlands County ranks fourth out of 3200 counties in the nation over 65 years of age.

**PROCLAMATION: FOSTER PARENT MONTH**

The Chair read a Proclamation into the record proclaiming the month of June, 1996 as foster parents month. She recognized Carolyn and Ed Ramey, participants. See Res. Book 10 Page 23.

**4. CITIZENS NOT ON AGENDA**

1. Joan Pflueger requested information regarding the proposed flashing light at George Blvd. and Highway 27.
2. Richard Conover requested public participation from the public at the budget hearings.
3. Richard Conover presented comments regarding the decision to hold only two regular meetings per month.
4. Ray Napper spoke regarding Lake Haven Estates, suggesting a survey be performed for a solution to assessing vacant lots.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to set the Action Agenda as follows:

1. Deletion of Item B. (Melvin Hawthorne: Request to lease firehouse in Highway Park) to be heard at a later date.
2. Deletion of F-2. Invoice from Tax Collector
3. Withdrawal of request from Orange Blossom Country Club Community, Lake Haven Estates and Orange Blossom Unit 12 Tax Districts
4. Addition to pay all duly authorized bills under the Consent Agenda
5. An addition under the Board Attorney to hear request of Mike Rider to transfer Development Rights Agreements, Conservation and Agricultural Easements.

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

**A. JIMMY WOHL: REQUEST CHANGES IN LEASE AGREEMENT**

Discussion by the Commission regarding liability insurance and adding Mr. Wohl as a party

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to the lease. The Operations Director suggested a letter of exemption if permits are not required from the Water Management District. Mr. Wohl agreed to water testing each month and to present the results to the County.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve assignment and modification of lease for agricultural or grazing purposes at the Landfill with Super Sweet Farms. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. MELVIN HAWTHORNE: REQUEST TO LEASE FIREHOUSE IN HIGHWAY PARK**

This request was withdrawn. It will be reviewed by the Board Attorney, and will be placed on the agenda for June 18, 1996.

**C. RICK MCCLEERY, SWFWMD: PRESENTATION OF SATELLITE MAP**

Mr. McCleery, Governmental Affairs with the SWFWMD, presented a Satellite Map for the Citizens of Highlands County on behalf of the District and the Board of County Commission in hope that it will help with the land use decisions.

**D. OPERATIONS DIRECTOR: UTILITY POLES IN COUNTY RIGHT OF WAY**

The Operations Director presented a request that action be taken against Glades Electric Cooperative concerning relocation of utility poles within county rights-of-way. Florida Power Corporation has made an attempt to work out the problem.

Motion by Commissioner Barrett, seconded by Commissioner Gose to pursue legal action to require that Glades Electric Cooperative relocate their power poles on the right-of-way, at their own expense, in accordance with Florida Statute. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 55.

**E. COUNTY ENGINEER: REQUEST FOR PAYMENT OF INVOICE WITHOUT PURCHASE ORDER**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve payment of invoice without P.O. to Ardaman & Associates in the amount of \$21,286.93 for testing services that were necessary at the Arbuckle Creek Landfill. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 56.

The County Engineer advised that the installation of the flashing signal at US 27 and George Blvd. would be completed by November 1996.

**G. BOARD ATTORNEY: STIPULATED AGREEMENT WITH DEPT OF BPR-ORANGE BLOSSOM ESTATES**

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Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve stipulated agreement with the Department of BPR for the disbursement and use of funds pursuant to the Improvement Trust Agreement with the State of New York, Dept of Insurance, Division of Liquidation. Upon Roll call, all Commissioners voted aye. Motion carried.

**MIKE RIDER-REQUEST FOR TRANSFER OF DEVELOPMENT RIGHTS AND CONSERVATION AND AGRICULTURAL EASEMENTS**

Mr. Macbeth presented the request to execute the transfer of the Development Rights agreement and to execute the Declaration of Covenants and Agricultural and Conservations easements. The Chair opened the floor to the public. Preston Colby suggested that a proper mechanism should be in place for approving this item. No action was taken. This item will be placed on the agenda for proper procedure

**Break 10:05-10:15 p.m.**

**F. BUDGET OFFICER:**

**1. REVISED CAPITAL IMPROVEMENT PLAN**

Rick Helms reviewed the revised plan with the addition of the Fairmount widening project for the Eucalyptus Parkway Phase I. He suggested that equipment for Road and Bridge be purchased out of gas tax monies and not out of the sales tax. Other projects could be pushed out further. The Chair suggested that Mr. Helms prepare a separate sheet for these items and the Board can go back and review the entire plan when time is allowed for discussion. A workshop was set for June 11, 1996 for further discussion. Preston Colby spoke regarding the Eucalyptus Parkway section not meeting federal or regular right of way acquisition standards.

**2. INVOICE FROM TAX COLLECTOR**

This item was withdrawn. See SMB 26 Page 57 for copy.

**H. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO HOUSING AUTHORITY**

The Board discussed the reappointment of Mr. De La Rosa. Commissioner Maxcy requested a review of the Board members now serving.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the recommendation of appointment to the Governor of Mr. Barry Foster. Upon Roll call, Commissioners Barrett and Canale voted aye. Gose, Maxcy and Gentry voted nay. Motion did not carry.

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Motion by Commissioner Gose that the Board support the Housing Authority nomination and request Mr. De La Rosa for a second term. The motion died for lack of a second.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to recommend Frances Leaphart to the Board. After Board discussion and the recommendation of Mr. Colby the motion and second was withdrawn.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to send all four resumes and the entire packet to the governor for consideration of an appointment. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 58.

### **2. REVIEW OF H.L. BISHOP PARK**

The County Administrator reviewed the comments received from the meeting with HRS and the design of the swimming area. Roger Christopher advised that permits will be forthcoming and there is no need to close swimming areas. The state plans to complete bacterial tests in the next three weeks. If water quality meets state standards, a permit will be issued. Commissioner Barrett suggested moving the rope in and limiting liability to the county. Commissioner Maxcy suggested staffing the area with lifeguards. Preston Colby spoke regarding the fatalities and the need for safety equipment. Jim Cash of Lake Placid requested the Board look at boat ramps for safety sake. The Chair appointed a committee of Commissioner Barrett as the Chairman, Carl Cool, Preston Colby and two other people from Lake Placid to study the matter. Mr. Portz suggested that the committee incorporate the input of the insurance company and consider the issue of the ADA when making recommendations back to the Board. See H.L. Bishop Park file for copy of information.

### **3. SUGGESTED CHANGES IN SECURITY AT COUNTY COMMISSION BUILDING**

The County Administrator presented options to add additional security for the county employees working in the County Commission Building. See SMB 26 Page 59.

Commissioner Canale spoke in opposition to the additional security. Commissioner Barrett spoke in favor of Items 1-2-3 and 6 with the deletion of an electrically controlled switch. Commissioner Gose and Maxcy spoke in favor.

Motion by Commissioner Barrett to approve Items 1-2-3 and 6 minus the electronic controlled switch. The motion died for lack of a second.

Motion by Commissioner Gose, seconded by Commissioner Canale to consider concepts and that staff look at the two options discussed by Mr. Barrett and Mr. Gose and bring back a cost analysis for discussion.

Commissioner Maxcy requested that three employees give their opinion to the motion.

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Kimberley Brock suggested that the public should stop at the front desk and place their request first. Treasa Handley stated that she does not feel unsafe but it could be a good organizational move. Carla Stroup stated that she feels safe with the new door and personnel assistance.

The Chair called for input on the motion. Mr. Colby spoke on the security issue for the Board room. Richard Conover spoke in opposition to the motion and the cost involved. Clayton Womer spoke in opposition and asked that the Board consider the cost of other county buildings. Mike Eastman, speaking as an employee who has an office in the building, spoke in support of the additional security and to deter employee interruptions.

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

The County Administrator reported on the meeting of the Florida City County Managers Association in Sarasota. He spoke on Highlands County's efforts toward privatization and the success that we have enjoyed.

**I. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record along with a brief description of each item.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve the Consent Agenda as listed, with an amendment to approve Item #4, subject to Board Attorney Language:

- 1. Approval of minutes of 5-7, 5-14, 5-21 meetings and 5-14-96 joint meeting with Sebring Council.**
- 2. Approval of State Aid to Libraries Grant Award budget request. See SMB 26 Page 59.**
- 3. Approval to execute acceptance of amendment to Block Grant contract(96DB-1E-07-38-01-N15)**
- 4. Approval to revise the Purchasing Manual for design-build RFP process and procedure for selling real property. See SMB 26 Page 60.**
- 5. Approval to execute agreement with Highway Patrol for radar equipment . See SMB 26 Page 60 A.**
- 6. Approval to reinstate fines for overdue library materials. See**

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**SMB 25 Page 61.**

- 7. Approval to accept two donated lots(Lot 12, Orange Blossom Lakesite Estates, Inc. Block 9, Unit #3, Section 13 and Lot 11, Block 8, Highlands Park Estates, Section O)**
- 8. Approval to remove equipment from inventory (Kodak Ektagraphic Audioviewer/Projector, Co. ID CD766. See SMB 26 Page 62.**
- 9. Approval of grant expenditure and budget amendment-Emergency Management. See SMB 26 Page 63.**
- 10. Accept into record - Hospital Board minutes. See Hospital File for copy.**
- 11. Approval to change Capital line item - Fire Service. See SMB 26 Page 63.**
- 12. Approval of budget amendments 95-96-139 and 144-146**
- 13. Approval to execute Litter Control and Prevention grant application**
- 14. Approval of new street name: Crawford Court. See SMB 26 Page 64.**
- 15. Approval to execute D.A.R.E. grant. See SMB 26 Page 65.**
- 16. Approval to pay all duly authorized bills as listed:**

<b>Law Library</b>	<b>636.33</b>
<b>General</b>	<b>1,491,181.29</b>
<b>County Transportation Trust</b>	<b>98,985.57</b>
<b>E911 Operations</b>	<b>9,361.43</b>
<b>Intergovt Radio Communications</b>	<b>3,067.18</b>
<b>Local Govt Infrastructure Surtax</b>	<b>53,986.94</b>
<b>Affordable Housing Assistance</b>	<b>5,600.00</b>
<b>Correctional Facility</b>	<b>164,189.70</b>
<b>Solid Waste</b>	<b>43,342.39</b>
<b>Water/Sewer</b>	<b>20,954.67</b>
<b>Risk Retention</b>	<b>932.37</b>
<b>Employee Benefit</b>	<b>104187.68</b>



Tax Deed Surplus

3,420.07

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

**6. COMMISSIONERS**

- 1. Commissioner Gentry reported that she will be writing letters on behalf of the Board, thanking the Governor for having vetoed the presumption of correctness bill. A study committee will be appointed and will be back on the legislative agenda for next year. If any board member is interest in serving on the study committee they may contact Carol Roberts, President of the National Association of Counties.

**7. ADJOURN**

The meeting adjourned at 11:55 a.m.

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**Chairperson**

**Attest:**

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**Clerk**

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**WORKSHOP MEETING OF THE BOARD, JUNE 11, 1996**

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:

Doris Gentry	Carl Cool
J D Barrett	Louise Graham
James L Gose	
Jeri Canale	
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

1. Representative Harris presented two warrants to the Board from the Secretary of State for the state funded library construction projects. The Chair thanked Representative Harris for his assistance over the past 14 years.
2. The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.
3. The Chair presented a further announcement regarding the Eco-Tourism Workshop to be held June 14, 1996 at the Jacaranda Hotel.
4. Commissioner Barrett gave an update on the Water Safety Committee meeting.

4. **LIBRARY DIRECTOR: FREENET**

2. Mary Myers, Library Director, advised that she has been participating with the Florida Rural Legal Services in the development of a freenet for Highlands, Hardee, Polk and Desoto Counties. Since then the Multi-Library Cooperative has moved forward to provide services to Highlands, Hardee Desoto, Okeechobee and possibly Glades county. Ms. Myers explained what a Freenet is and how it would work. She presented a demonstration of the Leon County Government in Tallahassee. See SMB 26 Page 67 for copy of information.
3. Carl Cool suggested the Board consider making provision for the additional

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monitors and equipment at the new Government Center to comply with the technology of the future.

4. Jim Fitch presented questions regarding the charge to subscribers and advised that the Museum of Florida Agriculture will have a home page on the web at the end of the month.

**5. LAKES**

1. Carl Cool introduced the agenda item and stated that Mr. Tom Champeau from the Florida Fish and Game could not be here. However Mr. Dave Demmi, Regional Biologist for DEP will be available to answer questions pertaining to lakes and water quality. Carl Smith, staff, was also present to talk specifically about aquatic weed control in Lake Josephine. Mr. Cool also updated the Board on grass carp to be introduced into Lake Jackson to help control hydrilla.
2. Mr. Cool presented the concerns with the spraying of Lake Josephine and the effect it has on the water quality, nesting of the birds and the small plant and animal life around the lake.
3. Mr. Dave Demmi reported that he surveyed Lake Josephine last week. Spraying has been done recently and hyacinths were controlled. He observed numerous egg clusters of apple snails through out the lake. There seemed to be no effect on the egg clusters. The water quality seems to be okay as there was not algae bloom. To classify the water, test would have to be completed. There was also nesting birds in the area. Mr. Demmi stated that the spray application seemed to be acceptable. He also advised that if spraying is stopped until October as requested, hydrilla could become uncontrolled.
4. Carl Smith, Weed Control Supervisor, spoke in favor of continuing with the spraying to control the hyacinths. Forty acres have been sprayed and another ten is scheduled. The spraying is kept at a minimum to satisfy the residents that live on the lake.
5. Joan Pflueger presented suggestions on dredging the canal, discontinue the spraying altogether and research to find something to eat the hydrilla. Other concerns were the building of sea walls without permits.
6. Dave Demmi responded to Ms. Pflueger's comments regarding a mechanical machine to eat the hyacinths. Herbicides have proven to be the most cost effective method. Regarding the sea walls, anyone is advised to report this to DEP.

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7. Vaden Pollard spoke regarding the Josephine Jackson Watershed, the inspections performed and the compliance issues. Mr. Pollard also spoke on water quality and maintaining the lakes in the county.
8. Hank Kowalski expressed his concerns about the lakes and the fact that the Game Commission was not available for the workshop.
9. Larry Sharpe, Soil and Water Conservation, discussed the water quality in the lakes.

Break 10:33 a.m. - 10:47 a.m.

**6. PROPOSED STATEMENT OF WORK-EDNA PEARCE LOCKETT ESTATE/PEARCE HOMESTEAD**

1. Carl Cool discussed concepts of the Pearce Homestead.
  - (a) A possible long term lease between the Board and the district, with the house included without any funds. The Commission indicated that they would be in favor of being a part of the restoration and preservation of the home and surrounding areas. Commissioner Gentry has been briefing the Board on the potential of the Agricultural Museum. This site has been designated as the southern satellite site(103-130) purchased from "Save our Rivers".
2. Kim Love, SFWMD, presented the history on the purchase of the lands. She suggested a memorandum of agreement for the donated lands, adjacent to the river, to the Commission, with the agreement that the district would make arrangements to purchase the 640 acres. This would then be declared surplus and used for trade on the river or would be sold and given back to the State Trust.
3. Carl Cool suggested that if the Board wishes to move ahead, a third party has been located. A museum that would be willing to sub lease some of the lands from the county and undertake and perform requirements that the district would impose on the Commission. Strings attached would be that they preserve the house. The Museum of Arts and Crafts are interested in exploring the idea. In searching for funds, thoughts were explored to develop a fish camp marina. A long term management agreement where the Board would secure their equity installed through grants. Then to place out for bid and let private industry run it and the profit could be used to maintain it.

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4. Kim Love stated that the district has been working with an Interagency group on the Florida National Scenic Trail and they are very interested in running the trail through the property, along with the Florida Cracker Trail. They are looking at the complete recreational picture.
5. Jim Fitch, Director of the Museum of Florida Arts and Culture, explained what his agency intends to do. Discussion ensued on funding and involvement with the children and the teaching of history.
6. Carl Cool suggested that the county secure the lands and then move forward with grants and proposals. See SMB 26 Page 68.

**7. CAPITAL IMPROVEMENT PLAN**

1. Carl Cool gave a brief discussion on the revised CIP Plan. He explained the difference in the numbers as being the total project cost.
2. Rick Helms explained the revenue mechanism for the Plan.
3. Commissioner Maxcy discussed the Eucalyptus Parkway cost and questioned the need for Phase 1.
4. County Engineer explained the need for the Eucalyptus Parkway and the reason for the difference in the numbers of the CIP plan.
5. Discussion to hold a workshop on the Eucalyptus Parkway.

See Budget file for copy of plan.

**8. ADJOURN**

The meeting adjourned at 12:24 p.m.

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**Chairperson**

**Attest:**

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**Clerk**

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**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
June 18, 1996 - 9:00 a.m.**

1. Meeting 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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **Invocation and Pledge of Allegiance**

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

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Paul Hinman presented the Daily Jail Log of Inmate County for the period ending June 18, 1996. Also presented was the farm report for the month of May.

- B. **Clerk**

C. Michael Eastman requested that the application for Revenue Sharing for 1996-97 be added to the Consent Agenda for Board approval.

- C. **Future upcoming meetings:**

1. The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public.
    2. Mr. Cool announced that work will begin for the widening of US 27 from Sparrow to Fairmount possibly this week.
    3. He also reported that Doug Leonard from CFRPC has agreed that he will not be requesting the transmittal of the Strategic Regional Plan to the Governor. He has agreed to meet with staff and negotiate the differences.

4. **CITIZENS NOT ON AGENDA:**

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1. Audrey Vickers presented a proposal to the Commission to streamline Highlands County Government by moving into the new century with a County Manager form of Government. A workshop was suggested after the NACo meeting.
2. Richard Henline brought to the Commission concerns regarding Lake Olivia. See SMB 26 Page 69 for copy.
3. Ms. Joan Pflueger suggested the county install a weir on the other side of Skipper Road to control the algae bloom that flow into the canal. Carl Cool stated that he has not been notified of any algae bloom and he has personally been out three (3) time to specifically check for any breakage of hyacinths into the canal. There is none. He would not recommend a barrier be placed at that location.
4. Richard Conover commended the Volunteer Fire Departments in Highlands County.

**5. ACTION:**

Motion by Commissioner Barrett, seconded by Commissioner Canale to set the Action Agenda with additions as follows:

1. Revenue Sharing application for approval
2. Budget Amendment #95-96-160
3. Approval of Hospital District Expenditure

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

**A. James Lambert, W. Central Fla. Agency on Aging: Presentation to Library System**

Ms. Cathy Burns thanked Library staff who assisted in coordinating three Library displays for older Americans in Highlands County. Three Librarians were recognized, Diane Hunt, Avon Park Library, Mary Criswell, Lake Placid and Mary Myers Director of the Library System.

Mr. James Lambert gave a presentation thanking the Board for highlighting May 1996 as "Older Americans Month" in the County Public Library System. Brochure display tables were set up to provide information on senior services to the patrons. Mr. Lambert highlighted other services offered to the county. A certificate of appreciation was presented to Mary Myers. See SMB 26 Page 70.

**B. Sandra Kuhn: County Public Health unit fee revision**

Roger Christopher, Environmental Health Director, presented a request for an increase of fees for FY 1996-97.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve request to increase fees for FY 1996-97. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 71.

**C. Development Director: Request approval of assistance to Habitat for Humanity**

Motion by Commissioner Gose, seconded by Commissioner Barrett to reimburse Highlands County Habitat for Humanity \$5,000.00 in accordance with the agreement dated May 7, 1996 for the home at 109 Launch Avenue in Placid Lakes. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 72. Commissioner Maxcy suggested a workshop on Habitat for Humanity.

**D. Special Projects Director: Request from Lorida VFD to establish special benefit district**

Bill Stephenson presented the request to establish a special tax district. Chief John Ellis outlined the steps completed to moved forward with the request. 3,722 letters were mailed to the property owners. Results were, total received back 259, with 224 in favor and 35 against. A letter was entered into the record from Spring Lake Property Association in support. See SMB 26 Page 73.

Motion by Commissioner Barrett, seconded by Commissioner Gose to move forward at the request of the Fire Coordinator and Chief John C. Ellis to establish a non-ad-valorem tax fire district and instruct the Board Attorney to proceed with the proper procedures.

The Chair opened the floor to the public. Clayton Womer spoke in favor. John Ames stated that he lived in a mobile home and a fire district would not benefit him.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 74.

**Break - 10:09 - 10:20 a.m.**

The meeting reconvened at 10:20 a.m. with all members present except Commissioner Canale.

**E. County Engineer:**

**1. FDOT Transportation Enhancement Program**



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Lisa Burley, Administrative Aide, presented request for County Engineer, Bill Lecher. Motion by Commissioner Barrett, seconded by Commissioner Gose to approve request to submit the applications to the FDOT to determine eligibility. Upon Roll call, all Commissioners voted aye. Motion carried. The Board will then rank the projects by order. See FDOT file for copy.

**2. Request payment without purchase order and budget amendment**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve payment without a p.o. for work performed by Spring Lake Services for water connections with the Placid Utilities Water System and to approve a budget amendment # 95-96-153.

The Chair called for input on the motion. Richard Conover questioned the amount paid with out issuing a purchase order.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 75.

**3. Interlocal Agreement with City of Sebring**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve and execute the Interlocal Agreement between the City of Sebring and the Board of County Commissioners for the reading of meters for customers of Placid Utilities.

The Chair called for input on the motion. Richard Conover spoke regarding the Utility Specialist in the Engineering Department and the capabilities of this employee being able to read meters. Ms. Burley advised that this position is strictly customer service and there is not available staff to perform this function.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 76.

**4. Report by the County Administrator - Ardman and Associates**

Mr. Cool reported that the invoice paid in the amount of \$21,000 for testing of the Landfill Liner was covered with the penalties that were withheld from ERC. The penalty that has been agreed upon to be deducted from the final payment is in excess of what was paid.

**F. Board Attorney: Agreement for Transfer of Development Rights and Declaration of Covenants and Agriculture and Conservation Easement Agreements- Cove Plat**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve transfer of Development Rights and Declaration of Covenants and Agriculture Easement Agreements for Hardie B. Driggers, Mary Helen Driggers and Hardie Donald Driggers,

Billy M. Lambert and Amelia Lambert, his wife for dedication on the plat. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Macbeth updated the Board on the Comp Plan Hearing with Heartland Environmental Council, DCA and the Board of County Commissioners. The Hearing was held before a Hearing Officer and he will be entering a recommended order next month. Other parties have the opportunity to file proposed recommended orders with proposed findings of fact and conclusions of law. Either the DCA will be the reviewing agency or the Governor and cabinet sitting as the Administrative Commission and will have the final determination.

**G. County Administrator**

**1. Security in Commission Building**

- (a) Suggested changes presented by Mr. Cool is to add a handicap accessible ramp on the Eucalyptus side. Place a small half door between Tom Portz and Bill Stephenson's office. Place a half door at the Administrative Aide's office. Close the door in at the small conference room. Estimated cost \$1814 for materials only.
- (b) Alternate Plan B suggested by Commissioner Gose is to eliminate the need for an accessible handicap ramp by allowing the hall to be open and place two electrically controlled doors in the hallways that run northeast and southwest. Materials cost for these improvements \$1494.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve Plan "B" as a means for security for the County Commission Building.

Commissioner Maxcy suggested that the Finance Officer give his opinion on the motion. Mike Eastman spoke in favor of controlling the traffic in the building, however his option would be Plan A.

The Chair opened the floor for discussion from the public. Clayton Womer spoke in opposition to the security. Richard Conover stated concerns regarding the inefficiency of staff.

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

**2. Budget Amendment # 95-96-160**

Motion by Commissioner Gose to approve budget amendment #95-96-160. The motion died for lack of a second.

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Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve budget amendment #95-96 -160 to transfer from home repairs in the SHIP program and from other charges in Planning Department to the down payment assistance account to reconcile expenditures and finalize Phase II of the program. Upon Roll call, all Commissioners voted aye. Motion carried.

**3. Disbursement of funds for the Healthy Kids Program**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve disbursement of \$40,758.46 to Florida Healthy Kids Corporation as indicated in the minutes of the Hospital District Board. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 77.

**4. Follow-up of workshop Pearce Homestead**

The County Administrator suggested input from the Commission regarding an agreement for the draft of proposed scope of work between the Water Management District and the Board of County Commission that would set forth future agreements on the Pearce Homestead site.

**5. Capital Improvement Plan**

The County Administrator briefly reviewed the Capital Improvement Plan. See budget file for copy. He presented recommendation to extend the note for the Government Center to a three year note. Discussion on the Recreation budget and the Highway Park construction cost. No action was taken. This item will be placed on the agenda for July 2, 1996.

**6. Proposed Contract with Peter Brown Construction for the Government Center**

The County Administrator reported on the proposed contract with Peter Brown Construction. Cost of the construction has been negotiated at \$4,850,000 for the 58,000 sq. feet building. This bid was below the next proposal by \$850,000. The Commission discussed the proposal and comments were received regarding quality of workmanship. Action will be taken in July.

**H. Consent agenda:**

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the Consent Agenda with the addition of the Revenue Application and the deletion of Item #10-Highway Park Fire Station as listed:

**1. Approval of minutes of 5-28 and 6-4-96 meetings and 6-3**

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**workshop**

- 2. Accept into record - May Monthly Report**
- 3. Approval of road name - Jones Trail. See SMB 26 Page 78.**
- 4. Approval to execute FDEP Waste Tire Grant and Part I Recycling and Education Grant applications. See SMB 26 Page 79.**
- 5. Approval to execute Transfer of Tax Certificates. See SMB 26 Page 80.**
- 6. Approval of revision to contract with Public Health Unit (96EM-6U-07-38-1-028)**
- 7. Approval to execute subscription contract with Westlaw. See Library file for copy.**
- 8. Approval to execute agreement on Archivist's duties**
- 9. Approval of amendment to Emergency Management Grant**
- 11. Approval of Budget Amendments 95-96-151 and -152 and Capital Expenditure Request. See SMB 26 Page 81.**
- 12. Approval of plat recording - Cloverleaf Estates. See SMB 26 Page 82.**
- 13. Approval of Lakeshore Mall annual monitoring report**
- 14. Approval to pay all duly authorized bills as listed:**

<b>Law Library</b>	<b>818.41</b>
<b>General</b>	<b>1,120,960.66</b>
<b>County Transportation Trust</b>	<b>45,599.52</b>
<b>Intergovt Radio Communications</b>	<b>991.77</b>
<b>Law Enforcement Education</b>	<b>4,676.94</b>
<b>Local Govt Infra Surtax</b>	<b>179,429.98</b>
<b>Affordable Housing Asst</b>	<b>55,232.20</b>
<b>Correctional Facility</b>	<b>2,110.00</b>
<b>Solid Waste</b>	<b>11,574.42</b>
<b>Water/Sewer</b>	<b>72,625.18</b>
<b>Risk Retention</b>	<b>145,928.87</b>

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<b>Employee Benefit</b>	<b>107,098.74</b>
<b>Highlands Hosp Pass Thru</b>	<b>40,758.46</b>

**Refer to check register for further detail**

**15. Approval of Preliminary Assessment Roll for Nuisance. See SMB 26 Page 83.**

**16. Approval of Revenue Sharing Application.**

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

**10. Approval of Invitation to Bid on Highway Park Fire Station**

The County Administrator presented information as proposed for specifications and terms for leasing the Highway Park Fire Station. Discussion ensued regarding liability insurance requirements. Teresa Williams representing the STAR program stated that the School Board has been paying for the insurance and she does not have a cost estimate. The Board suggested a study to determine the Insurance requirements and payment of utilities. Motrin Strong, contractor, presented a proposed drawing of the future site. The Board advised that this proposal must be presented back along with the lease for approval by the Commission.

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the format for invitation to bid for lease of the former Highway Park Fire Station.

The Chair called for input on the motion. Tim Eures, Fire Coordinator, spoke in favor of the agreement. Bob Jamison, Purchasing Supervisor, presented a clarity statement in that any interested party who submits a bid can cite exceptions to the conditions outlined. The Board does then have a right to waive any requirements.

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

**6. COMMISSIONERS**

1. Commissioner Gose requested that no door be taken out of this building to be replaced with a wall. If a door is not needed it should be locked.
2. Commissioner Gose went on record to endorse Mr. Wendell Whitehouse's letter regarding the Strategic Policy Plan.
3. Commissioner Barrett directed the County Administrator to contact Jim Guidas at Willow Gate regarding road clean up.

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4. Commissioner Maxcy requested information regarding the opening of H.L. Bishop Park.
5. Chairperson Gentry directed the Board Attorney to prepare a Resolution designating Commissioner Gose as a representative of the Board of County Commissioners to serve on the Circuit Conflict Committee.
6. Chairperson Gentry presented items for discussion at the July workshop as listed:
  - (1) Job Description for a County Manager position
  - (2) Habitat for Humanity information

**7. ADJOURN**

The meeting adjourned at 12:04 p.m.

\_\_\_\_\_  
**Chairperson**

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

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**REGULAR MEETING OF THE BOARD, JULY 2, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

**ACKNOWLEDGMENT OF INDEPENDENCE DAY**

- (a) The Chairperson gave special recognition to Mr. Cool and acknowledged that the flag flying in front of the Commission Building was in honor of his father at his passing.
- (b) Jeff Capelin of the Boy Scout Troop gave the invocation.
- © A special flag presentation was given by the Boy Scouts.
- (d) Shannon Reed, daughter of Christy Reed, Recycling Coordinator, sang the Stars Spangled Banner.
- (e) Frank McLochlin, Scoutmaster of Troop #818, introduced the members of his troop.

3. **ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending July 2, 1996.

**B. CLERK**

No report given

**C. FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings



were announced for the benefit of the public.

**D. RECOGNITION OF AWARDS**

The Chairperson recognized Vaden Pollard, Operations Director, for being chosen Florida's Rural Engineer of the year by Florida's Association of County Engineers and Road Superintendents. She commended Mr. Pollard for his fine work. Mr. Pollard recognized the FACERS for their continued efforts toward road maintenance and their work with utility companies in retaining right-of-ways.

The Chairperson presented the County Administrator, Carl Cool, with a plaque given by the Sebring Sunrise Rotary Club as the participant of the Community Service Award. She commended Mr. Cool for his commitment to community service and acknowledged his representation above and beyond the call of duty in terms of his responsibilities to the job.

**4. CITIZENS NOT ON AGENDA:**

1. Mr. Hank Kowalski spoke regarding the quote made by Commissioner Gose on the amount of conservation lands in the county. He also addressed the paving of Riverdale Road and the preservation of lands in that area. The Chairperson agreed to write the delegation a letter on behalf of the Board asking them to proceed with the purchase of lands in the Sebring Highlands area.
2. Mr. Richard Conover presented questions regarding Item #6 on the Consent Agenda, relating to the Administrative Aide signing invoices received from the Board Attorney. The Chair advised that the Board did authorize amounts to be set aside for the HEC lawsuit. Another question was presented relating to Item #7, approval of budget amendment #95-96-163. Staff advised that the account number was incorrectly listed.

**5. ACTION:**

Bernis Gainer, Budget Analyst, explained budget amendment #95-96-164 at the request of Commissioner Canale. Commissioner Barrett suggested that the Chairman sign invoices received from Mr. Macbeth rather than the Department Head. The Chair advised that she has no problem with this request if that is the pleasure of the Board.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to set the action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. KEITH FINLAYSON, HUMANE SOCIETY OF HIGHLANDS COUNTY**

Ms. Finlayson addressed the Board with requests for special help at the Humane Society.

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She mentioned items as listed:

- (1) A new septic system
- (2) 40' plus 22' of shell and mowing of right-of-way
- (3) Clearing of brush and sandblasting
- (4) Leftovers 8-10' chain link fence- Electric components
- (5) Separate number listing in the phone book under Animal Control
- (6) Sign for Humane Society on 98
- (7) Future funding for the Humane Society.

The consensus of the Commission was to request that Ms. Finlayson meet with Mr. Cool and address the issues.

**B. SIDEWALKS AT HILL/GUSTAT MIDDLE SCHOOL**

The Operations Director presented a request from Mr. Calvin Smith, of the Highlands County School Board, requesting that the county construct sidewalks within the two (2) mile limit of the new Hill/Gustat Middle School in the southerly and easterly directions. This location would include 1.19 miles on Schumacher Road from the school to US-27, and 1 mile on Western Blvd. from the school to Thunderbird Road. The cost estimated to be \$30.00 per sq. yard or \$231,264.

Mr. Pollard stated concerns for the cost of maintenance of the sidewalk and the liability factor for public entities. He requested the Board consider future repair and maintenance cost.

The Board discussed the liability issues. The Chair opened the floor to the public. Don Greenhalgh of Spring Lake Services advised that he has received the contract from Sun'n Lake Improvement District for 2800 feet of roadway for Charlene Avenue which will run from the Middle School parallel to Schumacher and ties into the subdivision. Traffic will not have to come onto 27 to get to the new Middle School. There will be a road that ties into Schumacher, and traffic will be able to come out of the back onto Schumacher.

Lt Benton advised that she met with the Transportation Coordinator in regards to the needs for a crossing guard. He indicated that there would not be any sidewalks accompanying the Middle School. The School Board has decided they will continue to transport by bus those children that live within the two (2) mile radius at the local expense.

Motion by Commissioner Barrett, seconded by Commissioner Gose to deny the request. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 91.

Motion by Commissioner Canale, seconded by Commissioner Maxcy to meet with the School Board and Sun'N Lake Improvement District to workshop and discuss the sidewalk issue.

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The Chair called for input on the motion. Richard Conover suggested a traffic study of the road. Clayton Womer addressed the bicycle issue.

Upon Roll call, Commissioners Canale, Maxcy, Barrett and Gentry voted aye. Commissioner Gose voted nay. Motion carried.

**2. CULVERT BRIDGE ON COUNTY ROAD 621**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve request of the Operations Director to replace bridge culvert #094038 running under CR-621 and utilize the monies budgeted for the Sentinel Point bridges. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 page for copy of request 92.

Break 10:34 a.m - 10:50 a.m.

**C. HOUSING COORDINATOR: REQUEST TO SUBORDINATE CDBG MORTGAGE**

David Heacock, Housing Coordinator, presented the request. Mrs. Pat Ward appeared before the Board and spoke in favor of securing the loan to do repair work and pay taxes.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve that the CDBG mortgage given to Ms. Pat Ward on March 23, 1993 be subordinated in accordance with Ms. Ward's request and the proposed Subordination Agreement as presented to the Housing office on June 17, 1996. Upon roll call, all Commissioners voted aye. Motion carried.

**D. GENERAL SERVICES SUPERVISOR: APPROVAL OF CONTRACTS TO PURCHASE AND REMOVE/DEMOLISH HOUSES**

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept the contract and tabulations of bids for purchase and removal of the houses with the changes as indicated by the General Services Supervisor. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 93 for copy of request and bids.

**E. BUDGET OFFICER: CAPITAL IMPROVEMENT PLAN**

Rick Helms, Budget Officer and Carl Cool, County Administrator reviewed the ten year Capital Improvement Plan.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the Plan as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Budget file for copy.

**F. DEVELOPMENT DIRECTOR: GRANTING OF SPECIAL EXCEPTIONS BY THE BOARD OF COUNTY COMMISSIONERS**

Review by Jim Polatty, Development Director. The Board discussed the process as it now exists. Gary Lower, Zoning Supervisor, presented information regarding the appeal process and regulations. Motion by Commissioner Gose, seconded by Commissioner Canale to approve the Zoning Board of Adjustment's recommendation to leave the process as it currently exists. Commissioner Maxcy stated concerns for the motion. The Board Attorney explained the appeal process. The Chair called for input from the public. Hank Kowalski spoke in opposition and Richard Conover spoke in favor of the motion.

Upon roll call, Commissioners Canale, Gose and Gentry voted aye. Commissioner Maxcy and Barrett voted nay. The motion carried. See SMB 26 Page 94.

**H. COUNTY ADMINISTRATOR:**

**1. PROPOSED CONTRACT WITH PETER BROWN CONSTRUCTION CO. FOR GOVERNMENT CENTER**

Review of the contract by the County Administrator. Mr. Macbeth stated points of concern. Bill Lecher was appointed by Mr Cool as the Project Manager with Bob Diefendorf as the leg man. Ground breaking is estimated to take place in the fall of 1996. Discussion by the Commission on the construction manager or the bid type of construction.

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the contract with Peter Brown Construction Co. for the Government Center.

The Chair called for public comments. Greg Rose, representing Taylor Rental, spoke in support of Peter Brown. Richard Conover presented questions regarding what is included within the contract. Dan Foley also remarked about the total cost of the contract. Don Greenhalgh, representing Spring Lake Services, spoke in favor of the construction manager form of contract and in support of Peter Brown. Randy Chubb, representing HOK, explained the process of the estimates. Clayton Womer requested that staff inform the public what the price of the contract includes. Joe Kurpiewski, Highlands County Builders Association, stated concerns for local subcontractors. Mike Eastman, Director of Accounting and Finance, mentioned the impact of the Clerks Accounting and Finance Department with the additional purchase orders and deductive change orders. He also requested a 90 day notification to the Clerk's office for securing the loan. The County Administrator advised that he is placing the request at this time.

Upon roll call, Commissioners Barrett, Gose, Maxcy and Gentry voted aye. Commissioner Canale voted nay. Motion carried.

**G. BOARD ATTORNEY**

Mr. Macbeth informed the Commission that he has received a stipulation to dismiss with prejudice the Lawsuit, Lowell vs. Maxcy, Sebring Highlands. He will be filing the suit and does not expect it to come back.

**H. COUNTY ADMINISTRATOR**

**2. APPOINTMENT TO LAW LIBRARY ADVISORY COMMITTEE**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to uphold the recommendations of the Law Library Advisory Committee to approve appointment of Mrs. Wanda K. Farmer to the Law Library Advisory Committee. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 95.

**I. CONSENT AGENDA:**

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Consent Agenda as listed with the removal of Item #13 and a correction to Item #9 moving paragraph number 9 to 8 below Component M before the next paragraph begins and to strike words but not be limited to

**1. Approval to pay all duly authorized bills**

<b>Law Library</b>	<b>122.92</b>
<b>General</b>	<b>1,480,111.78</b>
<b>County Transportation Trust</b>	<b>22,273.65</b>
<b>E911</b>	<b>9,597.11</b>
<b>Conservation Trust</b>	<b>1,540.00</b>
<b>Intergovt Radio Communication</b>	<b>696.11</b>
<b>Law Enforcement Education</b>	<b>2,282.16</b>
<b>Local Govt Infra Surtax</b>	<b>92,116.55</b>
<b>Affordable Housing Assistance</b>	<b>2,105.00</b>
<b>Correctional Facility</b>	<b>1,349.75</b>
<b>Solid Waste</b>	<b>26,620.87</b>
<b>Water /Sewer</b>	<b>11,794.31</b>
<b>Risk Retention</b>	<b>376.25</b>

**2. Approval of minutes of 6-11-96 workshop and 6-18-96 meeting**

**3. Approval to expend funds from Special Law Enforcement Trust Fund. See SMB 26 Page 96.**

**4. Approval to advertise RFP for household hazardous waste program.**

**BOOK 16 PAGE 566**

5. **Approval to execute 911 Resolution. See Res. Book 10 Page 29.**
6. **Approval of payment without purchase order - HEC lawsuit. See SMB 26 Page 97.**
7. **Approval of payment without purchase order - excessive litigation. See SMB 26 Page 98.**
8. **Approval to execute resolution on appointment to Circuit Conflict Committee. See Res. Book 10 Page 30.**
9. **Approval to revise Purchasing Manual. See SMB 26 Page 99.**
10. **Approval to record plat - Country Club of Sebring, Inc.**
11. **Approval for EMS Medicaid provider re-enrollment**
12. **Approval of budget amendments 95-96-162 through 164. See Res. Book 10 Page 30 A for copy of CDBG Resolution.**
- ~~13. **Approval to hold both public hearings for fall 1996 Comp Plan before 5 p.m.**~~

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

**6. COMMISSIONERS**

1. Mr. Barrett requested clarification on budget cuts for the EMS Department.
2. Mr. Gose requested public attendance at the Republican Rally on July 5, 1996.
3. Commissioner Canale gave an update on the Florida Association of Counties meeting.
4. Commissioner Gentry reported on a proposal to establish an Environmental Research Center at the Avon Park Air Force Range. See SMB 26 Page 100.

7. ADJOURN

The meeting adjourned at 1:30 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**BOOK 16 PAGE 568**

**SPECIAL MEETING AND WORKSHOP OF THE BOARD, JULY 9, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

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

4. **ACTION: PRESENTATION OF RECOMMENDED BUDGET FOR FISCAL YEAR 1996-97**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the Action Agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

1. Proof of Publication of special meeting entered into the record. See SMB 26 Page 101.
2. Chairperson read into the record Florida Statutes 200.065 and 129.03 (3) to qualify the presentation of the proposed budget.
3. Carl Cool gave an introduction of the proposed operational budget and a review of what the budget allows for 1996-97 fiscal year. See Budget file for copy.
4. Rick Helms presented the calender of events for the budget submittal and the final adoption. The millage rate will be certified to the Property Appraiser on July 16, 1996. Additional public hearings are scheduled for 9/10/96 and 9/24/96 for adoption. Implementation will be effective 10/1/96. Mr. Helms reviewed the proposed items and positions that are to be funded.
5. Discussion by the Commission regarding the Economic Development Plan,



**BOOK 16 PAGE 569**

Recreation, decision on Agency Funding and discussion on the Sheriff's budget.

6. Preston Colby presented questions regarding agency funding.
7. The Chair recognized Senator Dantzler. He advised that they were successful in securing more funding than ever before for the control of hydrilla and other non indigenous and invasive plant species. Other items of concern from the Board were the funding for the elder population, welfare fraud and the Workforce Board.

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

8. The Chair welcomed comments from the public regarding the budget. John Lengyel commented on the discussion regarding recreation funding. He cautioned the Board not to lock themselves into a dollar amount because there would not be an incitive for the cities to control their cost. Richard Conover spoke in favor of funding for the Red Cross.

**5. WORKSHOP:**

**A. ROBERT SHEETS: BENCHMARKING STUDY**

Robert Sheets, representing David M. Griffith & Associates presented a set of workshop questions for review by the Commission.

1. What is the County's greatest assets/strengths?
2. What is the County's greatest liabilities/weaknesses?
3. What are the five most common complaints you hear regarding Highlands' delivery of services?
4. What are the five most common compliments you hear regarding Highlands' delivery of services?
5. In your opinion, are the criticisms you hear justified?
6. What is your greatest concern regarding the County's ability to respond to community needs?
7. What are the largest obstacles to meeting these needs?
8. What would help you do your job better as an elected official?

9. What do you want to see any study effort produce?

The Commission presented answers as listed: See an attached sheet. Original filed under Commissioners.

The Board discussed the performance of a work study to be done by David M. Griffith & Associates. It was a consensus to ask them to submit a detail work plan with the cost analyzed to the County Administrator.

C. Michael Eastman left the meeting at 11:25 a.m.

Commissioner Maxcy left the meeting at 12:05 p.m.

Commissioner Barrett left the meeting at 12:29 p.m.

**B. COUNTY ADMINISTRATOR/COUNTY MANAGER FORMS OF GOVERNMENT**

Postponed

**C. CHILDREN'S ADVOCACY CENTER**

Postponed

**6. ADJOURN**

The meeting adjourned at 12:47 p.m.

\_\_\_\_\_  
**Chairperson**

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

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**REGULAR MEETING OF THE BOARD, JULY 16, 1996**

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:

Doris Gentry	C Michael Eastman
James L. Gose	Carl Cool
C Guy Maxcy	J Ross Macbeth
	Louise Graham

Commissioners J. D. Barrett and Jeri Canale were not present. They were representing the Board at a National Association of Counties meeting in Houston, Texas.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a special prayer by the County Administrator, Carl Cool in honor of the Fred Jahna family, at his passing.

**3. ANNOUNCEMENTS:**

**A. SHERIFF**

1. Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending 7/16/96.
2. Lt. Benton gave a Farm report regarding the amount of vegetables and eggs produced by the work of the inmates.
3. She also presented an update on the SHOCAP visit of Mr. Tim Crow, who is a national expert on crime prevention and the SHOCAP program. Special agent, Bob Breeding, was also present. He coordinates the state-wide program for the Department of Law Enforcement. A training program was given with tremendous success.

**B. CLERK**

C. Michael Eastman advised that the Clerk will be giving a presentation under the action agenda.

**C. FUTURE UPCOMING MEETINGS:**

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

**4. CITIZENS NOT ON AGENDA:**

- a. Michael H. Carr addressed the Board regarding the comprehensive Animal Control Ordinance adopted by the City of Avon Park. Mr. Carr spoke in support of adoption of this ordinance by the county. The Chair suggested that the Board will review the Avon Park ordinance and consider this perspective.
- b. Ms. Willow Vance, Consumer Advocate, advised the Board that Highlands County now has a Better Business Council, due to her efforts in that area. The purpose of the Better Business Council is to promote consumer trust in the business members of the Council and to facilitate the resolution of consumer complaints. Ms. Vance produced application forms for registration. See file for copies.
- c. Richard Conover spoke regarding the attendance of committee members and the length of certain meetings.
- d. Joan Pflueger addressed the Board regarding the lake problems. The Chair suggested that this subject will be discussed later in the meeting.
- e. Ray Napper spoke regarding the Solid Waste Program and the conversation that occurred back in 1992 with staff. He requested a polygraph for a determination of the truth.
- f. Preston Colby addressed the issue of regulating personal watercraft and water uses on the lakes.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to set the action agenda with the following changes:

1. An addition under the Board Attorney for the approval of a developer agreement with Harold L. Ekberg, the Board of County Commissioners and Huntington National Bank.
2. An addition under the County Administrator, a request for transfer of sick leave from Treasa Handley to her mother, Linda Caldwell.
3. An addition under the Asst. County Administrator regarding

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overpayments from vendors on Solid Waste and a request from the Sheriff's Department to delay part of Building Phase 3.

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

**A. CLERK: AGREEMENT FOR USE OF FUNDS FROM FAMILY COURTS TRUST FUND**

Luke Brooker presented request for the renewal of grant-in-aid agreement drawn between the Office of the States Courts Administrator and the Board of County Commissioners for the use of \$15,962.00 from the Family Courts Trust Fund.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to execute the grant-in-aid agreement from the Office of the State Courts Administrator and the Highlands County Board of County Commissioners. Upon Roll call, all Commissioners voted aye. Motion carried.

**1. UPDATE ON THE VALUE BOARD OF ADJUSTMENT BY THE CLERK**

Mr. Brooker advised that a meeting will be set within the next sixty (60) days. The RFP's will be presented at that time for the selection of a Special Master. The members from the Board of County Commissioners are Commissioners Gentry, Gose and Maxcy. Two (2) School Board members will also be appointed.

**B. SPECIAL PROJECTS DIRECTOR: REQUEST FOR VENUS SPECIAL FIRE DISTRICT**

Bill Stephenson, Special Projects Director, presented a request for the Board Attorney to prepare an ordinance to establish the Venus Special Fire District.

James B. Hill presented a proposal to the Board to begin proceedings for a non-advalorem tax based fire district.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the request to proceed with the taxing district. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 102 for copy.

**C. EMERGENCY MANAGEMENT DIRECTOR:**

**1. CONSIDERATION/EXECUTION OF EMERGENCY SUPPORT FUNCTION-HEALTH AND MEDICAL SERVICES**

**2. CONSIDERATION/EXECUTION OF EMERGENCY SUPPORT**

**FUNCTION - ANIMAL ISSUES**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to execute the Emergency Support Function - Health and Medical Services and Animal Issues. Upon Roll call, all Commissioners voted aye. Motion carried.

**D. BUDGET OFFICER:**

The County Administrator advised that the Budget Office has won a national award given for excellence for budget preparation from the Government Finance Officers Association.

Break 9:45 a.m. - 9:55 a.m.

**1. CERTIFICATION OF MILLAGE**

Clayton Womer suggested that a full Board should be present for such an important item as millage certification. Rick Helms advised that the state mandates a time window for certification to the property appraiser and waiting for the next regular meeting would not be ample time.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to certify the millage rate at 8.5 mills. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 103.

**2. BUDGET APPEALS**

Carl Cool spoke to the Board regarding the funding needs in Highlands County.

- a. Mary Carter, President of the Highlands Lakes Association, presented a request for a Lakes Management Specialist to be under the control of the Soil and Water Conservation District. The position would be funded at a base salary of \$35,000 plus benefits. Bruce Sherwood and Don Bates explained the functions and concept of the position. Larry Sharpe, supervisor for the Soil and Water Conservation, presented information regarding the role his department would take. The Commission did not take action on the position but asked for additional information.

The Chair asked for public input on the request. Preston Colby spoke regarding the job description and the problems associated with user fees to fund the position.

Ms. Joan Pflueger questioned if a biologist would be available. Larry Sharpe

**BOOK 16 PAGE 575**

advised that the state does have one on staff

- b. Ms. Jeannie Smith, representing the American Red Cross, presented a proposal for a funding request. See SMB 26 Page 104. Comments were received from the Commission. No action was taken. Richard Conover spoke regarding a meeting for volunteers of the American Red Cross.
- c. Bert Lacey, Executive Director of the Peace River Center, made an appeal for funding in the amount of \$80,000 for fiscal year 96-97. \$65,000 of that figure represents 25% of the state required match for the Baker Act funds, based on the actual services provided in 1995. The \$15,000 would be an increase from the 1995 request and would assist in reducing the deficit for the operation of the Domestic Violence Shelter-Safehouse. See SMB 26 Page 105.
- d. Allon Fish, representing the Greater Sebring Chamber of Commerce, questioned the appeal hearing for the Convention and Visitors Bureau. The Chair advised Mr. Fish that this appeal would be heard at a later date. See SMB 26 Page 106 for copy of letter.

The Chair closed the appeals process. Comments were received from the County Administrator regarding the Economic Development budget and possible additional funding during the year. The County Administrator explained the funding for the new positions. Commissioner Gose questioned the benefit package for the new lakes position. He asked that staff work with the Soil Conservation to make the job description more compatible to the county's salary schedule. The Chair advised that issues need to be addressed before the Board commits to the funding for the position. She also requested additional back up for the Peace River funding. Discussion regarding the survey of other counties for funding of the American Red Cross. See SMB 26 Page 107.

Questions were answered by Rick Helms, Budget Officer, as to the reserve amount for fiscal year 96-97. He suggested that if the Board wishes to increase funding for any of these requests, it will have to be reduced in other areas. Commissioner Maxcy requested Department Heads reconsider the staff positions.

**E. ASST. COUNTY ADMINISTRATOR: REIMBURSEMENT OF OVERPAYMENT-BFI REQUEST**

Motion by Commissioner Gose seconded by Commissioner Maxcy to accept the recommendation of staff to allow BFI to refund to the County \$36,000 for an asserted overpayment for refuse services during fiscal year 1992. The refund would be repaid to the county by a reduction of \$3,000 per month of payments that would normally be paid BFI during the 1996-97 fiscal year. Upon roll call, all Commissioners voted aye. Motion

carried. See SMB 26 Page 108.

**1. SECOND RESPONSE-HIGHLANDS SANITATION, INC.**

A letter was entered into the record from James F. McCollum, Attorney, representing Steve Roberts, owner of Highlands Sanitation, Inc. a dissolved Florida Corporation. Mr. McCollum stated that since the corporation is dissolved, Mr. Roberts has no personal liability for any perceived debt of that corporation. He further stated that more importantly analysis of the figures would seem to be flawed as Highlands Sanitation has several profit centers. One of the centers dealt with investment of funds. It was this investment of funds that yielded a profit in excess of 12%. It was Mr. McCollum's position that the interest earned from the investment should not be included in the profit calculation.

Mr. Macbeth stated that even though the business was no longer in operation, when it incurred the debt, it had substantial assets that has been transferred to someone who now has those assets. There apparently is some dialogue concerning the event. The liability itself may be discussed further as they seem to have a different view. Mike Eastman, Director of Accounting and Finance, stated that the audited financial statements did show that their profit exceeded 12% and there is no question in his mind regarding that point.

The Board discussed the fact that the reports were presented and accepted by them. Mr. Macbeth stated that accepting the reports did not mean that the Board gave up the contractual right to have the money, because they were not supposed to owe the money and the money was due the county if their profit exceeded more than the profit stated.

The Chair directed staff to move forward to pursue the issue and involve the auditors. See SMB 26 Page 109 for copy of letter.

**2. REQUEST FROM SHERIFF - JAIL ADDITION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to support the request of the Sheriff to delay part of building Phase III, which is the remodeling of Post G, thus eliminating the renovation of 22 jail beds that is needed to meet confinement and specific housing requirements and to authorize HOK architectural firm to reassess the unanticipated increased population and reevaluate the design needs. Upon roll call, all Commissioners voted aye. The motion carried.

**3. LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to authorize the Sheriff to apply for the grant with the obligation of a 10% cash match from the Board if the grant is received. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Portz advised that he will commit to the request of Mr. Napper for a polygraph test, if



the Board determines it necessary. The Chair stated that this issue will be discussed further.

**F. BOARD ATTORNEY**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve a Development Improvement Agreement with Harold L. Ekberg, Developer, the Board of County Commissioners and Huntington National Bank for the completion of subdivision improvements. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. COUNTY ADMINISTRATOR**

**1. LINDA L. CALDWELL AND TREASA HANDLEY- TRANSFER OF SICK LEAVE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the request as submitted for transfer of up to 200 hours of sick leave from Treasa Handley to Linda L. Caldwell with the memo noted from Kevin Roberts that the transfer only involve the number of hours that are medically required. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 111.

The Chair suggested that a policy should be developed by the Personnel Department to handle these time requests. Discussion will be continued at the workshop in August.

The County Administrator suggested that he will also submit to a polygraph test if advisable.

**H. CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Consent Agenda as listed with an addition to Item #5 for the appointment of members.

<b>1. Approval to pay all duly authorized bills</b>	
<b>Law Library</b>	<b>385.90</b>
<b>General</b>	<b>266,373.55</b>
<b>County Transportation Trust</b>	<b>59,943.49</b>
<b>E911 Operations</b>	<b>413.96</b>
<b>Local Govt Infrastructure Surtax</b>	<b>60,444.38</b>
<b>Affordable Housing Assistance</b>	<b>24,541.95</b>
<b>Correctional Facility</b>	<b>9,484.42</b>
<b>Solid Waste</b>	<b>148,298.15</b>
<b>Water/Sewer</b>	<b>2,562.48</b>
<b>Risk Retention</b>	<b>145.54</b>

Employee Benefit

76,297.09

See Check Register for further detail

2. Approval of minutes of 6-25-96 and 7-2-96 meetings
3. Accept into record - June Monthly Report
4. Approval of amendment to commodity contract.
5. Approval to execute Library Cooperative Interlocal Agreement and appointment of Mrs. Jeanne Renton and Mr. Perry Newport to serve as members with terms as described in agreement. See SMB 26 Page 112.
6. Approval to accept EMS vehicle bid and budget amendment 95-96-181. See SMB 26 Page 113.
7. Approval to execute resolution authorizing amendment to Sheriff's budget appropriation, and budget amendment 95-96-177. See Res. Book 10 Page 36.
8. Approval to execute Tourist Development Council grant contract
9. Approval of budget amendments 95-96-179 and 180
10. Approval of street name - Living Waters Drive. See SMB 26 Page 114.

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

## 6. COMMISSIONERS

Commissioner Gose stated that he was opposed to any staff member being required to take a polygraph test at the request of Mr. Napper and suggested the return of his voter I.D. Card.

## 7. ADJOURN

The meeting adjourned at 12:05 p.m.

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Chairperson

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

Clerk

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**BOOK 16 PAGE 591**

**REGULAR MEETING OF THE BOARD, AUGUST 6, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending August 6, 1996.

- B. CLERK**

C. Michael Eastman, Director of Accounting and Finance, advised that a check was received from the Fish and Wildlife Service in the amount of \$1,895 for fiscal year 1995 for Lake Wales Ridge National Wildlife Refuge. This payment is a result of land acquired by the Fish and Wildlife Service that were removed from the tax rolls.

- C. FUTURE UPCOMING MEETINGS:**

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

- D. PRESENTATION OF AWARD**

1. Carl Cool made a presentation to the Board of County Commissioners for an award received from the Government Finance Officers Association for distinguished budget presentations for the year beginning October 1, 1995.
2. The Chairperson acknowledged the OMB staff and presented a certificate in recognition to Rick Helms, OMB officer, for receiving this

award. Rick presented comments regarding the review criteria.

**4. CITIZENS NOT ON AGENDA:**

1. Joan Pfluger suggested that yard trash be picked up twice a month during the summer. The Chair advised that staff will review this request.
2. Hank Kowalski spoke regarding the Board Attorney's remarks about the US Fish and Wildlife letter dated March 1993. The remarks concerned the contents of the letter dealing with the Endangered Species Act and protection of the scrub jay. Mr. Kowalski presented a letter into the record that he received in response to his concerns to the US Fish and Wild life Service. See SMB 26 Page 123.
3. Vaughan Whitesides spoke to the Board regarding the Melaleuca and other exotic plants. He also stated concerns for paving of the road in the Carter Creek area.

The Board Attorney responded to Mr. Kowalski's remarks and stated that the county is acting appropriately in retaining their permits.

**5. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the action agenda with the following changes:

1. Additional information to be added under Item C-3
2. Removal of Item D- 2 and D-3.

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

**A. PUBLIC HEARING TO CONSIDER PURCHASE OF LAND (GOVERNMENT CENTER PARKING)**

Proof of Publication entered into the record. See SMB 26 Page 124. Request presented by Bill Stephenson for purchase of property from Bill R. Perdue, land needed for the Government Center parking lot construction. Mr. Macbeth explained the agreement regarding the interest on the deferred payment and the cost involved for eminent domain. The Board discussed the cost of the property and the appraisal amount. The Chair opened the floor to the public. Preston Colby questioned the \$90,000 offer. Richard Conover spoke regarding the amount of parking spaces. Clayton Womer spoke regarding the increased cost.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to deny the land

**BOOK 16 PAGE 593**

purchase agreement. Upon roll call, Commissioners Maxcy, Canale, Barrett, Gose and Gentry voted nay. The motion did not carry.

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept the offer deleting Item 3-B, to exempt from paying taxes. Upon roll call, Commissioners Barrett, Canale, Gose and Gentry voted aye. Commissioner Maxcy voted nay. Motion carried. See SMB 26 Page for copy of appraisal 125.

Break 10:20 a.m. - 10:30 a.m.

**B. OPERATIONS DIRECTOR:**

**1. JOINT AGREEMENT FOR MELALEUCA**

Vicki Pontius, Administrative Coordinator, Operations Department, presented request for Vaden Pollard, Operations Director. She also expanded the request to include removal of the dead trees that may cause potential safety hazards.

The Board discussed the point of allowing property owners to privately pay for melaleuca treatment to get rid of all melaleuca on Lake Jackson. Commissioner Gose suggested that the property owner contact the vendor personally.

The Chair opened the floor to the public. Hank Kowalski suggested that the county consider the comprehensive plan and implement a policy for removal of exotic plants, especially the Brazilian pepper. Pauline White also spoke in favor of the motion.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approach Peace River and to enter into a new agreement with the City of Sebring and the Peace River Basin Board to continue melalueca control on Lake Jackson, Little Lake Jackson and Dinner Lake, with the \$5000 participation from Highlands County to be taken from the weed control chemical account.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 126.

**2. RECONSTRUCTION OF LEMON STREET, AVON PARK**

Motion by Commissioner Gose, seconded by Commissioner Canale to authorize use of underrun asphalt and shell hauling funds to reconstruct Lemon Street in Avon Park. The Chair called for input on the motion. Richard Conover discussed the construction issues. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 127.

**C. COUNTY ENGINEER:**

**3. REQUEST FOR RANKING OF FDOT TRANSPORTATION ENHANCEMENT PROJECTS**

Motion by Commissioner Gose, seconded by Commissioner Canale to add to the list of previously approved projects for ranking, the Avon Park Mall Beautification Project Phase I. Upon roll call, all Commissioners voted aye. Motion carried.

Presentations given by project sponsors as follows:

- A. US 27/HIGHWAY PARK BEAUTIFICATION PROJECT      KEEP HIGHLANDS BEAUTIFUL  
PEGGY CHAPMAN
- B. US 27 @ Lake JACKSON BIKE PATH      PETE POLLARD
- C. AVON PARK MALL BEAUTIFICATION PROJECT PHASE I & PHASE II      CITY OF AVON PARK/CHAMBER  
MARIA SUTHERLAND
- D. INTERLAKE BEAUTIFICATION      TOWN OF LAKE PLACID - BERT  
HARRIS, III

Motion by Commissioner Gose seconded by Commissioner Canale to rank the FDOT Transportation Enhancement Projects in the following order:

- 1. Avon Park Mall Phase I
- 2. US/27 Highway Park
- 3. Interlake Beautification Phase III
- 4. US 27 @ Lake Jackson Bike Path
- 5. Avon Park Mall Phase II

The Chair called for input on the motion. Richard Conover and Hank Kowalski spoke regarding the motion.

Upon Roll call, Commissioner Barrett voted nay, all other Commissioners voted aye. Motion carried. See DOT file for copy of information.

**BOOK 16 PAGE 595**

**1. ADDENDUM NO. 1 TO CHASTAIN-SKILLMAN SUPPLEMENTAL AGREEMENT NO. 35 (FRANSVILLA)**

Motion by Commissioner Gose, seconded by Commissioner Barrett to execute Addendum No. 1 to Supplemental Agreement No. 35 with Chastain-Skillman, Inc. In the amount of \$13,065 for additional water main construction along Watters Ave, Mockingbird Lane, Pine Ridge Drive and Grape Lane. The Chair called for input on the motion. Richard Conover spoke regarding the wording. Upon roll call, all Commissioners voted aye. Motion carried. The County Administrator complimented Lisa Burley on being able to locate funds with DEP for reimbursement of water main construction.

**2. KEITH AND SCHNARS CONTRACT FOR HIGHWAY PARK WATERLINE DISTRIBUTION SYSTEM**

Motion by Commissioner Gose, seconded by Commissioner Barrett to execute the contract with Keith & Schnars, P.A. in the amount of \$106,230 for the design and construction of the Highway Park waterline distribution system. The Chair called for input on the motion. Richard Conover presented questions. Upon roll call, all Commissioners voted aye. Motion carried.

**D. DEVELOPMENT DIRECTOR:**

**1. RFP PERMIT AND INSPECTION SOFTWARE**

Jim Pollaty, Development Services Director, presented a draft RFP permit for review. He requested no action at this time. It will be brought back before the Board at a later date for approval.

Lunch Break 12:00 - 1:00 p.m.

The Chairperson called the meeting back to order with all members present.

**2. CHASTAIN-SKILLMAN SUPPLEMENTAL AGREEMENT NO. 33, COMMERCE AVE. ANNEX REMODELING - ARCHITECTURAL SERVICES WITH BUDGET AMENDMENT #95-96-213**

Item withdrawn

**3. COMMUNITY DEVELOPMENT BLOCK GRANT PROCUREMENT PROCEDURE**

Item withdrawn

**E. ASSISTANT ADMINISTRATOR:**



1. INSURANCE RECOMMENDATIONS

**RECOMMENDATION ONE: DENTAL PLAN**

Tom Portz, Asst. County Administrator, presented an update on the recommendations of the Insurance Committee regarding the Dental Plan. The recommendation was to cancel American Dental Plan and commence self-insurance dental with employees paying premium and Robey-Barber as Plan Administrator. Commissioner Canale gave a brief review of the problems associated with American Dental and the benefits associated with the self insurance dental. Ford Heacock explained the options available. Karen Adwell, representative from Robey-Barber, spoke regarding the proposal and the risks involved.

The Board discussed the employee survey results that was performed by the Insurance Specialist, Gail Roebuck. See SMB 26 Page 128. Mike Eastman spoke in opposition to the plan. Clayton Womer also spoke in opposition, due to the exposure to the insurance plan.

Motion by Commissioner Canale, seconded by Commissioner Barrett to allow Robey-Barber to be the administrator and to work closely with the Consultant and the Insurance Committee until all problems are resolved. After discussion on the motion, Commissioner Maxcy made a motion to table the issue. Commissioner Barrett seconded the motion. Upon roll call, Commissioners Maxcy, Barrett, Canale and Gentry voted aye. Commissioner Gose voted nay. The motion carried. Motion by Commissioner Canale, seconded by Commissioner Barrett to table the decision with a time certain of September 1, 1996. Upon roll call, Commissioners Canale, Barrett, and Maxcy voted aye. Commissioners Gentry and Gose voted nay. Motion carried.

**RECOMMENDATION TWO: PAY AUTHORIZED CLAIM RECEIVED LATE**

Motion by Commissioner Barrett, seconded by Commissioner Gose to waive the one year time limit for payment of claims and pay the hospital claim for an employee in the amount of \$7,400. The Chair called for input on the motion. Ford Heacock explained that this is immaterial this year due to the financial state of our plan but this payment will not count toward the aggregate attachment point. Upon Roll call, all Commissioners voted aye. Motion carried.

**RECOMMENDATION THREE: REVISE PLAN TO UPDATE VESTED EMPLOYEES, RATE STRUCTURE FOR ELIGIBLE RETIRING EMPLOYEES & ELIGIBILITY FOR NEW EMPLOYEES**

The Board discussed the issue of clarification of vesting and Commissioner Barrett made a motion to adopt. Commissioner Gose seconded the motion.

Commissioner Canale suggested a clarification of vesting for elected officials.

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Commissioner Barrett withdrew his motion and restated to include the elected officials at eight (8) years. The Board Attorney suggested language for eight (8) consecutive years for elected officials. Discussion ensued on whether the language should contain consecutive years. Commissioner Barrett made a motion to table. At this point the Chairperson erased the entire motions and called for a motion to table.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to table the issue. Upon Roll call, all Commissioners voted aye. Motion carried. The Board Attorney to bring back language that parallels state law.

**RECOMMENDATION FOUR:**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to appoint Jim Smyth and Clark McCray to the Insurance Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 128 for copy of recommendations.

**2. SERVICE CHARGE EXPENDITURE AUTHORIZATION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to begin utilizing funds for extraordinary maintenance/renovation projects within the courthouse to provide and maintain court facilities as allowed in Ordinance #95-19. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 26 Page 129.  
voted aye. Motion carried.

**3. COUNTY FACILITIES CONCESSION LEASE**

The Chairperson suggested that Mr. Portz bring this issue before the County Facilities Committee and to bring back a hybrid of the policies presented for consideration. See SMB 26 Page 130 for copy of options available.

**4. INCREASE OF OKEECHOBEE COUNTY EMS RESPONSE FEES**

The Chairperson gave a consensus to Mr. Portz to negotiate with Okeechobee County and come back with a recommendation that we utilize them for Highway 70 and start reducing the Highway 98 response request on their behalf. See SMB 26 Page 131.

**F. BOARD ATTORNEY**

The Commission gave Mr. Macbeth a consensus to hold a litigation session per FI Statutes on August 20, 1996 at 11:30 a.m. with three cases as listed:

Highlands County vs. Terry (Everett and Jane Weeks) CS-95-388  
Highlands County vs. Jeff Ludwig CS-95-270

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Highlands County vs. Pffefer

**G. COUNTY ADMINISTRATOR:**

**1. REQUEST FROM SCHOOL BOARD FOR RELEASE FROM HIGHWAY PARK LEASE AGREEMENT**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve request from the Highlands County School Board to terminate the Highway Park Lease Agreement, effective July 19, 1996. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 132.

**2. RESOLUTION TO PARTICIPATE IN SMALL COUNTY COALITION**

The County Administrator presented a recommendation to not participate in the small county coalition. After Board discussion, the Chairperson suggested that the Board revisit this item after more information is received.

**3. BIDS TO LEASE HIGHWAY PARK FIRE STATION**

Mr. Cool explained the bid received from the "Black Businessmen of Highway Park." The Board discussed the insurance, salary, utilities, and county garbage pick up that would be incurred. He recommended that the Board not fund these items.

Motion by Commissioner Barrett, seconded by Commissioner Gose to reject Bid #96-72 for lease of Highway Park Fire Station and request that they come back with a plan and the Board will reconsider. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 133.

**4. APPOINTMENT TO HEALTH FACILITIES AUTHORITY**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to reappoint Patrick A. "Sam" White to the Health Facilities Authority. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 134.

Break 2:45 p.m. - 2:56 p.m.

**H. CONSENT AGENDA:**

Richard Conover presented several questions regarding items #2, 5, 12 & 17. The Chairperson answered these to his satisfaction. Hank Kowalski presented comments regarding Item #8, declaring a nuisance to remove a tree. Clayton Womer presented

**BOOK 16 PAGE 599**

questions regarding violating a county ordinance. Carl Cool responded with back up documentation. Other Commissioners commented on the issues.

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

**1. Approval to pay the following duly authorized bills:**

<b>Law Library</b>	<b>819.48</b>
<b>General</b>	<b>2,117,964.52</b>
<b>County Transportation Trust</b>	<b>83,133.59</b>
<b>E911 Operations</b>	<b>9,539.05</b>
<b>Intergovt Radio Communications</b>	<b>1,284.89</b>
<b>Law Enforcement Education</b>	<b>3,487.85</b>
<b>Local Criminal Justice</b>	<b>1,400.00</b>
<b>Local Govt Infra Surtax</b>	<b>140,543.43</b>
<b>Affordable Housing Assistance</b>	<b>1,535.00</b>
<b>Correctional Facility</b>	<b>26,407.15</b>
<b>Solid Waste</b>	<b>210,664.17</b>
<b>Water/Sewer</b>	<b>20,617.61</b>
<b>Risk Retention</b>	<b>6,115.78</b>
<b>Employee Benefit</b>	<b>308,489.72</b>

- 2. Approval of minutes of July 9 and July 16, 1996 meetings**
- 3. Accept into the record - transcripts of litigation sessions on Lowell, et al v. Maxcy, et al. Circuit Court for Highlands Co. GC 94-418. See SMB 26 Page 135.**
- 4. Approval of a street name - Julia Lane. See SMB 26 Page 136.**
- 5. Approval to execute resolution for purchasing equipment and materials for the Government Center. See Res. Book 10 Page 43.**
- 6. Approval to execute Adopt a Highway agreement with Green Please.**
- 7. Approval to certify Tax Collector's Recapitulation. See SMB 26 Page 137.**
- 8. Approval to declare nuisance, case #95-96-080. See SMB 26 Page 138.**
- 9. Approval of request to accept insurance payment for EMS bill. See SMB 26 Page 139.**
- 10. Approval to execute maintenance agreement and irrevocable letter of credit - Orangewood Acres.**
- 11. Approval of revised driveway application Permit form. See SMB 26 Page 140.**
- 12. Approval of Community Development Block Grant Action Plan**

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**amendment to contract**

- 13. Approval to execute Waste Tire Grant #WT97-28**
- 14. Approval of joint project with FDOT for CR 17 bridge**
- 15. Approval of resolution authorizing amendment to Emergency Management, Litter and Marine Debris and Solid Waste #95-96-202, 206 and 207. See Res. Book 10 Page 44.**
- 16. Approval of resolution authorizing amendment to the Infrastructure Fund and Government Center Capital Project Fund #95-96-211. See Res. Book 10 Page 45.**
- 17. Approval of budget amendment #95-96-201, 203- 205, 208-210, 212, 214 and 215**
- 18. Approval of SFCC donation from Hospital District. See SMB 26 Page 141.**

Upon roll call, Commissioners Gose, Barrett, Maxcy and Gentry voted aye. Commissioner Canale voted nay. Motion carried.

**6. COMMISSIONERS**

1. Commissioner Gentry requested direction to send to the meeting of the Strategic Regional Policy Plan.

The Board discussed the issue and a motion was made by Commissioner Maxcy, seconded by Commissioner Canale to ask the Council not to transmit the Plan. Upon Roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to direct staff to place the Strategic Policy Plan at the top of the list for the next month as far as the county's concerns. The Chair opened the floor to the public. John Martz spoke in favor of the motion. Upon Roll call, all Commissioners voted aye. Motion carried.

2. Commissioner Barrett requested staff contact BFI to pick up trash at 119 Windy Point Road in Lake Placid.
3. Commissioner Canale suggested that Mr. Cool give the Board a brief report on the goals that the Board has set for him in order for the Commission to perform an evaluation.
4. Commissioner Canale presented discussion on Tomoka Heights Water System. Bill Lecher gave an update. Refer to tape for additional information.
5. Commissioner Canale suggested that the Board of County Commissioners meet consecutively three or four times a week at night until workshops are complete. These workshops should include direction to Mr. Cool and a

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committee for budget items. No action was taken.

6. Commissioner Canale discussed a request from a gentlemen who has been parking a tractor-trailer in his yard and has been denied this because of a county ordinance. She suggested he advertise for parking in the News Sun.
7. Commissioner Gentry requested the Board submit names for an appointment to the HRS Board.

**7. ADJOURN**

The meeting adjourned at 3:35 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**WORKSHOP MEETING OF THE BOARD, AUGUST 13, 1996**

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:

Doris Gentry	
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

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

Break 9:05 a.m. - 9:10 a.m. to recheck recording equipment.

4. **JOINT WORKSHOP WITH SUN'N LAKE SPECIAL IMPROVEMENT DISTRICT AND SCHOOL BOARD: SIDEWALKS**

Vaden Pollard, Operations Director, gave an update of the cost estimate for sidewalks. Juniper Bay will install approximately 2100 feet. Some areas will not be installed as buildings are already in place. State Statutes governing school sidewalks were reviewed. See SMB 26 Page 142. Mr. Pollard advised that if a potential safety hazard exist, it is the responsibility of the county to install sidewalks. Cost and maintenance cost were discussed. The Board presented discussion on recycled concrete and asphalt sidewalks. Donna Whittington spoke regarding the district cost of \$17,000 for their section. Calvin Smith, representing the School Board, presented request. Board Attorney explained the statutes regarding a potential hazard. The Board could wait to see what area the kids will be using. Commissioner Gose suggested that we observe and review before the Board acts. Maxcy discussed liability involved, direction from the attorney. Barrett suggested that School Board study the potential hazard. Cool presented information on Howie Rd and other right- of-way purchases where funds could be diverted to this project. Maxcy in favor of proceeding. Canale not ready to go to bid. Not enough information.

Marty Roepstorff, Administrative Assistant for Sun'n Lake Improvement District, gave an explanation of the area. Vaden Pollard stated that there was not enough money in the budget. Board direction to go ahead and mow the area. Cool - county will monitor and

report back to Commission.

Break 10:15 a.m - 10:25 a.m

**5. PERSONNEL MANUAL**

Fred Carino, Personnel Director, gave a presentation on the new rules and regulations. See SMB 26 Page 144.

Discussion on extending probation period another six months. Gose in favor of 3 months extension. Cool suggested 2 hour sick leave at 5 year point. From five years to 10 years, 3 hours per pay and from ten years on to continue to earn 4 hours per pay period. Sick Leave Pool established from SFCC and the School Board policy. Discussion on the pool. Limit on sick leave pay-out. Board discussion regarding employees over the cap. These employees to be grand fathered. Administrative Leave increased for Florida Ordered National Guard active duty from 17 to 30 days annual. Maxcy discussed leave of absence. Unlawful harassment to be rewritten. Secondary employment discussion. EMS in favor of changes. Annual Leave sell out option. No action. Carino suggested adoption of these rules to be effective October 1, 1996.

Discussion on Lakes Management Position. Job Description developed to be considered on September 10, 1996 at the budget adoption.

**6. VISIONING**

Video titled "Countdown 2000" from NACo was presented by the Chairperson. After technical difficulty was experienced with the VCR, the Chairperson suggested a continuation of the discussion in September.

**7. ADJOURN**

The meeting adjourned at 11:50 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, AUGUST 20, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending August 20, 1996 and the Farm Report ending August 12, 1996. And presented a Proclamation to the Board regarding School Bus Safety Week.

After Board discussion, the Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to accept September 9 through 14, 1996 as School Bus Safety Week in Highlands County. Upon Roll call, all Commissioners voted aye. Motion Carried. See Res. Book 10 Page 46

Lt. Benton asked the Board to accept funding from the Allstate Foundation. The foundation has Traffic Education Funds available and Highlands County has been earmarked to receive \$5000.00 for a Bicycle Safety Education Program.

The Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to accept the \$5000.00 from the Allstate Foundation for the funding of the Bicycle Education Program. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. CLERK**

No 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.

**D. RECOGNITION OF HIGHLANDS RIDGE**

The Chair recognized Highlands Ridge as one of the 1996 top twenty retirement communities in the USA. Also commented on the plaque they received and an article printed in the New Choice magazine regarding the retirement community.

**E. PRESENTATION: HIGHLANDS COUNTY WEB PAGE**

Mary Myers, Director of Libraries made a presentation regarding the Highlands Commissioners Home Page, located on the Internet. She also explained what is available on the Internet and how it works.

**4. CITIZENS NOT ON AGENDA:**

Carl Cool announced additional meetings not listed on the agenda.

1. Ford Heacock, of Heacock Insurance spoke of attending the Public Risk Management Board Meeting and receiving renewal proposals. He stated the PRM costs, along with the related costs the Workers Comp assessment and the fees by Heacock Insurance are less this year than last year and are less than this current years budget. Also, stated the PRM has a reduction in their loss trim, which is attributed to the Drug Free Work Place Program and the Safety Program. See SMB 26 Page 145

Tom Portz, Assistant County Administrator stated the County is in their final year of contract with PRM. In January 1997 the Insurance Committee will review the portfolio and bring next years bid and negotiated portfolio arrangements to the Board. Also explained the contractual relationship with PRM requires a one year cancellation notice. It would be our intention to protect the Board by putting that notice in place as is required by contract. Also stated when the board receives a carbon copy of the letter advising PRM that the County is exercising our option, this is a protection for the County and does not express dissatisfaction.

Commissioner Gose questioned, what would happen if the cancellation notice was not sent?

Mr. Portz replied, the County would be locked in for the following year.

2. Pauline White, Sebring City Council spoke as private citizen regarding the

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concerns and funding of recreation in Highlands County. For hand out see SMB 26 Page 146

3. Richard Conover suggested the Sheriff's Department Public Safety meeting be added to the agenda instead of being announced. Also, stated bids for County services should stay in the county.
4. John Deer, Department of Transportation expressed his concerns about the placing campaign signs along public highways. Also, stated that Chapter 479.22, Florida Statutes, prohibits placing political signs on or above any State or County road right-of-way. For hand out see SMB 26 Page 147

**5. ACTION:**

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept the action agenda as stated. Upon Roll call, all Commissioners voted aye. Motion carried.

**Break 9:55-10:05 a.m.**

**A. JOAN PFLEUGER: LAKE JOSEPHINE**

Ms Pflueger spoke regarding the problems related to the spraying of Lake Josephine and the damage caused by digging a canal from Skipper Road to Lake Josephine. Also, expressed her concerns about sea walls and suggested the county check for sea wall permits. For hand out see SMB 26 Page 148

Mr. Renish expressed his concerns and spoke about the condition of Jackson Canal. Also commented on how the Lake Watch Program operates.

Faye Larry Evans expressed his concerns about the spraying and the condition of Josephine Creek.

**B. OPERATIONS DIRECTOR:**

**1. SUPPLEMENTAL AGREEMENT FOR OIL AND WATER SEPARATOR**

Vaden Pollard asked the Board to approve the Oil/Water Separator and Storm Water Run-Off Agreement with Chastain-Skillman.

After Board discussion, the Chair called for public input. None was received.

Motion by Commissioner Barrett seconded by Commissioner Gose to approve Supplemental Agreement #38 with Chastain-Skillman, Inc. for maintenance facility. Upon

Roll call, all Commissioners voted aye. Motion carried.

**2. REVISION OF MARL PIT EASEMENT AGREEMENT**

Vaden Pollard recommended not approving the modification to the Easement Purchase Agreement with Grant and Loretta Baker for cleaning ditches in lieu of constructing the remaining water holes. Recommended the County reimburse the \$4000.00 instead.

Mr. Macbeth, Board Attorney suggested the Board comply with the agreement.

After Board discussion, the Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Canale not to pay the \$4000.00 and keep the agreement as is. Upon Roll call, Commissioners Barrett, Canale, Maxcy and Gentry voted aye. Commissioner Gose voted nay. Motion carried.

**C. COUNTY ENGINEER: PLACID UTILITIES INSTALLMENT PAYMENT REQUEST**

Bill Lecher recommended to the Board setting up installment payments for Placid Utilities customers.

After Board discussion, the Chair called for public input. Richard Conover expressed his concerns about the cost of the water system.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve the County Engineer be authorized to set up installment payments for a reasonable period of time for Placid Utilities customers affected by the recent billing adjustments with no late or interest charges being assessed. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 149

Commissioner Canale voiced her concerns regarding the financing of the Placid Utilities project.

Commissioner Gose questioned, if the project would be a financial disaster for the County?

Mr. Lecher replied, the utility is in good financial shape. Also, commented on the billing and adjustments of the commercial and residential customers.

- I. 11:30 a.m.: Executive Session with those present being Commissioners C. Guy Maxcy, Jeri Canal, John D. Barrett, James L. Gose, Doris Gentry, County Administrator Carl Cool, County Attorney J. Ross Macbeth and a certified court reporter, to discuss the following pending litigation:*
- (1) Highlands County v. Jack F. Terry, et al.  
Parcel No. 3 Everett C. Weeks and Jane P. Weeks*

- Circuit Court for Highlands County, GC 95-388*
- (2) *Piefer v. Glades Electric Co-op, Inc. and Board of County Commissioners  
Circuit Court for Highlands County, GC 95-51*
- (3) *Jeffrey K. Ludwig v. Board of County Commissioners of Highlands County  
Circuit Court for Highlands County, GC 95-270*

**Lunch break 12:30 - 1:30 p.m.**

Clayton Womer suggested the County get rid of Placid Utilities and, expressed his concerns regarding the utility.

**D. DEVELOPMENT DIRECTOR:**

**1. COMMUNITY DEVELOPMENT BLOCK GRANT PROCUREMENT POLICY**

Jim Polatty asked the Board to approve the Community Development Block Grant Procurement Policy.

After Board discussion, the Chair called for public input. Richard Conover questioned the wording in the policy.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to adopt the final amended version of the Community Development Block Grant Procurement Policy dated August 6, 1996. Upon Roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

**2. CDBG CONFLICT OF INTEREST**

Mr. Polatty explained the conflict of interest and asked for Board approval.

The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve that Highlands County request a waiver from the Department of Community Affairs with regard to a possible conflict of interest concerning employee Eugene H. Wilson. Upon Roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

**3. SHIP 1995-98 HOUSING ASSISTANCE PLAN AMENDMENT**

David Heacock, Housing Coordinator asked the Board to approve the 1995-98 SHIP Housing Assistance Plan.

After Board discussion, the Chair called for public input. Shirley Anderson asked that the

**BOOK 16 PAGE 609**

repair not done on her home, due to lack of funds be taken off the lien that is on her home. Also stated she would resolve her complaint if the County could purchase an air unit for her home through a grant.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the proposed amendment to the 1995-98 SHIP Housing Assistance Plan. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. SPECIAL PROJECTS DIRECTOR: REQUEST TO ACCEPT DONATED PROPERTY (SEBRING ACRES)**

Bill Stephenson asked the Board to accept a donated lot in Sebring Acres.

After Board discussion, the Chair called for public input. None was received.

Motion by Commissioner Canal, seconded by Commissioner Gose to accept donated property from the Mennonite Foundation, Inc. to the Board of County Commissioners for Lot Twenty-One (21), Block Three (3), Sebring Acres as filed in Plat Book 9, Page 56. Upon Roll call, all Commissioners voted aye. Motion carried.

**F. ASSISTANT ADMINISTRATOR:**

**1. AUDITOR CONTRACT EXTENSION**

Tom Portz asked the Board to approve the requested contract extension with Dorrell, Hancock & Carter, CPA's.

After Board discussion, the Chair called for public input. None was received

Motion by Commissioner Canale to extend the contract for one year. No second was received. The Chair called for another motion.

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the request of Daniel F. Dorrell, CPA to grant an extension of the auditing contract for two (2) additional years as outlined on page one, (1) Paragraph one (1) of the original agreement. This will allow the continuation for fiscal years ending September 30, 1997 and 1998. Upon Roll call, Commissioners Barrett, Gose, Canale, Gentry voted aye. Commissioner Maxcy abstained from the vote. Motion carried. See SMB 26 Page 150.

**2. ACCEPTANCE AGREEMENT FOR DARE GRANT 97-CJ-2  
P-07-38-01-173**

Mr. Portz asked the Board to approve the acceptance agreement for the DARE Grant.

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The Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve and the Chairman to execute the Acceptance Agreement for the DARE Grant. Upon Roll call, all Commissioners voted aye. Motion carried.

**G. BOARD ATTORNEY**

No Report

**H. COUNTY ADMINISTRATOR:**

**1. RESOLUTION TO PARTICIPATE IN SMALL COUNTY COALITION**

Carl Cool discussed with the Board the Small County Coalition. Also recommended the County participate in the coalition.

After Board discussion, the Chair called for public input. Clayton Womer suggested the County join.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution approving that Highlands County become a member of the Small County Coalition for FY 96-97 and to pay \$2,150 for services through September 30, 1997. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 47

**2. VETERANS BEACH IMPROVEMENT WORKSHOP GRANT APPLICATION**

Mr. Cool spoke about the letter from Robert Hoffman, Administrative Assistant with the City of Sebring regarding the workgroup staying active and moving ahead. Also, asked for County participation in the survey work at Veterans Beach. See SMB 26 Page 152

Mr. Portz expressed his concerns regarding the survey and design work.

Commissioner Gose suggested, keeping the workgroup board active.

Commissioner Gentry recommended presenting a scope of work for the Board to approve.

**3. AGREEMENT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

No discussion, will be presented to the Board at a later date.

Carl Cool presented information from Ray Napper to the Board on the herbicide 2,4-D.  
SMB 26 Page 153

**J. CONSENT AGENDA:**

Commissioner Gose questioned, the Planning Departments Budget Amendment 229 regarding OPS workers receiving Unemployment Compensation.

Freddie Carino, Personnel Director stated qualifying for Unemployment Claims relates to who your most recent or your most lucrative previous employer was.

After Board discussion, the Chair called for public input. Richard Conover questioned, if item #13 was an insurance matter.

Carl Cool replied, item #13 will be discussed by the Insurance Committee.

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

**1. Approval to pay all duly authorized bills as follows:**

<b>Law Library</b>	<b>738.14</b>
<b>General Fund</b>	<b>227,041.43</b>
<b>County Transport Trust</b>	<b>42,614.45</b>
<b>E911 Operations Fund</b>	<b>181.58</b>
<b>Intergovt Radio Communication</b>	<b>350.00</b>
<b>Law Enforcement Education</b>	<b>1,051.74</b>
<b>Local Govt Infra Surtax</b>	<b>115,590.65</b>
<b>Affordable Housing Asst</b>	<b>5,255.10</b>
<b>Special Law Enforcement</b>	<b>8,420.50</b>
<b>Correctional Facility Fund</b>	<b>110.88</b>
<b>Government Center</b>	<b>27,000.00</b>
<b>Solid Waste</b>	<b>4,093.89</b>
<b>Water/Sewer</b>	<b>16,822.57</b>
<b>Highway Park Utility</b>	<b>190.94</b>
<b>Risk Retention Fund</b>	<b>2,336.00</b>
<b>Employee Benefit Fund</b>	<b>181,052.78</b>

**2. Accept into the record - July Monthly Report**

**3. Approval of minutes of 7-23-96 and 8-6-96 meetings and 8-5-96 joint workshop**

**4. Approval of budget amendments 95-96-226, 227, 229, and -230**



**BOOK 16 PAGE 612**

5. **Approval of Application for DCA Evaluation & Appraisal (EAR) Grant. See SMB 26 Page 154**
6. **Approval to pay invoice for housing of excess capacity inmates for July in the amount of \$4,760**
7. **Accept into record - Sun'n Lake of Sebring Improvement District budget. See Sun'n Lakes file.**
8. **Approval of Country Club of Sebring DRI Annual Monitoring Report. See SMB 26 Page 155.**
9. **Approval of street names. See SMB 26 page 156.**
10. **Approval of EMS county awards grant application and adoption of Resolution. See Res. Book 10 Page 48.**
11. **Approval of budget amendment 95-96-225 and Resolution. See Res. Book 10 Page 49.**
12. **Approval of budget amendment 95-96-228 and Resolution. See Res. Book 10 Page 50.**
13. **Approval to conduct invitation to bid for employee payroll deduction program. See SMB 26 Page 157.**

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

**6. COMMISSIONERS:**

**A. COMMISSIONER BARRETT: WATER SAFETY COMMITTEE RECOMMENDATIONS**

Commissioner Barrett discussed the safety report he presented to the Board regarding H.L. Bishop Park. See SMB 26 Page 158

**B. COMMISSIONER CANALE: INSURANCE COMMITTEE RECOMMENDATIONS**

Commissioner Canale discussed the Insurance Committee recommendations and the August 12th insurance meeting and asked the Board for further action on Items One & Two.

Jimmy Whitehouse, Supervisor of Elections, asked the Board to approve an additional \$5,000.00 of life insurance for each County employee.

**BOOK 16 PAGE 613**

Mr. Macbeth spoke to the Board regarding vested employees.

After Board discussion, the Chair called for public input. None was received.

Motion by Commissioner Canale, seconded by Commissioner Gose to accept the Insurance Recommendations as presented by the Insurance Specialist, Gail Roebuck and to accept Jimmy Whitehouse recommendation and increase the Life Insurance to \$15,000.00 for each County employee.

Item One: Revise plan to update “vested employees” with amended verbiage regarding Elected Officials. Revise rate structure for eligible retiring employees, and eligibility for new employees.

Item Two: Approval for health claim repricing. Reference memo from Robey-Barber and minutes of August 12, 1996.

Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 26 Page 161

Commissioner Canale stated, the insurance committee will hear from different insurance carriers at the August 23rd Insurance Committee meeting, regarding payroll deductions for insurance available to County employees.

**7. ADJOURN**

The meeting adjourned at 3:10 p.m.

\_\_\_\_\_  
**Chairperson**

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

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**BOARD OF COUNTY COMMISSIONERS**  
**August 27, 1996 - 9:00 a.m.**  
**PUBLIC HEARING**

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:

Doris Gentry	Charles Lairsey
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

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

Charles Lairsey, Grants Officer announced for the Clerk that the Value Board of Adjustments Meeting will be held in the Board of County Commission Chambers, Friday, August 30, 1996 at 9:00 a.m.

4. **PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 5.5 REGARDING THE CONSTRUCTION, LICENSING, ENFORCEMENT AND APPEALS BOARD**

Proof of Publication entered into the record by the County Administrator. See Proof of Pub Ordinance Book 1 Page 132. Captions of the Ordinance read into the record by Mr. Macbeth.

The Chair called for public input. None was received.

Motion by Commissioner Canale, seconded by Commissioner Barrett to adopt the Ordinance as presented. Upon Roll call, all Commissioners voted aye. Motion carried.

5. **PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING**

**VENUS SPECIAL BENEFIT FIRE DISTRICT**

Proof of Publication entered into the record by Bill Stephenson, Special Projects Director. See Proof of Pub Ordinance Book 1 Page 133. Captions of the Ordinance read into the record by Mr. Macbeth.

The Chair called for public input. Preston Colby suggested, both Venus and Lorida Special Benefit Fire Districts be allowed to create a response capability for medical emergencies.

Tim Eures, Emergency Operations Coordinator stated fire protection is not limited to fire and over the years has changed in its response capabilities.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to accept the ordinance as presented. Upon Roll call, all Commissioners voted aye. Motion carried.

**6. PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING LORIDA SPECIAL BENEFIT FIRE DISTRICT**

Proof of Publication entered into the record by Bill Stephenson, Special Projects Director. See Proof of Pub Ordinance Book 1 Page 134. Captions of the Ordinance read into the record by Mr. Macbeth.

The Chair called for public input. None was received.

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the Ordinance for the Lorida Special Benefit Fire District. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. PUBLIC HEARING TO CONSIDER SETTLEMENT OF LAWSUITS: HIGHLANDS COUNTY V. JACK F. TERRY, ET AL. PARCEL NO. 3 EVERETT C. WEEKS AND JANE P. WEEKS, CIRCUIT COURT GC95-388**

Proof of Publication entered into the record by the County Administrator. See Proof of Pub Ordinance Book 1 Page 135. Captions of the Ordinance read into the record by Mr. Macbeth.

The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the agreement and enter into the lease. Upon Roll call, all Commissioners voted aye. Motion carried.

**8. PUBLIC HEARING TO CONSIDER PARTICIPATION IN AN ISSUE OF**

**SINGLE FAMILY MORTGAGE BONDS**

For Proof of Publication see Proof of Pub Ordinance Book 1 Page 136.

See SMB 27 Page 1 for letter of participation from Raymond James & Associates, Inc. for Highlands County involvement in the 1996 Lee County Housing Finance Authority Program.

The Chair called for public input. Preston Colby discussed the issue of Single Family Mortgage Bonds. Questioned if the County's responsibility was limited to participation and use of funds or by participating does the County become jointly in severely responsible beyond its participation.

Mr. Macbeth replied, there is no recourse on the issuance of the bonds. There is not faith and credit bonds they are secured by the properties against which the monies are advanced so there is no liability in that regard. There is no financial responsibility for the bonds as such.

Mr. Colby question, if new housing was built on contaminated property would the lender and all interested parties be responsible for the clean up by the federal courts? Does this obligate the County, because they are a party in interest in the property?

Mr. Macbeth replied, lenders are not held responsible, unless they have exerted some kind of control over the project that would make them responsible. Most mortgagors are not taking titles even in foreclosure when they recognize those problems exist. They are walking away from loans rather than foreclosing and lenders are being very careful.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the resolution for the issuance of Single Family Mortgage Bonds. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 51.

**9. PUBLIC HEARING TO CONSIDER VACATION OF EASEMENT - LOTS 10 & 11, BLOCK F, SPRING LAKE VILLAGE VIII**

Proof of Publication entered into the record by Bill Lecher, County Engineer. See Proof of Pub Ordinance Book 1 Page 137.

The Chair called for public input. Jim McCollum spoke for the Millers regarding Lot 10 & 11, Block F, Vacating of Easement.

Motion by Commissioner Barrett, seconded by Commissioner Canale to adopt the Resolution to vacate the easement along the rear lot line of Lots 10 & 11, Block F, of Spring Lake Village VIII. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 52.

**BOOK 16 PAGE 618**

Mr. Macbeth asked the Board to approve the attorney fees and costs, also the appraiser fees for the settlement of Highlands County v. Jack F. Terry, et al. Parcel No. 3 Everett C. Weeks and Jane P. Weeks, Circuit Court GC95-388 lawsuit.

The Chair called for public input. Preston Colby asked what issue was being discussed?

The Chair replied, the Board was discussing item #7 on the agenda, the Everett C. Weeks lawsuit.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the attorney's fees and costs, also the appraiser fees for Highlands County v. Jack F. Terry, et al Parcel No. 3 Everett C. Weeks and Jane P. Weeks, Circuit Court GC95-388. Upon Roll call, all Commissioners voted aye. Motion carried.

**10. PUBLIC HEARING TO CONSIDER PROPOSED ZONING CHANGES AND CONSISTENCY ZONING CHANGES**

Proof of Publication entered into the record by Jim Polatty, Development Director. See Proof of Pub Ordinance Book 1 Page 138.

Mr. Polatty presented Hearing No. 1406 to the Board for approval.

The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the resolution and mandatory findings of Hearing No. 1406. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 53.

Proof of Publication entered into the record by Jim Polatty, Development Director. See Proof of Pub Ordinance Book 1 Page 139,140 & 141.

Mr. Polatty presented Hearing No. 1407, 1409 & 1410 (A) & (B) for approval.

The Chair called for public input. Richard Conover questioned if Hearing No. 1407 was advertised as a consistency rezone.

Gary Lower, Zoning Supervisor stated, there was a consistency rezone pursuant to the letter sent out by County Commissioners in December. However, this is a consistency rezone it is consistent with the land use map, the applicant did not turn in the application pursuant to this letter. He paid the application fee, it is the same thing. The only difference is the cost in the application fee.

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the consistency rezones, accept the mandatory findings and adopt the resolution of Hearings

**BOOK 16 PAGE 619**

No. 1407, 1409 & 1410 (A) & (B). Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 54, 55, 56 & 57.

For Proof of Publication see Proof of Pub Ordinance Book 1 Page 142.

Mr. Polatty presented Hearing No. 1408 to the Board for approval.

After Board discussion, the Chair called for public input. Robert Stephens of Stephens Gas Service spoke in favor of the resolution. For hand out see SMB 27 Page 2.

Ron Jelicks questioned if the rezoning changes are necessary to protect Stephens Gas Service.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the I-1 zoning upon hearing the mandatory facts and to adopt the resolution. Upon Roll call Commissioners Gose, Maxcy and Barrett voted aye. Commissioners Canale and Gentry voted nay. Motion carried. See Res. Book 10 Page 58.

**11. ADJOURN**

The meeting adjourned at 10:25 a.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 16 PAGE 620**

**SPECIAL MEETING OF THE BOARD**

**August 27, 1996**

**Agenda**

1. The meeting was called to order at 10:25 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

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

Charles Lairsey  
Carl Cool  
J Ross Macbeth  
Lisa McClelland

2. **DORRELL, HANCOCK AND CARTER, CPA's: DISCUSSION ON PLACID UTILITIES**

Proof of Publication. See Proof of Pub Ordinance Book 1 Page 143.

The Chair stated, Mr. Dorrell had called and said he was out of town and had not had an opportunity to review the issues. He recommended to the Board to direct him to give special attention to the project in the up coming audit.

The Chair requested Mr. Cool to speak on the issue.

Carl Cool, County Administrator stated, he had also talked to Mr. Dorrell and Mr. Dorrell had indicated that he would not be here today. Mr. Cool also spent sometime with Mike Carter last week and they think the appropriate time to review Placid Utilities is during the annual audit. Also in Mr. Cool's discussion with Mr. Dorrell and Mr. Carter, both CPA's, he stated there has been a lot of things that have happened in this water system in the first three quarters of the year. The water system being built, a lot of costs that go along with the payment of the construction costs, a lot of time to oversee that and basically it is my opinion that the fourth quarter of this year will be more indicative of what will be a steady state system and you will have a better understanding of how you are going to be. Mr. Cool, stated Mr. Dorrell was not exactly sure of what you wanted and suggested to the Board that they will audit the fiscal year anyway and suggested that he would like the Board to determine exactly what you are seeking from them. They will make it a specific and a particular part their audit that would be for the whole fiscal year. Mr. Cool stated, he thought it would be worthwhile and the Board would have a better understanding where you are at the conclusion of September the 30th.

The Chair questioned Mr. Cool if he was going to submit an invoice for payment and Mr. Cool replied, the invoice will be presented to the Board with an explanation on September 3rd.

**BOOK 16 PAGE 621**

Commissioner Maxcy stated, he was interested in what Dan Dorrell has to say, regarding the auditors opinions or discussion on the financial integrity of Placid Utilities.

Meeting adjourned. No action taken.

**3. ADJOURN**

Meeting adjourned at 10:30 a.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 16 PAGE 623**

**REGULAR MEETING OF THE BOARD, SEPTEMBER 3, 1996**

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Rev. Leory McGahae.

3. **ANNOUNCEMENTS:**

- A. **CLERK**

Michael Eastman, Director of Accounting & Finance presented Budget Amendment 95-96-265 to the Board for approval.

The Chair called for public input. None was received.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve Budget Amendment 95-96-265. Upon Roll call, all Commissioners voted aye. Motion carried.

- B. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending September 3, 1996.

Commissioner Barrett questioned if the Sheriff's Department would participate in the Bikes and Blades, Saturday, September 7th at the Sebring Airport?

Lt. Benton replied, the Sheriff's Department will put on a demonstration and possibly give some safety tips.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Also, presented an update on hurricane Fran. See SMB 27 Page 3.

**BOOK 16 PAGE 624**

**4. CITIZENS NOT ON AGENDA:**

1. Audrey Vickers asked the Board if they have taken a stand on the proposed increase in ad valorem millage sought by the South Florida Water Management District? For copy of the letter see SMB 27 Page 4.

The Chair replied, SFWMD is scheduled to make a proposal and I'm sure following the proposal the Board will take a stand.

Mrs. Vickers also asked the Board to instruct staff to take a stand against any increase in millage and to prepare a written protest to become part of the record at the budget hearing of the South Florida Water Management District.

2. Joan Pfleuger presented pictures to the Board of the upper Lake Jackson-Josephine water shed canal and stated in the past she had asked the Board to put up a barrier to keep the sediment and plants from flowing into Lake Josephine. For pictures see SMB 27 Page 5.

The Chair asked Mr. Cool to get a schedule from Dave Demi of the Florida Department of Environmental Protection when he is in the area. Also advised him to find out how often Mr. Demi has looked at the issues presented by Ms. Pfleuger. Commissioner Barrett asked Mr. Cool what needs to be done to clean out the canal?

Mr. Cool stated there are two choices, cleaning the canal by machine or by spraying. He gave the results for both methods. He also mentioned the concerns Ms. Pfleuger has regarding the cleaning methods used by the county.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve the Action Agenda with the adjustments as mentioned. Upon roll call, all Commissioners voted aye. Motion carried.

1. Item #1-Approval to pay all duly authorized bills (remove for discussion)
2. Item #11-Approval to remove vehicle from inventory (remove for discussion)
3. Item #15-Approval of updated job descriptions in Emergency Management Dept. (remove for discussion)
4. Item #16-Approval of payment without purchase order-Peter Brown bond (remove for discussion)

**BOOK 16 PAGE 625**

**A. MOETRY STRONG: REQUEST TO LEASE FIRE STATION IN HIWAY PARK**

Rev. Leory McGahae approached the Board regarding the lease of the Hiway Park firehouse and asked that the firehouse be renovated with tax dollars.

Carl Cool replied, at the Boards instructions an advertisement was placed, which is required by law to lease the building. We specified the specifications, which bids needed to be prepared and submitted under. The county submitted a suggested list of specifications that stated the person, company or group seeking the lease would be responsible for all insurance, bills and the maintenance of the building.

Motion by Commissioner Barrett, seconded by Commissioner Canale to accept the proposal as printed and to assume the responsibility of the liability insurance, garbage pickup and amend the lease to five years, with the option to renew it in five years.

The Chair called for public input. None was received.

Commissioner Gose asked that the Board Attorney write a formal agreement regarding the lease. Also questioned if the group was a chartered organization?

Theresa Williams of the STAR Program stated the group is a chartered organization. Moetry Strong, President and Melvin Hawthorne, Vice-President will be in charge of the program.

Commissioner Maxcy asked what the liability insurance would cost?

Bob Jamison, General Services Supervisor stated, he had an estimate from Heacock Insurance of \$1200.00 a year for the liability and accident insurance.

Tim Eures, Emergency Operations Coordinator reminded the Board that insurance coverage for the firehouse is being taken out of the Fire Coordinator's budget.

Von Whiteside questioned, what is covered by the insurance.

Carl Cool replied, the property and building are insured by the county and the total cost to insure the building for the proposed use is \$1200.00.

Upon Roll call, all Commissioners voted aye. Motion carried. For Lease Request see SMB 27 Page 6.

**B. DAVID HAZELETT, CONVENTION AND VISITOR'S BUREAU:**

David Hazelett updated the Board on the Convention Visitors Bureau and the Highlands Hospitality

**BOOK 16 PAGE 626**

Inc. accomplishments. He also expressed the importance of voting yes for the Local Option Tourist Development Tax. For Memorandum see SMB 27 Page 7

Harold Seaman spoke against the Tourist Development Tax and the effect it would have on tourism in the county. Also questioned who would be responsible for paying the bed tax?

Commissioner Canale stated people that come into the area to stay six months or less will be paying the tourist two percent bed tax, not the owner of the property.

Don Reeves spoke against the proposed tax, stating it was not fair to the public, because most people would think of it as a hotel and motel tax only.

Jim Cash stated the tax has been tried in about forty other counties and failed. He said tourism is down about 2.5 percent in Florida since 1991. The population of the country is going up. And tourism in Florida is going down.

Commissioner Canale stated, the Tourist Development Council is very conservative and is sure they will not spend the money on something the county cannot afford.

**Break 10:15 - 10:28 a.m.**

**C. PERSONNEL DIRECTOR: REQUEST ADOPTION OF REVISED PERSONNEL RULES AND REGULATIONS**

Freddie Carino spoke regarding the revision of the Personnel Rules and Regulations and felt the finalized document should be adopted.

The Chair replied, by recognizing it as a working document the Board can amend this whenever necessary.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve the revised Personnel Rules and Regulations.

The Chair called for public input. Preston Colby stated he had not seen the document. But there was some discussion about defining the issue of moral turpitude and asked if there was a working definition for the issue.

Mr. Carino replied, there is no specific definition of moral turpitude. It is a generic term in the law, I believe Mr. Macbeth is familiar with it. It has not been defined and it has been left the same as it has been in passed personnel manuals.

Mr. Colby stated, he thought it was going to be resolved because it is so vague that sometimes it is hard to enforce.

**BOOK 16 PAGE 627**

Mr. Carino replied he did not make a commitment to define moral turpitude.

The Chair asked Mr. Carino to continue research and see how other counties address the issue.

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

**D. ASSISTANT COUNTY ADMINISTRATOR: MODIFICATION TO OKEECHOBEE MUTUAL AID AGREEMENT**

Tom Portz stated the proposed fee increase by Okeechobee County could not be reduced. He presented two options to the Board and suggested both options be incorporated.

The Chair called for public input. None was received.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve Options 1 and 2 with respect to the modification of the Okeechobee Mutual Aid Agreement. Upon Roll call, all Commissioners voted aye. Motion carried.

**E. BOARD ATTORNEY: RESOLUTION TO CONDUCT A REFERENDUM ON THE TOURIST DEVELOPMENT TAX**

Ross Macbeth explained the resolution to conduct a referendum on the Tourist Development Tax to the Board.

The Chair asked, Mr. Macbeth to read the referendum question as it is stated on Exhibit "A." Mr. Macbeth read the referendum into the record.

Motion by Commissioner Canale to accept the resolution. No second was received. Motion dies for lack of second.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Resolution and Exhibit "A."

After Board discussion, the Chair called for public input. Preston Colby questioned, if the referendum is binding? Is the language of the term of the rental statutory?

Mr. Macbeth answered yes to both questions.

Harold Seaman questioned, who would pay the tax? Also stated he is against the tax.

Mr. Macbeth replied, it is the person paying the rent.

Joe Snoll stated to the Board that he favors the tax.

**BOOK 16 PAGE 628**

Clayton Womer spoke against the tax and asked who would be collecting the tax?

Commissioner Canale explained to Mr. Womer that you do receive compensation for collecting the tax, so it should not be a burden and you are already collecting the seven percent sales tax. There would not be any additional work besides filling out the same paper work that is already required.

Upon Roll call, Commissioners Canale, Gose and Gentry voted aye. Commissioners Barrett and Maxcy voted nay. Motion carried. See Res. Book 10 Page 59.

**F. COUNTY ADMINISTRATOR: TRANSFER OF STATION WAGON TO PEACE RIVER CENTER**

Carl Cool recommended the Board accept the donated Ford Station wagon from the Tax Collector. He suggested the vehicle be given to the Peace River Safe House and went over the list of steps involved to do this. The four steps are as follows:

1. Need to declare the vehicle surplus with the continued use to be determined uneconomical or insufficient due to the age of the vehicle.
2. Waive the purchasing manual procedure which requires the Board to offer the vehicle to another governmental agency.
3. Acknowledge the desire of the private, not for profit agency to have the vehicle.
4. Donate the vehicle to private, not for profit pursuant to Florida Statutes 274.05, which allows the offering of the vehicle to a governmental entity or donating the vehicle to private, not for profit corporation.

The Chair called for public input. None was received.

Motion by Commissioner Canale, seconded by Commissioner Gose to apply the four different steps for donating the station wagon to a not for profit agency. Upon Roll call, all Commissioners voted aye. Motion carried.

Mr. Cool discussed with the Board Items #1, 11, 15 and 16 on the Consent Agenda.

Preston Colby questioned, if Item #16 is a performance bond on the government center and asked why the county would pay for this.

Michael Eastman, Director of Accounting and Finance stated the full amount of the contract with Peter Brown is encumbered with a purchase order. As supplies and services are required from other vendors additional purchase orders are issued and deductive change orders for the same amount are taken against the Peter Brown purchase order. Even though the performance bond was purchased without a purchase order a deductive change order was taken against the Peter Brown purchase order.



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Bill Lecher, County Engineer stated Bob Jamison, General Services Supervisor checked to make sure the county is receiving the lowest price for the bond.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to include Items #1, 11, 15 and 16 back into the Consent Agenda. Upon Roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the Consent Agenda as listed.

**G. CONSENT AGENDA:**

**1. Approval to pay all duly authorized bills as follows:**

<b>Law Library</b>	<b>324.38</b>
<b>General Fund</b>	<b>1,520,421.32</b>
<b>County Transport Trust</b>	<b>39,603.59</b>
<b>E911 Operations Fund</b>	<b>9,372.92</b>
<b>Intergovt Radio Communication</b>	<b>340.92</b>
<b>Local Govt Infra Surtax</b>	<b>35,985.38</b>
<b>Affordable Housing Asst</b>	<b>30,225.00</b>
<b>Correctional Facility Fund</b>	<b>13,229.00</b>
<b>Government Center</b>	<b>51,525.00</b>
<b>Solid Waste</b>	<b>70,941.65</b>
<b>Water/Sewer</b>	<b>7,598.53</b>
<b>Employee Benefit Fund</b>	<b>128,246.14</b>

- 2. Approval of minutes of 8-13-96 workshop and 8-20-96 meeting**
- 3. Approval to trade in three pick-up trucks. See SMB 27 Page 8**
- 4. Approval to revoke Interlocal agreement with City of Avon Park**
- 5. Approval to transfer or sell tax certificates. See SMB 27 Page 9**
- 6. Approval to execute certification of roll for mandatory garbage assessment. See SMB 27 Page 10**
- 7. Approval to execute Recycling and Education Grant #RE97-26**
- 8. Approval of capital expenditure and budget amendment 95-96-258**
- 9. Approval to write off ambulance bill. See SMB 27 Page 11**
- 10. Approval of State Aid to Libraries application and grant agreement. See SMB**

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- 11. Approval to remove vehicle from inventory. See SMB 27 Page 13**
- 12. Approval of budget amendments 95-96-243 and 251-256**
- 13. Approval of Interlocal agreements with municipalities**
- 14. Approval to conduct invitation to bid for Building Permit software. See SMB 27 page 14**
- 15. Approval of updated job descriptions in Emergency Management Dept. See SMB 27 Page 15**
- 16. Approval of payment without purchase order - Peter Brown bond. See SMB 27 Page 16**
- 17. Approval to execute Project Maintenance Agreement with Town of Lake Placid and DOT**

The Chair called for public input. None was received.

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

**6. COMMISSIONERS**

**A. Commissioner Barrett: Update on Strategic Regional Policy Plan**

Commissioner Barrett advised the Board discussion had been going well with the participation of the other counties. He also, stated there are two issues left to discuss and it is a time-consuming process to send a correct document to the governor. He advised the Board that Doug Leonard, Executive Director is asking the council to go ahead and transmit the document to the governor. Mr. Barrett recommended not transmitting the document until all issues are discussed. See SMB 27 Page 17.

The Chair called for public input. None was received.

Motion by Commissioner Canale, seconded by Commissioner Gose to instruct our representative to vote in opposition to sending the SRPP to the governor's office until the committee has a chance to completely go over it. Upon Roll call, all Commissioners voted aye. Motion carried.

**B. Commissioner Canale: Request to file complaint on Chad Durrance of Durrance & Associates, P.A.**

**BOOK 16 PAGE 631**

Commissioner Canale asked the Board to file a complaint with the Ethics Commission against Chad Durrance of Durrance & Associates, P.A. because of she felt the county was over charged for appraisal fees.

Commissioner Gose asked Mr. Macbeth if the county has a valid complaint?

Mr. Macbeth stated he could not say if Mr. Durrance used an invalid appraisal method. The method he used was different from our appraisal method. I don't think you could say that is a totally invalid appraisal method. Mr. Macbeth suggested if something was sent to the Ethics Commission send it as an inquiry. Stating the circumstances, what was received, the amount charged and your concerns.

Commissioner Maxcy suggested sending a protest letter to Chad Durrance & Associates stating the appraisal is extremely high and ask them to reconsider their bill. And if they do not reconsider then send an inquiry to the Ethics Commission.

Motion by Commissioner Canale, seconded by Commissioner Gose to send an Ethics Complaint to the proper authorities in regards to cost and methodology on which the appraisal was based.

Commissioner Gose questioned Mr. Macbeth, if the Board has valid concerns?

Mr. Macbeth stated he could not say if doing a land appraisal and a building appraisal separately and then adding the two is ethically acceptable. He also stated Mr. Durrance is an MIA appraiser and I presume he will be able to support his appraisal method.

Mr. Cool advised the Board if the bill is to high and if he spent to much time on the bill. That may not necessarily be an ethical violation. Ethics is when you use your position to get an unfair advantage. And if the bill was submitted to high that may not be an ethical violation.

Commissioner Canale withdrew her motion. Commissioner Gose withdrew his second to send an Ethics Complaint to the proper authorities in regards to cost and methodology on which the appraisal was based.

Motion by Commissioner Gose, seconded by Commissioner Canale to request that both South Florida Water Management and Southwest Florida Water Management not increase their millage this year. Upon Roll call, all Commissioners voted aye. Motion carried.

**7. ADJOURN**

The meeting adjourned at 10:32 a.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, SEPTEMBER 17, 1996**

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:

Doris Gentry	C Michael Eastman
JD Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Kevin Roberts, Human Services Director.

3. **ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending 9/17/96. The pedestrian report for the Hill-Gustaf school and the farm report was also given. Richard Conover questioned the inmate housing location.

**B. CLERK**

C. Michael Eastman, Director of Accounting and Finance, presented a report on the Value Adjustment Board Hearings. The hearings will be held on September 24th and September 25, 1996 at 9:00 a.m. Location is at the Highlands County Courthouse, second floor, Court Room B. Nine petitioners have filed for a total of 17 petitions. F. Elgin Bayless has been selected as the Hearing Officer.

**C. FUTURE UPCOMING MEETINGS:**

Carl Cool read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool reminded the Board that the new Fire truck purchased for the Highlands Park Estates Fire Department will be at the courthouse for viewing.

**D. PRESENTATION TO BRUCE SAVAGE**

The chairperson presented a plaque to the Emergency Management Director, Bruce Savage commemorating his twenty-five years of outstanding service in the Emergency Medical and Emergency Management area. He was recognized upon his retirement from Highlands County on

the date of September 30, 1996.

**E. PRESENTATION TO PEACE RIVER CENTER**

Kevin Roberts acknowledged Bert Lacy, Executive Director for the Peace River Center and Karen Meekins, Coordinator for the Safehouse, Domestic Violence. He presented Mr. Lacy with the keys to a Crown Victoria Station Wagon for use by the Peace River Center. The vehicle was declared surplus property by Highlands County and was a gift for use by the Safehouse Domestic Center.

**4. CITIZENS NOT ON AGENDA:**

1. Don Darling, representing the Lake Haven Estates Homeowners, expressed dismay with the action that was taken at the Public Hearing to deny the assessment for street lights. He reviewed the action taken to conduct the survey and requested the Commission rescind the vote and hold another hearing.
2. Mr. Ken Maddox stated that he supported the lighting district.
3. Richard Conover remarked about the presentations just given with no pictures taken.
4. Richard Conover mentioned the problem of county vendors not bidding on projects.
5. Hank Kowalski spoke regarding the Lake Wales Ridge Wildlife Preserve and a letter from Carol Browner. Response was in reference to the amount of parcels purchased. See SMB 27 Page 30.
6. Ray Napper apologized for interrupting the Public Hearing for the Lake Haven Estates Special Tax District and presented comments regarding the material that was mailed out. He suggested a second survey to remove the excessive language.

Commissioner Maxcy requested information from the attorney in regards to changing tax district assessments. Mr. Macbeth advised that the time has elapsed.

**5. ACTION:**

Motion by Commissioner Canale, seconded by Commissioner Gose, to set the action agenda with the following changes:

1. Deletion of Item A - Ted Lombardo, Marge Brewster Center: Request for exception regarding Baker Act

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2. Deletion of Item B - Jim Cash: Tourist Development Tax
3. Addition under Item H. County Administrator: Culvert Purchase and budget amendment.
4. Addition under Item H. County Administrator: Contract with Chastain-Skillman
5. Addition under Item H. County Administrator: Purchase of Sound System and budget amendment
6. To move Item C., John Morgan, S. Fla. Water Management District, to the end of the Action Agenda.
7. Addition of Reed Bowman, Ph.D. resume for the appointment to the Highlands County Natural Resource Advisory Council.

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

**A. TED LOMBARDO, MARGE BREWSTER CENTER: REQUEST FOR EXCEPTION REGARDING BAKER ACT**

Withdrawn

**B. JIM CASH: TOURIST DEVELOPMENT TAX**

Withdrawn

**D. HUMAN SERVICES DIRECTOR: CHILD ADVOCACY CENTER**

Kevin Roberts spoke regarding the organization of a Child Advocacy Center. Mr. Roberts and Lt. Susan Benton along with Dr. Ted Lombardo, Program Manager for the Marge Brewster Center, visited a Children's Advocacy Center in Daytona Beach and based on their visit and review of related materials became interested in this project. Film was shown and several endorsements were mentioned. The Highlands Market was identified as a building that could be utilized after approval is given by the Board of County Commissioners and the City of Sebring as joint owners. The Children's Services Council will commit to raising funds from the private sector to retrofit the building. At that point, Human Services and Law Enforcement will locate staff within the building. See SMB 27 Page 31 for copy of request, endorsements and building space allocation.

Motion by Commissioner Barrett, seconded by Commissioner Canale, to endorse the establishment of a Child Advocacy Center with the participation of all entities and to grant approval to the Children's Services Council to utilize the Highlands Market building, upon approval by the City Council. Upon roll call, all Commissioners voted aye. Motion carried.

**Break 10:25 a.m - 10:40 a.m**



**E. BUDGET OFFICER: CAPITAL IMPROVEMENT PLAN REVISION**

Rick Helms, Budget Officer, reviewed with the Commission the revised Capital Improvement Plan. Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt the revised CIP Plan with the inclusion of the Lincoln Heights Ballfield project, a realignment of funds for the Highway Park water line and additional revenue that increases the end of the Plan's projected Fund Balance of the Infrastructure Fund by \$1,068,882. A correction was noted by the Chairperson to shift the EMS Building from FY 95-96 to FY 96-97 in the amount of \$235,000. This was also included in the motion. Upon roll call, all Commissioners voted aye. Motion carried. See Budget file for copy.

**F. COUNTY ENGINEER:**

1. Request to establish fee for reproduction of LDR's

Discussion by Board and staff on the reproduction cost. Motion by Commissioner Barrett, seconded by Commissioner Maxcy to establish a reproduction cost of \$50.00 for the Land Development Regulations. The Chair called for input on the motion. Dan Foley, Citrus Growers Association, asked if these would be available in the public library. Staff advised that the library would offer to the public. Upon Roll call, all Commissioners voted aye. Motion carried.

2. Contract for Geotechnical Testing Services

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve and execute the contract with Professional Service, Industries, Inc. in the amount of \$27,909. to provide geotechnical testing and inspection services for the Government Center . The Chairperson called for input to the motion. Richard Conover questioned the Government Center total cost. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 32.

**G. BOARD ATTORNEY: REVISED RESOLUTION TO CONDUCT REFERENDUM ON TOURIST DEVELOPMENT TAX**

Motion by Commissioner Canale, seconded by Commissioner Barrett, to approve revised Resolution to conduct a Referendum on the Tourist Development Tax. Upon Roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried. See Res. Book 10 Page 25.

**H. COUNTY ADMINISTRATOR**

1. Girl Scouts' "Stepping Stones" Cabin

Carl Cool presented the proposal for the county to accept the deed from the City of Sebring for the entire Lot 1, Block 76 with the County accepting all the conditions of the lease with no thought toward the moving of the Stepping Stones Girl Scout Cabin from its current location.

Motion by Commissioner Canale, seconded by Commissioner Barrett to move forward with the proposal, accepting the Resolution, excluding the phone service. Commissioner Gose expressed

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concern with the County paying for the phone service. Richard Conover presented comments regarding the county becoming involved in the Boy Scouts also. Ray Napper expressed the need to help the youth of the county. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 26.

**2. Draft agreement with South Fla. Water Management District - Pearce Homestead**

Concerns stated by Commissioner Gose regarding the contract as stated in 8.2 - venue shall be in the Fifteenth Judicial Circuit for claims under state law. John Morgan stated that the attorneys require this documentation. However he can check with the district to change the wording. If wording is changed it does not have to go back before his Board .

Motion by Commissioner Gose, seconded by Commissioner Maxcy to enter into the agreement as submitted with the one change, from the Fifteenth Judicial Circuit to the 10th District and a change of the name to the Pearce Homestead. Upon roll call, all Commissioners voted aye. Motion carried.

The Chairperson submitted a letter into the record to SFWM requesting a memorandum of agreement for parcels 103-132, 103-134 and 103-135 in order to support the restoration and continued enhancement of the Lockett Homestead. See SMB 27 Page 33.

**C. JOHN MORGAN, SOUTH FLA. WATER MANAGEMENT DISTRICT:  
PROPOSED BUDGET**

John Morgan, SFWMD, gave a presentation on the proposed budget for the district. See SFWMD for copy of summary. He stated that the 1/40 of mill increase for water supply is equal to about \$2.50 per household. This is designated for alternative water supply. Kim Love stated that the well drilling part is important as they are discovering new sources of supply. Questions were asked regarding the similarity of a position equal to the Lakes Specialist. Mr. Williams also spoke regarding the District's role . Jim Fitch presented question regarding public utilization on lands. Ray Napper spoke on water problems.

Break 12:00 - 1:30 p.m.

**3. Request from Children's Museum**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to change the fiscal allocation from \$2,000 to \$4,000, to allow the purchase of a new air cooling system. Richard Conover commented on the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 34.

**4. Appointment to Natural Resources Advisory Commission**

Motion by Commissioner Barrett, seconded by Commissioner Canale to appoint Hank Kowalsk to

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the Natural Resources Advisory Commission. Commissioner Gose commented on the other appointee's educational background. Upon roll call, Commissioners Gose voted nay. All other Commissioners voted aye. Motion carried.

**5. Purchase of Culverts on CR-621**

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept the bid and approve budget amendment to purchase culverts on CR-621. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 35.

**6. Supplemental Agreement #39 - Chastain-Skillman**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to enter into a supplemental agreement with Chastain-Skillman for on site visits for environmental compliance. Upon roll call, all Commissioners voted aye. Motion carried.

**7. Budget Amendment for Sound System**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve a budget amendment for \$12,500 for purchase of a sound system from Ancha, Inc. to be used in Court Room A. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 36

**8. Announcement**

Special meeting to be held next week after the public hearing for house cleaning, before closing out the fiscal year.

**I. CONSENT AGENDA:**

**Discussion regarding Item #5 Insurance Committee Recommendations Life Insurance**

Commissioner Canale suggested that the Board hold back the life portion and the committee revisit. She stated that a quote was received that was \$20,000 less. Mike Eastman explained that he felt that this was not proper, since we have not presented an RFP. He stated we are now working on an RFP for Dental and the Wellness Program. Rick Helms suggested that the life could be a part of a package that the third party administrator provides for the county and could affect our health insurance. Gail Roebuck explained that the contract with Robey Barber includes the Life Insurance and the three year contract will be up for renewal next October. At that time an RFP will be presented. Ross Macbeth explained that the Board may waive the bid requirement; but they have to be careful and make sure that comparisons are in detail. However you can use that as a tool to negotiate with Robey Barber if they are increasing the premium.

Motion by Commissioner Barrett to waive the bid procedure and instruct the Insurance Committee

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to meet before the 24th and come back with the final recommendations. Commissioner Gose seconded the motion to delete the portion that speaks to waiving the bid requirement. Amendment died for lack of second. Upon roll call on original motion, Commissioners Canale and Barrett voted aye. All other Commissioners voted nay. Motion did not carry.

Commissioner Canale suggested that Mr. Maxcy attend the meeting in her place. The Chairperson appointed Commissioner Maxcy to meet with the Insurance committee and bring back recommendations on the 24th special meeting.

Commissioner Canale questioned Consent Agenda Item #7 - Approval of budget amendment dealing with the Solid Waste Enterprise Account. Carl Cool and Rick Helms presented explanation. Motion by Commissioner Canale to table item. Commissioner Barrett seconded the motion. Upon roll call, Commissioners Gentry and Gose voted nay. All other Commissioners voted aye. The motion carried. This item to be readdressed on September 24, 1996.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to approve the Consent Agenda with the removal of Items #5 and #7. Upon roll call, all Commissioners voted aye. Motion carried.

**1. Approval to pay all duly authorized bills:**

<b>Law Library</b>	<b>238.48</b>
<b>General</b>	<b>212,305.51</b>
<b>County Transportation Trust</b>	<b>54,294.31</b>
<b>E911 Operations</b>	<b>363.87</b>
<b>Law Enforcement Education</b>	<b>1,289.88</b>
<b>Local Govt Infrastructure Surtax</b>	<b>53,956.57</b>
<b>Affordable Housing Assistance</b>	<b>11,470.47</b>
<b>Solid Waste</b>	<b>13,998.31</b>
<b>Water/Sewer</b>	<b>20,806.16</b>
<b>Risk Retention</b>	<b>5,214.82</b>
<b>Employee Benefit</b>	<b>105,604.12</b>

**2. Approval of minutes of 8-27-96 and 9-3-96 meetings**

**3. Accept into record - August Monthly Report**

**4. Approval of disbursal to Florida Healthy Kids Corp. See SMB 27 Page 37.**

**5. ~~Approval of Insurance Committee Recommendations. See SMB 27 Page 38.~~**

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- 6. Approval of budget amendments 95-96-273, 278-284 and 286-288**
- 7. ~~Approval of budget amendments 95-96-289 and resolution~~**
- 8. Approval of capital expenditure request form Library. See SMB Page 39.**
- 9. Approval of Litter Control and Prevention grant #LC97-26**
- 10. Accept into record - Transcripts of litigation sessions. See SMB 27 Page 40.**

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

**6. COMMISSIONERS**

1. Maxcy -suggest workshop regarding the formation of tax districts. Consideration for the second meeting in October. The Chair requested that the Special Tax District Coordinator reiterate the procedures that must be followed and give everyone a copy.
2. Gose-congratulations to Commissioner Maxcy on his win for the Commissioner seat
3. Canale-phone call from citizen in Lorida regarding public hearing in Lorida. Request that it be held at the Lorida Civic Center. Discussion regarding legal language.
4. Canale - request for a "to do" list from the County Administrator.
5. Canale - request for discussion of survey to be placed on the workshop agenda

**7. ADJOURN**

The meeting adjourned at 2:40 p.m.

\_\_\_\_\_  
Chairperson

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

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**SPECIAL MEETING OF THE BOARD, SEPTEMBER 24, 1996**

1. The meeting was called to order at 10:56 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **COUNTY ADMINISTRATOR: REQUEST FROM SCHOOL BOARD**

Proof of Publication for Special Meeting entered into the record by County Administrator Carl Cool. See SMB 27 Page 51.

Mr. Cool mentioned the letter from Dr. Calvin Smith, Highlands County School Board request concerning sidewalks and the safety of children going to school. Also, mentioned the reply letter from Board Attorney Ross Macbeth. See SMB 27 Page 52.

Mr. Cool asked the Board to add two additional items to the agenda.

1. Request approval to construct a storage building for the purpose of storing chemicals. Budget Amendment 95-96-307.

Motion by Commissioner Barrett, seconded by Commissioner Gose to accept the recommendation and the Budget Amendment 95-96-307. Upon Roll, Commissioners voted aye. Motion carried.

2. Proposed agreement to extend the Board's Commodities Program through November 1, 1996.

Motion by Commissioner Gose, seconded by Commissioner Barrett to approve the one month extension of the Commodities contract. Upon Roll call, all Commissioners voted aye. Motion carried.

3. **COMMISSIONER CANALE: INSURANCE COMMITTEE RECOMMENDATIONS**

Commissioner Canale stated, the Insurance Committee accepted the proposed renewal by Robey-Barber Insurance effective October 1, 1996 with an adjusted life rate of twenty-five cents per thousand.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve Insurance

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Committee recommendations. Upon Roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 53.

**4. CONSENT AGENDA:**

The County Administrator read the Consent Agenda into the record along with a brief description of each item.

After Board and staff discussion of Item H. Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda as listed.

- A. Approval of minutes of 9-9-96 and 9-10-96 public hearings and 9-10-06 workshop**
- B. Approval of request to declare nuisance case #9596-093. See SMB 27 Page 54.**
- C. Approval to record nuisance release case #9596-007. See SMB 27 Page 54.**
- D. Appoint Kevin DiLallo to EMS Advisory Council. See SMB 27 Page 55**
- E. Approval to execute Emergency Management grant agreement #97CP-05-07-38-01-028**
- F. Approval to pay bill for excess capacity inmates. See SMB 27 Page 56**
- G. Approval to execute transfer of tax certificates. See SMB 27 Page 57**
- H. Approval of budget amendment 95-96-289 and Resolution. See Res. Book 10 Page 88.**
- I. Approval of budget amendments 95-96-304 and 305**

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

The Board returned to Item #3, Insurance Committee Recommendations to accept a loan pay back of \$150,000.00 to be divided between Funds 005 and 509.

Motion by Commissioner Canale, seconded by Commissioner Maxcy to pay back a loan of \$150,000.00 to the Board of County Commissioners payment to be divided between Funds 005 and 509. Upon Roll call, all Commissioners voted aye. Motion carried.

5. ADJOURN

The meeting adjourned at 11:20 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, OCTOBER 1, 1996**

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

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 1, 1996. Pre-trial Release questions were presented by Commissioner Barrett. Col. Jones gave a report to the Commission.

- B. CLERK**

No report was given.

- C. MEETINGS**

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

4. **CITIZENS NOT ON AGENDA**

1. Ray Napper spoke to the Board regarding antitrust and corruption in government.
2. Richard Conover spoke regarding cancellation of meetings without the public being informed.
3. Hank Kowalski thanked the Board for the appointment to the Natural Resources Committee. He also informed the Board of the Celebration of the Lake Wales Ridge Appreciation Day, October 5, 1996. For handout

see SMB 27 Page 58.

**5. ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to approve the Action Agenda with an addition under the Asst. County Administrator for the approval of a budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

**A. RESOLUTION: FIRE PREVENTION WEEK-OCTOBER 6-12, 1996**

Motion by Commissioner Barrett, seconded by Commissioner Gose to adopt Resolution proclaiming the week of October 6-12, 1996 as Fire Prevention Week. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 93.

Tim Eures, Fire Coordinator, introduced members of his group and gave a short presentation on the importance of fire detectors.

**B. RYAN BETHEA, 4-H COUNCIL PRESIDENT: 4-H PRESENTATION AND RESOLUTION**

Ryan Bethea read the Resolution into the record and introduced the officers of the 4-H Club. Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve Resolution, proclaiming the week of October 1-6, 1996 as 4-H Week in Highlands County. Upon Roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 94.

**C. DEVELOPMENT DIRECTOR:**

**1. NATURE CONSERVANCY REQUEST FOR MATCHING GRANT FROM CONSERVATION TRUST FUND**

Request presented by Jim Polatty for a matching grant of up to \$10,000 to be awarded to Nature Conservancy from the Conservation Trust Fund. Tricia Martin, representative of the Lake Wales Program with the Nature Conservancy gave an overview for developing an Interpretive Plan for Conservation Lands on the Lake Wales Ridge. Questions were presented by the Board regarding the funding procedures. The Chairperson recognized Hank Kowalski. Mr. Kowalski suggested an ordinance or a Resolution should be adopted to clarify specific areas of the proposal so that the funds will be used specifically to purchase environmental sensitive lands. Kurt Olsen, NRAC, suggested that other agencies should contribute equally to the fund. Joe Snoll requested a definition to the public on what is considered conservation lands. Discussion ensued on the equal amount of acreage for Polk and Highlands Counties. Concerns were stated by Commissioners Maxcy and Barrett. Commissioner Gose made a motion to waive the bidding procedures and approve the request by the Nature Conservancy to fund through a matching grant up to \$10,000, the proposal to develop an Interpretive Plan for Conservation Lands on the

**BOOK 17 PAGE 42**

Lake Wales Ridge, contingent upon the funding from Polk County and SWFWMD or the Peace River Basin Board. No second was received. The motion died for lack of a second. See SMB 27 Page 59.

Keith Fountain explained the Plan and suggested that the Board restate the motion.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to offer a letter of support of up to \$10,000 toward the proposal and final commitment to take place after the other agencies have committed. Commissioner Canale amended the motion, that the money will come out of the Conservation Trust Fund. Commissioner Gose seconded the amendment. Upon roll call on the amendment, Commissioners Canale, Gose and Gentry voted aye. Commissioner Maxcy and Barrett voted nay. The motion carried.

Upon roll call on the main motion, Commissioners Maxcy voted aye. All other Commissioners voted nay. The motion did not carry.

Motion by Commissioner Canale, seconded by Commissioner Gose to waive the purchasing procedures and endorse the project and move forward with a letter to challenge the other counties to commit to the funding. Upon roll call, Commissioners Canale, Gose and Gentry voted aye. Commissioners Maxcy and Barrett voted nay. Motion carried.

**Break 10:22 a.m. - 10:35 a.m.**

**2. SUN 'N LAKES PRESERVE MANAGEMENT PLAN REVISION AND SUBMITTAL**

Discussion regarding the Management Plan revision by staff and Board. Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve the Sun 'n Lake Preserve Management Plan revision and submit to the Florida Communities Trust governing board for grant award, contingent upon the binding letter. The Chair called for input on the motion. Hank Kowalski questioned the proper advertisement. Upon Roll call Commissioners Maxcy, Canale, Gose and Gentry voted aye. Commissioner Barrett voted nay. Motion carried. See Sun'n Lakes file for copy.

**3. FALL 1995 COMP PLAN AMENDMENTS - PROPOSED SETTLEMENT STATUS REPORT**

Review of Proposed Settlement status report was presented by Jim Polatty. Refer to tape for details. Motion by Commissioner Gose, seconded by Commissioner Canale to authorize staff to resolve the impasse concerning the Fall 1995 Comprehensive amendments by taking a settlement agreement to public hearing if no new issues develop after the Planning and Zoning Board's meeting on October 8, for the final negotiations between DCA and County Staff, or in DCA's final written settlement statement. Upon roll call, all Commissioners voted aye. Motion carried.

**BOOK 17 PAGE 43**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to ask that the Chair send a letter to DCA requesting that to operate in good faith, when staff member are changed, they are required to come down and spend two (2) days in Highlands County to review. Upon roll call, all Commissioners voted aye. Motion carried.

**E. BOARD ATTORNEY**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to adopt Resolution, approving an exception to the requirement for transportation of Baker Act patients to the nearest receiving facility. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 95.

**D. ASSISTANT COUNTY ADMINISTRATOR:**

**1. 911 COMMUNICATIONS COMMITTEE RECOMMENDATIONS/  
LEGISLATIVE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the purchase of communication upgrades as recommended by the committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 60 for copy.

Tom Portz discussed the 911 requirement of the \$.50 fee and how legislation needs support to bolster the fee for cellular units to avoid impacting the integrity of the 911 system. See SMB 27 Page 61.

**2. BUILDING USE COMMITTEE RECOMMENDATIONS**

Motion by Commissioner Barrett, seconded by Commissioner Gose to request staff develop an RFP for a Concession Lease at the H.L. Bishop Park and bring back before the commission for review. The Chair called for input on the motion. Joe Snoll suggested guidelines should be considered when preparing the RFP. Richard Conover questioned if this would impact other county locations. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 62.

Mr. Portz advised the Board that the committee should be restructured and members should be considered for appointment to the Building Use Committee for proper county representation. The Chair suggested that Board members should bring back recommendations.

**3. SHERIFF OFFICE: RESOLUTION AND BUDGET AMENDMENT  
APPROPRIATION**

Motion by Commissioner Barrett, seconded by Commissioner Maxcy to adopt Resolution #96-101, authorizing amendment to the Sheriff's office budget appropriation. Upon roll

call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 96.

**E. BOARD ATTORNEY:**

Mr. Macbeth reviewed with the Commission changes that affects zoning districts. The Board gave a consensus to allow the Board Attorney to bring back a proposed amendment to the zoning code in regards to single family dwelling.

**F. COUNTY ADMINISTRATOR: INTERLOCAL AGREEMENT FOR LOAN TO HEARTLAND LIBRARY COOPERATIVE**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the Heartland Library cooperative Interlocal Agreement. Upon Roll call, all Commissioners voted aye. Motion carried. See Library file for copy.

**G. CONSENT AGENDA:**

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

**1. APPROVAL TO PAY ALL DULY AUTHORIZED BILLS**

<b>Law Library</b>	<b>781.91</b>
<b>General</b>	<b>1,680,777.65</b>
<b>County Transportation Trust</b>	<b>48,107.26</b>
<b>E911 Operations</b>	<b>10,155.07</b>
<b>Intergovt Radio Communications</b>	<b>340.92</b>
<b>Local Govt Infrastructure Surtax</b>	<b>155,672.97</b>
<b>Affordable Housing Assistance</b>	<b>1,248.04</b>
<b>Government Center</b>	<b>2,505.82</b>
<b>Solid Waste</b>	<b>13,612.97</b>
<b>Water/Sewer</b>	<b>8,612.68</b>
<b>Risk Retention</b>	<b>713,731.95</b>
<b>Employee Benefit</b>	<b>112,720.93</b>
<b>Tax Deed Surplus</b>	<b>3,420.06</b>
<b>Highlands Hospital Pass Thru</b>	<b>36,173.60</b>

**2. APPROVE MINUTES OF 9-17-96 MEETING**

**3. APPROVE EXECUTION OF CONTRACT WITH COUNTY PUBLIC HEALTH UNIT**

**4. APPROVAL OF DEFERRED PAYMENT PLAN - TOMOKA HEIGHTS**

HOMEOWNERS ASSN. See SMB 27 Page 63.

**5. APPROVAL OF RESURFACING ASPHALT CONTRACT WITH MACASPHALT.**

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

**6. COMMISSIONERS**

- 1. Commissioner Maxcy presented questions regarding the Tourist Tax advertisement. Discussion ensued on the survey presented. Richard Conover objected to the Commission not allowing a gentlemen to state his side of the information. Joe Snoll spoke in favor of the tourist tax. Commissioner Gose suggested that two phone numbers be available at the office of the Economic Development to present both sides of the issue.
- 2. Commissioner Canale thanked all patrons who participated in the fund raiser at McDonald's with the proceeds going to the American Red Cross.

**7. ADJOURN**

The meeting adjourned at 12:27 p.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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SPECIAL MEETING OF THE BOARD, OCTOBER 8, 1996

- 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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J. Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- 3. **ANNOUNCEMENTS:**

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

- 4. **TAX COLLECTOR: REQUEST FOR CERTIFICATION OF 1996 TAX ROLL:**

Proof of Publication entered into the record by the County Administrator. See SMB 27 Page 64.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the request of the Tax Collector to certify the 1996 tax roll according to Florida Statute 197.323 (1). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 64.

- 5. **ADJOURNMENT**

The meeting adjourned at 9:12 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, OCTOBER 15, 1996**

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>C Michael Eastman</b>
<b>James L. Gose</b>	<b>Carl Cool</b>
<b>Jeri Canale</b>	<b>J Ross Macbeth</b>
<b>C Guy Maxcy</b>	<b>Louise Graham</b>

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 15, 1996.

- B. **CLERK**

No 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. Special recognition was given to Richard Conover on his 72nd birthday.

4. **CITIZENS NOT ON AGENDA:**

1. Jim Cash suggested that back-up to the agenda should be placed on the Internet through the Library. The County Administrator was asked to check into this feature.

5. **ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the action agenda with the following changes to be added to the County Administrator items:



7. Request from Polk County to consider a joint effort to seek a grant for a Water Supply authority
8. Renewal agreement with the SFCC for EMS training.
9. Comments regarding the revised survey
10. Qualified Target Industry Tax Refund Program

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

**A. ELECTIONS SUPERVISOR: BUDGET REQUEST**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve request of Jimmy Whitehouse, Supervisor of Elections, to allow the transfer of funds from the 96-97 budget for payroll for the poll workers for the 2nd Primary Election held on October 1st and the General Election to be held on November 5, 1996. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 67.

**B. SPECIAL PROJECTS DIRECTOR: REQUEST TO ACCEPT DONATED PROPERTY**

Bill Stephenson presented request. Motion by Commissioner Canale, seconded by Commissioner Gose, to deny the request of Mr. Maurice Richards to accept donated property for Lot 41, Block 199, Unit 11, Sun'N Lakes of Sebring due to the outstanding taxes and assessments due on the property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 69.

**1. REQUEST TO ACCEPT DONATED PROPERTY - LAKE FRANCIS**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to accept easement from Pat Lagoni of Consolidated Tomoka for the east side of Peachtree Drive in Section 22, Township 36 South, Range 29 East. Upon roll call, all Commissioners voted aye. Motion carried.

**C. OPERATIONS DIRECTOR: AQUATIC PLANT CONTROL - DEP CONTRACT #AP125**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve execution of DEP Contract No. AP 125. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 69. Discussion of the hydrilla maintenance program presented by Vaden Pollard.

**D. COUNTY ENGINEER:**

**1. PSI CONTRACT - GEOTECHNICAL TESTING SERVICES FOR CLOSURE OF LANDFILL CELL**

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to execute the contract between the County and Professional Services Industries, Inc. in the amount of \$2,345.80 to provide Phase I of the geotechnical testing and inspection services for the closure of Cell No. 3 of the Desoto City Landfill. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 70.

**F. BOARD ATTORNEY:**

**1. PROJECT RESOLUTION FOR FRANSVILLA WATER LINE EXTENSION**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to adopt Project Resolution #96-99 for the Fransvilla/Lake Francis Project with Exhibit "A" attached. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 97.

**2. RESOLUTION PROVIDING FOR THE ISSUANCE OF WATER AND SEWER UTILITY REVENUE NOTE, SERIES 1996**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to adopt Resolution #96-100 providing for the issuance of a water and sewer utility revenue note, series 1996 (Fransvilla/Lake Francis Project). Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 98.

**D. COUNTY ENGINEER:**

**2. TRI-SURE CORP. CONTRACT FOR WATERLINE EXPANSION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the bid and execute the contract with Tri-Sure Corporation in the amount of \$318,190 for the construction of the Fransvilla/Lake Francis Road waterline expansion contingent upon review of Mr. Heacock. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 71.

**3. PLAT RECORDING - THE COVE**

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to accept the security deposit with the Board Attorney's approval, approve and accept the maintenance agreement and accept the plat of "The Cove" for recording. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 72.

**E. ASSISTANT ADMINISTRATOR:**

**1. APPOINTMENTS TO BUILDING USE COMMITTEE**

Motion by Commissioner Gose, seconded by Commissioner Canale, to approve the following appointments to the Building Use Committee:

Richard Conover to represent Avon Park, Clayton Womer to represent Sebring and Hoz Compton to represent Lake Placid.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 73 for copy of resumes.

**2. LIBRARY GRANT AWARD - RECORDS MANAGEMENT TRAINING**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to execute the Grant Agreement in the amount of \$1,500 from the Florida State Historical Records Advisory Board for the Public Records Workshop. Upon roll call, all Commissioners voted aye. Motion carried.

**3. LORIDA SCHOOLHOUSE REQUEST**

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve request of the Lorida Community Support Group in conjunction with the Local Churches and other organizations, the use of the School House located on Highway 98 in Lorida, to host a Community Halloween Party on October 26, 1996. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 74.

Mrs. Weeks, representing the group requested a schedule of the bookings. Mr. Portz advised that the committee will be working on a policy for utilization of the building.

**4. INSURANCE COMMITTEE RECOMMENDATION**

Motion by Commissioner Canale, seconded by Commissioner Gose, to accept the recommendations of the Insurance Committee to include the Network Service Manager for Heartland Library Cooperative in the County health plan with the Library Cooperative participants paying their pro-rata share. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 75.

**G. COUNTY ADMINISTRATOR**

**1. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve appointment of Kimble McKay to the Historic Preservation Commission. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 76.

**2. DRAFT INTERLOCAL AGREEMENT WITH CITY OF SEBRING**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Interlocal agreement with the City of Sebring and Highlands County for the purpose of the City providing certain governmental services to the Sebring Airport and Industrial Park. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 77 for copy of draft.

**3. APPOINTMENTS TO HEALTH & HUMAN SERVICES BOARD**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to appoint Thomas F. Hunt and Barbara E. Kelleher to the Health & Human Services Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 78 for copy of resume.

**4. DECEMBER BOARD MEETING SCHEDULE**

Motion by Commissioner Canale, seconded by Commissioner Gose to accept the recommendation of the County Administrator to schedule Monday, December 23 as the fourth meeting in December, replacing December 24 for the public hearings, and schedule no meeting for December 31. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 79.

**5. APPOINTMENTS TO SMALL COUNTY COALITION BOARD OF DIRECTORS**

Motion by Commissioner Canale, seconded by Commissioner Gose to appoint Mr. Gose and Mr. Maxcy as commissioners and Carl Cool as the staff member as representatives on the Coalition Board of Directors. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 80.

**6. REQUEST TO ADVANCE SEBRING MULTI-USE PATH PROJECT**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the realignment of Capital Improvement Plan by \$150,000 to transfer funds from the Eucalyptus Parkway Phase II planning to the Multi-Use Path on US 27 loan to DOT. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 81.

**7. Request from Polk County to consider a joint effort to seek a grant for a Water Supply authority**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve a letter of support to consider a joint effort to seek a grant for a water supply authority with other counties. Discussion ensued regarding involvement with Polk County and a water authority. Joe Snoll spoke in support of the motion. Dan Foley cautioned against entering into any agreement with Polk County beyond a study. Upon roll call, Commissioners

Maxcy, Gose and Gentry voted aye. Commissioner Canale voted nay. Motion Carried.

**8. Qualified Target Industry Tax Refund Program - Airport**

Motion by Commissioner Canale, seconded by Commissioner Gose to adopt Resolution providing that Highlands County is a REDI county, eligible for local financial support exemption option in the qualified target industry program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 98.

**9. Renewal agreement with the SFCC for EMS training.**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve letter of agreement with the South Florida Community College and Highlands County for EMS training. Upon roll call, all Commissioners voted aye. Motion carried.

**10. Comments regarding the revised survey**

Carl Cool passed out a revised survey and suggested that the Commission review and bring back recommendations. See SMB 27 Page 82 for copy.

Mr. Cool advised that he will be on vacation and will not be present at next week's meeting.

The Board Attorney reminded the Commission that a Public Hearing is scheduled for October 29th for the issue of the Sun'n Lakes acquisition. Commissioner Gose will not be available due to a conflict.

Break 10:30 a.m. - 10:40 a.m.

**H. CONSENT AGENDA:**

Commissioner Canale presented questions regarding "Keep Highlands Beautiful" grant. Peggy Chapman explained the procedure. Closure of Landfill was also discussed.

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

**1. Approval to pay all duly authorized bills:**

<b>General</b>	<b>528,256.95</b>
<b>County Transportation Trust</b>	<b>31,931.89</b>
<b>E911 Operations</b>	<b>2,038.00</b>
<b>Conservation Trust</b>	<b>900.00</b>
<b>Local Govt Infra Surtax</b>	<b>174,069.04</b>
<b>Affordable Housing Assistance</b>	<b>27,169.75</b>

<b>Correctional Facility</b>	<b>59,943.00</b>
<b>Government Center</b>	<b>8,730.00</b>
<b>Solid Waste</b>	<b>16,498.20</b>
<b>Water/Sewer</b>	<b>3,531.42</b>
<b>Highway Park Utility</b>	<b>328.31</b>
<b>Risk Retention</b>	<b>1,479.75</b>
<b>Employee Benefit</b>	<b>10,520.29</b>
<b>Tax Deed Surplus</b>	<b>1,832.66</b>

**See Check Register for back up documentation.**

- 2. Approval of minutes of 9-24-96 and 10-1-96 meetings and 9-24-96 public hearing**
- 3. Approval to execute transfer of tax certificates. See SMB 27 Page 83.**
- 4. Approval to execute Adopt a Highway Agreement with Cloverleaf Environmental Center. See SMB 27 Page 84.**
- 5. Approval to pay housing for excess capacity inmates. See SMB 27 Page 85.**
- 6. Appointments to Prekindergarten Council. See SMB 27 Page 86.**
- 7. Accept into record - County Probation Annual Report. See SMB 27 Page 87.**
- 8. Approval of budget amendments 95-96-316 and 317; and 96-97-003**
- 9. Approval to execute contract for CDBG amendments and budget amendment 96-97-004. See SMB 27 Page 88.**
- 10. Approval of mortgage and note for Ridge Area ARC**
- 11. Approval of budget amendments 96-97-005 through -010 and Resolution. See Res. Book 10 Page 99.**
- 12. Approval to execute contract with Keep Highlands Beautiful & accelerate budgeted funds.**
- 13. Approval to execute contract for administration of KHB and to include reimbursement of FDEP Litter Control Grant funds. See**

**SMB 27 Page 89.**

- 14. Approval to execute CSI Supplemental Agreement #40-Sebring Highlands Collector Road/Riverdale Road/Construction Administration and Materials Testing. See SMB 27 Page 90.**
- 15. Approval to execute grant contracts for NuHope and IDA**

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

**6. COMMISSIONERS**

**A. COMMISSIONER CANALE: INSURANCE COMMITTEE RECOMMENDATION FOR DENTAL PLAN**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to accept Protective Life/DentiCare payroll deducted dental insurance dual choice option program. Upon roll call, all Commissioners voted aye. Motion carried. See Dental File for copy.

- 1. Construction and Licensing Board appointee- agenda for first meeting in November**

**B. COMMISSIONER GOSE: LDR TASK FORCE DISCUSSION**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to formally disband the LDR Committee and designate the Planning and Zoning Board as the reviewer of the LDR's effective June 1, 1996. Upon roll call, all Commissioners voted aye. Motion carried. The Board commended the committee for their work and suggested a plaque for special recognition.

- 1. STRUCTURES ON LAKE SEBRING - Bill Lecher report**

**7. ADJOURN**

The meeting adjourned at 11:10 a.m.

\_\_\_\_\_  
Chairperson

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

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REGULAR MEETING OF THE BOARD, NOVEMBER 5, 1996

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:

Doris Gentry	C Michael Eastman
J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Lisa McClelland
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Chairperson, Doris Gentry.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 5, 1996.

- B. **CLERK**

C. Michael Eastman reported that the LGF reports for all elected officials were due October 31, 1996 and were filed in a timely manner. The unexpended budget balance was also received and deposited in the Board's account.

- C. **MEETINGS**

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

- D. **PRESENTATION BY FIRE CHIEFS' ASSOCIATION**

Tim Eures introduced Mark Fortier, Secretary and Treasurer of the Fire Chief's Association. A plaque was presented to Dr. Montsdeoca in appreciation for providing physicals to the Volunteer Firemen. Also honored was Phil Conrad, Division of Forestry, on his retirement.

4. **CITIZENS NOT ON AGENDA:**



**BOOK 17 PAGE 70**

1. Richard Conover suggested a tighter procedure in dealing with budget amendments. He also requested better press coverage for special events.

Carl Cool explained the necessity of a budget amendment to modify the current year's budget when receiving in a grant. Mike Eastman advised that the Clerk's office requires line item control that necessitates more budget amendments.

**5. ACTION:**

Motion by Commissioner Barrett, seconded by Commissioner Canale to set the Action Agenda as listed:

- 1) Addition to Item #19, budget amendment #95-96-328
- 2) Addition to Item #24, budget amendments #96-97- 24, 26, 27 and 29
- 3) Removal of Item #5, Approval of job descriptions for discussion

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

**A. SHERIFF: GRANT APPLICATION - OPERATION POSITIVE CHANCE**

Lt. Susan Benton introduced a grant offered through the Department of Juvenile Justice. Cpl. Brown presented a brief overview of the grant program. Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the concept of the Sheriff's grant application, "Operation Positive" for one year. Upon roll call, all Commissioners voted aye. Motion carried.

**B. READ INTO THE RECORD:**

**1. PROCLAMATION: RETIRED EDUCATORS DAY- Chairperson**

See Res. Book 10 Page 101.

**2. PROCLAMATION: MANUFACTURED/MOBILE HOME OWNERS MONTH**

See Res. Book 10 Page 102.

**C. DON DARLING: LAKE HAVEN ESTATES STREET LIGHTING**

Mr. Darling addressed the proposed Lake Haven Estates street lighting project. He suggested that staff should begin the process in order to meet the deadline dates for next year for street lighting only. Ross Macbeth advised that the date has expired for any collection by the advalorem method for this year. Discussion ensued in regards to changing the district area and the functions of the district. The Chair recommended a meeting of the Board with the Lake Haven Homeowners Association at their Clubhouse. See SMB 27 Page 95.

Recess 10:20 a.m. - 10:30 a.m.

**D. ECONOMIC DEVELOPMENT COMMISSION DIRECTOR: RENEWAL OF BASE RELOCATION AND CLOSURE GRANT**

Motion by Commissioner Canale, seconded by Commissioner Gose to authorize the EDC and IDA to move forward with the grant for a \$12,500 match from the Board for the renewal of the BRAC grant for Marketing and Economic Development. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 96.

**E. DEVELOPMENT DIRECTOR:**

**1. CONTRACT FOR CONSERVATION TRUST FUND MATCHING FUNDS GRANT**

Motion by Commissioner Maxcy, seconded by Commissioner Barrett to deny the contract with Nature Conservancy to develop an Interpretive Plan for Conservation Lands on the Lake Wales Ridge. Discussion on the motion was presented by Kirk Crane, Planning Department. Hank Kowalski, President of the Audubon Society spoke in opposition to the motion. Upon call, all Commissioners voted aye. Motion carried.

**2. SHIP HOUSING ASSISTANCE PLAN AMENDMENT**

Motion by Commissioner Canale, seconded by Commissioner Gose to adopt the appropriate Resolution authorizing modification to the fiscal years 1995-96, 1996-97 Ship Housing Assistance Plan. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 103.

**3. SHIP/CENTRO CAMPESINO CONTRACT**

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the appropriate Resolution authorizing a contract for services with Centro Campesino-Farm Worker Center, Inc. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 104.

**4. SHIP BUDGET AMENDMENT 96-97-030**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the SHIP budget amendments, for SHIP Project Numbers 94001, 95058, 96009 and the appropriate Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 105.

**F. OPERATIONS DIRECTOR:**

**1. APPROVAL OF NON-MAINTAINED ROAD FOR COUNTY MAINTENANCE**

Motion by Commissioner Barrett, seconded by Commissioner Gose to approve the following roads for county maintenance, Fond-A-Luc Road, Sebring Avenue, Elson Avenue, Sarasota Street, Martin Road and Mir-A-Wood Avenue. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 97.

**2. APPROVAL OF ROAD IMPROVEMENT LISTS**

Motion by Commissioner Barrett, seconded by Commissioner Canale to approve the updated road improvements list as presented. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 98.

**3. MELALEUCA PUBLIC EDUCATION FUNDING REQUEST**

Pauline White, City Councilwoman, presented a request to the Board for county funding to complete the eradication program.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the funding of public education concerning melaleuca trees, contingent upon the city's participation with funds to be taken from contingency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 99.

**G. SPECIAL PROJECTS DIRECTOR: DONATED PROPERTY RECOMMENDATION**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to accept donated Lots 15 and 16, Block 473 Leisure Lakes, Section 18. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 100.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to put lots up for sale, pending an investigation that the lots would not be needed by the county. Upon roll call, Commissioners Maxcy, Canale, Gose and Gentry voted aye. Commissioner Barrett voted nay. Motion carried. The Chair requested that Commissioner Barrett provide the information to the Commission if the lots would be a benefit to the county.

**H. BOARD ATTORNEY**

No report

**I. COUNTY ADMINISTRATOR:**

**1. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION**

Motion by Commissioner Gose, seconded by Commissioner Canale to appoint Judy A. Nugent to the Historic Preservation Commission. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 101 for copy of resume.

**2. APPOINTMENT(S) TO CONSTRUCTION LICENSING, ENFORCEMENT AND APPEALS BOARD**

Motion by Commissioner Canale, seconded by Commissioner Barrett to move Mike Carr up to the Construction, Licensing, Enforcement and Appeals Board. After discussion by the Board, Commissioner Maxcy made a motion to table the decision. No second was received. Commissioner Canale amended the motion to approve the recommendation of the Construction, Licensing, Enforcement and Appeals Board that Clarence Polston become a regular member, and the vacant position be filled by Mike Carr. If the positions are not compatible, then Mr. Carr will become the regular member. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 102.

**3. HOLIDAYS FOR 1997**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Judicial holiday list for 1997, adding 3-28-97 and 12-24-97 for county employees. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 103.

**J. CONSENT AGENDA:**

**DISCUSSION ON AGENDA ITEMS:**

- (a) Approval of job descriptions

Discussion of college degree requirements in job descriptions presented by Commissioner Canale. Commissioner Maxcy stated disagreement. Motion by Commissioner Gose, seconded by Commissioner Maxcy to place Item #5 back into the Consent Agenda and approve the Consent Agenda.

Richard Conover spoke regarding the degree requirement

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

Law Library	157.74
General	2,172,856.92
County Transportation Trust	133,678.86
E911 Operations	502.58

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Intergovt Radio Communications	1,040.92
Local Govt Infra Surtax	210,194.86
Affordable Housing Assistance	5,452.88
Correctional Facility	7,144.39
Government Center	312.50
Solid Waste	28,705.04
Water/Sewer	6,852.06
Risk Retention	2,785.42
Employee Benefit	161,253.71

2. Approval of minutes of 10-8-96 Special Meeting, 10-8-96 Workshop, 10-15-96 Regular Meeting and 10-22-96 Public Hearing
3. Approval of new EMS charges. See SMB 27 Page 104.
4. Approval of agreement for Medicare software.
5. Approval of job descriptions. See SMB 28 Page 105.
6. Approval to execute bond for Clerk L.E. Brooker. See SMB 27 Page 106.
7. Approval to execute bond for Commissioners James L. Gose and C. Guy Maxcy. See SMB 27 Page 107.
8. Approval to refund variance application fee for Bountiful Partnership. See SMB 27 Page 108.
9. Appointment of Commissioner Barrett as Chairperson to Building Use Committee. See SMB 27 Page 109.
10. Approval of public Safety Coordinating Council recommendation. See SMB 27 Page 110.
11. Approval of EMS Response Agreement with Okeechobee County See SMB 27 Page 111.
12. Approval of revised Special District handbook. See SMB 27 Page 112.
13. Approval to execute contracts - Big Brothers/Big Sisters, Avon Park Chamber, Ridge Area ARC
14. Accept into record - transcripts of litigation sessions. See SMB 27 Page 113.
15. Approval to execute commodity contract. See SMB 27 Page 114.
16. Approval to execute Adopt a Highway agreement, Hill-Gustat Middle School. See SMB 27 Page 115.
17. Approval of Amendment No. 4 to Irrevocable Standby Letter of Credit for Tomoka Heights Subdivision Improvement Agreement. See SMB 27 Page 116.
18. Approval of payment for housing excess capacity inmates in DeSoto County. See SMB 27 Page 116A.
19. Approval of budget amendments 95-96-321 through 328

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- 20. Approval of budget amendments 96-97-19,-20-22.**
- 21. Approval of budget amendment 96-97-28 for Road and Bridge**
- 22. Approval to pay bill without purchase order for Landfill and budget amendment 96-07-021**
- 23. Approval of resolution and budget amendment 96-97-025 for Hospital Board/Public Health Unit. See Res. Book 10 Page 106.**
- 24. Approval of resolution and budget amendment 96-97-23, -24-26-27 and 29 for Solid Waste and General Fund. See Res. Book 10 Page 107.**
- 25. Approval of Safety Program**
- 26. Approval of Notice to Glades Electric Cooperative, Inc. See SMB 27 Page 117.**

Upon roll call, Commissioners Gose, Maxcy, Barrett and Gentry voted aye. Commissioner Canale voted nay. Motion carried.

**6. COMMISSIONERS**

- A. Commissioner Canale: Insurance Committee recommendations-Wellness Bid

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the recommendation of the Insurance Committee to accept Florida Hospital for the 1997 Wellness Program. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 118.

Motion by Commissioner Canale, seconded by Commissioner Gose to accept the recommendation of the Insurance Committee to accept Florida Hospital for the Managed Care Hospital of Record for Workers Compensation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 119.

- B. Commissioner Barrett: Deposit procedure for water system-Return of Deposit

Discussion regarding the return of the \$50.00 Deposit to the customer. The Chairperson suggested that we place this item on the agenda for the third meeting in November for action after research is completed. See SMB 27 Page 120.

- C. Commissioner Canale discussed the problem of dangerous animals. It was suggested that Mr. Cool follow through with this item at a workshop.
- D. Commissioner Gose commended Ross Macbeth on keeping the cost at a minimum for the Heartland Environmental Council Lawsuit.
- E. Tom Portz requested permission to direct an inquiry to the South Florida

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Community College for any Interlocal capabilities to utilize the Softball Field for Senior Softball. Board members were agreeable.

**7. ADJOURN**

The meeting adjourned at 12:20 p.m.

\_\_\_\_\_  
**Chairperson**

**Attest:**

\_\_\_\_\_  
**Clerk**

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**SPECIAL MEETING OF THE BOARD, NOVEMBER 12, 1996**

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:

J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	C Michael Eastman

Chairperson Gentry was not present. The Vice-Chair, John Barrett, presided over the meeting.

- 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:**

Carl Cool read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

Proof of Publication entered into the record. See SMB 27 Page 122.

- 4. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Canale to set the Action Agenda with an addition, Item D, under Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

- A. EXECUTION OF BOND FOR COUNTY COMMISSIONER-ELECT DAVID FLOWERS**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to execute the bond for County Commissioner-Elect David Flowers. Upon roll call, all Commissioners voted aye. Motion carried.

- B. MIKE SWAINE: RESOLUTION AND COMPENSATION AGREEMENT ON HEALTH FACILITIES AUTHORITY BONDS, ADVENTIST HEALTH SYSTEMS SUNBELT, INC.**



Mike Swaine gave presentation on the changes to the Compensation Agreement. Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Compensation Agreement and the Resolutions for the Health Facilities Authority Bonds, contingent upon the authority also approving the agreement. The Vice-Chair called for input on the motion. Jim Cash of Lake Placid questioned the compensation time allowance. Upon roll call, all Commissioners voted aye. Motion carried. See Health Facilities file for copy.

**C. SHERIFF'S OFFICE: LAW ENFORCEMENT BLOCK GRANT ACCEPTANCE**

Lt Susan Benton requested approval to proceed with the grant award. Carl Cool advised that the next step would be for the Board to appoint the Public Safety Coordinating Council along with Tim McGonigal from the School Board to review at their next meeting. They will then bring a recommendation back to the Board.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to move forward with the Block Grant for the Highlands County Sheriff's Office and the appointment of the committee. Upon roll call, all Commissioners voted aye. Motion carried.

**D. COMMISSIONERS: CANALE**

Commissioner Canale called attention to a continuous problem experienced by Spring Lake residents. She noted that the residents complained regarding the poor reception that was received on the Public Broadcast channel. Tom Portz reported that Comcast is following FCC 1992 Cable regulations that requires them to carry Channel #3. It is not under the control of the Board to dictate local programming. He is advising Mr. Hancock, the gentleman that complained, of this status. Carl Cool advised that the Board can pull the complete franchise but the Board can not regulate cable.

Commissioner Canale discussed the issue of riding to the County meeting in Tallahassee. Carl Cool suggested that he will try to work out a travel schedule that will be economical to the tax payers and accommodate all the Commissioners needs that will be attending.

**E. COMMISSIONER MAXCY-ELECTION OF CHAIRMAN**

A discussion was held regarding the election of the Chairman for the new year. Mr. Cool commented on the informal policy and each Commissioner was asked to review information before next week's meeting.

Commissioner Maxcy suggested a delay of the Workshop Item - Long Range Plans to allow Commissioner elect Flowers to participate.

5. ADJOURN

The meeting adjourned at 9:45 a.m.

\_\_\_\_\_  
Chairperson

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

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**WORKSHOP MEETING OF THE BOARD, NOVEMBER 12, 1996**

1. The meeting was called to order at 9:45 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

J D Barrett	Carl Cool
James L Gose	J Ross Macbeth
Jeri Canale	Louise Graham
C Guy Maxcy	C Michael Eastman

2. **KEEP HIGHLANDS BEAUTIFUL PRESENTATION**

Peggy Chapman, Executive Director of “Keep Highlands Beautiful” presented a recap of the accomplishments of the program. She advised that the program has been responsible for purchasing 6,000 litter bags; mailing 21,000 fliers to residents to educate them on solid waste and recycling, and assisting 40 individuals on recycling and lot cleanup; placing litter bags at five boat ramps throughout the county as part of a pilot program; instituting a wildflower program; expanding an “Adopt a highway” program; removing more than 11 tons of litter from Avon Park and Sebring, and reaching out to school children to teach them to recycle and not litter. Another project involved were schools, where fourth graders collected and recycled plastic six-pack rings. At the end of the projects, the students had recycled more than 4,500 plastic six-pack rings. In order to expand the program, Luby’s Cafeteria has donated \$500 for schools that recycle the most six-pack rings.

Additional information was presented on the Adopt a Highway Programs and the Grant Applications. See SMB 27 Page 123 for copy of information.

The Vice-Chairman called for public input. Hank Kowalski spoke regarding needed changes to the Tree and Landscape Ordinance that would address these issues. Joe Snoll questioned the profit involved with recycling and curbside.

3. **LONG RANGE PLANS**

Postponed to allow input from the new Commissioner

4. Discussion regarding committee appointments. Mr. Cool requested that if Commissioners have a preference on committee appointments, they should refer this information to the County Administrator’s office.
5. Jim Polatty advised of a meeting to be held at the Agricultural Center on November 20, 1996 with the Water Management Districts to discuss water regulations in the county.

6. ADJOURN

The meeting adjourned at 10:15 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, NOVEMBER 19, 1996**

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:

J D Barrett	L.E. 'Luke' Brooker
James L. Gose	Carl Cool
Jeri Canale	J Ross Macbeth
C Guy Maxcy	Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **SWEARING IN CEREMONY- Judge Shinsholser**

- A. **COMMISSIONER DAVID FLOWERS**

- B. **COMMISSIONER JAMES GOSE**

- C. **COMMISSIONER GUY MAXCY**

4. **APPROVAL OF PLAQUE FOR OUTGOING COMMISSIONER GENTRY**

Chairman Barrett presented a plaque to Doris M. Gentry, outgoing Commissioner, in grateful appreciation for outstanding service as Highlands County Commissioner, 1988-1996.

Commissioner Maxcy gave a tribute to Doris and thanked her for the experience and wisdom that she provided to the Board.

**Recess 9:10 a.m. - 9:25 a.m.**

The meeting reconvened with I.V. "Buddy" McKenzie sitting as the clerk.

5. **ELECTION OF CHAIR AND VICE-CHAIR**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to elect Commissioner John D. Barrett as Chairman for the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

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Motion by Commissioner Gose, seconded by Commissioner Maxcy to elect Commissioner Canale as Vice-Chairperson for the Board of County Commissioners. Maxcy suggested an adoption of policy for election of the Chairman. The Chair asked for the review at a workshop before adoption. Upon roll call, all Commissioners voted aye. Motion carried.

**6. ANNOUNCEMENTS:**

**A. SHERIFF**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 19, 1996. The Farm Report was also presented.

**B. CLERK**

I.V. "Buddy" McKenzie congratulated the new Commissioner. He also advised that Teen Court proceedings have been coordinated and will be held tonight for the first time.

**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 Chair recognized Joel Lowman, Executive Director of Lake Placid Chamber of Commerce. Mr. Lowman stated that Lake Placid was chosen as - Florida's outstanding rural community of the year at the 7th Rural Annual Workshop that was conducted in Ocala. Along with the title, they were given a check for \$1,000. A formal presentation will be held in Lake Placid and the sign will be erected on US 27.

**7. CITIZENS NOT ON AGENDA**

1. Dan Foley spoke in favor of Red Bohanon as the appointee of the Industrial Development Authority.
2. Peggy Chapman, Executive Director of the "Keep Highlands Beautiful" noted that the Hibiscus Garden Club would like to plant wildflowers along the Highway. She will coordinate with staff and report back to the Board.
3. Sue Rankine discussed the conditions at Animal Control. She noted several problems that exist. Tom Portz disagreed with her comments. The Chair advised that he will go with her to observe the conditions.
4. Fred Byers suggested that the Shoppers Guide be discontinued at his residence. Discussion ensued on adoption of an ordinance that would reduce the amount of distribution. The Chair suggested a workshop for an ordinance on December 10.
5. Hank Kowalski advised that the Consent Agenda was not read into the

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- record at the last regular meeting.
6. Harold Stiles, President of Red Hill Farms Homeowners Association, and Republican Committee man for Precinct 16, congratulated Board Members for their victory. He also suggested that regular meetings should be held in Avon Park for District #1 representation.
  7. Earl Pickett, spoke regarding the excellent water contract with TriSure.
  8. **ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Canale to set the Action Agenda with changes as follows:

1. To move the County Engineer up under Item C.
2. Strike Item #13 on the Consent Agenda
3. An additional budget amendment added to Item 12 - 96-97-048
4. Addition under Item J-4. Request from the Supervisor of Elections
5. Discussion on budget amendment 038; 042 and 048
6. Discussion on Consent Agenda Item 9

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

**A. PROCLAMATION: CIVIL AIR PATROL DAY - DECEMBER 1**

Mr. Cool read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Gose to adopt Proclamation, declaring December 1, 1996 as "Civil Air Patrol Day" in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 108.

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE - CRA**

Mike Swaine, Attorney for the Sebring Airport, presented a proposal to create a Community Redevelopment Agency. Proof of Publication entered into the record and proof of notice to other Taxing and Governmental Units. See SMB 27 Page 124. Andrew Ham, Community Redevelopment Advisor, from Tampa spoke in favor and entered into the record pictures showing blighted conditions.

Tom Portz stated concerns that the proposal freezes the tax base for that geographic portion of the county and takes out from under Board control the revenue stream. Rick Helms Budget Officer, presented information on other CRA's in the county and presented a projected figure for loss of revenue. Pete Pollard, Director of the Sebring CRA, gave advice in favor of the formation of the agency. Airport Authority officials speaking in favor of the proposed CRA were Mike Willingham, Jim Richardson and John Martz.

Commissioner Maxcy requested that the sunset clause be considered.

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Commissioner Flowers stated support for the project. The Chair opened the floor to the public. Joe Snoll, Phil Lockwood, Allon Fish, Sebring Chamber of Commerce and Tom Koppein, EDC, spoke in support. Harold Stiles, Avon Park, spoke in opposition. See Sebring Airport file for copy of information.

Motion by Commissioner Canale, seconded by Commissioner Gose to adopt Resolution creating the CRA, retaining the Airport Commissioners, as the members with the terms of employment as listed in the letter. See Res. Book 10 Page 109. Upon roll call, Commissioners Canale, Gose, Flowers and Barrett voted aye. Commissioner Maxcy voted nay, with an explanation that he was in favor of the CRA, but felt that there should be a sunset clause. The motion carried.

Motion by Commissioner Canale, seconded by Commissioner Gose to adopt Ordinance creating the CRA, retaining the Airport Commissioners, as the members with the terms of employment as listed in the letter.

Upon roll call, Commissioners Canale, Gose, Flowers and Barrett voted aye. Commissioner Maxcy voted nay. Motion carried.

Break 11:20 - 11:35 a.m.

**D. COUNTY ENGINEER:**

**1. REQUEST TO REMOVE RIGHT-OF-WAY ACQUISITION PROJECT FROM CIP**

Bill Lecher, County Engineer, presented request to not pursue right of way acquisitions for Howey Road and Sebring Drive and to have them removed from the CIP. This is due to property owners resistance to selling the land and could result in eminent domain proceedings with legal fees. The Chair opened the floor to the public. Hank Kowalski questioned the Board regarding Daffodil Road.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to remove right-of-way acquisition for Howey Road and Sebring Drive from the CIP due to resistance from residents. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 27 Page 125.

**1-A. SUN'N LAKES RESIDENTS-REQUEST FOR ADEQUATE ENTRANCE**

Motion by Commissioner Canale, seconded by Commissioner Gose, to waive the agenda to hear discussion of reallocation of funds. Upon roll call, all Commissioners voted aye. The motion carried.



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Bob Severino, President of the Sun'n Lake Homeowners, read a statement into the record, regarding the design of Sun'n Lake Blvd. He stated that after the design by the county this boulevard will probably go from a class "C" road to a class "D" road. This is unacceptable to the district. He requested a reallocation of funds to allow an attractive entrance to the subdivision.

The County Engineer spoke regarding the impact to Sun'n Lakes. John Clark, Board of Supervisors of Sun'n Lakes, stated that there was not enough money funded in the CIP for the design. His request was to reallocate funds or hold up funds until the design is completed. Vaden Pollard explained the cost involved to the entrance. Daffodil was also discussed and the savings that would be obtained by county trucks using this route to the Marl Pit.

The Chair opened the floor to the public. Lt Benton suggested that we address public safety factors with the design. She also mentioned that Daffodil would certainly add to the safety factor. John Martz stated that he has some ideas on the utilization of funds and he will present at a workshop. John Clark agreed with the County Engineer and praised county staff for their cooperation. Bill Hayes, spoke regarding the aesthetics of the roadway.

The Chairman advised that a workshop will be held in the future to discuss this item.

**2. PLACID UTILITIES DEPOSIT DISCUSSION**

Bill Lecher, County Engineer, presented the policy requirement for utility deposits. He provided a survey from other utilities. The Chairman suggested a refund of the deposit. Harold Owen spoke in opposition to the refund. After a discussion by the Commission, the consensus was to retain the current policy. See SMB 27 Page 126 for copy of information.

**C. OPERATIONS DIRECTOR: APPROVAL TO RESURFACE CUL-DE-SAC IN SEBRING PARK**

Vaden Pollard presented request to the Commission to pave a cul-de-sac in Sebring Park.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve request to collect the \$4,606.40 from residents, prepare a budget amendment and resolution for Board approval and schedule improvements to pave the cul-de-sac in Sebring Park. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 127.

**E. JEANNE SMITH, RED CROSS: FUNDING REQUEST**

Carl Cool, County Administrator, advised that staff was agreeable to writing the one check, in the amount of \$12,000, instead of writing a check each month.

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve request

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to fund the Highlands County Chapter of the American Red Cross the lump sum distribution. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 128

**F. GENERAL SERVICES DIRECTOR EMS PROPOSED CONTRACTS**

Bob Jamison presented the outline for the design build process and the contract recommendations. See SMB 27 Page 129 for copy.

Motion by Commissioner Canale, seconded by Commissioner Gose to award the EMS contracts to Space Master International. Upon roll call, all Commissioners voted aye. Motion carried.

**G. PERSONNEL DIRECTOR: ADOPTION OF SAFETY HANDBOOK**

Motion by Commissioner Gose, seconded by Commissioner Canale to adopt the Keller's Official OSHA Safety Handbook as the official safety handbook for Highlands County Board employees for training and operations. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 130.

**H. ASSISTANT COUNTY ADMINISTRATOR: BUILDING USE COMMITTEE RECOMMENDATIONS**

Motion by Commissioner Gose, seconded by Commissioner Canale to accept the Building Use Committee recommendation for the Lorida School House facility to be handled by the Lorida Community Club with any protest of usage/denial being referred to the Building Use Committee. Liability insurance and facility maintenance continue to be maintained by the Board. Upon roll call, all Commissioners voted aye. Motion carried.

**H-1. RFP FOR H.L. BISHOP PARK**

Discussion of RFP by the Commission.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve staff recommendation for an RFP for H. L. Bishop Park concession stand. Upon roll call, Commissioners Canale, Gose, Flowers and Barrett voted aye. Commissioners Maxcy voted nay. Motion carried. See SMB 27 Page 131.

**I. BOARD ATTORNEY**

No report

**J. COUNTY ADMINISTRATOR**

**1. APPOINTMENT TO LIBRARY ADVISORY BOARD**

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Motion by Commissioner Gose, seconded by Commissioner Canale to accept the appointments of Marilyn Jacobs and Robert N. Talbott to the Highlands County Library Advisory Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 132.

**2. APPOINTMENT TO IDA**

Motion by Commissioner Canale, seconded by Commissioner Gose to appoint Mr. Luther "Red" Bohanon to the Industrial Development Authority to fill the unexpired term of Mr. Fred Jahna, Sr.

Commissioner Flowers suggested that Fred Jahna, Jr. be considered for the next appointment to the IDA. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 133.

**3. LEASE WITH HIWAY PARK BLACK BUSINESSMEN ASSOCIATION**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve the lease with the Hiway Park Black Businessmen Association with the deletion of Item 18. Termination. Upon roll call, all Commissioners voted aye. Motion carried.

**4. REQUEST FROM SUPERVISOR OF ELECTIONS-SUCCESSOR**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve request of Joe Campbell, Successor Supervisor of Elections, to expend more than 1/12 of the budget for November and December due to additional expenses associated with the general election. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 134.

**5. COMMITTEE APPOINTMENTS**

The County Administrator suggested that Commissioners please turn in committee recommendations to his office as soon as possible.

**K. CONSENT AGENDA:**

Carl Cool read the Consent Agenda into the record. Discussion ensued on specific items.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Consent Agenda as presented:

**1. Approval to pay all duly authorized bills**

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<b>Law Library</b>	<b>44.10</b>
<b>General</b>	<b>262,341.40</b>
<b>County Transportation Trust</b>	<b>187,857.63</b>
<b>E911 Operations</b>	<b>25,889.09</b>
<b>Law Enforcement Education</b>	<b>756.00</b>
<b>Local Govt Infra Surtax</b>	<b>545,637.75</b>
<b>Affordable Housing Assistance</b>	<b>7,500.00</b>
<b>Correctional Facility</b>	<b>32,901.52</b>
<b>Government Center</b>	<b>67,642.00</b>
<b>Solid Waste</b>	<b>8,030.75</b>
<b>Water/Sewer</b>	<b>10,324.58</b>
<b>Highway Park Utility</b>	<b>32.20</b>
<b>Risk Retention</b>	<b>2,499.75</b>
<b>Employee Benefit</b>	<b>128,049.57</b>

**SEE CHECK REGISTER FOR BACK UP DOCUMENTATION**

- 2. Approval of minutes of 10-29-96 public hearing and 11-5-96 meeting**
- 3. Accept into record - October Monthly Report**
- 4. Approval to record Quit Claim Deed, Highway Park. See SMB 27 Page 135.**
- 5. Approval of melaleuca control grant application. See SMB 27 Page 136.**
- 6. Approval to execute dental insurance contract**
- 7. Approval of request to pay assessment, Sun'n Lakes Improvement lots. See SMB 27 Page 137.**
- 8. Approval to execute grant contract for Lake Placid Chamber**
- 9. Approval of change order from Peter Brown Construction. See SMB 27 Page 138.**
- 10. Approval of change order from Tri-Sure contract. Explanation by the County Engineer. See SMB 27 Page 139.**
- 11. Approval of Resolutions with budget amendments 96-97-037, 038, 040 and 95-96-331. See Res. Book 10 Page 110.**
- 12. Approval of budget amendments 95-96-330, -332 and 96-97-039 and 042**
- 13. ~~Approval of Sun'n Lake Preserve Grant Award Agreement~~**

Upon roll call, all Commissioners voted aye. Motion carried

**9. COMMISSIONERS**

- 1. Commissioner Canale reminded staff that a workshop for "Dangerous Animals" is up for discussion.**
- 2. Commissioner Canale questioned the County Administrator regarding a survey to be mailed out.**

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3. The Chairman reminded the Board of the "Blue Light" ceremony and instructed staff to proceed.
4. Commissioner Gose thanked Bernis Gainer and wished him much success in the future.

**10. ADJOURN**

The meeting adjourned 1:27 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, DECEMBER 3, 1996**

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:

J D Barrett	C Michael Eastman
Jeri Canale	Carl Cool
David Flowers	J Ross Macbeth
C Guy Maxcy	Louise Graham

Commissioner Gose was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Guy Maxcy.

3. **ANNOUNCEMENTS:**

- A. SHERIFF**

Lt. Benton presented the Daily Jail Log of inmate Count for the period ending December 3, 1996. Ms. Benton introduced John Snyder from the Allstate Insurance Company. Mr. Snyder presented a check in the amount of \$5,000 from the Allstate Foundation for furtherance of the safety on U.S. 27 and the Highlands County Safety Team.

- B. CLERK**

No report given

- C. FUTURE UPCOMING MEETINGS:**

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

Carl Cool presented an award winning photograph taken by Mr. & Mrs. Stroup while on the Cracker Trail Ride. The building is the oldest schoolhouse in Highlands County.

4. **CITIZENS NOT ON AGENDA:**

1. Dan Foley announced that Farm City Day will be held at the Agriculture Center on 12/17/96 at 9:00 a.m. until 3:00 p.m.
2. Richard Conover asked that everyone remember Pearl Harbor Day on December 7, 1996.

**BOOK 17 PAGE 100**

3. Jim Cash thanked the Board for placing the Agenda on the Internet. He also mentioned that Friends of the Library are hosting a book review at the Lake Placid Library on December 5, 1996.

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Canale to set the Action Agenda as listed:

1. Addition of Proclamation: World Aids Day
2. Cancellation of Item B.C. and D.
3. Remove Consent Agenda Items 2-6-8 for discussion

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

**A. PROCLAMATION: ADOPTION AWARENESS MONTH**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to adopt the month of December 1996 as Adoption Awareness month in Highlands County, Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 116.

**B. PROCLAMATION: WORLD AIDS DAY**

Motion by Commissioner Canale, seconded by Commissioner Flowers, to adopt proclamation declaring world aids day in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 117.

**B. PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE COMMUNITY REDEVELOPMENT PLAN FOR THE SEBRING REGIONAL AIRPORT AND INDUSTRIAL PARK COMMUNITY REDEVELOPMENT AREA**

Item canceled

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING A REDEVELOPMENT TRUST FUND FOR THE SEBRING REGIONAL AIRPORT AND INDUSTRIAL PARK COMMUNITY REDEVELOPMENT AGENCY, PROVIDING TAX INCREMENT FINANCING TO FUND THE REDEVELOPMENT TRUST FUND AND PROVIDING FOR AN EFFECTIVE DATE**

Item canceled

**D. MIKE WILLINGHAM, SEBRING AIRPORT AUTHORITY: BUILDING SITE REQUIREMENTS FOR SAA/EDC PROJECT 36-36-46**

Item canceled

**E. JIM FITCH, HISTORIC PRESERVATION COMMISSION: REQUEST FOR GRANT MATCHING FUNDS**

Jim Fitch presented a request from the Historic Preservation Commission for grant matching funds in the amount of \$14,000 to complete the second phase Archaeological Survey to provide protection for sites that are not known by establishing "Archaeologically sensitive areas" within the county. Mr. Fitch explained that the completion of the survey is vital to the Comprehensive Plan and the Land Development Regulations.

The Board Attorney advised that the money could not be funded by the county's conservation trust fund. It must be funded from the general fund.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve the expenditure of \$14,000.00 to match Historic Preservation Commission funds for completing the survey with the funds to come from contingency. The Chair opened the floor to the public. Dan Foley stated concerns from the Citrus Growers Association. Hank Kowalski of Lake Placid spoke in favor of the motion. Commissioner Maxcy suggested that the survey should be approved because it inevitably will be mandated by DCA.

Discussion ensued regarding a table of the motion. The County Administrator stated that a two (2) week delay could cause the county to lose the grant.

Upon roll call, Commissioner Maxcy voted aye. Commissioners Canale, Barrett and Flowers voted nay. The motion did not carry.

The Board directed staff to obtain additional information and place the item back on the agenda. See SMB 27 Page 146 for copy of request.

Recess 10:05 a.m. - 10:20 a.m.

**F. COUNTY ENGINEER: SEBRING EAST INDUSTRIAL PARK SUBDIVISION IMPROVEMENTS**

Bill Lecher explained the procedures required for accepting roads for maintenance. He stated that a personal guarantee was accepted from Mr. Seth Plank for Sebring East Industrial Park for subdivision improvements. In 1989 when the improvements were completed, an inspection was performed by the county staff and the improvements did not meet compliance for the county to accept the roads for maintenance. After receiving a call from the property owners recently, regarding the roads, county staff met with the



developers and outlined the necessary steps to bring the roads up to standards. The developers were then given thirty (30) days to come back with a plan to complete the process. Since then the developers did not comply with the road maintenance problems and the County Engineer brought this item before the Board.

The Chair opened the floor to the public. Atty. Jim McCollum, speaking on behalf of the Homeowners, requested that the roads be accepted by the county. Keith Renish, Vantage Point, spoke regarding the same problem and suggested that a performance bond should have been issued. Seth Plank, Developer, addressed the issue of the roads in the Sebring East subdivision and the problems he has encountered. David Plank spoke regarding the specification requirement and requested a 30 day extension to resolve the problem.

Jim McCollum made a statement to the Board in favor of the landowners. He stated that mediation is not acceptable. George Dodezal spoke regarding business problems that he experienced by the county. He advised that the county should protect the property owner.

Motion by Commissioner Canale, seconded by Commissioner Flowers to direct the developer to complete the project within 90 days. The question of compliance was discussed by Mr. Dodezal. Upon roll call, all Commissioners voted aye. Motion carried. Staff to report back in 30 days.

**G. ASSISTANT COUNTY ADMINISTRATOR:**

**1. REQUEST FROM HIGHLANDS COUNTY CONCERT BAND**

No action was taken. See SMB 27 Page 147 for copy.

**2. RECOMMENDATION FROM LOCAL LAW ENFORCEMENT BLOCK GRANT ADVISORY COMMITTEE**

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to accept the recommendations of the Public Safety Coordinating Council that grant funds be expended to place an additional School Resource Officer in the Highlands County public schools. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 148.

**H. BOARD ATTORNEY**

**1.** Ross Macbeth gave an update on the " Ludwig vs. Highlands County" case. The Board discussed the cost incurred for the county and suggested that an Executive Session should be held. Mr. Macbeth announced the session for December 17, 1996 at 11:30 a.m.

**2. OUTSTANDING WORKMAN COMPENSATION CLAIM-CLAIMANT-**

**DAVID HERNANDEZ**

Motion by Commissioner Canale, seconded by Commissioner Flowers to accept settlement claim for David Hernandez in the amount of \$10,000, inclusive of his attorney fees as full compensation for additional future medical benefits. Upon roll call, all Commissioners voted aye. Motion carried.

**I. COUNTY ADMINISTRATOR**

**1. APPOINTMENTS TO PLANNING AND ZONING COMMISSION AND ZONING BOARD OF ADJUSTMENT/LOCAL PLANNING AGENCY**

Motion by Commissioner Canale, seconded by Commissioner Flowers to accept Mr. Glenn Hunter's resignation and to appoint Bill Borgemeister as the permanent position. Upon roll call, Commissioner Maxcy voted nay. All other Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Maxcy to appoint Wilson Elliott from Avon Park as the alternate. Commissioner Maxcy withdrew his second. No other second was received. The motion died.

Motion by Commissioner Flowers to appoint David Johnson from Lake Placid as an alternate. Seconded by Commissioner Maxcy. Upon roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried. Commissioner Maxcy suggested a workshop with an attendance record of the committee. See SMB 27 Page 149.

**2. AVON PARK CONSTRUCTION & DEMOLITION LANDFILL**

The County Administrator presented specifications for an Invitation to bid, to sell the Avon Park Landfill Facility. Commissioner Maxcy suggested an addition to the bid to include a per ton price to be specified by the bidder. Ross Macbeth advised against the sale, due to the potential liability.

After Board discussion, the Chair opened the floor to the public. Clayton Womer suggested a clause absolving all county liability. Richard Conover questioned the liability clause. Hank Kowalski spoke in opposition.

The Board took no action on this item. See SMB 27 Page 150.

**3. RECOMMENDATION OF APPOINTMENTS TO PROFESSIONAL SERVICES ACQUISITION COMMITTEE**

Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve the recommendation of Carl Cool to appoint a special Professional Services Acquisition

**BOOK 17 PAGE 104**

Committee for the Arbuckle Landfill Cell 1-B design and closing only, as follows:

Bill Lecher, Chair  
Vaden Pollard  
Jerry Earnest  
Charles Crown  
George Von Drak

Richard Conover questioned the appointment of George Von Drak due to his attendance record. The County Administrator was directed to locate another appointee to fill Mr. Von Drak's slot. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 151.

**4. THOMAS PORTZ-DESIGNATED AS EXPERT FINANCE MANAGER**

Carl Cool read into the record a letter from the Professional Certification Board of Government Accountants, advising that Thomas Portz has successfully met the certification requirements as an expert government finance manager.

**5. DAVID E. BRYANT- COMMENDATION LETTER FOR BOARD ATTORNEY**

Mr. Cool shared with the Commission a letter of commendation for Ross Macbeth, Board Attorney.

**J. CONSENT AGENDA ITEMS DISCUSSION**

**ITEM #2- CORRECTION TO MINUTES OF 11/19/96**

Chairman Barrett presented a plaque for Doris M. Gentry, outgoing Commissioner in appreciation for outstanding service, 1988-1996.

**ITEM #8- APPOINTMENTS TO CITIZENS ADVISORY TASK FORCE**

Richard Conover questioned the number of members on the committee. No action was taken.

**ITEM #6- QUESTION FROM COMMISSIONER CANALE ON BUDGET AMENDMENT 95-96-333.**

Mike Eastman explained that the Landfill is an Enterprise Fund and this is an appropriation. Rick Helms advised that the administration expense covers the services that are provided by the General Fund to that Enterprise Fund and recovers those costs back to the General Fund.

**J. CONSENT AGENDA:**

Motion by Commissioner Canale, seconded by Commissioner Flowers to approve the Consent agenda as listed:

**1. Approval to pay all duly authorized bills:**

Law Library	461.00
General	334,343.64
County Transportation Trust	30,316.26
E911 Operations	10,840.02
Intergovernmental Radio Communications	690.92
Local Govt Infrastructure Surtax	14,708.51
Affordable Housing Assistance	1,098.08
Correctional Facility	900.00
Government Center	66,277.50
Solid Waste	5,530.94
Water/Sewer	242,522.76
Risk Retention	1,479.75
Employee Benefit	73,242.48

See Check Register for detailed information

2. Approval of minutes of 11-12 special meeting, 11-12 workshop and 11-19 meeting
3. Approval of Preliminary Assessment Roll for Nuisance Abatement. See SMB 27 Page 152.
4. Approval to declare nuisance case #9697-015. See SMB 27 Page 153.
5. Approval of bonds for Sheriff, Property Appraiser and Supervisor of Elections
6. Approval of budget amendments 95-96-333, 96-97-051, and 054
7. Approval of resolutions and budget amendments 96-97-052 and 053. See Res. Book 10 Page 118.
8. Appointments to Citizens Advisory Task Force. See SMB 27 Page 154
9. Approval of EMS Mutual Aid Agreement with Desoto County. See EMS file for copy.
10. Approval of amendment to Habitat for Humanity Agreement. See SMB 27 Page 155.
11. Approval of Heartland Library Cooperative Circulation Policies. See SMB 27 Page 156.
12. Approval of addendum to patron Services Policies. See SMB 27 Page 156.

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

**A. COMMISSIONER BARRETT: APPOINTMENTS TO STANDING COMMITTEES**

Motion by Commissioner Flowers, seconded by Commissioner Canale to ratify the appointments, Number 1-27 on the list as presented by the Chairman and the Board Attorney to come back with recommendations for Resolution appointments. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 157.

**6. COMMISSIONERS:**

1. Commissioner Canale reported that Commissioner Flowers and she was asked to attend a disabled Children's Christmas Party on December 21, 1996 at the VFW in Avon Park.
2. Permission was requested from Commissioner Canale for the Board to solicit funds for private donations to hold a Christmas Party for the county employees. Speaking on the item was Clayton Womer in opposition. Preston Colby presented comments regarding the structuring. No action was taken.
3. Commissioner Maxcy suggested an Executive Session with a settlement discussion to be held on all court cases. Ross Macbeth entered into the record the Ludwig, Heard and the Creel Pump cases for discussion on December 17, 1996.
4. Commissioner Flowers expounded on the Children's Christmas Party and advised that all Commissioners are invited.
5. Commissioner Flowers commended the Chamber of Commerce and the volunteers for the outstanding Christmas Parade in Avon Park.
6. The Chairman reminded everyone of the Christmas Parade in Sebring on 12/6/96.

**7. ADJOURN**

The meeting adjourned at 1:00 p.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 17 PAGE 107**

**WORKSHOP MEETING OF THE BOARD, DECEMBER 10, 1996**

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:

J D Barrett	C Michael Eastman
Jeri Canale	Carl Cool
James L Gose	J Ross Macbeth
C Guy Maxcy	Louise Graham
David Flowers	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner C. Guy Maxcy. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

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

The Board Attorney listed cases to be discussed for settlement negotiations related to litigation on December 17, 1996 at 11:30 a.m.

- (1) Heartland Environmental Council, Inc. v. Department of Community Affairs and Highlands County, State of Florida, Division of Administrative Hearings, Case No.94-2095GM
- (2) Jeffrey K. Ludwig v. Board of County Commissioners of Highlands County Circuit Court for Highlands County, GC95-270
- (3) Jimmy Heard and Marilyn M. Heard v. Highlands County Circuit Court for Highlands County, GC96-268
- (4) Jimmy Heard and Marilyn M. Heard v. Highlands County Circuit Court for Highlands County, GC96-266
- (5) Jack R. Lennon and Blanche Lennon v. Highlands County Board of County Commissioners Circuit Court for Highlands County, GC96-36
- (6) Highlands County v. Jack F. Terry and Gwen B. Terry Circuit Court for Highlands County, GC95-493

4. **PROPOSED ORDINANCE ON LITTERING**

Proposed ordinance presented by the County Administrator. This ordinance was adopted by the City of Avon Park. It addresses the concerns of unsolicited papers.

Commissioners Flowers and Maxcy spoke in support of the ordinance. Peggy Chapman, "Keep Highlands Beautiful", Executive Director, stated that unwanted papers is the second largest complaint in the county. Jim Polatty, Development Service Director, advised that part of the problem has already been addressed in our ordinance.

Commissioner Gose spoke in opposition to the Avon Park ordinance. He advised that the Board should consider the newspaper's first amendment rights.

Commissioner Canale advised that the Board would be restricting people who are trying to earn a living. The Chairman stated that it is forcing the employee to be responsible.

Alan Decker, Code Enforcement, compared the two ordinances and stated that we do not have a code that deals with litter. There is nothing that regulates handbills, advertising or newspapers. The county should have something that prohibits posting signs on telephone poles. Commissioner Maxcy stated that this is an unnecessary expansion of the Code Enforcement.

The Chair opened the floor to the public. Ed McNamara, a former postal worker, spoke regarding the limitations required. He stated that you must mail or throw to everyone. Clayton Womer spoke in opposition to the ordinance.

The consensus of the Board was to direct the County Administrator to send a letter to the paper and ask for consideration. Peggy Chapman suggested that the Board consider a way to educate the public to ask for discontinuance of the paper if not wanted.

## 5. LONG RANGE PLANS

Carl Cool shared with the Commission some of the long range plans that are currently in place as listed:

- I. **Solid Waste** (20 year plan)
  - A. Recycling Program funded from grants and work release effort
  - B. Hazardous Waste Collections (partially from grants)
  - C. Biohazardous Waste Drop-off Centers
  - D. New Landfill site and design by in-house staff (placed into operation this year)
  - E. Mandatory garbage collections (effective October 1990)
- II. **Capital Improvement Plan**
  - A. 5-year plan for roads, buildings and recreation facilities
  - B. Expanded to a 10-year plan this year
  - C. Revenue projections to pay for the needed projects on the CIP
- III. **Buildings and properties** (for County and State offices the Board is required to supply Downtown for the one-stop shopping concept)
  - A. Building needs - 15 year need without expansion



- B. Lands needed for the parking around the buildings

**IV. Jail and facilities**

- A. Detailed 20-year plan completed
- B. Lands purchased for the 20-year need completed
- C. First phase of construction about 80% completed
- D. Next phase already planned out

**V. Children and families**

- A. Children's Services Council
- B. Children's Service Foundation
- C. Safe House
- D. Children's Advocacy Center
- E. Reorganizing the Human Services Dept. and doing away with the Welfare Dept.

**VI. Comprehensive Plan**

- A. Adopted the first Plan in 1991
- B. Amended the Plan to bring it into compliance with state statutes in 1993
- C. Recently successfully defended the Plan against a challenge from Heartland Environmental Council
- D. Will soon embark upon the effort to develop a Strategic Economic Plan
- E. Will soon be developing a revision to the Comp Plan called the EAR (Evaluation and Appraisal Report)

**VII. Countywide Libraries**

5-year plan - just updated by Library Board

Discussion on priorities:

1. Maintenance of roads
2. Strategic Plan
3. EMS and Fire
4. Recreational
5. Housing

The Chair suggested a meeting with other agencies to discuss long range plans. Mr. Cool recommended a meeting with each city first, rather than a countywide workshop, to avoid an unstructured meeting. Commissioner Canale suggested a retreat.

The workshop was opened to the public. John Clark, Board of Supervisors of Sun'n Lake Improvement District, asked that the district also be included in the workshop to discuss Long Range Plans for the county. See SMB 27 Page 159.

Break 10:21 a.m. - 10:36 a.m.

**6. POLICY AND PROCEDURE MANUAL FOR FUTURE ADOPTION**

The Chairman recommended that Commissioners review and present suggestions back to him in writing. This item to be placed back on the agenda. The consensus of the Board was study and review before adoption in order to give the Board more flexibility.

**7. CAPITAL IMPROVEMENT PLAN FUNDS RELEASE**

At the November 16 Board meeting, the Board of County Commissioners approved the two road projects of Howey Road extension and Sebring Drive side road to be eliminated from the approved CIP. The Board requested the possible re-allocation of the approximately \$60,000 to be workshopped.

To aid in the decision-making process, a list of ideas were presented by Mr. Cool:

- A) Let the funds be added to the Infrastructure Contingency. This would raise the contingency from \$200,000 to \$260,000, with a total 96-97 budget infrastructure contingency going up from 3.54% to 4.60%.
- B) Re-allocate the funds for an expected overrun in the right-of-way cost of Daffodil St. extension caused by ownership changes (Firm appraisals are now in).
- C) Re-allocate the funds for the median entrance to Sun 'n Lake Blvd. Due to a requested road alignment change
- D) Re-allocate the funds to help Sebring Airport Authority bring a new business to the Sebring Airport.
- E) Re-allocate the funds to provide monies for an adult softball field.

Staff suggestion are to reallocate to either A or B items.

After Board discussion it was a general consensus to address C.D. and E.

The Chair opened the floor to the public regarding Item C, Sun'n Lake Blvd. John Clark, Liaison for the district, presented proposal for the design to enhance the new entrance to the district. Bill Lecher explained that staff is looking at other alternatives and he will come back with additional cost.

Mike Eastman left the meeting at 11:26 a.m.

Robert Severino, President of the Homeowners Association, expressed concern for loss of identify for the subdivision. Carl Cool spoke regarding the level of service. Commissioner Canale stated that the county should restore what they did have. The Chair closed the session with the Sun'n Lake issue.

11:30 a.m. opened to Sebring Airport Authority, Item D.

John Haviland made a presentation to the Board regarding an Ohio based company moving to the Sebring Airport and the benefits to be derived from the location of a new

representative. A request was made for the county to provide funds for a match of \$75,000 for a rural development grant and \$11,000 for engineering cost incurred by the airport. A final commitment cost of \$60,000 to provide fill was requested as an in-kind contribution. Public input was received from Clayton Womer speaking in opposition. Carl Cool responded to the comments. Richard Conover questioned the amount of funds to be given. Haywood Taylor stated that this project is a joint effort by the EDC and the Airport. Commissioner Gose and Canale presented closing statements. The Chair directed Mr. Cool to place on December 17 agenda and staff to work with the Clerk to locate funds. See SMB 27 Page 160.

**8. DANGEROUS ANIMAL ORDINANCE CONSIDERATION**

Carl Cool reviewed the Director of Animal Control's memo with recommendations that are in place to control dangerous animals. Discussion ensued regarding the Avon Park City ordinance. The Chair called for input from Michael Carr. Mr. Carr presented circumstances that has occurred with three (3) dogs retained by his neighbors. Keith Albritton spoke regarding necessary procedures. Ross Macbeth was instructed to come back with procedures that are missing from the statutes for a dangerous dog determination. Joe Snoll from Lake Placid spoke regarding the proposed change. See SMB 27 Page 161.

The meeting adjourned at 12:45 P.m.

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Chairperson

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

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**REGULAR MEETING OF THE BOARD, DECEMBER 17, 1996**

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:

J D Barrett	C Michael Eastman
Jeri Canale	Carl Cool
C Guy Maxcy	J Ross Macbeth
James L. Gose	Louise Graham
David Flowers	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count and the Farm Report for the period ending December 17, 1996.

- B. Clerk**

No report given.

- 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 Board Attorney advised that he will not be available on Monday at the beginning of the scheduled public hearing. He will be attending a Pre-Trial Release schedule with Atty. Wendell Whitehouse. The Board might want to delay the public hearing for about 15 minutes for that purpose.

The Chair announced that he has appointed Commissioner Canale to serve on the Florida Association of Counties, Board of Directors.

- D. "Blue Lights" Proclamation**

Presentation by Lt. Susan Benton.

Motion by Commissioner Canale, seconded by Commissioner Maxcy to adopt Proclamation declaring the week of December 20th to December 30th this year and each year hereafter, to participate in honoring law enforcement officer's through "Project Blue Light". Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 120.

4. **CITIZENS NOT ON AGENDA:**

1. Mr. Keith Renish spoke to the Board regarding Vantage Point subdivision and the problems associated with the developer. The Chairman asked that Mr. Renish refer the matter to him for discussion. Refer to the tape for further details.

2. Mr. Hank Kowalski spoke regarding the problems associated with the Board granting a permit to a carnival to operate in a residential neighborhood. The Chair explained the process involved with staff and the necessity to correct an error.

**5. ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Canale to set the Action Agenda with the addition of Item 13 on the Consent Agenda - Certificate of Need for Helicopter Service for Tampa General and the discussion on Items #3-7-10. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Public hearing to consider changes to Chapter 12, Code of Ordinances**

SECOND PUBLIC HEARING: Proposed changes to Chapter 12 pertaining to the limitation on signs, Community Residential homes, and water bottling and distribution plant. The recommendation of the Planning and Zoning Commission was to recommend approval as submitted with the revision of “no off-site signs permitted” in the M-2, RV Parks and campground zoning districts.

Proof of publication presented into the record. See Proof of Publication Ordinance Book 1 Page 153. The Chair opened the floor to the public. Hank Kowalski suggested that the Natural Resource Advisory Council should be involved in the input of this ordinance. The County Administrator and the Development Services Director responded to the suggestion. The Board discussed the overregulation. Atty. Wendell Whitehouse spoke in favor of the ordinance.

Motion by Commissioner Canale, seconded by Commissioner Flowers to adopt ordinance for proposed changes to Chapter 12 pertaining to the limitation on signs with the revision of “no off-site signs permitted” in the M-2, RV Parks and campground zoning districts. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Public hearing to consider a Resolution approving the Community Redevelopment Plan for the Sebring Regional Airport and Industrial Park Community Redevelopment Area**

Proof of Publication entered into the record by Mike Willingham. See Proof of Publication Ordinance Book 1 Page 154. Captions of the Resolution read into the record by the Board Attorney.

Motion by Commissioner Canale, seconded by Commissioner Flowers to adopt Resolution approving the Community Redevelopment Plan for the Sebring Regional Airport and Industrial Park. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 121.

**C. Public hearing to consider an Ordinance establishing a Redevelopment Trust Fund for the Sebring Regional Airport and Industrial Park Community Redevelopment Agency**

Proof of Publication entered into the record. See Proof of Publication Ordinance Book 1 Page 155. Captions of the ordinance read into the record by the Board Attorney. Commissioner Maxcy suggested that a sunset clause be added to the ordinance. After discussion by the Commission, a motion was made by Commissioner Flowers, seconded by Commissioner Canale to adopt ordinance establishing a Redevelopment Trust Fund, providing tax increment financing to fund the Redevelopment Trust Fund. Upon roll call, Commissioners Flowers, Canale, Gose and Barrett voted aye. Commissioner Maxcy voted nay. Motion carried.

**D. Mike Willingham, Sebring Airport: Building site requirements for project 36-36-60**

Jim Stanfill, EDC, Executive Director, discussed with the Commissioners the building site requirements for the Sebring Airport Authority/EDC Project 36-36-60. See SMB 27 Page 164 for copy of presentation.

Carl Cool presented recommendation for the Board to provide the money to the Airport in the form of a loan. The loan to be paid back with the tangible personal property taxes anticipated to be approximately \$40,000 per year. In essence, the Board would be forgiving a portion of the loan each year as the additional taxes came in. The money would be paid back in approximately six (6) years. Mr. Cool recommended the \$200,000 be taken from the Infrastructure Contingency and the \$50,000 from the revised CIP funds. Commissioner Canale presented comments on the Sun'n Lakes entrance request and how that need could be met.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Board Attorney draft an Interlocal agreement providing for the loan of up to \$250,000 for site preparation work at the Airport with the repayment to come from the increase in the tangible personal property tax. Commissioner Gose amended the motion to specify that the Board have a signed contract from 36-36-60. Commissioner Maxcy suggested a workshop with the SAA to discuss revenue. Carl Cool noted for the record that his recommendation comes without the recommendation from the budget office. Commissioner Gose recommended that the lease state that Project 36-36-60 remain at the Airport for five (5) years. Commissioner Maxcy also suggested language to be added to the lease. Mr. Stanfill advised that the lease can be negotiated through the attorney. See SMB 27 Page 165

The Chair opened the floor to the public. Clayton Womer and Richard Conover spoke in opposition. Jim Cash questioned the status of the Daffodil Extension.

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

Break 10:30 a.m. - 10:45 a.m.

**E. District Sec. David Twiddy, DOT: Five-year Work Plan**

District Secretary David Twiddy introduced staff and gave a small presentation. Norm Feder, Director of Planning and Programs, presented the Draft Tentative Work Program for Fiscal Years 1997-98 and through 2001/02 with a listing of all significant additions, advances, deferral and deletions for highway and bridge projects in the county. See Department of Transportation file for copy.

Mike Willingham commended DOT for the support and hard work given to the Airport.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Plan as presented. Upon roll call, all Commissioners voted aye. Motion carried.

Break 11:30 a.m. - 11:39 a.m.

The Chair asked for a delay of Item "F" in order to hear the scheduled Executive Session.

The Chairman read into the record the following proceedings:

**G. 11:39 a.m.: Executive Session to discuss settlement negotiations or strategy related to litigation expenditures pertaining to the pending litigation listed below. The persons attending this session are Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose, David W. Flowers, County Administrator Carl Cool, County Attorney J. Ross Macbeth and a certified court reporter:**

- (1) Jeffrey K. Ludwig v. Board of County Commissioners of Highlands County  
Circuit Court for Highlands County, GC95-270
- (2) Jimmy Heard and Marilyn M. Heard v. Highlands County  
Circuit Court for Highlands County, GC95-268
- (3) Jimmy Heard and Marilyn M. Heard v. Highlands County  
Circuit Court for Highlands County, GC96-266
- (4) Jack R. Lennon and Blanche Lennon v. Highlands County Board of  
County Commissioners  
Circuit Court for Highlands County, GC96-36

The meeting reconvened at 2:00 p.m. with all members present

**G. Jim Fitch, Historic Preservation Commission: Request for matching funds**

Mr. Fitch presented a letter into the record from the Division of Historical Resources in support of the project. See SMB 27 Page 166. Additional information was also given regarding historical sites.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve an expenditure of \$14,000 matching funds and budget amendment for the Second Phase Archaeological Survey as requested by the Historic Preservation Commission. Speaking in favor of the project was Von Whitesides, Hank Kowalski and Richard Conover.

Upon roll call, Commissioners Flowers, Maxcy, Gose and Barrett voted aye. Commissioner Canale voted nay. Motion carried.

**H. Development Director:**

**1. Sun 'n Lake Preserve Grant Award Agreement**

The Board Attorney presented modifications to the agreement. Refer to the tape for identification.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve the Sun'n Lake Preserve FCT Project #94-042-P4A revised Grant Award Agreement with changes as presented. Upon roll call, all Commissioners voted aye. Motion carried.

**1-A. Draft Purchaser's Reconciliation**

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the Draft Purchasers reconciliation total project. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Discussion of mandatory water hook-up for Highway Park**

The Development Director discussed the requirements for installing water in this area. The Community Development Block Grant award requires that the county must connect all of the families in Highway Park that are of very-low incomes. An ordinance was introduced to require that all buildings within the area of Highway Park install individual water meters to service each building. The residents will be given free hook-ups using SHIP and CDBG funds. Suggestions were made to amend the grant requirement for less hook-ups. Fred Fox presented information to help staff follow guidelines of the grant. Discussion regarding mandatory hook-ups. Tom Portz advised the Board of the financial ramifications that could be \$750,000. Mike Eastman questioned how many households are required. Staff advised that 51% of the population must be hooked-up. David Heacock also presented information on the requirements. The Chair opened the floor to the public. Silva McGahee spoke regarding the need for water in the area. Richard Conover spoke in regards to deferring the hook-ups. Staff to proceed with a soft mandatory ordinance. See SMB 27 Page 167.

**I. County Engineer:**

**1. Government Center Monthly Progress Report**

Bill Lecher presented the first monthly progress report on the Government Center project as prepared by Peter Brown Construction. The project manager also attached a critical path that outlined the various activities on the project. Discussion ensued. Mike Eastman asked if the steel that was delivered this morning was the structured steel listed on the detailed schedule. The County Administrator and Engineer replies that it was. Refer to the Government Center file for copy.

**2. DeSoto City Landfill cell #3 closure - bid acceptance and contract approval**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to accept the low bid in the amount of \$578,255 and approve the execution of the contract with ERC as the low bidder. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 168.

**3. DeSoto City Landfill cell #3 - contract for geotechnical testing**

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve execution of the contract with PSI as presented in the amount of \$51,329.20 for phase II of geotechnical testing on the closure of cell #3, Desoto City Landfill. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 169.

**J. Assist. County Administrator: Medical payment - budget amendment 96-97-57**

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve a budget amendment to cover a medical expenditure for Manzie McKenzie, work release personnel, who was not covered by the county insurance. This expenditure to be paid to the provider. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 170.

**K. Board Attorney**

No report

**L. County Administrator**

**1. Presentation of Annual Report.** See Reports file for copy.

**2. Proposed Interlocal Agreement on Sebring Airport**

Motion by Commissioner Flowers, seconded by Commissioner Gose to approve Interlocal Agreement with the City of Sebring to facilitate the City providing government service to the Sebring Airport and Industrial Park. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 171.

**3. Recommendations on Sebring Airport Authority**

Completed at the beginning of the agenda.

**4. Long Term Lease for Parking Lot**

Carl Cool reported that he will be attending the City Council meeting for discussion on a long term lease for the Parking Lot.

**M. Consent agenda:**

Discussion on Items #3-#7 and #10. Staff to report back on Item #3, regarding Pre-Trial Release Program. Item #10 was explained by the County Engineer.

Motion by Commissioner Canale, seconded by Commissioner Flowers to approve the Consent Agenda with the addition of Item #13. The Chair called for input from the floor. Richard Conover presented questions



regarding the hydrilla treatment contract. Commissioner Flowers suggested additional information be provided in the Annual Report regarding building permits.

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

<b>Law Library</b>	<b>1,259.25</b>
<b>General</b>	<b>1,497,494.12</b>
<b>County Transportation Trust</b>	<b>65,192.03</b>
<b>E911 Operations</b>	<b>672.80</b>
<b>InterGovt Radio Communications</b>	<b>23,200.00</b>
<b>Law Enforcement Education</b>	<b>1,191.78</b>
<b>Local Govt Infra Surtax</b>	<b>195,014.10</b>
<b>Affordable Housing Assistance</b>	<b>30.50</b>
<b>Correctional Facility</b>	<b>42,056.45</b>
<b>Government Center</b>	<b>5,751.76</b>
<b>Solid Waste</b>	<b>15,103.11</b>
<b>Water/Sewer</b>	<b>6,711.90</b>
<b>Risk Retention</b>	<b>96,751.56</b>
<b>Employee Benefit</b>	<b>199,349.98</b>

**See Check Register for detailed information**

- 2. Approval of minutes of 12-3-96 meeting**
- 3. Accept into record - November Monthly Report**
- 4. Approval to accept Medicare payment, Mr Richard Griest. See SMB 27 Page 172.**
- 5. Approval of resolutions and budget amendments 95-96-334 and 96-97-58 and -59. See Res. Book 10 Page 122.**
- 6. Approval of Clerk's request to trade in equipment. See SMB 27 Page 173.**
- 7. Approval of helicopter contract for hydrilla treatment. See SMB 27 Page 174.**
- 8. Approval of Hospital District's grant to Children's Services for eye test funding.**
- 9. Approval of request to record nuisance release, case #9596-093. See SMB 27 Page 175.**
- 10. Approval of change order to contract for Tomoka water treatment plant expansion. See SMB 27 Page 176**
- 11. Acceptance of grants of easement for Fransvilla water line expansion. See SMB 27 Page 179.**
- 12. Approval of bond for Tax Collector**
- 13. Approval of the Certificate of Necessity for Tampa General Hospital. See SMB 27 Page 177.**

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

**6. COMMISSIONERS**

**1. Commissioner Maxcy- Recommendations on Insurance**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve Insurance recommendations as stated:

**BOOK 17 PAGE 120**

Item #1: Recommendation to expand the Section 125 “Cafeteria Plan”

Item #2: Recommendation to pay for county employees hepatitis shots from the Insurance Fund

Item #3: Recommendation to approve amendments to Plan Document

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 27 Page 178 for copy.

**2. Response to Jeff Ludwig Court Case-County Administrator**

Carl Cool requested approval of a budget amendment from the Reserve from Contingency in order to release the payment to Jeff Ludwig as discussed in the Executive Session. The Board Attorney discussed the reply received from James McCollum, Attorney. At that time the Chair recessed the meeting at 3:55 p.m. to allow Board Members time to review the offer.

The Chair called the meeting back to order at 4:05 p.m. with all members present.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to go to court in the case Highlands County vs. Ludwig and the county make no further offers. Atty. McCollum declined the Board’s offer and upon roll call, all Commissioners voted aye. Motion carried.

**3. Commissioner Gose-Infrastructure Funds**

Mr. Gose recommended that the Board earmark infrastructure funds in the future for an emergency.

**4. Commissioner Canale- Direction to Mr. Cool- set a workshop in January for goal-setting.**

**7. ADJOURN**

The meeting adjourned at 4:13 p.m.

\_\_\_\_\_  
Chairperson

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

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**SPECIAL MEETING OF THE BOARD, DECEMBER 20, 1996**

1. The meeting was called to order at 4:00 p.m. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

J D Barrett	C Michael Eastman
Jeri Canale	Carl Cool
Guy Maxcy	J Ross Macbeth
James L Gose	Louise Graham
David Flowers	

2. Carl Cool presented the Proof of Publication into the record. He stated that a copy of the notice was placed on the bulletin board and was also faxed to the radio stations and the newspapers. See SMB 27 Page 181 for copies of fax transmission and notice.
3. The Chairman stated that this special meeting was called to discuss the pending lawsuit of Jeffrey K. Ludwig vs. Highlands County.
4. The Board Attorney presented a Mediation Stipulation and explained the contents therein. See SMB 27 Page 182.
5. Ross Macbeth stated that this meeting was necessary for advertisement purposes if the Board desires to hold an executive session on Monday, December 23, 1996.

Motion by Commissioner Gose, seconded by Commissioner Flowers to discuss this Lawsuit in an executive session on Monday, December 23, 1996 at 11:00 a.m. The Chair opened the floor to the public. Preston Colby spoke to the Board regarding disclosure of Mediation Stipulation Article Number 5. Upon roll call, all Commissioners voted aye. Motion carried.

6. Mr. Macbeth announced the Executive Session to be held on Monday December 23, 1996 11:00 a.m.

Executive Session to discuss settlement negotiations or strategy related to litigation expenditures pertaining to the pending litigation listed below. The persons attending this session are Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose, David W. Flowers, County Administrator Carl Cool, County Attorney J. Ross Macbeth and a certified court reporter:

Jeffrey K. Ludwig v. Board of County Commissioners of Highlands County  
Circuit Court for Highlands County, GC95-270

7. Adjourn:  
The meeting adjourned at 4:12 p.m.

\_\_\_\_\_  
Chairperson

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

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**BOOK 17 PAGE 128**

**SPECIAL MEETING OF THE BOARD, DECEMBER 23, 1996**

1. The meeting was called to order at 11:00 A.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

J D Barrett	C Michael Eastman
Jeri Canale	Carl Cool
Guy Maxcy	J Ross Macbeth
James L Gose	Louise Graham
David Flowers	

2. A special meeting was called by the Chairman at 11:01 a.m. for the purpose of an Executive Session to discuss settlement negotiations or strategy related to litigation expenditures pertaining to the pending litigation listed below. The persons attending this session are Commissioners C. Guy Maxcy, Jeri Canale, John D. Barrett, James L. Gose, David W. Flowers, County Administrator Carl Cool, County Attorney J. Ross Macbeth and a certified court reporter, Pam Colding:

Jeffrey K. Ludwig v. Board of County Commissioners of Highlands County  
Circuit Court for Highlands County, GC95-270

3. Proof of Publication entered into the record. See SMB 27 Page 183.  
4. The time now being 11:05 p.m., the meeting was recessed to go into Executive Session.  
5. Special meeting reconvened at 12:05 p.m. with all members present.  
6. Instructions presented by the Board Attorney regarding settlement of the Ludwig Lawsuit. Motion by Commissioner Gose, seconded by Commissioner Flowers to approve the mediation stipulation as provided, a budget amendment and a hand-cut check in the amount of \$20,000 for attorney's fees and costs. The check to be issued on Monday, December 23, 1996 at which time the case will be dismissed with prejudice. Chairman Barrett disclosed a voting conflict with Mr. Ludwig as he is a business partner. The County Administrator advised that the Board's errors and omissions insurance policy would cover the entire portion of this payment. Preston Colby asked that all the terms and conditions of the settlement be placed into the record. Carl Cool asked that a copy of the letter as stated in paragraph two become a part of the record. Upon roll call, Commissioners Gose, Flowers and Canale voted aye. Commissioner Maxcy voted nay and Commissioner Barrett abstained. Motion carried. See SMB 27 Page 182 and Jeff Ludwig Litigation File for information.

7. Adjourn  
The meeting adjourned at 12:24 p.m.

\_\_\_\_\_  
Chairperson

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

Clerk

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