

REGULAR MEETING OF THE BOARD, JANUARY 7, 1997

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 C. Guy Maxcy. The Pledge was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **SHERIFF**

Lt. Benton presented the Daily Jail Log of inmate Count for the period ending January 7, 1997. An annual summary of the Work Program was also given. Savings realized for providing the Work Program and the incarceration savings were discussed.

- B. **CLERK**

No report given

The Chairman advised that a recess will be held at 9:45 a.m. for the investiture Ceremony of the elected officials at the courthouse.

- C. **FUTURE UPCOMING MEETINGS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool also noted that Vaden Pollard was picked as the Florida Association of Counties Rural Superintendent or Engineer of the year. Fred Carino, Personnel Director, introduced new staff member, Personnel Clerk, Cheryl McKinney.

4. **CITIZENS NOT ON AGENDA:**

1. Comments were received from Richard Conover covering various topics. Refer to tape for details.
2. Joan Pflueger reported on the spraying problem in Lake Josephine. She requested "no spraying" from April 1 to October 1. Commissioner Canale suggested a consideration of the request. Mr. Cool advised that spraying is needed during the summer months to control the growth. She also requested that the Board reconsider the paving of Riverdale Road.
3. Hank Kowalski spoke regarding statements made by a County Commissioner on a radio talk show regarding the county reaching the

20% threshold on conservation lands and the amount of lands designated on the FLUM. Other comments were given regarding the decision on paving Riverdale Road.

4. Pete Pollard, Director of the CRA, presented comments regarding the construction of SE Lakeview Drive, the lateness of completion and the negative impact on downtown Sebring. The Chairman suggested a letter from the Board to DOT addressing these concerns with Vaden Pollard's approval.
5. Willow Vance, Better Business Council, suggested the establishment of a "Legal Aid Service" in Highlands County. She suggested that Atty. Wendell Whitehouse as president should request funding from the Florida Bar. Atty. Jim McCollum reported that Highlands County is served by the Florida Rural Legal Services. The Board Attorney explained the process to provide this service to the county. The Chairman to follow through with her request.
6. Preston Colby addressed Mr. Maxcy and apologized to him and his family, for statements made and printed by the newspaper.

Recess 9:50 - 10:45 a.m

5. ACTION:

Motion by Commissioner Canale, seconded by Commissioner Barrett to remove Items #1 and #5 for discussion. 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 Flowers to set the Action Agenda as listed with an addition of item #11 - a letter to DOT with concerns regarding construction of the Snob Hollow area. The Chair called for input on the motion. Preston Colby requested information on item #10. The Chair advised that discussion will be provided at that designated time. Upon roll call, Commissioner Canale voted nay. All other Commissioners voted aye. The motion carried.

A. PRESTON COLBY: WORKPLACE SAFETY COMMITTEE - PUBLIC NOTICE

Mr. Colby addressed the public notice problem with the Workplace Safety Committee. He also discussed the past executive sessions and problems related to how they were conducted. Mr. Colby suggested a two part answer to the problem. Select someone to provide advice and council to employees and the attorney to enter into mediation relating to past executive sessions. Ross Macbeth explained how the discussions are conducted and the necessity in order to settle cases. Commissioner Canale discussed the voting that occurred during the sessions and how that relates to the Government in the Sunshine manual. Mr. Macbeth advised that a final action cannot be taken in the session

but a consensus must occur. See SMB 28 Page 1 for copy of memo.

B. NICK SUDZINA, COURT ADMINISTRATOR: REQUEST FOR COURT REPORTER GRANT

Mr. Sudzina addressed the Board requesting approval of the Grant-In-Aid Agreement between the Office of the State Courts Administrator and Highland County Board of County Commissioners.

Motion by Commissioner Canale, seconded by Commissioner Gose to approve the Grant-in-Aid Agreement to authorize the sum of \$8,467.31 to be disbursed to Highlands County to assist in the funding for court reporting services. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 2.

C. HUMAN SERVICES DIRECTOR: APPOINTMENTS TO CHILDREN'S SERVICES COUNCIL

Request presented by Kevin Roberts.

Motion by Commissioner Gose, seconded by Commissioner Canale to accept the resignation of Amada Bouffard and Anne Clinard. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Canale to waive Board policy and appoint Karlene Merwin and Sandy Kuhn as members to the Children's Services Council and to also appoint Anne Clinard as an **Honorary** member. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 28 Page 3.

D. OPERATIONS DIRECTOR: AQUATIC PLANT PROGRAM

Vaden Pollard gave an update on the hydrilla treatments for Highlands County.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve a budget amendment for the realignment of funds for a large scale hydrilla treatment on Lake Istokpoga. The Chairman opened the floor to the public. Joan Pflueger asked the contents of the chemical. Mr. Pollard advised that Sonar SRP was the chemical name. She suggested a notice in the newspaper not to eat fish within three (3) days. Richard Conover presented questions regarding budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 4.

Recess 11:45 a.m. - 1:00 p.m.

**E. DEVELOPMENT DIRECTOR:
1. APPOINTMENTS TO NATURAL RESOURCES ADVISORY COMMISSION:**

Motion by Commissioner Canale, seconded by Commissioner Gose to appoint NRAC members for four-year terms beginning January 1, 1997 and affirm existing four year

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terms as noted in the memo. See SMB 28 Page 5 for copy. The Chair called for comments from the public. Hank Kowalski asked for clarification- whether it should be stated committee or Commission. The Chairman asked for a correction to commission. Upon roll call, all Commissioners voted aye. Motion carried.

**2. PROPOSED SETTLEMENT AGREEMENT FOR FALL 1995
COMP PLAN AMENDMENTS**

Jim Pollaty reviewed with the Commission attachments that make up the Settlement Agreement principles and concepts agreed upon by both Highlands County and DCA and related questions. See Comp Plan file for copy.

Motion by Commissioner Gose, seconded by Commissioner Flowers to approve the Settlement agreement for Fall 1995 Comp Plan Amendments. Upon roll call, all Commissioners voted aye. Motion carried.

**3. DIRECTION ON ZONING MAP AND COMP PLAN FUTURE
LAND USE MAP.**

Consensus to approve staff recommendation as presented by Jim Polatty to either initiate rezones or Land Use Map amendments for various inconsistencies between zoning districts and Future Land Use Map categories on a case by case basis. The Chair opened the floor to the public. Dan Foley, Citrus Growers Association listed areas of concern. Hank Kowalski presented argument regarding the Carter Creek area. Consensus to accept Agriculture as a future land use category for Avon Park Estates and change estate zoning. Gary Lower, Zoning Supervisor, reviewed Attachment #3 and presented recommendations. See Comp Plan file for copy.

F. COUNTY ENGINEER:

1. UPDATE ON SEBRING EAST INDUSTRIAL PARK

Bill Lecher presented an update on the Sebring East Industrial Park. Requirements were discussed with Mr. David Plank and Mr. Neal Griffin. County staff marked the areas of pavement replacement and the developers stated that the drainage has been completed. A study has been presented that was performed by an engineer to check the concrete. Mr. Lecher has to review this study. The Board discussed the fact that the engineer was a brother of the developer. The Chair opened the floor to the public. Jim McCollum, representing the Property owners, thanked the Board for their assistance. He does not believe that the Water Management District will sign off on the report. Bill Lecher to contact water management and engineer.

**2. APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION ON
POWERLINE ROAD**

Motion by Commissioner Gose, seconded by Commissioner Flowers, to waive the Purchasing Manual requirement for a minimum of three (3) qualified professional firms to be selected for presentations, and to authorize the Professional Services Acquisition

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Committee to review the two (2) proposals submitted for qualifications and if they are selected as qualified, to proceed with negotiations with the most qualified firm. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 6.

G. ASST. COUNTY ADMIN.: RESOLUTION ON TOWNE PYPER

Motion by Commissioner Gose, seconded by Commissioner Flowers to adopt Resolution designating David Batty as Towne Pyper of the Highlands of Florida. Richard Conover suggested the Resolution be recorded in old English. Upon roll call, Commissioners Flowers, Canale and Barrett voted aye. Commissioners Gose and Maxcy voted nay. Motion carried. See Res. Book 10 Page 131.

Mr. Portz advised that an RFP was issued for bids at H.L. Bishop Park and no bids were received.

H. BOARD ATTORNEY:

1. AMENDMENT TO OPTION AGREEMENT ON SUN'N LAKE PRESERVE

The Board Attorney reviewed changes to the Agreement. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve amendment to Option Agreement with modifications for the Sun'n Lake Preserve. Hank Kowalski questioned if NRAC should have input to the amendment. Upon roll call, all Commissioners voted aye. Motion carried.

2. INTERLOCAL AGREEMENT WITH CITY OF SEBRING FOR CHILDREN'S ADVOCACY CENTER

Motion by Commissioner Maxcy seconded by Commissioner Canale to execute Interlocal Agreement with the City of Sebring to provide for the use of the old Highlands Avenue Minute Market as a Children's Advocacy Center. Upon roll call, all Commissioners voted aye. Motion carried.

The Board Attorney announced an Executive Session on January 21, 1997 at 11:30 a.m. to hear cases as listed:

Jack R. Lennon and Blanche v. Highlands County
Board of County Commissioners in Circuit Court - GC 96-36
Highlands County v. Jack F. and Gwen B. Terry in Circuit Court - GC 95-493

I. COUNTY ADMINISTRATOR

1. ITEMS FOR LEGISLATIVE DELEGATION

The Chairman suggested concerns should be placed in writing and given to the County Administrator before January 15, 1997.

Discussion was presented on the following items:

1. Commissioner Flowers - Main Street resurfacing in Avon Park
2. Commissioner Flowers - suggest DOT complete Highway

- 27 construction at night.
3. Maxcy-leakage from trucks should be investigated.
 4. Canale - remind the legislators that Highlands County agrees with the Florida Assoc. of Counties.
 5. Gose- rural counties are different than big city areas.
 6. Gose-suggest the county contribute housing to staff legislators.
 7. Carl Cool - Glitch bill dealing with the responsibility of maintenance of sidewalks.
 8. Carl Cool - next Legislative session- Petition that requires 20,000 signatures for new bass license plate. Revenue to go for funding of lakes. Consensus of the Board to pursue.

2. PROPOSED INTERLOCAL AGREEMENTS FOR FIRE INSPECTION INSIDE CITIES

Consensus to request that the Board ask Mr. Macbeth to draft a proposed Interlocal agreement providing for county inspections of county buildings inside the cities of Avon Park and Sebring. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 28 Page 7.

3. PROPOSED INTERLOCAL AGREEMENT FOR EVALUATION STUDY AND BUDGET AMENDMENT FOR \$5,000

Discussion regarding Interlocal Agreement. The Chairman requested that no action be taken. He will ask the Highlands County Water Task Force to report back in February and at that time we will decide if funding is needed. Motion by Commissioner Gose, seconded by Commissioner Maxcy to enter into the Interlocal Agreement to have an Evaluation Study made and that Highlands County approve the budget amendment and expenditure of up to \$5,000 for the study. After discussion by the Board, a motion was made by Commissioner Canale, seconded by Commissioner Flowers to table the motion until a report can be received from the Water Task Force. The Chair asked for discussion on the motion. Clayton Womer spoke in opposition to the study.

Commissioner Flowers asked if the report could be presented before February 14. The Chair replied that it would not be feasible. Upon roll call on the motion to table, Commissioners Canale and Barrett voted aye. Commissioners Flowers, Maxcy and Gose voted nay. The motion did not carry. Commissioner Flowers qualified the action on his vote, because of the Task Force being unable to report back before the date of February 14.

Upon roll call on the main motion, Commissioners Gose, Maxcy and Flowers voted aye. Commissioners Canale and Barrett voted nay. Motion carried. See SMB 28 Page 9.

4. PROPOSED AGREEMENT FOR SIDEWALK AT SCHUMACHER ROAD

Motion by Commissioner Canale, seconded by Commissioner Maxcy to approve the request with the School Board to accept their payment of \$9500 to have the portion of

the sidewalk next to Schumacher Road constructed that will not be constructed by Juniper Bay Development. Richard Conover questioned the location of the sidewalk. Lt. Benton addressed the need for the construction of sidewalks in the Western area. Upon roll call, Commissioners Maxcy, Flowers, Gose and Barrett voted aye. Commissioner Canale voted nay. The motion carried. See SMB 28 Page 10.

5. APPOINTMENTS TO INDUSTRIAL DEVELOPMENT AUTHORITY

Motion by Commissioner Gose, seconded by Commissioner Maxcy to appoint Jonathan Jones to the Industrial Development Authority to fill the remainder of Mr. J.W. Jones' term. Upon roll call, Commissioners Gose, Maxcy, Flowers and Barrett voted aye. Commissioner Canale voted nay. Motion carried. See SMB 28 Page 11.

6. HIGHWAY PARK LEASE

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve the Lease Agreement for the Highway Park Volunteer Fire Department with the elimination of item number 18 of the agreement. Upon roll call, all Commissioners voted aye. Motion carried.

I. CONSENT AGENDA:

Motion by Commissioner Gose, seconded by Commissioner Flowers to approve the Consent agenda as listed with an addition of a letter to DOT regarding SE Lakeview Drive.

1. Approval to pay all duly authorized bills:

Law Library	338.13
General	2,020,112.03
County Transportation Trust	60,750.43
E911 Operations	10,334.55
Intergovernmental Radio Communications	690.92
Local Govt Infrastructure Surtax	86,916.88
Affordable Housing Assistance	2,874.00
Government Center	114,746.48
Conservation Trust	300.00
Solid Waste	216,654.96
Water/Sewer	8,429.19
Risk Retention	18,881.11
Highway Park Utility	102.95
Employee Benefit	191,449.40

See Check Register for detailed information

- 2. Approval of minutes of 12-10-96 workshop, 12-12-96 and 12-20-96 special meetings, 12-17-96 and 12-23-96 meetings**
- 3. Appointment of John W. Clark to Professional Services Acquisition Committee. See SMB 28 Page 12.**

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4. **Approval of resolutions and budget amendments #96-97-67 and -70. See Res. Book 10 Page 132.**
5. **Approval of budget amendments #96-97-68 and #95-96-336**
6. **Approval to accept donated property - lot in Placid Lakes from Garrett H. and Margaret H. Shoemaker**
7. **Approval of street name changes in Avon Park Lakes area. See SMB 28 Page 13.**
8. **Approval to demolish EMS building. See SMB 28 Page 14.**
9. **Accept into record - transcripts of litigation sessions on case GC95-270 Jeffrey K Ludwig. See SMB 28 Page 15.**
10. **Approval to execute marina Improvement Agreement. Michael Knox.**
11. **Approval of a letter to DOT regarding the construction of the SE Lakeview Drive**

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

6. COMMISSIONERS

1. Commissioner Gose-Correction to the News Sun article. Commissioner Gose left the meeting at 3:45 p.m.
2. Commissioner Flowers- commended the efforts of all citizens who participated in the Christmas Tree Recycling Program. He especially thanked Mrs. Jane Barben and Mrs. Ardis Sutherland, who started the program with the Founders Garden Club. A request was made for a certificate of appreciation to the Garden Club. The Board gave a consensus.
3. Commissioner Canale commended the Sebring area for their participation in the Christmas Tree Recycling efforts.
4. Commissioner Canale reported on the drive for the Red Cross with the participation of Domino's Pizza.
5. Chairman Barrett reported on the Recycling Program in Lake Placid.

7. ADJOURN

The meeting adjourned at 3:52 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, JANUARY 14, 1997

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
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 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.

The Chairman advised that he would prefer no interruptions from the board members when the public is addressing the Board.

4. **GOAL SETTING - LONG RANGE PLANS**

The County Administrator reviewed the goals listed in the memo. He suggested a candidate list from each commissioner with a ranking of #10 as the highest. He would then rank the ten goals and bring back to the Board. Commissioner Canale suggested that the Board take the "Show on the Road" and hold meetings in the community. The Chair advised that he will be setting meetings with the cities, probably an evening meeting.

Commissioner Gose suggested that workshops should be compatible with the public, but regular meetings should still be held in the Boardroom. There are problems with tape recordings. Commissioner Canale asked for a follow-up from the County Administrator on "things to do". Commissioner Gose added to the list the extension of Snyder paving, for a potential, to be added to the CIP plan. Item #11, oversee the successful completion of Phase II of the new jail addition, to also be considered.

Commissioner Canale discussed a track of completion for complaint letters. She suggested a summary be included with monthly reports. The addition of the Library funding was also listed. See SMB 28 Page 16.

The Chairman asked for a " goals list" from the board members before the next workshop.

The Chair opened the floor to the public. Jim Cash requested that the agenda packet be placed on the Internet. Carl Cool addressed the issue and the volume of information

involved.

5. MERIT PAY INCREASES

Carl Cool reviewed the evaluation system for county employees. The Chair recommended the longevity benefit might be considered again. Merit pay was discussed by Fred Carino, Personnel Director. He recommended that the Board increase the pay ranges by 10,7 and 5% for capped pay grades. This would make the 27 capped employees eligible for an increase by next fall. See SMB 28 Page 17 for copy.

Commissioners Canale and Gose spoke regarding a bonus merit. Mr. Carino suggested that employees maximize deferred comp and the cafeteria program. This would save employees money and reduce FICA and other benefit costs to the county.

Mike Eastman gave an analogy between the county's pay increase program and that of the social security program. He stated that both are overburdened. The Board approved a 2-1/2% annualized increase. Out of this was to be a merit increase of 1-1/2% (average) given on 10/1/96, with a cost of living increase of 2% (average) given on 4/1/97, which annualizes to 1%. If we assume that the cost of living for this period is approximately 2½%, by giving merit increases to some employees will automatically limit the amount available for cost of living increases. Cost of living increases vary among individuals, but the 1% increase given probably doesn't cover it.

Mr. Maxcy discussed a budget reduction bonus scenario. Commissioner Canale suggested that we move into an incentive program. Public input was received from Mike Starveic in regards to better performance from employees. Bonus and capped employee discussion to be held at the next workshop.

Recess 10:21 a.m.- 10:40 a.m.

6. ROAD MAINTENANCE FOR PUBLIC, NON-MAINTAINED ROADS

1. Carl Cool reviewed some of the road maintenance problems.
2. Vaden Pollard updated the Board on the reconstruction and paving program. The project that includes paving dirt roads is funded by a 3-cent gas tax that was enacted in 1993. Since then 44 miles of roads have been reconstructed and 20 miles have been paved. In addition, 108 miles have been resurfaced. The funds generated from the gas tax will end at the end of the fiscal year, as it is scheduled to sunset. Mr. Pollard gave a slide presentation, depicting the condition of roads in the county. He advised that it is very important that we maintain the road system and do not get into the rehabilitation program more than we are.
3. Bill Lecher, County Engineer, presented a maintenance and construction survey from other counties. He reviewed with the Board the results. See

SMB 28 Page 18.

4. Vaden Pollard reviewed the road maintenance policy and the \$175.00 fee involved. He stated that the Board might want to change the procedure. He also presented other options for review. See SMB 28 Page 19 for copy of options.
5. Phil Poulos, Road Superintendent, spoke regarding the history of the road maintenance system in the county.
6. Carl Cool stated that the county could look at a County Wide Road Improvement District with impact fees. Special Taxing Districts were also discussed.
7. Ralph Warner, Avon Park, presented statements and asked that the commission address the road problems.
8. Jean Nichols, private citizen, addressed different issues dealing with road maintenance.

7. WAYS TO VOTE ON SPECIAL TAX DISTRICTS

Carl Cool presented five questions and requested direction from the Commission. See SMB 28 Page 19 for copy. A discussion was held by the Board. Ross Macbeth suggested a survey from the property owners. Send out a survey with a stamped envelope for a return. We do not need a voting machine. Commissioner Gose recommend that it should be one lot per vote. The Supervisor of Elections will be available to discuss other questions at the February workshop. Letter entered into the record from Ronald Schwarb in opposition to Street Lights. See SMB 28 Page 20.

Bill Stephenson presented suggestions for changing the method to include two sets of labels in the mail out. Discussion by Commissioner Maxcy to change the language. The Chairman opened the floor to the public. Don Darling, Chairman of the Streetlight Committee, presented comments in favor of the Street Lights.

8. LEGISLATIVE DELEGATION REQUESTS

The County Administrator presented issues for discussion with the Legislative Delegation.

- 1) Support the State legislature's position that to place mandates on local government without the necessary funding to fulfill those mandates is fundamentally unfair and only "passes the buck" down the line.
- 2) Support assessments on ad valorem property, which allows for the equitable distribution of ad valorem taxes on property for the portion of a year that new

construction is receiving benefit of public services.

- 3) Support State funding to provide counties with financial relief for existing court operations, including full funding for any new program and court related obligations, and support other measures which will provide a more equitable funding balance, reducing County expenditures for the State court system.
- 4) Request legislators' support on issues involving DOT:
 - A) Requesting the Department to have major projects on busy highways to at least get a bid for work done during night time hours.
 - B) Have the Department complete the commitments made to the City of Avon Park on the milling and drainage work needed on State Road 64 (Main Street).
- 5) Request the commitment of the Delegation to set up individual offices if the Board could provide a single building for all of the legislators.
- 6) Support the initial concept of having the Jobs and Education Partnership Board being responsible for all four tasks of:
 - A) JTPA
 - B) School to Work
 - C) wages
 - D) one stop services centers,
 without the overlapping of the Department of Labor rules and regulations.

If we are charged to have less duplication of services/one stop centers at the bottom, why should the top not do the same? Put the Workforce boards and Wages boards under one master. Consider our unique situation as smaller counties, with limited resources, in all legislation.

Discussion by the Commission. See SMB 28 Page 21 for copy of information.

9. ADJOURN

The meeting adjourned at 1:30 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JANUARY 21, 1997

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
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 the County Administrator, Carl Cool. Special remembrance was given to the family of Mrs. Katherine Waggaman in her passing. Mrs. Waggaman served on the Soil and Water Conservation Board for 51 years.

3. **ANNOUNCEMENTS:**

A. SHERIFF

Paul Hinman presented the Daily Jail Log of Inmate Population for the period ending January 21, 1997. He also gave an update on the new Jail Addition.

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.

4. **CITIZENS NOT ON AGENDA:**

1. Attorney John McClure, representing Emanuel Tzavares, presented a request for the establishment of a self-taxing Improvement District to encompass portions of Unit 10, Orange Blossom Estates. Discussion by Board members regarding the need to act today in order to meet the deadline for public hearing notice. The Chairman advised that this item will be added to the action agenda for discussion. See SMB 28 Page 22 for copy of request.
2. Joan Pflueger presented an advisory from HRS, stating that people only eat fish from Lake Annie, Lake Istokpoga, Lake Josephine, Lake Placid no more than once a week. She suggested that signs be posted at all boat ramps and other areas that has access to the lakes. See SMB 28 Page 23.
3. Richard Conover addressed several problems in support of the county's

future.

4. Aaron Dermid spoke in opposition to the low income housing project. The Board discussed and advised that this item will be continued under the Housing Director.
5. Ray Napper spoke in favor of affordable housing. He also suggested that an unnamed area where the first black settlers lived and died, be named "Freedmen Knoll" in their honor. The Chairman requested that this item be brought before the Historic Preservation Commission for their input.

5. ACTION:

Motion by Commissioner Canale, seconded by Commissioner Gose to set the Action Agenda as listed:

1. Discussion on Lake Francis Road under Action A.
2. Discussion on creating district for Orange Blossom Unit 10 under C.
3. Execution of Glades County Interlocal Agreement and FDEP grant contract to be placed under the County Administrator
4. Chamber of Commerce request under the County Administrator
5. Discussion of Legislative Delegation under the County Administrator
6. Per request from Audrey Vickers to delete Item G-1
7. Addition of recommendation from the Water Safety Committee under the County Administrator
8. Deletion of Item #12 on the Consent Agenda

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

A. RESOLUTION ON FOUNDERS' GARDEN CLUB

Motion by Commissioner Flowers, seconded by Commissioner Canale to adopt Resolution commending the **FOUNDERS' GARDEN CLUB** on their 50 years of service, their initiation of the Christmas Tree Recycling Program in the county and the numerous other community activities completed. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 133. A presentation will be given at next weeks' meeting to honor members.

1. LAKE FRANCIS DISCUSSION

Vaden Pollard presented information regarding the problem incurred when the county started to reconstruct Lake Francis Road. In the survey it was found that the right of way went through the center of three homes. The county staff contacted Mr. Reynolds, who resides across the road, and he agreed to give the county right of way to the west, therefore allowing the right of way to be moved away from the homes. The homeowners are upset and have asked Mr. Reynolds not to sign the deed. Therefore the county can not vacate the property and give it back to the homeowners. Bill Lecher, County Engineer, gave the history of the plat. An error was made by the surveyor in the platting of the property. Mr. Lecher stated that the county has rights to the existing property. Mr. Macbeth stated that the right of way runs along the alignment that was set before the

replat. The County has rights to the existing property. The chair opened the floor to the public. Harold Owens, President of the Twin Lakes Homeowners Association, suggested that we go back to the original plat and construct a 22 foot pavement. Earl Pickett presented pictures of the project. Joan Everhart, Shirley Porter and Janette White presented comments in an effort to solve the problem. Richard Conover spoke regarding materials presented and not visible to the public. The Chairman requested that the Operations Director contact Mr. Reynolds and the property owners to set up a meeting with staff and the Chairman for a workable solution and then to bring back before the Board. Break 10:40 - a.m.

B. HUMAN SERVICES DIRECTOR: AVON PARK AIR FORCE RANGE PROPERTY ACQUISITION

Kevin Roberts presented proposal for the Department of Defense to deed 37 acres of property to the county for the sole purpose of a Juvenile Justice System. Commissioner Canale questioned the cost of asbestos removal. Jonathan Towle, Asbestos Program Manager, MacDill AFB, stated that the building would require no abatement. The BX would require tile removals and he estimated the cost from \$5,000 to \$10,000. He added that the asbestos is manageable. Kevin explained that when the Juvenile Justice or the Department of Corrections assumes the lease it would be their responsibility to bear the expense for the abatement.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to authorize the execution of the Memorandum of Understanding with the Department of the Air Force. Commissioner Canale suggested a contingency on the agreement, contingent upon Juvenile Justice signing the lease. Commissioner Gose would not agree with the contingency. Jim Stanfill, EDC, spoke regarding the transfer of liability to the Juvenile Justice System. Upon roll call, all Commissioners voted aye. Motion carried.

C. SPECIAL PROJECTS DIRECTOR: RECOMMENDATION ON COUNTY OWNED LAND PUT OUT FOR BID

Bill Stephenson presented information regarding lots that were put out for bid. His recommendation was to reject the bid and enter into an Interlocal Agreement with Nature Conservancy to purchase the lots for \$4,000.

Motion by Commissioner Gose, seconded by Commissioner Canale to accept recommendation of Mr. Bill Stephenson to reject the bid and offer to Nature Conservancy for a price of \$4,000. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 page 24.

C-1. JOHN MCCLURE-REQUEST FOR SPECIAL DISTRICT

Motion by Commissioner Gose, seconded by Commissioner Canale to authorize the Board Attorney to prepare an ordinance to create a district for Orange Blossom Unit 10. An amendment was made to set February 18, 1997 as the public hearing date and February 25, 1997 as the public hearing date for the non-ad valorem assessment. The amendment was accepted. Upon roll call, all Commissioners voted aye. Motion carried.

D. HOUSING COORDINATOR:

1. AMENDMENT TO SHIP HOUSING ASSISTANCE PLAN

Discussion regarding amending the Housing Assistance Plan in order to fund a program to help with the "Soft" cost of a project to construct family housing. The project will be constructed by Mr. Robert Saland of Affordable Landmarks, Inc. Mr. Saland proposes to build 120 Senior Citizen Housing Units on land near Lake Jackson Heights. Jim Polatty explained the project.

The Chair opened the floor to the public. Aaron Dermid spoke in opposition to the project. Richard Conover asked for copies of the minutes of the Affordable Housing meeting. David Heacock, Housing Program, presented information regarding the program.

The consensus of the Board was to table this decision until February and to send no letters of support for this project. See SMB 28 Page 25.

The Chairman announced the following session:

11:30 a.m.: Executive Session of the Board to discuss settlement negotiations or strategy related to litigation expenditures pertaining to the pending litigation listed below, with those present being County 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) Jack R. Lennon and Blanche Lennon v. Highlands County Board of County Commissioners
Circuit Court for Highlands County, GC96-36
- (2) Highlands County v. Jack F. Terry and Gwen B. Terry
Circuit Court for Highlands County, GC95-493

The Executive Session terminated at 12:15 p.m. and the regular meeting was called back to order at 12:20 p.m. with all members present.

The Chairman recessed the meeting for lunch at 12:20 p.m. and reconvened at 1:30 p.m.

2. HEARTLAND SELF HELP HOUSING, INC.

Motion by Commissioner Flowers, seconded by Commissioner Gose, to support Heartland Self-Help Housing, Inc. and recommend a letter of support to be sent from the county for this program. Upon roll call, all Commissioners voted aye. Motion carried.

E. COUNTY ENGINEER:

1. EXTENSION OF CONTINUING CONTRACT FOR PROFESSIONAL SERVICES WITH CHASTAIN-SKILLMAN

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve extension of the continuing contract with Chastain Skillman for a four (4) year period and approval of the attached hourly rate schedule. Commissioner Canale suggested a two

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year contract renewal. Richard Conover spoke regarding the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 29.

2. GOVERNMENT CENTER MONTHLY REPORT

The County Engineer reviewed the second monthly progress report on the Government Center project. See Government Center file for copy. Commissioner Gose suggested that the walkway by the Girl Scout house not be destroyed. Carl Cool advised that it will remain as it is. Cost of the Government Center was also discussed.

F. BOARD ATTORNEY

No report.

G. COUNTY ADMINISTRATOR:

1. MEMORANDUM OF UNDERSTANDING FOR COMMUNITY TRAFFIC SAFETY TEAM

Item deleted at the request of Audrey Vickers

2. REQUEST VARIANCE ON PURCHASING PROCEDURES ON CABLE AND FIBER OPTICS FOR GOVERNMENT CENTER

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to waive the Board's Purchasing Manual and allow the issuance of an RFP for Fiber Optics and Data Cable for the Government Center. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 26.

3. EXTENSION OF GLADES COUNTY DEP CONTRACT

Motion by Commissioner Gose, seconded by Commissioner Canale to approve the contract with Glades County for the extension of Hazardous Waste Cooperative Arrangement Grant. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 27.

4. CHAMBER OF COMMERCE - PROFESSIONAL BOWLING TOURNAMENT

Mr. Allon Fish, Sebring Chamber Director, presented a proposal for the Board to authorize a \$10,000 matching grant for the purpose of sponsoring a nationally televised professional bowling tournament in Sebring.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve request to buy a sponsorship package of \$10,000 to be taken out of contingency and place in the IDA budget and to involve the three (3) chambers. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 28.

5. RECOMMENDATIONS OF THE WATER SAFETY COMMITTEE

Motion by Commissioner Maxcy , seconded by Commissioner Gose to to accept the recommendation of the Water Safety Committee with the deletion of Item #8. Mr. Maxcy amended the motion to accept the recommendation to the City of Avon Park and to the City of Sebring. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 30.

5-B. WATER SAFETY COMMITTEE MINUTES-COLBY TRAVEL

Discussion regarding motion made by the committee members to recommend that Preston Colby be allowed to attend the April 18-25, 1997, annual International Boating and Water Safety Summit in San Diego, California. Travel to include airfare, hotel, registration and per diem. After Board input, the Chair called for input from the public. Richard Conover questioned the number of members voting in favor of this motion. No action was taken by the Commission. See SMB 28 Page 30.

6. DISCUSSION REGARDING LEGISLATIVE DELEGATION

Carl Cool presented a summation of the Legislative Delegation, stating concerns from several citizens. See SMB 28 Page 31 for copy of list. He had suggested a workshop on Wednesday at 9:00 a.m. After consideration, an announcement was made to cancel the meeting as the comments did not relate directly to the Board or the County Administrator. The Chair advised that we do not have the authority to investigate any of the complaints relating to the Constitutional Officers, and they should follow the proper procedure to file a complaint. Richard Conover suggested someone inform the Legislators of the consensus of the Commission to cancel the workshop.

H. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Gose to approve the Consent Agenda with the deletion of Item #12:

1. Approval to pay all duly authorized bills	
Law Library	784.74
General	672,882.99
County Transportation Trust	29,612.68
E911 Operations	242.18
Intergovernmental Radio Communications	350.00
Law Enforcement Education	2,066.69
Local Govt Infrastructure Surtax	115,741.31
Affordable Housing Assistance	323.46
Correctional Facility	33,156.54
Government Center	339,189.51
Solid Waste	157,577.45
Water/Sewer	13,476.57
Risk Retention	4,657.08
Employee Benefit	77,975.52

See Check Register for detailed information

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| Res. | <ol style="list-style-type: none"> 2. Approval of minutes of 1-7-97 meeting 3. Accept into record - December Monthly Report 4. Approval of resolutions and budget amendments 96-97-75, -79 and -81. See See Res. Book 10 Page 134. 5. Approval of budget amendments 96-97-76 through 78 and -80 6. Approval to record County maintained road map with the deletion of the J.C. Durrance road for county maintenance 7. Accept into record - Litigation session transcripts. See SMB 28 Page 32. 8. Approval to remove fire vehicle from inventory. (LVFD-8) See SMB 28 Page 33. 9. Approval of Adopt a Highway Agreements with Rotary Club and Florida Hospital. See SMB 28 Page 34. 10. Appointment to Professional Services Acquisition Committee-Mr. Val Seifert. |
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See SMB 28 Page 35.

- 11. Approval for utilization of Base Grant Funds-Emergency Management. See SMB 28 Page 36.

12. ~~Approval to execute Ft. Basinger property Management Agreement.~~
 Deleted

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

6. COMMISSIONERS

- 1. Commissioner Flowers - reiterated meeting in Avon Park on Thursday.
- 2. Commissioner Flowers - suggested Mr. Cool look into the purchase of a Laser Pointer
- 3. Commissioner Barrett - report on the Martin Luther King celebration in Avon Park and Lake Placid

7. ADJOURN

The meeting adjourned at 2:50 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, FEBRUARY 4, 1997

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
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. Benton presented the Daily Jail Log of inmate count for the period ending February 4, 1997.

- 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:**

- A. Mr. Dan Foley, Highlands County Citrus Growers Association, addressed the Board regarding access of data from the weather system to this area. The Association is requesting a small space on the Emergency Management Weather Tower to provide related weather information from sites across Highlands, Polk and Hardee counties. Mike Roberts, representing Terra, spoke with the Board in response to the request. The consensus of the Commission was to consider this item on the Consent Agenda. See SMB 28 Page 43.

- B. Hank Kowalski presented handout regarding advertisement of public hearing of Sun'n Lake of Lake Placid to increase fire assessment. He suggested that the notice is erroneous. The Board Attorney explained the need to make the advertisement brief due to the cost involved. See SMB 28 Page 44.

- C. Ray Napper elaborated on BFI payments issued and the absence of being

able to balance the statements.

- D.** Mr. Napper also spoke on the American Disabilities Act and the need to provide access by the use of a speaker telephone for the public. He stated that he purchased a telephone and donated it to the county but was not successful in getting staff to allow its use. Mr. Napper also asked for a waiver for the Chair if any liability should occur while he is on a trip overseas. The Chair advised that this will be a workshop discussion at a later date.
- E.** Mr. Earl Pickett requested information on the new water system, the installation of water meters and the continuation of this project. He also asked for an update on the paving of Lake Francis Road. Mr. Pickett praised Commissioners and staff for a great job.
- F.** Mr. Jim Cash praised Carl Cool, Tom Portz and the Library staff for their participation at the Lake Placid Fair.
- G.** Mr. Preston Colby discussed the Board Attorney charges dealing with fax bills. These items to be discussed at March workshop.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Canale, to set the Action Agenda with the following changes:

- 1.** Delete Item G-4 under the County Administrator - appointments to Construction Licensing, Enforcement and Appeals Board
- 2.** Add Item G-9 under the County Administrator - Sebring Airport Authority request
- 3.** Addition on the Consent Agenda - approval of an agreement for the weather station transmitter subject to contract approval. Item H-11.

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

A. LINDA CROWDER, CHILDREN'S MUSEUM: ANNUAL REPORT TO THE BOARD

Ms. Crowder presented update on the Children's Museum for the past fiscal year.

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

B. NEIL THOMAS & ROBBIE TYLER: TRUCK PARKING

Robbie Tyler requested a change in the code to allow truck parking in a residential area. Neil Thomas stated that he has the exact same problem. He also has lost a truck to vandalism. Rev. W.C. Holden spoke in support of allowing the parking.

Alan Decker, Code Enforcement Officer made a presentation regarding restrictions on the

parking of certain vehicles in residential zoning districts. The Board adopted an ordinance prohibiting vehicles exceeding two (2) tons in rated capacity to be parked in residential districts. The Chair opened the floor to the public. Speaking in favor of changing the ordinance to allow parking of vehicles of this capacity was Mrs. Neil Thomas and Marion Poppy. Petitions were also entered into the record in favor of the change. The Chair suggested that this item be placed on the March 11 workshop for discussion. The County Administrator to review other counties for their input. See SMB 28 Page 45. Mike Willingham, Airport Authority, offered to accommodate the truckers with a parking spot at the Airport.

C. ECONOMIC DEVELOPMENT DIRECTOR: LETTER OF ENDORSEMENT FOR ENVIRONMENTAL RESEARCH CENTER

Jim Stanfill presented request for a letter of endorsement for a proposal to establish an Environmental Research Center at the Avon Park Air Force Range.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to send a letter of support from the Commission as a letter of endorsement for the Environmental Research Center at the Air Force Range to update the proposal for the current Congressional Session. The Chair called for input on the motion. Hank Kowalski spoke in support. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 46 for copy.

D. DEVELOPMENT DIRECTOR:

1. SPRING 1997 LARGE SCALE COMP PLAN AMENDMENTS

Motion by Commissioner Canale, seconded by Commissioner Maxcy to prepare the comprehensive plan text amendments for public hearing in March, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 page 47.

2. DISCUSSION OF MANDATORY HOOK-UP ORDINANCE FOR HIGHWAY PARK

Jim Polatty, Development Services Director, discussed the Mandatory Hook-up Ordinance for Highway Park. The Chair called for public input. Rev. Holden spoke on behalf of the residents of Highway Park and thanked all participants in the project. Consensus of the Commission was to direct staff to set the public hearing date for the ordinance to be considered. See SMB 28 Page 48.

3. FOUR YEAR WORK PROGRAM FOR PLANNING DEPARTMENT

Jim Polatty, Development Services Director, reviewed the proposed four (4) year work program for the County Planning Department as a guide for determining the work and tasks that must be completed to address those issues that are important to the county. See SMB 28 Page 49 for a copy.

E. ASST. COUNTY ADMINISTRATOR: REQUEST FOR DIRECTION ON VENDING MACHINE OPERATION

Motion by Commissioner Canale, seconded by Commissioner Gose, to instruct staff to prepare a vending RFP for all county facilities with specific recommendations, effective 10/1/97. Commissioner Gose placed a contingency on the motion to break out Food and Soft Drinks. See SMB 28 page 50 for copy of recommendations. Upon roll call, all Commissioners voted aye. Motion carried.

2. REQUEST FOR WORKSHOP ON FELINE LEASH ORDINANCE

The Asst. Administrator presented a request from residents of the Spring Lake area to workshop a leash ordinance for the feline group. No action was taken on the request.

F. BOARD ATTORNEY

No report

G. COUNTY ADMINISTRATOR:

1. MEMORANDUM OF UNDERSTANDING ON COMMUNITY TRAFFIC SAFETY TEAM

Discussion concerning the duties and responsibilities of the Community Traffic Safety Team Regional Coordinator. The County Administrator spoke in favor of the team but in opposition to the coordinator. The Chair asked for public input. Audrey Vickers, speaking as Co-Chairman, read a letter into the record and presented information in support of the Board funding the team. Richard Conover also spoke in favor. Motion by Commissioner Canale, seconded by Commissioner Gose to approve request if the position is advertised and the application is open to the public and also to approve the budget amendment with a transfer of funds from the contingency. Upon roll call, Commissioner Flowers voted nay, with a clarification that funds should be considered for the Schumacher Sidewalk first. All other Commissioners voted aye. The motion carried. See SMB 28 Page 51 for copy of duties and responsibilities of the position.

2. REQUEST FROM TOWN OF LAKE PLACID REGARDING CURFEW

Discussion regarding the Resolution adopted by the Town of Lake Placid asking that the Board of County Commissioners create and implement a county-wide juvenile curfew program aimed at protecting juveniles from crime and reducing juvenile crime and the consequences. Council member Clint Smith spoke in favor of the workshop ordinance. Consensus of the Board to hold the workshop in April at the Agri-Civic center and invite all agencies including the three cities and the School Board. See SMB 28 Page 52 for copy.

3. TAX DEED APPLICATION POLICY

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to adopt policy for staff to follow in applying for a tax deed by the county. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 53 for copy.

4. APPOINTMENTS TO CONSTRUCTION LICENSING, ENFORCEMENT & APPEALS BOARD

Item pulled from the agenda.

5. REQUEST FOR COMMUNITY SERVICE BLOCK GRANT

Motion by Commissioner Gose, seconded by Commissioner Canale to apply for the Community Service Block Grant for Highlands County with a 20% local match to come from reallocation of existing funds in the Human Services Department. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 page 54.

6. PROPOSED AGREEMENT WITH SFWMD ON PEARCE HOMESTEAD

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve proposed agreement with South Florida Water Management District for the Ft. Bassinger Property Management Agreement. Mr. Cool advised that staff is not totally happy with this project, however the Board can bow out at any time. The Chair called for input. Kim Love, SFWMD, advised that the land not needed for the restoration project could be donated to the county for their designation. Jim Fitch, speaking for the museum, spoke in favor. Rick Helms, budget officer, advised that there are no funds allocated in the budget for any operational expenses. Upon roll call, all Commissioners voted aye. Motion carried.

7. FLA. COUNTIES FOUNDATION - GRANT DEVELOPMENT SERVICES PROPOSAL

Mr. Cool introduced Mindy Collier, Director of Resource Development, Florida Counties Foundation. Ms. Collier addressed the proposal for Grant Development Services.

Motion by Commissioner Canale, seconded by Commissioner Gose, to enter into an agreement with the Florida Counties Foundation for Grant Development Services in the amount of \$3800 and a budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 55.

8. GOALS FOR 1997

The County Administrator presented a list of suggested goals to be considered in 1997. He suggested that the Commissioners mark a 10 by the goal that is their highest priority, and a 9 by the second highest priority, and so forth. See SMB 28 Page 56. The results will be tabulated and submitted back to the Board.

9. INTERLOCAL AGREEMENT SEBRING AIRPORT AUTHORITY

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve an amendment to the Interlocal Agreement with the Sebring Airport Authority to allow the transfer of funds. Rick Helms advised that there are specific guidelines for the movement of these funds. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 57 for copy of request. Discussion by Mike Willingham regarding the impact of the Lesco Plant moving to Ohio.

H. 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	1,139.91
General	1,680,965.63
County Transportation Trust	50,998.49
E911 Operations	10,333.05
Intergovernmental Radio Communications	346.03
Local Govt Infrastructure Surtax	52,410.88
Affordable Housing Assistance	5,000.00
Special Law Enforcement	5,290.12
Correctional Facility	14,610.45
Government Center	107,251.20
Solid Waste	111,602.78
Water/Sewer	4,813.98
Risk Retention	1,256.48
Employee Benefit	76,112.81

See Check Register for detailed information

2. **Approval of minutes of 1-14-97 workshop**
3. **Approval to execute Interlocal Agreement with City of Sebring for melaleuca control.**
4. **Approval of Grant Amendment, Resolution and budget amendment #96-97-87 for Aquatic Plant Program. See Res. Book 10 Page 138.**
5. **Approval of Resolution and Agreement with DOT on RR crossing at Highlands Ave. See SMB 28 Page 58. See Res. Book 10 Page 139.**
6. **Acceptance of Emergency Food and Shelter Grant. See SMB 28 Page 59.**
7. **Approval of budget amendments #95-96-337 and #96-97-88 through -90**
8. **Approval to deny request to write off EMS bill. See SMB 28 Page 60.**
9. **Approval of Resolution and Maintenance Agreement - DOT for County Road 635. See SMB 28 Page 61. See Res. Book 10 Page 140**
10. **Approval to execute Project maintenance Agreement - DOT for bridge over Charlotte Creek. See SMB 28 Page 62. See Res. Book 10 Page 140.**
11. **Approval for agreement of the Weather Station Transmitter; subject to approval of the Terra contract.**

6. COMMISSIONERS

1. **Commissioner Flowers- Community Traffic Safety Proclamation-Child Safety Week**

Motion by Commissioner Flowers, seconded by Commissioner Gose, to accept Proclamation into the record designation "Child Passenger Safety Awareness Week"

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February 9-15, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 141.

2. Commissioner Maxcy-request from the Seminole Tribe of Florida to waive fees for a tribute to Fred Montsdeoca

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to waive the facility fees for the county building in Lorida, with them providing their own insurance for a three day event (February 28-March 1-2, 1997) to allow a tribute to Fred Montsdeoca. Upon roll call, all Commissioners voted aye. Motion carried.

3. Commissioner Gose presented comments regarding citizens not on agenda speaking too long and getting out of hand.
4. Commissioner Canale apologized to citizens for not returning phone calls, due to illness of her father.
5. Chair Barrett presented a card of commendation to Ed Yarbrough, Road Supervisor, from the residents of Highlands Ridge for work performed on the railroad crossing at Powerline Road. Letter was also received from Wayne Harris praising EMS staff, Lance Truax and Ernell Glisson, on the treatment and transport of his mother.

7. ADJOURN

The meeting adjourned at 12:45 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, FEBRUARY 11, 1997

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:

Jeri Canale	C Michael Eastman
C Guy Maxcy	Carl Cool
James L Gose	J Ross Macbeth
David Flowers	Louise Graham

Commissioner J. D. Barrett was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool also reported on the meeting of the Urban Caucus of the Florida Association of Counties and discussion regarding article five cost and impact to budgets.

4. **Paul Erickson, Arthur J. Gallagher & Co.: Public Risk Management**

Fred Carino introduced the new Safety and Risk Manager for Highlands County, Mr. Ladd Baumgart. Mr. Baumgart was welcomed on board. He also introduced Mr. Jim Hicks, Executive Director of Public Risk Management, who is the current carrier for the county insurance. Mr. Hicks explained the proactive program and requested that the county continue with the program. Paul Erickson, representative from Arthur J. Gallagher and Co. Brokers, reviewed the Public Risk Management program, including a brief overview of the coverages and advantages. He also pointed out the team effort accomplished with the participation of the county. Larry Alverson also spoke regarding loss prevention.

Carl Cool advised that staff's recommendation is to stay with Public Risk Management. However with requirements imposed by the company, the county recently notified the group that it may opt out of its contract. This was done as a formality. Putting the group on notice only secures the county's option to leave. It was also brought to the attention of the Board of a clause in the contract that could

disqualify the county for notification of intent to leave. If the Board notifies the group two times within a three year period, the group could vote to exclude the county. After Board's discussion, it was a consensus to hold an Insurance Committee Meeting with Mr. Maxcy as the Chairman and invite the representatives of the pool to meet and discuss options available before sending out a notice. See SMB 28 Page 64.

Break 9:50 a.m. - 10:00 a.m.

5. Guidelines for 1997-98 Budget

Rick Helms, Budget Officer, gave a slide presentation, regarding financial policies, the budget adoption process requirements, procedures for amending the budget, fiscal policies and guidelines. He also reviewed the 1997-98 Budget Calender. See Budget file for copy.

Commissioner Maxcy suggested a budget reduction policy. Mr. Cool reminded the Board that we do have a PRIDE policy. Rick recommended revision to the budget policy as we proceed into the budget. The Chair asked for an update on the countywide survey. Mr. Cool was directed to bring back information at the March 4th meeting to proceed with implementation of the survey. Commissioner Maxcy to work with Carl Cool and Rick Helms to provide an incentive program.

6. Revenue Update

Revenue Update presented by Rick Helms. He advised that the county is right on target for the amount of revenue received. The 3 cent additional gas tax has provided \$870,000 for the maintenance of the road system. Rick also provided information specific to the gasoline tax. He reminded the Board of the impact to the road system without the 1.2 million received from the gas tax. The wheels should be in motion no later than March 1998 for public hearings to reinstate the tax.

Vaden Pollard gave a history regarding the road system revenue and the impact to the road department. Commissioner Gose advised that this is a level of service question and it will certainly impact Mr. Pollard's budget. Commissioner Flowers requested a percentage number of homes that do not pay advalorem taxes for future workshops. The Chair called for input. Jim Cash, Lake Placid Journal, questioned the impact of revenue if we were a Charter County. Discussion ensued regarding Charter and utility tax. The Board asked Joe Campbell, Supervisor of Election, questions relative to a straw ballot and a special election if the county should choose

other options.

7. Elections Supervisor: Methods of voting on Special Tax Districts

Carl Cool spoke regarding unbiased methods for voting on Special Tax Districts. He stated that Special Elections brings special problems. Joe Campbell advised that if he holds an election, he must follow the guidelines set out in the Election Code. If he does a mail out, he must submit different procedures to the Division of Elections and follow those procedures. He will work with the Board in any respect. However there will be special problems that could arise. The Board could borrow voting machines but they would have to run them. He suggested a survey with a group for and against the street lighting to prepare the language. He would count the ballots after the Board has received them in. Bill Stephenson suggested two sets of labels for each property. The consensus of the Board was to mail out a survey with language provided by the Board, enclose the ordinance and not involve the Supervisor of Election. The Special Tax District Coordinator could count the ballots and enter into the record the letters. The Chair called for input. Hank Kowalski asked what percentage of monies collected go to the Tax Collector and the Board of County Commissioners. Mr. Cool advised that 2% is given to the Tax Collector and 8% to the Board for administrative fees. Don Darling, Lake Haven Estates, Chairman, spoke in opposition to providing another ballot since the vote has already been taken and the District should be allowed to move forward. The Chair advised Mr. Darling that a public hearing is scheduled for February 25 for possible changes and he was invited to pick up the ordinance and return for input at the hearing.

8. Recommendations on non-maintained roads

Vaden Pollard, Director of Operations, reviewed changes to the county road maintenance policy. See SMB 28 Page 65 for revised policy. Vaden will bring back to the Commission the affect of gas tax loss. Mr. Cool recommended that the county not stop paving dirt roads at this time, but to wait until September to see what impact these roads have caused to the Road Department. The Chair called for input. Mr. Ralph Warner, Avon Park Lakes, spoke regarding the maintenance policy and the density requirement. The Operations Director explained the procedure.

9. Recommendation on sidewalks on Schumacher Road

Carl Cool presented letter from Jim McCollum, attorney for the School Board. The letter was a request to the Board of Commissioners to construct and maintain sidewalks and bicycle trails within a 2-mile radius of the Hill Gustat Elementary School. He advised that a determination has been made that a hazard exists in the

area surrounding the school and providing for infrastructure has been listed as a responsibility of the Commission in the Comprehensive Plan. See SMB 28 Page 66. Mr. Cool explained that he has spoken to the Developer of Juniper Bay and recommended that they start at Western Blvd and construct sidewalks on the south side of the road. He also recommended that the Board write a letter to the School Board to discourage students from walking or riding their bikes to and from school. Mr. Cool requested the Board approve a variance to the purchasing manual to allow the consideration of piggy-backing the construction bids with Juniper Bay. He also requested permission from the Board to write Mr. McCollum a letter stating that he disagrees with his interpretation of the Comprehensive Plan regarding the county's responsibility for providing infrastructure. Mr. Macbeth differs with Mr. McCollum's request and the County Administrator recommendations. He stated that the hazard is far more limited than a two mile radius. He suggested that we not give any letter of indemnification, and also stated that a hold harmless agreement was not required.

Commissioner Maxcy left the meeting at 12:15 p.m.

Commissioner Flowers suggested that it is the county's responsibility to build the sidewalk and he would like to stop talking and start working. Commissioner Gose stated that he would like to go on record that the School Board be responsible for infrastructure where zoning sites are an issue. He also stated that we do not need to ask for a hold harmless agreement. Mr. Cool advised that the County Engineer can take care of proceeding with the sidewalk.

10. ADJOURN

The meeting adjourned at 12:24 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, FEBRUARY 18, 1997

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:

Jeri Canale	C Michael Eastman
C Guy Maxcy	Carl Cool
James L. Gose	J Ross Macbeth
David Flowers	Louise Graham

Commissioner Barrett was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. Sheriff

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending February 18, 1997.

She also presented the Farm Report for January. Lt. Benton advised that the Sheriff has established his home page on the Internet's World Wide Web.

- B. Clerk

L.E. "Luke" Brooker gave an update on Teen Court. He advised that since the Board funded the Coordinator position, meetings have been held each month. Three cases are scheduled for this month. Support has been received from all agencies and staff is really excited, not only for the offenders, but for the students who might be seeking career enhancement in the line of public service.

- 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. Natural Resources Director: Introduction of Clell Ford, Lakes Manager

Larry Sharpe, Natural Resources Director, introduced Clell Ford, Highlands County Lake Manager. Mr. Ford presented his background qualifications and was welcomed on board by the Commission.

4. **CITIZENS NOT ON AGENDA:**

1. Mr. Earl Pickett presented a certificate of achievement to Kevin Roberts, Human Services Director, for his work with the Children's Services Council.
2. Mr. Michael Carr spoke regarding scrub protection. He stated that a creative way would be to grow scrub plants and think of ways to market them. Another would be

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a tax incentive to save a portion of the scrub during development. He also spoke briefly regarding appointments to the construction, licensing Board and term limits of appointees.

3. Mr. Richard Conover suggested that he would like staff to replace shelving that was borrowed. He also asked that staff notice Public Safety meetings.
4. Mr. Conover praised Kevin Roberts for his work with the Children.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the action agenda as presented with the presentation of Rep. Charles Canady upon his arrival. Upon roll call, all Commissioners voted aye. Motion carried.

A. Public hearing to consider establishing Belle Aire Estates Special Benefit District Proof of Publication entered into the record by Bill Stephenson, Special Projects Coordinator. See Proof of Pub Ordinance Book 1 Page 158. Attorney John McClure presented the petition for the proposed district.

The Board Attorney read the captions of the ordinance and the deletion of specific lots into the record. The Chair called for public input. No one spoke for or against.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt ordinance establishing Belle Aire Estates Special Benefit District with the deletion of the lots as read into the record. Upon roll call, all Commissioners voted aye. Motion carried.

B. Public hearing to consider amending ordinance - Sun 'n Lake Estates and Acreage of Lake Placid Special Benefit District:
Proof of Publication entered into the record by the Special Projects Coordinator Coordinator. See Proof of Pub Ordinance Book 1 Page 159. The Board Attorney read the captions of the ordinance into the record and described the changes. The Chair called for public input. Hank Kowalski questioned the amount of the assessment to be changed. The Board Attorney explained that the proposed amount is \$20 and this will be discussed at the next hearing when the Board has specific assessment authority.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt ordinance providing for amendments to the Sun'n Lake Estates and Acreage of Lake Placid Special Benefit District. Upon roll call, all Commissioners voted aye. Motion carried.

D. Ray Napper:

1. Naming of Freedmen Knoll

Mr. Ray Napper requested that the Board approve the name of "Freedmen Knoll" and "Freedmen Marsh" for the area 10 miles west of Lake Placid where the first Black Settlers lived. Mr. Cool advised that he has spoken with the owner of the property, and while he is happy that the offensive

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names have been removed from the maps, he does not wish to rename the property. Mr. Napper challenged the property's ownership. He cited the opinion of a civil rights attorney who advised him that because a crime was committed, there is a civil law case for the heirs to have the property. The Board Attorney stated that the heirs could have a cause of action, but it did not concern the county. See SMB 28 Page 67 for copy of request.

2. Solid waste haulers

Ray Napper made a presentation to the commission regarding BFI's pre-tax profit exceeding the 12 % as stated in the Franchise Contract. He has examined the fiscal year 1991-92 and discovered that the company owed the county \$36,000. The company is now making payments to resolve the obligation.

The presentation included the year 1994. He stated that the company included logo allocations and corporate allocation to keep its net profit below 12 %. Mr. Napper also mentioned other items that should not be included as expenses. By his calculations, the company exceeded 12 % for the fiscal year 1994. Mr. Napper concluded that BFI owes the county \$36,000 for several other years. His request was to send a letter to the home offices of our solid waste haulers informing them in writing of the items that may or may not be included in the audit documents that are required by the County for certification.

Mr. Cool advised that a meeting is scheduled with the Asst. County Administrator and the Clerk's office to review BFI's records. The Chair invited Mr. Napper to attend the meeting.

Break 10:10 a.m - 10:20 a.m.

C. Proclamation: "Cultural Awareness Days"

Mr. Clayton Northrup, one of the presenters, mentioned the other three presenters as Ray McIntyre, representing the Cracker Days, Audrey Vickers, representing the 20th anniversary of Lorida Days and Andrew Bowers, tribal member. Mr. Bowers spoke briefly about the traditions of his culture.

The Chair read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Gose, to adopt Proclamation designating February 28 through March 8, 1997 Seminole Native American Cracker Cowboy and Pioneer CULTURAL AWARENESS DAYS in the Kissimmee Valley, Highlands County, Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 142.

E. Desi Lee, Assn. for Retarded Citizens: Annual Report to the Board

Desi Lee, Executive Director for the Association of Retarded Citizens, introduced Jean Stively, Development Director. They presented an annual report to the Commission on the funds that were expended in the 1995-96 fiscal year. See Ridge Area ARC for copy of information.

F. Development Director:

1. Amendment to SHIP Housing Assistance Plan

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Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution authorizing modification to the SHIP Housing Assistance Plan . Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page. 143.

E.(3.) 10 a.m. - Rep. Charles Canady: Presentation of deed to County Commission
Kevin Roberts introduced Rep. Charles Canady, United States Congressman, 12th District. Rep. Canady presented a deed from Rodney A. Coleman, Asst. Secretary of the Air Force, for land at the Air Force Range, for the purpose of a juvenile or other correctional facility. The Chair acknowledged Doris Gentry for her outstanding work toward this project. A motion was made by Commissioner Gose, seconded by Commissioner Flowers, to formally accept the deed and enter into a license agreement; subject to attachment of an appropriate legal description. Upon roll call, all Commissioners voted aye. Motion carried.

2. Appointments to Affordable Housing Advisory Board

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve Resolution as submitted for the appointments to the Affordable Housing Advisory Board. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 145.

3. Appointments to Natural Resources Advisory Committee

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to appoint Peggy Chapman and John Williams as NRAC members . Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 68.

4. Request to execute contract on permitting and inspection software

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the proposed software purchase from TreSun Corporation for the Building Department with changes to add Highlands County. Upon roll call, all Commissioners voted aye. Motion carried.

The Board consented to waive the agenda to consider comments from Hank Kowalski regarding Item F-3, appointments to the Natural Resources Advisory Committee. Mr. Kowalski suggested that the attorney review the status of Lew Carter as a dual office holder, as he is a member of the Zoning Board, the Board of Adjustment and NRAC. Mr. Macbeth to research the matter.

G. Special Projects Director: Request to accept donated property

Bill Stephenson presented request for the Board to accept donated property. Discussion ensued regarding placing property up for sale. Mr. Stephenson advised that the last property placed for sale in Sun'n Lake of Lake Placid received zero bid. Motion by Commissioner Gose, seconded by Commissioner Flowers, to accept donated property from Henry M. Schol for Lot 9, Block 221, Sun'n Lake Estates, Section 19. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 69.

H. Personnel Director: Schedule of Pay and Entitlement revision

Fred Carino presented request. Staff members spoke in favor of the Pay and Entitlement revision.

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The Board discussed the issue of still being able to control the increases through the budget approval. A motion was made by Commissioner Gose, seconded by Commissioner Maxcy, to move adoption of the changes to appendix three (3) of the Personnel Rules and Regulations to allow the upper end of all pay grades in the Schedule of Pay and Entitlement be adjusted upwards by ten percent to accommodate the current 27 Board employees that are ineligible for future performance based raises. The Chair called for input on the motion. Clayton Womer asked what percentage of the cap we are raising. Mr. Carino advised that we are raising the salary grades by 10%, giving an average of 5 years of additional room in the pay program for performance based rewards. Upon roll call, Commissioner Canale voted nay. All other Commissioners voted aye. Motion carried. See SMB 28 Page 70.

I. Asst. County Adman.: Discussion of Wireless 911 Service

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to instruct the Asst. County Administrator to request permission to notify our wireless carriers of our intent to require wireless 911 service as allowed by F.C.C. rule. The Chair called for public input. Jim Cash presented questions as to who would be accessed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 71.

J. Board Attorney: Highlands Sanitation, Inc. / County overpayment

The Board Attorney stated that the issue of an overpayment was raised more than six months ago and has not yet been resolved. He advised that he has spoken with Mr. Austin but did not receive an answer to his questions. He will place back on the agenda in March with further detail. The Board may need to file a lawsuit. See SMB 28 Page 72.

K. County Administrator:

1. Appointments to Construction Licensing, Enforcement & Appeals Board

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to reappoint Alvin Wolcott, General Contractor, to appoint Brad Bowen, Roofing Contractor and Steve Gilbert, Contractor, to the Construction Licensing, Enforcement and Appeals Board to fill the expired terms of Scott Stanley and Luke Seignious. Commissioner Maxcy asked why Mike Carr, as an alternate should not move up in the regular slot. After discussion, Commissioner Flowers amended his motion to place Alvin Wolcott, Brad Bowen and Mike Carr as the regular members and Steve Gilbert as the alternate. Commissioner Maxcy seconded the amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 73.

2. Agreement with Dorrell, Hancock & Carter for Placid Utilities study

Motion by Commissioner Gose, seconded by Commissioner to approve the engagement letter of Dorrell, Hancock and Carter, CPAs for a maximum amount of \$3000 for a five (5) year period, along with a budget amendment to transfer funds within the enterprise fund to pay for the cost of a financial report on the Placid Utilities Water and Sewer System. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 74.

3. Approval to execute Interlocal Agreement with City of Avon Park

Motion by Commissioner Flowers, seconded by Commissioner Gose, to approve execution of

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Interlocal Agreement with the City of Avon Park for the disbursement of recreation funds budgeted by the County for use in the City of Avon Park with a revision to the contract for a decrease of \$950 for sidewalk issue. Upon roll call, all Commissioners voted aye. Motion carried.

4. Discussion on curfew for Juveniles

The County Administrator reported on the curfew issue. He advised that the School Board is not interested in a curfew. The Board will pursue a joint meeting if they wish to, but the City of Avon Park is not interested either. Lt Benton reported that Sheriff Godwin would be happy to participate in a meeting, however his findings from one year ago was that most problems occur before 8:00 p.m. and he felt that a curfew should be for a specific problem, not to just infringe on people's rights. The consensus of the Commission was not to pursue at this time.

5. Report on Volunteerism in Highlands County

Mr. Cool reported that Highlands County has over 1500 volunteers in the county.

6. Sebring Airport Authority - request to cancel February 25, 1997 meeting

The County Administrator asked that the meeting scheduled for February 25, 1997 with the Sebring Airport Authority be rescheduled.

L. Consent agenda:

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the Consent Agenda as listed. Mr. Cool read the Consent Agenda into the record. The Chair called for input on the motion. Clayton Womer presented questions regarding Interlocal agreements.

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

Law Library	1,925.45
General	888,160.37
County Transportation Trust	46,810.27
E911 Operations	385.84
Intergovernmental Radio Communications	59,119.92
Local Govt Infrastructure Surtax	202,293.30
Correctional Facility	48.88
Government Center	65,236.59
Solid Waste	107,682.27
Water/Sewer	53,067.61
Risk Retention	7,591.93
Employee Benefit	130,466.89
Flexible Benefit Trust	1,828.55
Highway Park Utility	2,975.11
Law Enforcement Education	2,121.00
Conservation Trust	100.00

See detailed check register for additional information.

2. **Approval of minutes of 1-28-97 and 2-4-97 meetings**

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3. **Accept into record - January Monthly Report**
4. **Approval to execute Agreement with Lake Placid VFD**
5. **Approval to execute enrollment form for EMS to file Medicare.**
6. **Approval to execute Agreement with Polk Community College-EMT students**
7. **Accept into record - audits of garbage franchisers**
8. **Approval to record plat - Tomoka Heights. See SMB 28 Page 75.**
9. **Approval of road name - Sawgrass Trail. See SMB 28 page 76.**
10. **Approval to execute grant contract for Highlands Hospitality, Inc.**
11. **Approval of capital purchase and budget amendment 96-97-94. (Road and Bridge)**
12. **Approval to execute Interlocal Agreement with City of Sebring (Recreation Facilities)**
13. **Approval to execute satisfaction of CDBG mortgage. See SMB 28 Page 77.**
14. **Approval of resolutions and budget amendment 96-97-093 County Public Health Unit. See Res. Book 10 Page 146.**
15. **Approval to execute Insurance Plan update. See SMB 28 Page 78.**
16. **Approval to record plat - Bypass Subdivision. See SMB 28 Page 79.**
17. **Approval of payment without purchase order to Vulcraft. See SMB 28 Page 80.**
18. **Approval of expenditure from Special Law Enforcement Trust Fund. See SMB 28 Page 81.**

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

6. COMMISSIONERS

A. Commissioner Gose: FHREDI representative Doris Gentry
The Board gave a consensus to allow Doris Gentry to represent the FHREDI Board at a Site Review Committee meeting.

B. Commissioner Flowers: District #1 meeting February 27, 1997 report

C. Asst. County Administrator: Request re-execution of Law Enforcement Block Grant
Motion by Commissioner Gose, seconded by Commissioner Flowers, to waive the agenda and instruct the Chairman to resubmit the Local Law Enforcement Block Grant. Upon roll call, all Commissioners voted aye. Motion carried.

7. ADJOURN

The meeting adjourned at. 11:39 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MARCH 4, 1997

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
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 Flowers. The Pledge of Allegiance was led by the Chairman.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending March 4, 1997. She also presented the monthly Farm Report.

- 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.

4. **CITIZENS NOT ON AGENDA:**

- A. Mr. Harold Stiles asked for the consideration of the \$60,000 that was designated for Howey Road to be used for roads in the Red Hill Farms area. He read into the record the Resolution adopted in 1956, accepting the roads for county maintenance. Mr. Cool advised that these funds have been reallocated to the Sebring Airport Authority. The Chairman stated that budget hearings will be held in June and the Board could look at reprioritizing funds at this time.

- B. Petitions presented into the record from Commissioner Maxcy that were sent out by Ray Napper as an opinion poll results from Huckleberry Lake Drive residents. See Petition file for copy. The County Administrator advised that he has also revised a survey letter but it has not been mailed.

- C. Pauline White asked for the status of plans for the Veterans Beach. Mr. Cool reported that staff is seeking permits at this time. She also invited everyone to come to the Farmers Market on Saturday morning in Sebring.

- D. Joe Snoll spoke regarding the issuing of building permits for homes on dirt roads and

the county providing four wheel drive vehicles for emergency services.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the Action Agenda with the addition of the Insurance Committee Recommendation to be listed under Commissioner Maxcy. Upon roll call, all Commissioners voted aye. Motion carried.

A. Public hearing to consider settlement of Case No. GC95-493: Highlands County vs. Jack F. Terry and Gwen B. Terry

Proof of Publication entered into the record by Carl Cool. See SMB 28 Page 89.

The Board Attorney explained the settlement proposal for the property that was acquired by eminent domain for right of way for Phase One construction, Eucalyptus Parkway. Total cost including attorney fees listed at \$84,093.69. The historical site of the building was mentioned. Carl Cool presented \$1.00 to start a fund to save the Depot. He suggested that the \$1.00 go to Pauline White to begin the program. Pauline White spoke against the Parkway and the design. Bill Stephenson advised that the movement of the building was listed at \$80,000. Commissioner Gose spoke in favor of the Parkway.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to accept the proposal and to settle the lawsuit. Audrey Vickers placed into the record a Resolution adopted by the Historic Preservation Commission and entered into the record the contents. See SMB 28 Page 90. She advised that the ordinance does have obligations. Upon roll call, all Commissioners voted aye. Motion carried.

The Chair directed the County Administrator to write a letter to the Preservation Commission in conjunction with the City Council for ideas on moving the building. Mr. Cool advised that this item must also be presented to the Sebring City Council for their approval. See SMB 28 Page 89-A for copy of Mediation Stipulation.

B. Resolution : “Keep America Beautiful Month”

Peggy Chapman, Executive Director, of “Keep Highlands Beautiful” appeared before the Commission with request for adoption of the Resolution. Ms. Chapman also presented a report on the projects accomplished for last year.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to adopt Resolution “Keep America Beautiful Month - April 1997. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 150.

Recess- 9:50 a.m. - 10:00 a.m.

C. Chambers of Commerce: Annual Reports

Chamber of Commerce Annual Reports were presented by Allon Fish, Director of Sebring Chamber, Joel Lowman, Director of Lake Placid Chamber and Tracy Velong, Avon Park Chamber. Information presented filed in Chamber files.

D. Howard Short: Bid #97-16 for Analysis of Water Samples and Leachate

Vaden Pollard, Operations Director and Bob Jamison, Purchasing Director, presented staff's recommendation to accept the low bidder, Accutest, for bid analysis. The Board discussed the asset of Mr. Short being a local vendor. Mr. Short spoke in favor of the Commission awarding the bid with justification of location.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to accept Short Environmental Services as the bidder for Bid #97-16 - Analysis of Water Samples and Leachate at the County Landfill Sites, due to convenience and location of a local office. Upon roll call, Commissioners Gose, Maxcy and Barrett voted aye. Commissioners Canale and Flowers voted nay. Motion carried. See SMB 28 Page 91.

E. Clayton Womer: Salary caps

Clayton Womer gave a presentation in opposition to the proposed cost anticipated with the approval of the Pay and Entitlement revision, to allow the upper end of all pay grades to be adjusted upwards by ten percent to accommodate the 27 Board employees that are ineligible for future performance based raises. Mr. Womer gave an estimated cost of this revision. Discussion ensued regarding a bonus policy. Fred Carino presented survey information. Commissioner Canale suggested that the Board agenda for a workshop.

F. Finance Director: Recommendation for financing of Sun 'n Lake of Lake Placid clubhouse

Mike Eastman presented a report on RFP to obtain financing for the Sun'n Lake of Lake Placid clubhouse. He recommended the proposal of Huntington National Bank of Florida with the adjustable rate of 64% of prime.(5.28%). The Board Attorney suggested that the Chairman have this item noticed on the Special Tax District. See SMB 28 Page 92 for copy.

G. Operations Director: Road Policy for non-maintained roads

Vaden Pollard reviewed the road policy recommendation. Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the updated road maintenance policy as presented for non-maintained roads. Dan Foley spoke regarding the impact of Gas Tax. Joe Snoll suggested that the Board require that Developers bring roads up to county maintenance standards. Ralph Warner spoke in favor of the motion. Doug Walz suggested that a hardship waiver be created in certain cases for the application fee.

Commissioner Canale amended the motion to leave the fee at \$25.00. Commissioner Flowers seconded the amendment. Flowers asked that the Board workshop the idea of not issuing a C.O. until roads are in place. Upon roll call, Commissioners Canale, Flowers and Barrett voted aye. Commissioners Gose and Maxcy voted nay. Motion carried. See SMB 28 Page 93.

H. Development Director:

1. Review of DCA proposed Settlement Agreement

Jim Polatty, Development Director, reviewed the Settlement issues with the Commission. See SMB 28 Page 94. The biggest area of concern was the Sewer Policies. Jim Polatty advised that Michael

McDaniels will be here next week to discuss these issues again. Commissioner Gose suggested that the Septic Tank Association representative be present. See SMB 28 Page 94.

2. Review of CFRPC's Strategic Regional Policy Plan

Jim Polatty presented the review. Ross Macbeth stated areas of concerns. Doug Leonard, Executive Director of the CFRPC, explained the document and presented options. Councilwoman Pauline White asked if the Plan requires policy mandates. Jim Polatty stated that the Plan is full of mandates and on March 12, 1997, the CFRPC will hold a rule making public hearing concerning this document. John Martz, Governors appointment, reminded the Board that this is a regional document and not just a document for the county. We need to move forward and make changes as we proceed. The consensus was to allow the Chairman to work with the committee as we move forward. See SMB 28 Page 95.

2-A. Coordination Support Position - Community Safety Team

Motion by Commissioner Gose, seconded by Commissioner Maxcy to leave the job description as is, but to remove the requirement for the advertising. Upon roll call, all Commissioners voted aye. Motion carried. Mr. Leonard assured the Board that Highlands County will benefit greatly from this position.

I. Special Projects Director: Request to accept donated property

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to accept donated property from Neva Giomi for Lot 13, Block 11, Placid Lakes Section 2, and put out to bid for sale. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 96.

J. County Engineer:

1. Progress Report - Government Center

Bill Lecher, County Engineer, presented the third monthly progress report on the Government Center project. He reported that a majority of the structural steel work is complete and the masonry front wall for the commission chambers is under construction. The project is currently on schedule. See Government Center file for copy.

3. Request for additions to Government Center and budget amendment 96-97-116

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve an additional service request from the Property Appraiser and Tax Collector in the amount of \$9,590.00 for changes in the layout for operational purposes. Upon roll call, Commissioners Gose, Maxcy and Flowers voted aye. Commissioners Barrett and Canale voted nay. Motion carried. See SMB 28 Page 97.

3-A. Direct Purchase Request

The County Engineer requested that the Board waive the purchasing procedure for the Government Center purchases only, to eliminate a delay in order to get the benefit of the sales tax savings. Mike Eastman, Finance Director, strongly recommended that the Board not make any changes as the Clerk's function is to make sure that the purchasing policies are being followed and the budget is not overspent. He also concluded that if everyone is doing their job and the county's purchasing

procedures are being followed, the county will realize the savings. Carl Cool spoke in favor of the Direct Purchase request. Ross Macbeth stated concerns that materials are being ordered before a purchase order is issued. He advised that if we are going to realize tax savings, the order must be placed in the county's name not by the subcontractor. If the paper work is not correct, with the deductive change orders and the county does not have the subcontractors in control, the county will be inviting a problem with the Department of Revenue. No action was taken by the Board.

3- B. Budget Amendment

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve a budget amendment #96-97-116, for the Government Center additions to be taken out of this year's Eucalyptus Parkway funds. Upon roll call, Commissioners Gose, Maxcy, Flowers and Barrett voted aye. Commissioner Canale voted nay. Motion carried.

2. Update on Sebring East Industrial Park

The County Engineer presented a report regarding improvements required for roadway acceptance in the subdivision. See SMB 28 Page 98. Mr. David Plank has agreed to complete these conditions by April 18, 1997. The County Engineer will report back to the Commission on the follow-up.

K. Board Attorney

Mr. Macbeth suggested that the County Administrator be designated as the authorized official for the administration of the Department of Community Affairs grant, Item #9, as listed on the Consent Agenda.

L. County Administrator:

1. Request for Resolution on specialty license plate promoting adoption of children

Motion by Commissioner Canale, seconded by Commissioner Flowers, to adopt Resolution directing the County Administrator to seek Legislative Support for consideration of a specialty License Plate promoting adoption of children. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 151.

2. Recommendation on office space needs for State Attorney, Public Defender and Legislative Delegation

The County Administrator presented recommendations for office space needs. John Roman, Director of the Public Defender, presented a memo to the Board stating that the building would be adequate for their needs for the next two to three years. Additional items of concern were addressed. Commissioner Maxcy stated concerns for spending \$96,000 for purchasing modulars that were not identified in the project. See SMB 28 Page 99 for copy of recommendations.

Motion by Commissioner Canale, seconded by Commissioner Flowers to approve the recommendation of the County Administrator for office space for the State Attorney, Public Defender and the Legislative Delegation. Upon roll call, all Commissioners voted aye. Motion carried.

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3. Opinionnaire 1997 results

Carl Cool presented the summary results from the Opinionnaire 1997. See SMB 28 Page 100.

M. Consent agenda:

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

1. Approval to pay all duly authorized bills

Law Library	868.59
General	1,914,430.24
County Transportation Trust	77,908.59
E911 Operations	10,349.42
Conservation Trust	1,400.00
Intergovernmental Radio Communications	346.11
Law Enforcement	747.00
Local Govt Infrastructure Surtax	140,353.15
Affordable Housing Assistance	21,823.79
Correctional Facility	38,221.20
Government Center	139,431.86
Solid Waste	132,141.16
Water/Sewer	35,482.97
Risk Retention	1,528.96
Employee Benefit	53,700.88
Flexible Benefit Trust	1,037.44

See check register for detail information

2. Approval of minutes of 2-11-97 and 2-18-97 meetings
3. Approval of new street name - Tillman Way. See SMB 28 Page 101.
4. Approval of request for personnel extension (Don Hanna) Planning Department. See SMB 28 Page 102.
5. Approval of budget amendment 96-97-103, -114 and -115
6. Approval of resolutions and budget amendments 96-97-102, -104, -109, 112 and 113. See Res. Book 10 Page 152.
7. Approval of EMS write-off - Mary Thornton. See SMB 28 Page 103.
8. Accept into record - financial statements of Sun 'N Lake of Sebring Improvement District. See Improvement District for copy.
9. Approval to execute grant agreement #97EM-7T-07-38-10-028 with the County Administrator as the authorized official.
10. Approval of payments without purchase orders - Government Center.
11. Approval to execute Resolution on overtime pay during disasters. See Res. Book 10 Page 153.
12. Approval to trade in four county vehicles. See SMB 28 Page 104.
13. Approval of amendment to commodities grant contract #3594 (\$8,840)

14. Approval to execute Interlocal Agreement with Sebring Airport Authority

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

6. COMMISSIONERS

1. Commissioner Maxcy-Insurance Recommendations:

Motion by Commissioner Maxcy, seconded by Commissioner Canale to withdraw intent to bid that was previously sent to Public Risk Management on September 6, 1996 and retain the services of Public Risk Management. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 105.

- 2. Commissioner Flowers - suggestion to move "Citizens not on agenda" to the end of the agenda. After discussion, the consensus was to place after the Consent Agenda.
- 3. Commissioner Canale - report on the Florida Association of Counties meeting.
- 4. Commissioner Gose - questioned issue of Lake Haven Estates Street Lights discussion.
- 5. Commissioner Gose - endorsed Mr. Macbeth's letter that was sent to Mr. McCollum, Attorney for the School Board.

7. ADJOURN

The meeting adjourned at 1:56 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, MARCH 11, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers**

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

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner, David Flowers. The Pledge of Allegiance was led by the Chair, John D. Barrett.

3. **Announcements:**

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

A special "Get Well Card" was presented to Richard Conover by the County Administrator.

Commissioner Canale reported on the "Coffee" held at McDonald's to address citizens' concerns.

The Chair suggested that the Commission discuss item nine first, to allow the Personnel Director to leave the meeting early, due to a death in the family.

9. **Employee bonus incentives**

- A. Fred Carino presented a memo showing the effect of moving from the current Merit Raise procedure to one in which bonuses are awarded annually. He advised that a bonus will damage the long term earning of retirement credits of employees. See SMB 28 Page 107. Mr. Carino also spoke on the pay rate increases involving the lower paid employees vs. the higher paid professionals.
- B. Commissioner Canale reported on the public ideas from her meeting regarding the merit vs. bonus for county employees. She asked that Mr. Carino obtain information from Okeechobee county regarding the incorporation of the bonus program.

- C. The Chair called for public opinion on the issue. Dee Thomas questioned cost of the operation of the County Shell Pit, when laborers are not working and there is no hauling of shell. Clayton Womer stated that there are many inequities in the wage program. A merit increase is the only fair way. Roy Loukola spoke regarding the cap on wages. Earl Pickett commended the Personnel Director for his work.

Mike Eastman, Accounting and Finance Director stated that the Board of County Commissioners approved a 2-1/2% increase in salaries. This equates to a cost of living increase. Out of this 2-1/2% increase, we are giving a merit increase to some, in addition to the cost of living increase. This distribution of the merit portion of the increase means that some employees are not getting a cost of living increase.

- D. The Commissioners discussed the bonus/merit increase and the Chair advised that the Board will be looking at this issue again at budget time.

4. Parking of Commercial Vehicles in Residential Zoning districts

Commissioner Canale stated concerns from semi-truck drivers wishing to park their big rigs at their homes. She related that Eric Annett has offered a secure area for parking, but drivers say those locations are too far from their homes.

The County Administrator presented regulations from eleven (11) jurisdictions in the Central Florida area relating to the parking of commercial vehicles in residential areas.

The Chair opened the floor to the public for input. Bill Trego, Sylvian Shores, presented pictures into the record opposing any zoning change. Phil Askew also opposed any change that would allow truck parking in neighborhoods. John White spoke in favor of being able to park his vehicle since people are parking RV's and Campers in his neighborhood. Neil and Dee Thomas also spoke in favor of the parking. Ray Napper asked clarification to the zoning and expressed concern for the truckers.

The Chair advised that the Commission did address this item and a consensus was reached not to change the zoning. Unless a Commissioner wishes to place back on the agenda, this is a dead issue.

Break - 10:12 a.m. - 10:25 a.m.

5. Comp Plan amendments 95-1 and 95-2 (Central Sewer System)

Jim Polatty reviewed Comp Plan amendments 95-1 and 95-2. Michael McDaniel, Department of Community Affairs, presented problems that exist with vacant platted lots. He suggested the county develop a county wide sewer master plan. Ross Macbeth suggested that Mr. McDaniel address the timing issues of his proposal as the county will not reach density that would require central sewers systems for the next 10 to 20 years. Mr. McDaniel stated that he is looking for policies that would address the areas once they have reached a certain threshold of development.

Carl Cool produced three (3) sewer and water studies accomplished over the past years. He asked for data and analysis that would support the need for another study for sewer. Mr. McDaniel related that he is looking to the future development.

Carl Cool presented the question to John Heber, Bureau Chief of Sewer Systems, in Tallahassee, if he knew of any problem in Highlands County caused by septic tanks. He replied that he did not. Roger Christopher is the contact person for him and if there is a problem, he is notified. He advised that there is a potential for nutrients to contaminate the well water.

The Chair opened the floor to the public. Roy Copeland owner of Sebring Septic Tank, stated that septic tanks should be a permanent solution to a sewer problem. Ruth K. Davis stated that the average age of residents in the county is 60-65 and it is very hard to get funding from citizens. Leon Wiltsey, Lake Haven Estates, agreed with the septic tank solution. Ray Napper suggested the state pay for the study as they are in charge of the lakes. Joan Pfleuger spoke regarding installation cost of a sewer system. Mike Starcvcic spoke regarding the poor condition of the lakes in the county.

The Board discussed the settlement issues and the responses by the Department.

10. Ideas on the preservation and relocation of the old Train Depot

Carl Cool presented estimates on moving the Depot. (\$55,000-\$78,000). Sebring Model Railroad Club member, Keith Williams, stated that his organization is very interested in preserving stations across the nation. He presented a hand out relating to the restoration of the Lake Wales freight station. See SMB 28 Page 108. He stated that his organization would be willing to take the lead and put in a model system and keep this open to the public. Commissioner Gose suggested a

partnership with the City, and the private sector to commit to one-third each. (\$26,000). Bill Snyder, President of the Sebring Railroad Club, and Ruth Davis, Sebring Historic Preservation, spoke in favor of the restoration. Don Darling spoke regarding the expense to recondition and maintain the building. Marguerite Skipper, President of Highlands County Historic Preservation Commission, spoke in favor. Bill Koster spoke in favor of the depot restoration and opposing the Eucalyptus Parkway construction. The Chair instructed Mr. Cool to continue with the project and identify the exact cost involved.

Break 12:15-12:25 p.m.

6. Attorney Fees

Mr. Cool presented a survey performed by Rick Helms on legal service costs from six (6) other counties. See SMB 28 Page 109. Highlands County was projected as the lowest between three smaller counties and three larger counties. Carl Cool advised that he has been reviewing the attorney's invoices monthly and would like direction on the \$1.00 per fax charge. Mr. Macbeth advised that he has discontinued the charge for fax copies. The Chair asked for public input on the subject. Hank Kowalski asked if Heartland Environmental suit was included in the attorney cost. Mr. Macbeth advised that part of the cost was included in last fiscal year. Also part of that was expert witness fees that would not be a part of the litigation cost.

7. BFI

Carl Cool gave an update. Auditors and staff have met with BFI and findings will be presented back to the commission.

8. Handicap access

Ray Napper presented a portion of the ADA standards and asked that the Chair read and then discuss at a later time. Carl Cool responded that Fred Carino, Personnel Director, is the compliance officer and several staff members have attended ADA meetings and reviewed what the county is doing. It is the opinion that staff are in compliance with ADA standards. See SMB 28 Page 110.

The Chair presented ten forms that were signed by citizens requesting a commission meeting every Tuesday, with a workshop following when necessary and "Citizens not on the Agenda " to be listed at the top of the agenda. These forms were given to the Clerk's Office for the record. See Citizen file for copies.

11. ADJOURN

The workshop adjourned at 1:38 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD MAY 13, 1997

1. The meeting was called to order at 9:16 a.m. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

J D Barrett
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

A. Water Task Force Board

The Chair recognized the Water Task Board members in attendance. He requested that the Commission approve the Attorney draft a Resolution for the formation of a Water Advisory Board. The Board Attorney outlined the mission statement of the Resolution to include the duties and responsibilities, membership of the committee, qualifications, geographic areas or industry and governmental composition of the Board so that it represents the community or the water users of the area.

Findings and Recommendations of Water Task Force presented by Don McKenna, that the duty and responsibility of the Commissioners are to protect and defend the health, safety and welfare of all Highlands County water users, and the most efficient method to offer this protection and defense is by establishing and creating the Highlands County Water Advisory Committee to advise the Commissioners on issues that impact the county's water resources. The Commission discussed the make up of the committee. Commissioner Gose suggested that each city have one council member or appointee and Chairman Barrett also serve. Clint Smith, Lake Placid Town Council, questioned the dual office holding policy. Commissioner Canale asked that each city send a representative. Carl Cool presented a memo from Larry Sharpe suggesting that the Natural Resources Board discuss duties for the Lakes Manager before a commitment is made. Commissioner Maxcy suggested a cost estimate be considered or that the eleven points be eliminated the first year to simplify the process. Ross Macbeth suggested a more general mission statement.

The Chair opened the floor to the public. Earl Pickett suggested that Fred Tagtemeier be considered for appointment. John Borgemeister, co-chairman, of the task force advised that the consensus of the committee was not to allow this to become a political issue. He would rather see the cities and county communicate with the committee by liaisons. Dan Foley, Citrus Growers Association, stated that he would like members with expertise. He recommended John Payne to represent the Ag Community. Don McKenna, Sebring Utilities Director, agreed with the discussion. He pointed out a conflict of interest that could arise

when city or county employees with water use expertise get appointed to this committee. Audrey Vickers spoke regarding the importance of water safety in the county. Richard Conover advised that he declined membership because of the dual office holding policy.

Ross Macbeth stated that all agencies need to be committed and that we have a uniform position in defending the water needs that our community has, whether it is an elected official or a representative from the cities. Cities should be represented, due to the expansion of the municipal system.

Commissioner Maxcy disagreed with John Borgemeister, saying that city involvement and representation is needed because they distribute most of the water. The issue is a political issue and putting the burden on the back of an elected official is putting the burden where it should be.

The Chair added to the list John Payne and Fred Tagtemeier and directed the Board Attorney to prepare a Resolution for further action. The committee to consist of nine (9) members and two (2) alternates. See SMB 29 Page 26.

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

B. Frontage roads

Carl Cool discussed with the Board the concept of frontage roads in relation to access management and the Comprehensive Plan. Examples of frontage roads were given. Mr. Cool stated that he designed plans back in 1991 that showed placement of frontage roads from US 98 on the southern end to Polk County line on the northern end. After a workshop with the Board, the landowners objected to the proposal due to the impact of right of way loss. However the DOT did adopt an Access Management Plan that addressed frontage roads, and the Board participated in a demonstration project that included Bayview Street to Fairmount Drive. Commissioner Gose stated that the 1991 plans involved property behind the Dairy Queen and up and down 27 from Jim Blackman Ford to the Shopping Mall and there was not adequate right-of-way. This request is simple, just ask the attorney to develop an ordinance for the area from 98 south to include frontage roads.

Jim Polatty explained the policy in the EAR Ordinance. The main issue is the location of the frontage roads and the right of way needed. He suggested a study with the 91 plans included as there are still frontage roads needed up and down US 27.

Bill Lecher advised that the county has to have a plan in place for property owners to be aware of requirements before development is started and the impact to their property. The consensus of the Board was to direct staff to perform a study and update the Management Plan to 98 South. Discussion regarding the study and the proposed cost. The Board asked

that staff work with DOT to minimize cost. Commissioner Canale questioned the idea of a moratorium on zoning until this study is completed. The County Administrator requested that the County Engineer recommend when a new development is started, that land should be reserved for a frontage road. The Chair asked that Planning and Zoning Agency be updated and that comments be received from that agency. Carl Cool suggested that his recommendation did not include a moratorium but a design constraint that will be looked each time a development is proposed.

The Chair called for public input. John Borgemeister requested that in the process, where property rights are involved, the Board consider taking the 50 feet and possibly less, to minimize the impact. The Board may consider a tax benefit or an incentive program where the developer of the property agrees to put in the frontage road. Bill Lecher stated that the 60-foot right of way is a realistic approach. Carl Cool will bring back suggestions for next weeks' agenda.

C. Utility franchise fees

Commissioner Flowers presented a prepared statement before discussion, directed at the news media regarding Commissioners obtaining information to insure that correct decisions can be made on a specific issue that could set policy. See SMB 29 Page 27 for a copy.

Carl Cool presented compilation of data on the electric utility gross billings for the unincorporated area of the county. Based on the data a 6% franchise fee levy would generate \$2,179,307 or less than the value of one mil of ad valorem tax. A 10% levy would generate \$3,632,179 or approximately \$1.4 million more than one mil of ad valorem tax. Mr. Cool advised that Florida Power is opposed to a greater fee than 6%. In fact they plan to litigate if the Board set the fee at 10%. Mr. Cool also presented a spreadsheet of utility companies with the annual electric bill depicting a franchise fee of 6% and the reduction amount of their tax bill by ½ of a mill. See SMB 29 Page 28. Attorney Jim McCollum, speaking for the School Board, asked the Board to exempt the School Board due to the impact to the schools. Carl Cool suggested a million dollars be set aside for Parks and Recreation. See SMB 29 Page 29 for a copy.

The Commission discussed implementing the franchise fee with a millage rate rollback as a way to give property owners a break on their taxes while raising money for recreation and transportation projects. However the information showed the county would raise less money than previously indicated, and could substantially raise monthly electric bills. Carl Cool stated that the city resident would be the winner of a franchise fee/millage rate rollback plan. They would reap the benefits of improved roads and recreational facilities without contributing.

Commissioner Canale stated that with information presented today, she is opposing the

Utility Tax. The Chair opened the floor to the public. Don Reeves spoke opposing the Utility Franchise Fees as it is an unfair tax. Carl McWilliams from Sun'n Lakes Estates, spoke in opposition. John Payne, representing the Farm Bureau, spoke in opposition. Harold Seaman, representing the Florida Mobile Home Association, spoke in opposition. M.R. Rhoades, Sparta Rd., spoke in opposition. Earl Pickett, representing the Twin Lake Property Owners Association, spoke in opposition. Richard Conover spoke in opposition. Steve Roberts, Avon Park, spoke in opposition but proposed a franchise fee that would reduce property tax by the exact amount. This will affect people who are not paying tax to be subject to assessment. Clayton Womer also spoke in opposition. Dan Foley stated disappointment that staff does not have numbers to justify the franchise fee as reduction of property tax would greatly benefit the agriculture industry. Von Whitesides spoke in opposition. Hand out presented regarding the expense of growth. See SMB 29 Page 30.

Commissioner Flowers asked the Board if anyone favored this fee. No one spoke in favor. The Chair directed the County Administrator to withdraw the public hearing scheduled for May 27, 1997.

3. ADJOURN

The meeting adjourned at 12:20 p.m.

Chairperson

Attest: _____
Clerk

BOOK 17 PAGE 187

REGULAR MEETING OF THE BOARD, MARCH 18, 1997

1. The meeting was called to order at 5:30 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. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool. The Pledge of Allegiance was led by the Chair, J.D. Barrett.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Susan Benton presented the daily Jail Log Inmate report for the period ending March 18, 1997.

- 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. **Yvon Richard: Big Brothers-Big Sisters Annual Report**

Yvon Richard introduced Ms. Sandra Billings, Executive Director. She presented an annual report, along with an expense report for the Big-Brothers and Big Sisters. See SMB 28 Page 111.

4. **ACTION:**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to set the Action Agenda with the following changes as listed:

- 1) Addition under the Budget Officer for Audit Responses
- 2) Deletion under the County Engineers' item E. #1 and # 4 and a portion of item # 5- Raybro Co.
- 3) Under the Consent Agenda to pull item #1-7 and 14 for discussion.
- 4) Under the Consent Agenda to delete item #6 and item #19

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

- A. **Jim Stanfill:**

1. **Appointments to Industrial Development Authority**

Motion by Commissioner Canale, seconded by Commissioner Maxcy to appoint Christine Hands and Edd Vowels as members to the IDA/EDC Board. Commissioner Gose asked that resident location be considered. The Board Attorney advised that there is no geographical requirement in the Enabling Act.

BOOK 17 PAGE 188

Upon roll call, Commissioner Gose voted nay. All other Commissioners voted aye. Motion carried. See SMB 28 Page 112.

2. Industrial Development Authority Annual Report

Jim Stanfill presented the IDA/EDC Annual Report for 1995-96. See file for copy.

3. Tourist Development Council Annual Report

Annual Report on the Tourist Development Council presented by Jim Stanfill. See file for copy.

B. Irene Knutson: Paving Scheduling for Orange Blossom Blvd. South

Irene Knutson presented a request to move Orange Blossom Blvd. South, up on the paving schedule as specified on the Unit 2 Dirt Road Construction list. She stated that at the time of the original evaluation Orange Blossom Blvd. South scored higher than Hart Road, yet it received a lower priority. She presented a list of names in favor of the scheduling. Vaden Pollard advised that the utility poles created a hindrance and the evaluation system did not meet the density requirement. If we alter the scheduling list, it will cause havoc to the road paving projects. Lance Gilver spoke in opposition to changing the list. See SMB 28 Page 113. John Bock spoke in favor of paving the road. Maria Sutherland, a resident of Hart Road, also spoke opposing a change to the schedule. The Commission took no action.

C. Personnel Director: Road Inspect position reclassification

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve that position #933, Road Construction Estimator/Inspector be reclassified to Pay Grade 17, due to the growth in the scope of responsibility. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 114.

D. Budget Officer: Budget direction and priorities

Rick Helms, Budget Officer, presented a memo containing data from previous years of the budget cycle. He also presented recommendations for the fiscal year 97-98 budget cycle. The Board was asked to review the information and present direction and priorities. See SMB 28 Page 115.

Carl Cool suggested the consideration of a 10% utility, right-of-way, tax as an alternative funding source to provide additional funding for recreation and roads. This could be used to lower the millage rate and also redistribute the tax burden. The Chair directed the County Administrator to set a public hearing for consideration on May 27, 1997 for the unincorporated areas, only. The Chair also directed Mr. Cool to set a public hearing on that same date for consideration of the Gas Tax.

1. Audit response and Management letter

Rick Helms, Budget Officer, reviewed the findings, recommendations, and proposed Management responses as contained in the Single Audit Section and the Management letter from external auditors for FY95-96.

He advised that staff has identified the appropriate responses that need to be resolved from management level. Motion by Commissioner Canale, seconded by Commissioner Maxcy, to accept findings and

recommendations into the record and to approve the Management letter. Upon roll call, all Commissioners voted aye. Motion carried. See Audit file for copy.

Break 7:00 p.m. - 7:10 p.m.

The meeting reconvened at 7:10 p.m. with all members present. The Chair recessed the regular meeting to hear proposed action of the Special Tax Districts.

The regular meeting reconvened at 8:05 p.m. with all members present.

E. County Engineer:

1. ~~Payments without P.O.s - The Trane Company, United McGill, Computer Support Products~~
2. **Acceptance of Change Orders to LaGrow Systems Inc. contract for Tomoka Heights**

Motion by Commissioner Gose, seconded by Commissioner Canale to approve change order and budget amendment for \$2,890.00 to LaGrow Systems, Inc. for Tomoka Heights Wastewater Treatment Plan Expansion. Upon roll call, all Commissioners voted aye. Motion carried.

3. **CH2M Hill Contract for the partial closure and expansion of landfill**

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve and execute the new modified contract with CH2M Hill Inc. for \$250,000 to provide Phase 1 services for the design, permitting, evaluation of the existing facilities, and preparation of construction documents for the expansion and partial closure of the Solid Waste Management Center. Upon roll call, all Commissioners voted aye. Motion carried.

4. ~~Request payment for Government Center - Ringhaver~~

5. **Payments without P.O.s - Raybro, Hughes Supply**

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve payment of invoice without a purchase order for Hughes Supply, Inc. in the amount of \$14,860.44. Upon roll call, all Commissioners voted aye. Motion carried.

F. Board Attorney:

1. **Highlands Sanitation, Inc. / County overpayment**

Mr. Macbeth reported that Mr. Austin has confirmed that the \$36,000 that the county pays in mileage adjustment on a yearly basis was included in the revenues in Mr. Lairseys' schedule which was taken from their audit report. To determine the pretax profit, the \$36,000 must be excluded. The determination was that we did owe them that amount and the county should not expect a refund. See SMB 28 Page 119.

2. **Approval of Escrow Agreement for Sun 'n Lake Preserve**
3. **Exercise of Option for Sun 'n Lake Preserve**

4. Approval to close purchase - Sun 'n Lake Preserve

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve Escrow Agreement, exercise the Option Agreement, and authorize the Chair to execute the closing statements necessary to close between Sun'n Lake of Sebring Improvement District, Florida Communities Trust within the Department of Community Affairs and Highlands County referred to as the purchaser and Swaine, Harris, Sheehan & McClure.

The Board discussed the potential problems associated with the Preserve. The County Administrator advised that much hard work and time is involved and asked the Board to proceed with the project. Upon roll call, all Commissioners voted aye. Motion carried.

5. Resolution establishing The Housing Authority of Highlands County

Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt Resolution establishing the "Housing Authority of Highlands County" and to send a copy to the Honorable Governor of the State of Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 154.

6. Approval of Istokpoga Breezes TDR

The Board Attorney advised that this item was pulled from the Consent Agenda for additional information. He explained the transfer of development rights to the Commission. The action necessary is to approve and enter into the agreement for the transfer of development rights, the declarations of covenants, and conservation easement and the termination and declaration of covenants and to authorize the attorney to release the termination for recording if the closing with the state takes place. The Chair placed item #14 back on the Consent Agenda for approval.

G. County Administrator: Suggested Task Force for Sun'n Lakes Blvd. recommendation

The County Administrator reported on the Sun'n Lake Improvement District recommendations. The recommendations were to appoint a task force to consider changes to Sun'n Lakes Blvd. Suggestions presented were for six representatives to be designated. Highlands County Board of County Commissioners (2), Highlands County School Board (2), and the Improvement District, (2).

Motion by Commissioner Maxcy, seconded by Commissioner Barrett, to designate Commissioner Canale, from the Highlands County Board of County Commissioners and Carl Cool, County Administrator for the special task force. Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool asked that everyone remember the five ladies that lost their lives at the Ag Center three years ago, today, due to an accident and to remind everyone that the traffic signal was turned on this past week.

1. Consent Agenda Item #7-Memorandum of Understanding with Fire Departments - discussion

Commissioner Flowers proposed that additional language be added to the agreement for first responders, that the County reimburse the cities for either \$1,000 in funds or supplies, for maintenance and upkeep of their own medical supplies and equipment. The cities have no other avenue for reimbursement and the county does receive a portion back from insurance. Mr. Cool recommended that the county approve an Interlocal agreement of \$1,000 for each of cities, and not involve an

exchange of medical supplies, as it is clearly a benefit to the citizens. Commissioner Gose spoke opposing this suggestion. Joe Trainor, Avon Park Fire Chief, spoke in favor of the additional language for reimbursement. Due to a time limit on the agreement, the Chair placed the item back on the Consent Agenda for approval. Mr. Cool was directed to place the reimbursement issue on the agenda for the next regular meeting and meet with the firefighters for recommendations. Mr. Flowers requested that he be present.

Consent Agenda Item #1-Approval to pay all duly authorized bills-discussion

Commissioner Canale discussed the cost of printing by the county and recommended the Board look into purchasing equipment to be placed at the jail. The prisoners could operate the press. She also questioned the payment of a bill for a video on "How to be powerful with the press." The Chair requested that Mr. Cool research this matter.

H. 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:

Law Library	111.50
General	638,671.35
County Transportation Trust	29,204.89
E911 Operations	639.91
Intergovernmental Radio Communications	350.00
Local Govt Infrastructure Surtax	84,276.15
Law Enforcement Education	1,089.80
Affordable Housing Assistance	5,382.20
Special Law Enforcement	1,225.00
Correctional Facility	56,662.00
Solid Waste	227,568.98
Water/Sewer	12,112.56
Risk Retention	110,179.77
Employee Benefit	221,759.36
Flexible Benefit Trust	5,887.44
Highway Park Utility	3,367.00

See detailed check register for additional backup.

2. **Approval of minutes of 2-25-97 and 3-4-97 meetings**
3. **Accept into record - February Monthly Report**
4. **Approval to execute transfer of Tax Certificates (Lydia Smith). See SMB 28 Page 120.**
5. **Approval to execute Adopt a Highway for Sebring Morning Lions Club. See SMB 28 Page 121.**
6. ~~**Approval to execute a resolution to establish a public hearing for road closing (deleted)**~~
7. **Approval of Memorandums of Understanding with Fire Departments (City of Sebring and City of Avon Park).**
8. **Approval of First Responder Defibrillator Agreement (City of Sebring and City of Avon Park).**
9. **Approval of Capital Expenditure - hand held radio for EOC**
10. **Approval of Resolutions and Budget Amendments 96-97-124, 127, 130 and 133. See Res. Book 10 Page 153 and 154.**

- 11. Approval of Budget Amendments 96-97-122, 126, 131, and 132
- 12. Approval of disposition of used uniforms. See SMB 28 Page 122.
- 13. Approval to purchase motor grader with unspent monies in the capital outlay account. See SMB 28 Page 123.
- 14. Approval of Istokpoga Breezes TDR (to include entering into agreement for the transfer of Development Rights, Declaration of Covenants, and to authorize the attorney to release the termination for recording, if closing with the state takes place).
- 15. Approval to execute grant contract for Sebring Chamber of Commerce
- 16. Accept into record SFWMD Comprehensive Annual Financial Report
- 17. Approval of license for one acre - Avon Park Air Force Range
- 18. Approval of Spring 1997 Comp Plan Amendments-CPA 97-053LS. See SMB 28 Page 124.
- 19. ~~Approval to reject bids on loader~~

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

5. CITIZENS NOT ON AGENDA:

- A. Mr. Earl Pickett presented a letter into the record addressed to Beth A. Barrett for the nomination of Kevin J. Roberts, for the Clark Award. Mr. Roberts was nominated for his work with the Children’s Services Council and his determination to establish the Child Advocacy Center. Mr. Pickett also praised Commissioner Canale for her meetings with the public.
- B. Mr. Ray Napper spoke in regards to citizens having the right to speak at Board meetings and stated that he does not have a preference where the item is placed.

6. COMMISSIONERS

- A. Commissioner Canale reported on her meetings with the public.
- B. Commissioner Maxcy-request for temporary advance for the Cafeteria Plan from the General Fund.

Motion by Commissioner Maxcy, seconded by Commissioner Gose to waive the agenda and advance a \$5,000 temporary payment to the Cafeteria Plan. Upon roll call, all Commissioners voted aye. Motion carried.

- C. Commissioner Maxcy requested the Board pursue a partnership agreement with the Sebring Airport Authority to acquire a lease of 1,000 feet x 1,000 feet, to construct an adult Softball and Horseshoe Complex. The consensus was to allow the County Administrator and Mr. Maxcy to negotiate the project.

7. ADJOURN

The meeting adjourned at 9:10 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, APRIL 1, 1997

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
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 the County Administrator, Carl Cool. The Pledge of Allegiance was led by the Chair, J. D. Barrett.

3. **ANNOUNCEMENTS:**

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

- A. Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending April 1, 1997.

- B. Clerk**

L. E. "Luke" Brooker, Clerk, presented a report on the increase of Domestic Violence injunctions. Secondly, a brief synopsis of the Pinzon Trial was given. Mr. Brooker reminded everyone of the "National Day of Prayer" to be held May 1, 1997 at 11:00 a.m.

C. Michael Eastman, Director of Accounting and Finance, presented a report on the CAFR completion. It was presented in a timely manner and staff anticipates receiving a certificate as it has in the past.

- 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. Swearing in Christine Hands and Edd Vowels to IDA**

L.E. "Luke" Brooker, Clerk of Courts administered the Oath of Office to Christine Hands and Edd Vowels on their appointment to the Industrial Development Authority. Luther "Red" Bohanon will also be sworn in at a later date. Lee Shafer, Chairperson and Jim

Stanfill, Executive Director for the IDA/EDC, greeted the Commission.

4. CITIZENS NOT ON AGENDA

1. Joan Pflueger requested the Commission consider a meeting every Tuesday, following the workshop, in order to eliminate the long sessions. See SMB 28 Page 126 for copy of request.
2. Melvin Picking spoke to the Board regarding the paving of Willow Street to the Lorida Post Office. Carl Cool noted that this is a public road right-of-way and it does not meet density requirement for paving. It will not qualify with our current standards. The Chairman asked that Vaden Pollard check the criteria and Carl Cool to bring back recommendations in two weeks.
3. Paul Haworth also spoke in favor of the paving of Willow Street.

5. ACTION:

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to set the Action Agenda with the following changes:

1. Legislative alerts to be added under the Asst. County Administrator
2. Addition of a proclamation under item B
3. Request for Attorney General's opinion under the Board Attorney
4. Comments for review-Sebring Airport Authority under the County Administrator

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

A. Sheriff

1. Drug Control and System Improvement Formula Grant

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve execution of the Certification of Participation by the Chair for the Drug Control Program and to designate William N. Jones, Undersheriff as the person for coordinating the grant application. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 127.

B. Proclamation: National County Government Week, April 13-19

The County Administrator read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Proclamation, proclaiming April 13-19, 1997, as "National County Government Week." in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 162.

B-1. Sheryl Walker, Department of Children and Families-Proclamation

Ms. Walker, Manager for Highlands and Hardee Counties for the Department of Children and Families, presented Proclamation.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Proclamation declaring April as Child Abuse month. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 163.

C. ~~Resolution on Bingo Legislation~~

D. Assistant County Administrator:

1. Insurance Guidance

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to accept the recommendations of the Asst. County Administrator on the four major components of the County Insurance Plan and remain self-insured for its health plan, with an RFP to be issued for the Third Party Administrator (Robey Barber). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 128 for copy of recommendations.

2. In-House Print Shop discussion

Tom Portz reviewed with the Board the cursory investigation of operating an in-house printing/reproduction shop that was obtained by Bob Jamison, Purchasing Director. He presented staff recommendation that a print shop in-house would not be a cost-effective business decision due to the competitive nature of the printing industry. See SMB 28 Page 129. After Board discussion, no action was taken.

3. Legislative Alerts

Tom Portz spoke in opposition to the Legislative Alerts presented on Poison Control, Eminent Domain, Probate and the Wireless 911 fee collection. The Board gave a consensus to generate a letter for the Chairman to sign in opposition and send to Legislators. See Department of State for copy.

E. County Engineer:

1. Government Center monthly progress report

Bill Lecher gave the monthly progress report on the Government Center project. He advised that a majority of the structural steel work is complete and the masonry front wall for the Commission Chambers is near completion. The project is currently on schedule and no significant problems have been encountered. See Government Center file for copy.

F. Lakes Manager

1. Lake Istokpoga Cooperative Agreement

An overhead transparency was presented by Clell Ford regarding Lake Istokpoga Cooperative Agreement. The Board discussed the probability of a commitment of funds for the county. Mr. Tom Champeau, State Biologist, advised that making the lake a Fish

Management Area enhances funding for the lake and it gives all agencies a say in the matter. Staff time would be the only cost involved. Kim Love spoke in support of the agreement and stated that restoration funding could become available.

The Chair opened the floor to the public. Joan Pflueger asked questions regarding pilot programs on lakes. Milton Brelsford spoke in favor of the management of the Lake.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to enter into a cooperative agreement with the Game and Fresh Water Fish Commission for the development of a long range management plan for Lake Istokpoga. The County Administrator to direct staff to coordinate work with the GFC to implement a plan that integrates aquatic plant control, habitat restoration, water quality and angler use. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 130.

Break 10:25 a.m. - 10:40 a.m.

G. Personnel Manager:

1. Personnel rules proposed revision

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve revision to the Personnel Rules and Regulations regarding recent changes in the Workers' Compensation laws and procedures. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 131.

H. Board Attorney:

1. Centro Campesino contract

Mr. Roger Mikesell appeared before the Commission to request the acceptance of the release of liens form from Centro Campesino for the reimbursement package to the county. See SMB 28 Page 132. Mr. Macbeth explained the process and the need to require waivers of liens from the subcontractors and materialmen and stated that they are asking for a waiver of the contract. He is concerned about liens being placed on homeowners. Mr. Macbeth suggested that the county be placed in the loop so if a notice is filed, the county actually gets a notice. The Chair called for public input. David Heacock, Housing Coordinator, spoke in favor of the Centro Campesino contract. Bill Borgemeister, General Contractor, spoke for the homeowner. The consensus of the Board was that staff work with Mr. Mikesell and bring a solution to the Board within the next two weeks. See SMB 28 Page 132.

2. Proposed lease on Girl Scout house

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve lease agreement with the City of Sebring, Highlands County Board of County Commission and the Heart of Florida Girl Scout Council. Upon roll call, all Commissioners voted aye. Motion carried.

3. Tampa Tribune request for Attorney General Opinion

Ross Macbeth advised that the Tampa Tribune failed to renew their second-class mail permit and they do not meet the requirement for the publication of legal notice, advertisement or constructive service. They have renewed the permit at this time but the one year requirement has elapsed. Motion by Commissioner Gose, seconded by Commissioner Canale to ask a second opinion from the Attorney General regarding publication in the Tampa Tribune. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 133.

I. County Administrator:

1. Goals for 1997 results

The County Administrator reviewed the list of the Board's collective priorities for the County Administrator. He will continue to bring back updates on efforts to fulfill this list of priorities. See SMB 28 Page 134. Commissioner Canale suggested county departments implement a tracking device to follow up with complaints. The Chair suggested that this item be placed for workshop.

2. Appointments to Planning and Zoning Commission, Board of Adjustment and Local Planning Agency

Commissioner Maxcy suggested that the Board go back to Commissioner representation for appointment to this Board.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to move Margo Tully up as a regular member, to replace John Payne and move Wilson Elliott from Avon Park, to Margo Tully's slot as an alternate. Harold Owen of Lake Placid to fill Ms. Rudolph's position, and to keep the other three members as is.

Commissioner Canale stated that her district was not represented in this motion. Commissioner Flowers also questioned moving John Payne. Dan Foley spoke in favor of John Payne remaining on the Board to represent Agriculture. Upon roll call, Commissioners Gose and Maxcy voted aye. Commissioners Canale, Flowers, and Barrett voted nay. The motion did not carry.

Motion by Commissioner Flowers, seconded by Commissioner Canale to approve all members as listed and to place Harold Owen as replacement for Ms. Karen Rudolph based on the geographic location. After Board discussion, Commissioner Canale withdrew her second. The Chair asked for a second to the motion. No second was received.

Motion by Commissioner Gose, seconded by Commissioner Canale, to move Margo Tully up as a regular member in John Payne's position and to place Harold Owen in Ms. Rudolph's position, Bruce Sherwood into Margo Tully's vacancy and to leave the other three appointments as is. This motion contingent upon Bruce Sherwood being agreeable to serve. Upon roll call, Commissioners Gose, Canale and Maxcy voted aye. Commissioners Flowers and Barrett voted nay. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, that the Board Membership consist of James L. Brooks, Lew J. Carter, Charles B. Jones, David Travers, Margo L. Tully, James L. Osborn, William R. Borgemiester as regular members with their expiration as shown and the alternates as Bruce Sherwood, David E. Johnson and Harold Owen with their terms as shown. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 135 for listing.

3. Discussion regarding Sebring Airport appointments

No action taken. See SMB 28 Page 136.

Carl Cool advised that he will be attending the Sebring City Council meeting and reporting on the Eucalyptus Bypass. Commissioner Maxcy asked staff to put together a cost savings figure on the difference in a two-lane versus a four lane road.

J. Consent Agenda:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve the Consent Agenda as read by the County Administrator.

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

Law Library	364.13
General	1, 472,051.54
County Transportation Trust	65,885.38
E911 Operations	10,686.06
Intergovernmental Radio Communications	340.92
Local Govt Infrastructure Surtax	98,757.31
Affordable Housing Assistance	5,215.40
Special Law Enforcement	14,307.08
Government Center	27,389.10
Solid Waste	49,208.92
Water/Sewer	1,051.50
Risk Retention	1,603.43
Employee Benefit	128,233.49
Flexible Benefit Trust	887.44
See Detailed check register file.	

2. **Approval of minutes of 3-11-97 workshop, 3-18-97 regular meeting, 3-18-97 special meetings**
3. **Approval of Insurance recommendation to implement a waiting period of 30 days after hire date for newly hired employees to be eligible to purchase dependent coverage. See SMB 28 Page 137.**
4. **Approval to sign Medicaid re-enrollment form for EMS**

5. **Approval to execute Agreement of Sale with addendum - State Attorney's modular**
6. **Approval to trade in two county vehicles. See SMB 28 Page 138.**
7. **Approval of resolution and budget amendment 96-97-142 County Health Unit. See Res. Book 10 Page 164.**
8. **Approval of budget amendments 96-97-107-141-145 and 146**
9. **Approval of ERC change order - closure construction contract. See SMB 28 Page 139.**
10. **Approval of Spring 1997 Comprehensive Plan amendments. See SMB 28 Page 140.**
11. **Recommendation on Bid #97-42 self contained breathing apparatus and accept Municipal Equipment bid for I.S.I. Magnum at \$1715.00 per unit. See SMB 28 Page 141.**
12. **Resolution to establish a public hearing, David Plank, petitioner. See Res. Book 10 Page 165.**
13. **Request for payment of invoice without a purchase order for Municipal Code update. See SMB 28 Page 142.**
14. **Approval of Preliminary Assessment for Nuisance Abatement. (Howard & Debra Clark) See SMB 28 Page 143.**

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

6. COMMISSIONERS

1. Commissioner Flowers spoke regarding the listing of "Citizens not on Agenda" and the amount of time allowed for speakers at the beginning of the meeting.
2. Commissioner Gose also spoke regarding "Citizens not on Agenda" and suggested that the Chair stay with the consensus of the Board.
3. Commissioner Barrett rebutted the amount of time allowed for speakers and stated that only one speaker went over the five minute time limit.

7. ADJOURN:

The meeting adjourned at 11:25 a.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, APRIL 8, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

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

- A. Commissioner Canale requested a discussion on Government Week to allow a Mock County Commission meeting with students. The Chair suggested that it be brought up after item #4.
- B. Commissioner Canale asked that a discussion be added for the paving of Riverdale Road, as Keith Fountain of Nature Conservancy, has negotiated a signed contract. The Board Attorney stated that this would be a change in policy as the item has not been noticed. The Chair suggested that we hear the item at next weeks' regular meeting.

Proclamation: 60 Years of Public Health in Highlands County

The County Administrator read the Proclamation into the record. The Board of County Commissioners endorsed the celebration of Public Health Week April 7-13, 1997 and joined the Highlands County Health Department in celebrating 60 years of public health service to the community. See Res. Book 10 Page 169 and SMB 28 Page 146.

4. **Request for future Law Library Space**

Gary Gossett, Chairman, Law Library Advisory Committee

Gary Gossett, Chairman, presented request for additional space for the Law Library. The Advisory Committee recommendations were presented as a model of the Polk County Law Library. Suggestions were for the new construction to occur as build out in the current

county commission building when vacated. Mr. Gossett stated that the Courthouse does not provide space for mediation or depositions and there is a shortage of cabinet and filing space. Since it is imperative that the law library be near the court system, this building would be ideal and would allow for extended hour usage by members of the Bar Association. Hand out presented. See SMB 28 Page 148. Mr. Gossett spoke regarding need for mediation space and the money saved when cases are settled. Commissioner Gose stated concerns for security. Commissioner Maxcy was not in favor of providing mediation room for attorneys and clients. The Board Attorney stated that mediation is court ordered.

Carl Cool presented information on the creation of the Highlands County Law Library and the funding by the Bar Association. The Board gave the Chairman a consensus that the Law Library does need additional space.

Commissioner Flowers suggested that someone look into the possibility of building a second floor onto Courtroom A. Carl Cool reported that Keith Hunnicut has looked at the location and it could be done with some revision. The Chair was not in favor of the restoration due to the cost and destruction of the historical value. Tom Portz stated that Pre-Trial Release should be located closer to the Courthouse. Richard Conover called and stated that the Guardian Ad Litem program also needs space.

L. E. "Luke" Brooker, Clerk, spoke in strong support of the boardroom space as a Jury Holding Room, and stated that he would be willing to donate adequate space downstairs for the Law Library. Mr. Brooker advised that another judge may be assigned to this county and indications are that the balcony above Courtroom A may become the new office for the Administrative Judge. Ross Macbeth suggested that the Board should work very closely with the Clerk in terms of space so that the functions that remain in the Courthouse are critical to the litigation process that the courthouse serves. Administrative functions that are not directly related to litigation should find a new home. There will be expanding needs for the courthouse.

Gary Gossett agreed to volunteer his time to help build a pro bono mediation program for people that cannot afford it.

The Chair opened the floor to the public. Clayton Womer spoke regarding building space needed for the library and suggested that the Board should not try to meet everyone's space needs. He favors increasing the Law Library space. Steve Houchins stated support for Gary Gossett, but not for the Boardroom to become a Law Library. He encouraged the Board to save this room for a Jury Assembly Room and for an overflow room. This room is not set up for a Law Library due to practical and security concerns. The consensus of the Board was to place the Law Library in the basement of the Courthouse.

~~5. 1:00 Public Officials Conference with Joe Myers, Division of Emergency Management~~

Canceled

6. Commissioner Canale - Government Week - Children Mock Teen Commission meeting

Commissioner Canale requested a consensus to move forward with a Mock Teen Commission meeting made up of students from the "Odyssey of the Mind" group. Carl Cool addressed the Lake Placid mock meetings, and suggested that Commissioner Canale contact Jack Haskins, the coordinator of the group, for more information and proceed with the meeting.

7. Discussion regarding Salvation Army Audit

Commissioner Maxcy asked if the Chair has ordered an investigation of the Salvation Army. He reported that he has asked Mr. Portz to check the County involvement in the issue. Mr. Portz responded that he has spoken with the Clerks' Personnel and the Salvation Army has advised that their records are available for review. The problem is that the Board staff is not appropriately educated in that area to do a bonafide audit. His recommendation is to retain an external audit firm if the Board wishes to have the audit performed. The Chair reported that he will check further and probably schedule this item for a regular meeting.

7. Adjourn

The meeting adjourned at 10:16 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, APRIL 15, 1997

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
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 of Allegiance was led by Richard Conover.

- A. **Swearing in Ceremony performed by L.E. "Luke" Brooker, Clerk of Courts, for Luther "Red" Bohanon to the Industrial Development Authority.**

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Paul Hinman presented the Daily Jail Log Inmate Count and the Farm Report for the period ending April 15, 1997.

- B. **Clerk**

Report given by L.E. "Luke" Brooker, Clerk, on Jury Trial week and the National Day of Prayer set for May 1, 1997.

- C. **Future upcoming meetings:**

The Chairman read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Joint meeting to be rescheduled for April 28, 1997 with the City of Avon Park. The County Administrator announced that a "Certificate of Merit" was given to the employees of the Board for their participation in the United Way. Letters of commendation were received by the County Administrator recognizing Helen Canter from the Building Department and Keith Albritton, Animal Control.

4. **CITIZENS NOT ON AGENDA:**

- A. Mr. Paul Haworth presented a petition into the record in favor of paving of Willow Street and Oak Street in Lorida. See Citizens file for copy. The Chairman advised that this item will be addressed under the Operations Director.

- B. Willow Vance spoke regarding the one year establishment of the Better Business Council. The Chairman read into the record a letter in support for the Council. Commissioner Canale spoke in support. Commissioner Maxcy and Gose voiced opposition. The Chairman stated that he would sign the letter congratulating the Council on the first anniversary of their inception. See SMB 28 Page 149.

- C. Ray Napper asked staff to explain how a majority is determined regarding a Tax

District survey. He suggested a policy be set by the Board. He also suggested that when surveys are mailed out, they have the proper address. The County Administrator advised that the policy has been set and it is 50% plus one but that does not bind the Board.

- D. Harold Owen thanked all participants who helped in the implementation of potable water.
- E. Von Whitesides spoke in opposition to paving of Riverdale Road and commended Ray Napper for his work with the BFI franchise.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Flowers, to set the Action Agenda with the following changes:

1. Remove Consent Agenda item #8 for discussion, to be placed under the Operations Director.
2. Remove Consent Agenda item #6, Budget Amendment 96-97-162, and place under the County Administrator for discussion.
3. Add Sun'n Lakes of Lake Placid Recreational District under Tax Districts.
4. Consent Agenda item # 11-Exhibit #A request for discussion - Richard Conover
5. Request for discussion Salvation Army audit-to be placed under Commissioners.

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

A. Resolution: Volunteer Appreciation Week

The Chairman recognized " Volunteer Appreciation Week" and commended all volunteers participating for the Board of County Commissioners. The Chairman then recessed the meeting at 9:45 a.m. to allow the volunteers to enjoy cake in their honor.

The meeting was called back to order at 10:00 a.m. with all members present. Tim Eures, Emergency Operations Director, pointed out several trophies won by the West Sebring Volunteer Fire Department.

The County Administrator read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Canale, to adopt Resolution in recognition of National Volunteer Appreciation Week April 13-19, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 170.

B. Findings and Recommendations of Water Task Force

The Chairman recognized members of the Water Task Force in attendance.

Findings and recommendations were presented by the Co-Chairman John Borgemeister, Highlands County Water Task Force. See SMB 28 Page 148. The Task Force concluded that the county's surface water, ground water and aquifer resources are threatened by competing out of county water users. The Task Force also concluded that there is no legal entity in place to monitor the out of county water users and the health, safety and welfare of the county is in jeopardy.

The Task Force suggests that the Board of County Commissioners establish and create the Highlands County Water Advisory Committee to advise the Commission on issues which impact Highlands County's water resources. The Board discussed the composition of the Committee. The Chair recommended that the Commission workshop this issue on May 13, 1997 for discussion and advise the Soil and Water Conservation of the meeting. Motion by Commissioner Canale, seconded by Commissioner Gose to instruct the Board Attorney to proceed with a Resolution to establish a Water Advisory Committee. Upon roll call, all Commissioners voted aye. Motion carried.

C. Operations Director: Response to Mr. Picking's requests

Vaden Pollard presented a response to Mr. Melvin Picking's request for paving of Willow Lane and Oak Street or the construction of sidewalks in the Lorida area. See SMB 28 Page 149. Discussion ensued regarding cost difference of sidewalks and safety issues. Carl Cool advised that sidewalks do not accommodate bicyclist. The Board will have to construct a multi-use path in order to accommodate the residents going to the post office. Commissioner Maxcy suggested that staff talk to the residents of Lorida for a solution. Commissioner Canale suggested an Improvement District be established for the paving of the road.

The Chair opened the floor to the public. Paul Haworth, President of the Palms Estates, spoke in favor of the road paving. Norma Stokes invited the Commission and Mr. Pollard to attend the meeting of the Lorida Community Club April 22, 1997 to discuss this issue. Ray Napper questioned why the postman does not deliver mail to these residents. Mr. Cool advised that staff will be available to meet with the residents for a discussion and a possible conclusion.

1. Consent Agenda item #8 - Discussion to reject bids on Loader

Mr. Pollard advised that problems exist with the three-yard loader and staff is requesting to reject this bid and roll the funds over into the next fiscal year and readvertise for a larger loader with additional funds to come from the same cost center.

Motion by Commissioner Gose, seconded by Commissioner Canale, to reject the bids on the loader as recommended by the Operations Director. The Chair opened the floor to the public. Richard Conover advised that Purchasing should be allowed to withdraw the Bid rather than ask for rejection of the Bid. Mr. Pollard stated that this is a formal bid and does need to be rejected. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 157.

D. County Engineer: Approval of Amendment #1 of Exhibit A to the Contract

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve Amendment #1 of

the contract for the construction management of the Government Center. To delete Exhibit "A" in its' entirety, (pages 1-4) and replace with new Exhibit "A" (pages 1-2). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 150.

E. Assistant County Administrator:

1. Recommendations on BFI Contract

The Asst. County Administrator presented a status report on the B.F.I contract. Pre-tax profit calculations were shown for the past five years. It is his opinion that B.F.I. does owe the county the \$108,000. County staff is proposing to modify the contract to delete the mileage adjustment and not give a credit for distance of travel regardless of their profit percentage. For consideration of this possible reduction the franchise would request an additional extension of five years through FY 2005-2006 or 9/30/2006. Additionally, B.F.I. will make every attempt to hold their cost during this time and not seek a rate increase barring unforeseen difficulties.

Commissioner Gose spoke in opposition to extending the contract. Consideration should be given to the county forming their own company or at least issuing an RFP. Commissioner Flowers agreed with not extending the contract, but not in favor of the county's owning the garbage collection. Commissioner Canale asked why staff is not catching these errors. Mr. Portz related that this is the only contract where the county has this type of performance measurement for the contractor.

However in any operation where cash transaction is involved there can be problems. Mike Eastman agreed with Mr. Portz and pointed out a need for an Internal Auditor. The Clerk is planning to address this need during budget. Staff does rely on audits performed by CPA firms for these agencies.

Carl Cool suggested that we discontinue the language regarding the mileage factor. Ray Napper was asked about the contract. He stated that he has no problem with the contract. The problem he has is the one half million dollar profit that goes out of the county. If he is given the report on the residential and commercial customers, he will find where the profit is going. The Chairman requested a copy of all commercial truck weight tickets. See SMB 28 Page 151.

2. Approval of Petition Resolution for Rate Consideration

Tom Portz presented an application from Sprint-United for extended calling service, along with 290 signatures on petitions in support of this request.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution seeking extended calling service for the Lorida and Spring Lake exchange service by Sprint-United. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 171.

F. Board Attorney: Resolution on Florida's Heartland REDI, Inc.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Resolution supporting Rural Staffing Grant Applications by Florida's Heartland REDI, Inc., representing the member counties of Desoto, Glades, Hardee, Hendry, Highlands and Okeechobee in support of economic development. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 172.

G. County Administrator:

1. Sebring Airport Authority Board Nominations

Motion by Commissioner Canale, seconded by Commissioner Flowers, to acknowledge the outstanding qualification of all four appointees; but due to the outstanding performance of the existing members to reappoint Haywood Taylor and John O'Neal, effective May 1, 1997. Upon roll call, all Commissioners voted aye. Motion carried See SMB 28 Page 152.

2. Legal expenses for Tomoka Heights Water System

Discussion on third-party reimbursements. Motion by Commissioner Flowers, seconded by Commissioner Gose, to approve payment to Ross Macbeth for third-party reimbursements at the rate of \$150.00 per hour for legal services to be paid from the Placid Utilities Enterprise Fund. This compensation represents a portion of attorney services for last year in connection with the expansion of the water system into the Fransvilla area. The customers of the Placid Utilities Sewer and Water System will reimburse the Board for all costs. Richard Conover presented questions on recording the payment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 page 153.

3. Request for funding utility relocation - Town of Lake Placid

Carl Cool presented request for Mr. Clay Shrum, Utilities Director, for assistance in funding the relocation of the water line attached to the C-17 bridge. Mr. Shrum stated that the Town of Lake Placid does not have funds available to fund one-half of the cost. The Department of Environmental Protection Water Restoration Program has agreed to fund one-half. If the line is abandoned, the town will possibly be forced to abandon the fire hydrants that are located on C-17 and Lake June Hills Drive. They are presently in the process of evaluating the capacity of the water line that loops the system in the Lake June Hills area. If the capacity is not sufficient, they will only be able to serve potable water to the consumers that are currently hooked up. This would negatively impact fire protection to county residents from the town's water system and negatively impact fire protection to the outlying area. Total cost of the project is listed at \$55,765.00. The Board discussed funding for this project.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to table this item to allow staff to further review the project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 154.

4. Recommendation for Pearce Homestead Committee

Discussion regarding membership makeup. Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the proposed five member oversight committee for the Pearce Homestead property as described in the County Administrator's 4/9/97 memo. Richard Conover spoke in opposition to the Chairman being appointed, due to consistency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 28 Page 155 for copy.

5. Discussion on Sunshine Law Seminar

Discussion regarding Sunshine Law Seminar. Carl Cool suggested that staff and Board Appointees

also attend with the Commission to pay for the fee. The consensus of the Board was to approve this request. Richard Conover mentioned a budget hearing conflict. Staff advised that Budget Hearings have been scheduled around this Seminar. See SMB 28 Page 156.

6. Budget Amendment #96-97-162

Carl Cool explained that this budget amendment was to provide safety rescue at the H.L. Bishop Park for the month of May. The cost is \$1800 and would provide additional service for safety sake. Tom Portz stated a concern for a level of service issue. Richard Conover spoke in opposition to the budget amendment and asked if this should not be placed under the Risk Manager. The consensus of the Board was to receive recommendation from the Public Risk Manager regarding liability issues before taking action. The Chair asked that this item be removed from the Consent Agenda.

H. Consent agenda:

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

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

Law Library	45.37
General	285,154.65
County Transportation Trust	153,637.06
E911 Operations	334.76
Local Criminal Justice	176.00
Local Govt Infrastructure Surtax	47,190.59
Affordable Housing Assistance	14,051.52
Special Law Enforcement	3,500.00
Government Center	330,053.19
Solid Waste	32,442.69
Water/Sewer	57,790.14
Risk Retention	15,447.63
Employee Benefit	106,277.88
Flexible Benefit Trust	887.44
Tax Deed Surplus	2,448.19
See Detailed check register file.	
2. **Approval of minutes of 3-25-97 and 4-1-97 meetings**
3. **Accept into record - March Monthly Reports**
4. **Approval of 911 Resolution imposing \$.50 per line. See Res. Book 10 Page 173.**
5. **Approval of budget amendment 96-97-166**
6. **Approval of budget amendment 96-97-152,157, 161 & 162**
7. **Approval of resolution and budget amendment 96-97-163. See Res. Book 10 Page 174.**
- ~~8. Approval to reject bids on loader. See SMB 28 Page 157.~~
9. **Approval to purchase loader scales. See SMB 28 Page 158.**
10. **Approval to declare nuisance - case #9697-042. See SMB 28 Page 159.**
- ~~11. Approval to execute contract for appraisal services for Powerline Road-~~

~~Bayless & Holden. See SMB 28 Page 160.~~

12. **Acceptance of easements for Placid Utilities(Reynolds Properties, LTD). See SMB 28 Page 161.**
13. **Approval of Interlocal Agreement with Town of Lake Placid**
14. **Approval of Change Order No. 2 for the Tri-Sure Contract. See SMB 28 Page 162.**
15. **Approval to execute Adopt-A-Highway agreement. See SMB 28 Page 163.**
16. **Acceptance of deed for right-of-way for Hope Villas. See SMB 28 Page 164.**
17. **Approval to sell lots in Leisure Lakes to Nature Conservancy. See SMB 28 Page 165.**
18. **Accept into record - SWFWMD annual financial report. See SWFWMD file.**
19. **Approval to use RFP process for elevator repair. See SMB 28 Page 166.**
20. **Approval to execute Interlocal Agreement with City of Sebring for melaleuca eradication**
21. **Acceptance of Traffic Safety Grant.**

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

Lunch Recess 12:20 p.m. 1:30 p.m.

COMMUNITY TRAFFIC SAFETY GRANT

Motion by Commissioner Gose, seconded by Commissioner Flowers to accept Resolution and Grant authorizing the \$5,000 and budget amendment 96-97-174 for the Community Traffic Grant from Allstate Foundation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 175.

6. COMMISSIONERS

1. Commissioner Gose addressed the issue of the Salvation Army probe and stated dissatisfaction that the Board has become involved in Mr. Colby's accusations.
2. Commissioner Gose asked that the Board consider a policy when a decision has been made by the Board, it not be revisited by an opposing side. If a commissioner has voted in the positive and wishes to revisit the issue, it would be his responsibility to bring back for consideration. He requested a workshop in the future for discussion.
3. Commissioner Canale introduced Mr. Jack Haston from Lake Placid. Mr. Haston made a brief presentation on a rotary sponsored program where students write ordinances and bring to the Commission. The Board discussed the time issue involved for the school year. It was a consensus that Commissioner Canale contact Mr. Haston at the beginning of the school year and continue with the program.

4. Commissioner Canale reported on the certification classes attended. She will also bring information to the Board on Performance Based Budgeting.
5. Commissioner Maxcy suggested a workshop in late summer with the Florida Association of Counties regarding Performance Based Budgeting.
6. Commissioner Flowers commended Susan Benton on her outstanding work with the SHOCAP.
7. The Chairman mentioned the time frame for the Gas Tax Public Hearing set for May 27, 1997 and requested that staff set a workshop for May 13, 1997 on the Franchise Fee.
8. Chairman Barrett stated that the reason for the Salvation Army request is that he has an obligation to the county to investigate things and put them to rest. The contract between the Army and the county allows staff to examine the program's finances. He also asked the Board Attorney if the contract violates specific statutes in regards to separation of Church and State. Mr. Macbeth advised that it does not. The Chairman also asked Capt Parrish if he thought that it was a separation of Church and State.

Commissioner Gose made a motion that this conversation cease. The motion was seconded by Commissioner Maxcy. The motion and second was withdrawn to allow the Captain to speak.

Capt. Parrish noted that the building is owned by the Salvation Army, a Georgia Corporation, under the charter of the United States Government and it is a Church, operating under the auspice of the Church and under the conditions of the contract with Highlands County. Capt. Parrish gave a prepared statement outlining the objectives of the Salvation Army and stated that he would welcome a qualified representative from the County Clerk's office to review the documents and began reporting to the Board of County Commissioners.

Unnamed letter to the Chairman mentioned but not read into the record. See SMB 28 Page 168. Mike Eastman stated that the Clerk's office is audited by an independent CPA firm. The Clerk's office is the recipient of money along with a transmittal letter listing fines and restitution and it has been audited. It would not be proper for the Clerk's office to perform an audit and issue an opinion. They do not audit every vendor. Capt Parrish stated that generally a cursory review is done by the Clerk's office.

Carl Cool recommended that the Clerk's office proceed with the audit to clear the Salvation Army's name. Richard Conover agreed with Mr. Cool. No action was taken.

7. ADJOURN

The meeting adjourned at 2:42 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MAY 6, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending May 6, 1997. Susan also mentioned that an award presentation will be given by the Highway Patrol through the active participation in "Operation Beltway" sponsored by the Community Traffic Team. This presentation will be given upon the arrival of the Highway Patrolmen. Lt. Benton also presented information on the DARE graduation.

B. Clerk

1. Mr. Brooker reported that staff has received the \$108,000 from the BFI Franchise and it was placed in the Landfill Enterprise account.
2. Mr. Brooker also reported on the Pinzon Trial. He stated that it was scheduled to be held on May 27, 1997.
3. C. Michael Eastman reported on the Loan Proposal for the Government Center in the amount of 3.1 million. He stated that the RFP will be mailed tomorrow to 23 different institutions. It will be advertised in the two local papers and responses are due back May 27. Recommendations will be presented to the Board on June 3 and closing is set for June 24, 1997.

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 new license plates

Dan Foley unveiled the Agriculture License Plate for 1997. Proceeds will be used in the Ag classroom projects. He thanked the members of the Farm Bureau for their participation. Carl Cool also presented the new Bass License Plate. Proceeds to help increase the fresh water fisheries and other lake projects.

4. CITIZENS NOT ON AGENDA:

- A. Joan Pflueger read into the record Article seven Section 10 of the Laws of Florida (Pledging Credit of the State Constitution). She stated that the three cities and the county gave a promotional fee for the Bowling Tournament and the public received no benefit. Questions were also presented on the loan financing for the Government Center.
- B. Earl Pickett suggested that Commissioner Canale present information regarding her daughter. Commissioner Canale congratulated Elizabeth on her induction in the National Junior Honor Society, for her scores in the 1% CAT test in mathematics and can take the SAT test for the Duke University for gifted students.
- C. Vaughn Whitesides presented a hand out regarding the cost of growth to taxpayers. See SMB 29 Page 1.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the Action Agenda with the following changes as presented:

- A. **Removal of budget amendment 96-97-191**
- B. **Removal of Consent Agenda items G-2 and G-3**
- C. **Addition under County Administrator for a request to add:**
 - D. 4 **Sidewalk Construction Project**
 - D. 5 **Report on Water Rescue at H. L. Bishop Park**

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

A. Proclamation: "National Safe Boating Week"

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to adopt Proclamation declaring May 17-23, 1997, as "National Safe Boating Week" in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 10 Page 184.

B. Yvonne Fernsler and Capt. Parrish: Salvation Army presentation

Carl Cool stated that he has met with the representatives of the Salvation Army and has reviewed their contract obligations and he feels that they are meeting these obligations. He has not performed an audit of their books as this is not his expertise. He noted for the record that he is a member of the Rotary and has personally collected money for the Salvation Army. Commissioner Canale and Chairman Barrett also disclosed for the record that they have collected money for the Salvation Army with the Kiwanis Club.

Capt. John Parrish introduced Mr. Fred Hipp, Director for the State of Florida, Salvation Army. Capt. Parrish stated that the goal remains the same to reach out into the Community with all of the programs and with the Corrections Department to help the people in a compassionate way, to monitor the process and to help them become an active part of society. Capt. Parrish stated that his staff takes meticulous care in handling funds, to the point that it is frustrating for the employees. He also introduced Yvonne Fernsler, Corrections Director. Ms. Fernsler gave a presentation to the Commission regarding Philosophy of the Salvation Army programming, Probation Case File, Partial Payment Program, Finances, Reporting and general information of the contract for misdemeanor probation supervision.

The Chairman suggested an amendment to the contract to perform an audit of records that pertains to the financial records. Ross Macbeth explained that there is no problem with how concise the contract is. The Clerk has the authority to make examinations of records. The Board has no supervising authority or function in this field. The direct relationships is with the Judge and the Clerk's office. L.E. "Luke" Brooker, Clerk of Courts advised that Charles Lairsey will explain exactly what happens when the money is received at the Clerk's office. Charles Lairsey, Grants Officer, reported that has reviewed the internal controls of the Clerk's office for processing payment for the Salvation Army Correctional Services. The month of June 1996 was selected for review to determine if the Clerk's financial and traffic records were consistent with the Salvation Army's transmittal and no discrepancies were found. See Salvation Army file for copy.

The Chairman asked for public input. Joan Pflueger, Joe Snoll and Clayton Womer spoke in opposition to putting this issue to rest. Mr. Brooker stated that the Clerk's office is not opposed to an audit. It is the decision of the Board and they may issue an RFP.

Discussion by the Commission regarding the need for an audit. The Chairman advised that he is satisfied with Charles Lairseys' statement that his review of June 1996 confirmed that all monies were properly accounted for. The Chairman also indicated a need to move ahead and put this issue to rest. Commissioner Gose personally apologized to the Salvation Army and their Board.

A. Susan Benton - Highway Patrol Presentation-Operation Beltway

Lt. Susan Benton introduced Capt. Jim Robertson and Lt. Malcolm Rhoades from the Highway Patrol. Capt. Robertson explained the proactive seat belt program. Lt. Malcolm Rhoades presented an award to the Highlands County Sheriff's office and the Avon Park Police Department. Two representatives from these agencies were recognized, Cpl. James Benton from the Sheriff's office and Sally Vega from the Avon Park Police Department.

Recess 10:40 a.m. - 10:58 a.m.

C. Mike Carter of Dorrell, Hancock & Carter: Presentation of the Annual Audit

Mike Carter of Dorrell, Hancock & Carter reviewed the Annual Audit. Discussion regarding the financial strength of the county. Refer to tape for further information.

Recess 11:30 a.m. - 11:43 a.m.

11:40 a.m. Executive Session with those attending: 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, to discuss pending litigation:

Sun 'n Lake of Sebring Property Owners Assn., Inc. and Robert E. Severino v. Highlands County Board of County Commissioners in the Tenth Judicial Circuit Court, in and for Highlands County, Florida Case No. GC97-167

See Proof of Publication SMB 29 Page 2. Commissioner Canale filed a Memorandum of voting conflict due to employment with Mr. Bob Severino and residing in the community.

The regular meeting reconvened at 12:11 p.m. with all members present. Lunch Break was designated and the meeting reconvened at 1:30 p.m.

D. County Administrator

1. Pearce-Lockett / Pearce Homestead Committee

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to accept the recommendation of the County Administrator for member appointment to the Pearce Lockett/Pearce Homestead Committee. Commissioner Canale amended the motion to make it a five (5) member Board with a member from the Historic Preservation Commission that would serve until the time the lessee would take over the operation. No second was received. The amendment died for lack of a second. Upon roll call on the motion, all Commissioners voted aye. Motion carried. See SMB 29 Page 3 for copy of appointments.

2. Vehicle Purchase report

Carl Cool presented an analysis of the adopted March 1996 Vehicle Purchasing Policy as

prepared by Bob Jamison, General Services Director. Mr. Jamison summarized the direct benefit to local dealers and to the county. In summary, the county is purchasing more vehicles locally for less money. See SMB 29 Page 4 for copy of results.

3. Recommendations on Executive Sessions

Carl Cool presented suggested policy on Executive Sessions. See SMB 29 Page 5.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to adopt policy to comply with Section 286.011(8), Florida Statutes, regarding the attorney-client sessions and to insure that sessions meet all opinions from the Attorney General's office. Clayton Womer questioned when Executive Session may be held. The Board Attorney advised that statutes require that Executive Sessions start in an open meeting and end in an opening meeting. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 5.

4. City of Sebring - Sidewalks adjacent to the YMCA building

Motion by Commissioner Canale, seconded by Commissioner Flowers to share the labor cost equally with the City of Sebring for the amount of \$400.00 (county cost) to install sidewalks adjacent to the YMCA building. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 page 6.

5. Water Safety at the H.L. Bishop Park

Discussion regarding Water Safety at H.L. Bishop Park. It was a consensus not to pursue the issue of a lifeguard as it would be setting precedent for other swimming areas. See SMB 29 Page 7.

6. Grant Agreement with Sheriff's Department-Heartland Workforce Board-summer program

Motion by Commissioner Canale, seconded by Commissioner Gose, to waive the agenda to approve grant agreement to be administered by the Sheriff's office. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve budget amendment and resolution for the grant agreement in the amount of \$27,436.60 pending approval by the Board Attorney. Upon roll call, all Commissioners voted aye except Commissioner Gose who abstained, due to his employment with the Heartland Workforce Board. Motion carried. See Res. Book 10 Page 186.

E. Operations Director:

1. Requested budget amendment for repairs to sidewalks and boat ramps

Vaden Pollard presented a request for approval of a budget amendment for emergency

repairs to boat ramps and sidewalks. There was also a request for additional funds for the installation of lighting at the Martin Luther King Terrace and Lincoln Heights basketball courts. See SMB 29 Page 8 for copy. Memo received from Rick Helms, Budget Officer, stating that the repairs were discussed during budget adoption for the current fiscal year and were not approved. He suggested the Board discuss and decide. Richard Conover asked that the Board consider the accompanying letter from the Budget Officer and the request for funds for the installation of lighting at the basketball courts. The Chairman suggested that repairing the boat ramps will be advantageous while the lake water is down.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve transfer of funds to repair the damaged sidewalks and boat ramps and the additional monies for lighting at basketball courts. Upon roll call, all Commissioners voted aye. Motion carried.

2. Recommendation on Lorida roads

The Operations Director presented a cost estimate for paving a 350' section of Willow Avenue to allow the residents to ride their bicycles or walk to the back entrance of the post office in Lorida, without access to US 98. The cost estimate includes a small amount of base material followed by an asphalt overlay. The funds would come from excess asphalt monies budgeted for emergencies. These funds are available in this fiscal year. Staff will work this portion of Willow Avenue into the paving schedule, once the appropriate permitting/exemption is received from the SFWMD. Mr. Pollard asked if the Board wanted to break from policy and do the paving or wait until September and follow the road schedule that is under way. The Chair called for public input. Clayton Womer spoke in opposition to breaking policy.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve recommendations of the Operations Director to pave the 350' section of Willow Avenue with a base material followed by an asphalt overlay with scheduling to be done by the Operations Director in September. Funds to be derived from excess asphalt monies. Upon roll call, Commissioners Maxcy and Canale voted aye. Commissioners Flowers, Gose, and Barrett voted nay. Motion did not carry. See SMB 29 Page 9. The consensus was to place on the list for the next year.

F. Development Director:

1. Response to auditors' Housing and SHIP administration findings

The Development Director gave a presentation in response to the auditor's findings for additional staff for the Housing Program. See SMB 29 Page 10. David Heacock, Housing Department spoke in favor of the position, due to a long term commitment for grants. Discussion by the Commission to revisit at budget time. Carl Cool spoke in favor.

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve a new

position, Loan Processor/Administrative Aide for the SHIP program. This would require the Planning Department to pay for one-half of the Housing Coordinator's salary and benefits. This position was presented during the budget process for the current fiscal year and denied by the Board. Tom Portz spoke in opposition. Richard Conover asked if this employee would be retained after the SHIP funding was completed. Rick Helms, Budget Officer, suggested that the Board look at this position in relation to other requested positions throughout the county. Upon roll call, Commissioners Canale, Gose, and Barrett voted aye. Commissioners Flowers and Maxcy voted nay. Motion carried.

2. Response to sewer study issue in Comp Plan Amendments 95-1 and 95-2

Jim Polatty presented a review of the letter from Michael McDaniel, offering a settlement of the sewer study issue contained in DCA proposed settlement agreement for the county's Comprehensive Plan Amendments 95-1 and 95-2. Discussion by the Commission to go to Tallahassee and present the case to the Governor and Cabinet. The Board Attorney explained what is involved if we have to go to court. He advised that the issue is whether the county gets the 700 properties on the map. The Sewer issue will come up. The conclusion is to be designed for the development within the area it is going to serve, and it should be done when certain densities are reached. Carl Cool spoke in favor of the compromise.

Motion by Commissioner Gose, seconded by Commissioner Canale to approve DCA's compromise for extension of time for the required sewer study, direct staff to work with DCA to draft a final settlement agreement and add the 700 lots, properties, or group of properties to the FLUM for review by DCA. Upon roll call, all Commissioners voted aye. Motion carried. See Comp. Plan file for copy

G. County Engineer:

1. Government Center monthly progress report

Carl Cool presented the Government Center monthly progress report for the month of March. He advised that the project is currently on schedule and within budget. A completion date is set for October 20, 1997. See Government Center file for copy.

~~**2. Government Center-requested modifications**~~

~~**3. Contractual Service Agreement for appraisal services for Powerline Road**~~

H. Board Attorney

No report

J. Consent agenda:

The County Administrator read the Consent Agenda into the record. Discussion by Commissioner Canale regarding budget amendment #96-97-172, State Attorney vehicle.

Motion by Commissioner Gose, seconded by Commissioner Flowers to approve the Consent Agenda as listed with the deletion of budget amendment #96-97-191. The Chair called for public input. Richard Conover questioned the authority of budget amendment 96-97-180 and Item #11- EMS rate proposal.

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

Law Library	1,959.30
General	1,806,702.87
County Transportation Trust	42,090.57
E911 Operations	10,368.54
Local Govt Infrastructure Surtax	226,545.07
Affordable Housing Assistance	375.00
Law Enforcement Education	2,490.00
Government Center	783,193.11
Solid Waste	78,926.93
Water/Sewer	3,045.73
Risk Retention	2,064.16
Employee Benefit	247,369.45
Intergovt Radio Communication	1,487.92
Community Development Block	1,292.64
Correctional Facility	3,393.05

See Detailed check register file.
2. **Approval of minutes of 4-8-97, 4-15-97 and 4-22-97**
3. **Approval of New York State surcharges on health plans. See SMB 29 Page 11.**
4. **Approval to execute Transfer of Tax Certificates. See SMB 29 Page 12.**
5. **Approval of request to dispose of property - Tax Collector. See SMB 29 Page 13.**
6. **Approval to purchase radio equipment for EMS. See SMB 29 Page 14.**
7. **Approval of the following budget amendments:**
 - 96-97-172(replacement vehicle for the State Attorney)**
 - 96-97-173(reapportion of funds not reimbursed to the Town of Lake Placid)**
 - 96-97-180(Realign funds for purchase of hydromatic sewage pump**

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**for use at the Master Lift Station Waste Water Treatment Plant).
96-97-181 (Reallocate unused grant funds for use in mulching of
yard trash)**

96-97-182(Reallocate funds from Allstate Foundation)

96-97-183(Meter reading and billing service for Placid Utilities)

**96-97-185(For the design modifications to the Commerce Avenue
Annex**

8. Approval of resolutions and budget amendments as listed:

**96-97-186(Historical Resources Grants-In Aid Archaeological
Survey). See Res. Book 10 Page 184.**

96-97-187(SHIP Florida Housing Agency)

**96-97-188(FHFA, Housing Assistance Plan). See Res. Book 10 Page
185.**

**9. Approval to utilize base grant funds(Emergency Management) See
SMB 29 Page 15 for copy of expenditures.**

**10. Approval of modification to agreement #97CP-05-07-38-01-028. See
SMB 29 Page 16.**

**11. Approval of rate proposal for Florida Hospital Patient Relocation
at an hourly rate of \$125.00 per unit per hour. See SMB 29 Page
17.**

**12. Approval of contract with Rural / Metro Ambulance Corp. See
EMS file for copy.**

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

6. COMMISSIONERS

A. Commissioner Gose asked for an explanation on the property purchase by the Miccosukee tribe and their intentions for the use of the property. It was a consensus to write a letter to the Dept. of Interior stating concerns for loss of tax dollars and governorship.

B. Commissioner Gose spoke regarding exposure and coverage Highlands County received from the sponsorship of the bowling tournament.

C. Commissioner Flowers discussed Board Policy on Roberts Rules of Order. The County Administrator advised that there is no adopted policy for designation of a parliamentarian for the Board of County Commissioners. The Attorney usually advises the Commission if a particular concern arises. Mr. Macbeth stated that the Board does not follow Roberts Rules of Order.

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D. Commissioner Maxcy: Insurance Committee recommendations
Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve recommendation of the Insurance Committee to retain the current Health Insurance rate for employees at \$338.38 for FY96/97. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 19.

J. ADJOURN

The meeting adjourned at 3:35 p.m.

Chairperson

Attest:

Clerk

SPECIAL MEETING OF THE BOARD, MAY 13, 1997

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
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 the County Administrator, Carl Cool. 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 Chairman reported that Oscar Garner, Emergency Management Coordinator, advised that a hurricane briefing will be held May 15, 1997 at 4:00 p.m. in the County Commissioners Boardroom. The briefing will be on the upcoming hurricane exercise to be held on May 19th, 20th, and 21st, 1997. Tom Portz reported that Highlands County will be acting as a host county in this event. Mr. Portz also advised that staff will be meeting in Venus to discuss the creation of a Special Fire Tax District. This is a follow-up from two weeks ago and recommendation will be presented back to the Commission.

Carl Cool briefed the Board on the acquisition of property by the Miccosukee Indian tribe. They are asking that this land be accepted by the Department of Interior as U.S. owned land. Their intentions are that they will continue it as a Cattle Ranch. After this intention is announced to the Bureau of Indian Affairs, it is our understanding, they cannot change the land use. A Resolution will be brought to the Board asking that the Department of Interior for payments in lieu of taxes be made to the County and the School Board.

See SMB 29 Page 23.

Lt Benton reminded the Board that this week has been designated as "National Police Week", and specifically May 15th as "Police Officers Memorial Day". The Sheriff's office will be celebrating this day as a salute to law enforcement, particularly to the ones that have lost their lives in the line of duty. Blue Ribbons were available in recognition of National Police Week.

Proof of Publication for this special meeting announced by Carl Cool and entered into the record. See SMB 29 Page 24.

4. APPROVAL OF SHIP PAYMENT

Jim Polatty presented request for SHIP payment in order to close on property as scheduled. Ms. Barbara Boyer has requested closing be set for May 20th as she will be required to vacate her apartment on that date and has made arrangement for the move.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve this SHIP check and send to the closing agent prior to May 20, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 25.

5. Adjourn

The meeting adjourned at 9:15 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MAY 20, 1997

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
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 the Clerk of Courts, L.E. "Luke" Brooker. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending May 20, 1997. The Farm Report was also presented.

- B. **Clerk**

L.E. "Luke" Brooker, Clerk presented reports on the final Teen Court session, Value Adjustment Board hearings and the Pre Trial Conference for the Pinzon trial.

- 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 thanked county employees on their participation in the "United Way Day of Caring."

- D. **John Snyder, Allstate Insurance: Presentation of Community Traffic Safety Team grant**

Mr. Snyder presented a check for \$5,000 to Highlands County for the enhancement of bicycle safety. The grant is awarded through the Community Traffic Safety Team and Allstate Insurance Company. Commissioner Flowers received the check as the liaison member of the Board of County Commissioners.

- E. **Bobbie Clark: Presentation of Florida National Guard "About Face Program"**

Bobbie Clark, Site Chairman for the Program, spoke to the Commission regarding a new

program sponsored by the Florida National Guard that targets children of welfare families. “About Face” has a great chance of having a positive impact on its participants. It is primarily offered to students aged 13-17. It is designed to provide additional supervision, skill preparation, direction and real world experiences. See SMB 29 Page 31 for copy.

F. Sebring High School FFA Parliamentary Procedure Team presentation

Carl Cool introduced Mr. Robert Wiltsie and Mr. Gary Lee, sponsors for the team. Members serving on the team were Jeremy Lee, Chris Cober, Bo Brooker, Will Smith, Crystal Jackson, Heidi Braswell, Blue Coltharp and Tracy Fout. The team performed several motion demonstrations.

4. CITIZENS NOT ON AGENDA:

A. Joan Pflueger presented an answer to a letter that she wrote to the Public Service Commission asking for toll-free service within the county. She requested the Board consider negotiating free in county telephone calling. Commissioner Canale advised that she has already been negotiating. See SMB 29 Page 32 for copy. Tom Portz reported that the Commission petitioned Sprint United to provide the 25 cents instead of the toll charges. He cautioned the Board on the alternative local exchange systems as they do affect the 911 system operations.

B. Mr. Richard Conover spoke on safety, water issues and bid procedures. Refer to tape for further information.

C. Mr. Don Brooks spoke to the Board regarding the Salvation Army. The question is the amount of the money collected from the person on probation. Mr. Brooks suggested that the county look into setting up the program and run it, to create more money for the county. Commissioner Maxcy reported that Judge Shinholser does monitor the program and if there were any inequities, they would be brought forth. Commissioner Canale asked that this item be placed on the agenda for discussion.

D. Ray Napper spoke to the Board regarding emergency procedures in case of a hurricane. Tom Portz advised that he will address this issue at his time on the agenda.

E. Phil Askew reported on the picnic by the Highlands County Homeowners and the support by the Board of County Commissioners.

Recess 10:04-10:15 a.m.

5. ACTION:

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to set the Action Agenda with changes as listed:

- A. An addition under the County Administrator for approval of a Resolution supporting Rural Staffing Grant.
- B. An addition under the Board Attorney for a proposed Right of Way Deed, appointments to the Value Adjustment Board and discussion regarding meeting schedule in July.

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

A. Proclamation: Foster Parent Month

Carl Cool read the Proclamation into the record. Philmeno Greco, representative for Highlands, Hardee, and part of Polk County, placement person for the Department of Children Services was recognized.

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Proclamation recognizing the month of May 1997, as Foster Parent Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 1.

B. Resolution: Supporting Article V Legislation

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to adopt Resolution supporting "Article V" legislation and encourage the governor to sign SB 902 and HB 1319, that creates a trust fund into which monies will be deposited to assist counties in funding the state's court system. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 2.

C. Operations Director: Town of Lake Placid request for paving

Vaden Pollard presented request from Dal Hall, Mayor of Lake Placid, requesting resurfacing areas in downtown Lake Placid. He advised that it would be about three (3) years before the resurfacing would take place according to the policy of the Board.

Motion by Commissioner Canale, seconded by Commissioner Gose to stick to the county policy and place on the resurfacing list the request for the resurfacing of Main Street from Interlake Blvd. to Central, including the median crossings, and Plumosa to Palmetto. Jim Fulton, representing the Town of Lake Placid, advised that this area is one of the most traveled areas and he would appreciate the county's help with this project. The Board discussed the request. Commissioner Canale suggested that we stay with the policy. Commissioner Maxcy spoke in favor of the request. Vaden Pollard suggested that the Town do the resurfacing now and the county pay them back in three years.

After discussion by Commissioner Gose on the median crossing, the Chair asked for a withdrawal of the motion on the floor.

Commissioner Canale withdrew her motion and Commissioner Gose withdrew his second. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to authorize the Operations Director to go ahead and resurface only the median crossings for the Town of Lake Placid while Macasphalt is working on the project. Upon roll call, all Commissioners voted aye. Motion carried.

D. County Engineer: Recommendations on requested changes to Government Center

Bill Lecher presented changes to the Commission for revisions to the Government Center. His request was to approve the additive change order for the fire sprinkler system for \$5,894.70, and to accept the cost estimate by Peter Brown Construction, Inc., for the changes to the Government Center and the additive change order for \$35,911.00. See SMB 29 Page 35. Commissioner Maxcy requested justification for the design for the Tax Collector's office. The County Administrator reported that Randy Chuub will bring back information for the Commission to review.

Clayton Womer spoke in opposition to the revision. Richard Conover presented questions regarding the sprinkler system and the telephone systems. Carl Cool explained the need for a larger system and spoke in favor of the change orders. Ray Napper spoke in favor to make the building more functional.

Motion by Commissioner Gose, seconded by Commissioner Flowers to approve a budget amendment and change orders for the revision. Upon roll call, all Commissioners voted aye. Motion carried.

E. Economic Development Commission Director: Qualified Targeted Industry resolutions

Jim Stanfill, CED, Executive Director, presented request for the adoption of two Resolutions supporting requirements for the Rural Economic Development Initiative (REDI) program. The Economic Development Commission and the Sebring Airport Authority are engaged in providing location and expansion support for two companies. If the projects materialize, it will create 40 new jobs.

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Resolutions approving Project #EDC/SAA and LESCO, Inc. as a qualified applicant pursuant to Florida Statutes, as the incentive of the Qualified Targeted Industry Refund Program. See Res. Book 11 Page 3 and 4.

F. Assistant County Administrator:

1. Request to approve Wood Carvers' Club

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve request of the Wood Carvers' Club to hold a show during January or February 1998, at the Agricultural Center to promote Wood Carving as an art. Discussion regarding the policy not for profit. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 36.

2. Federal Communications Commission settlement

Tom Portz advised that Comcast Cable is in negotiations with the Federal Communications Commission and they have tentatively agreed on the terms of a Social Contract that provides for increased investment in the cable TV infrastructure and additional service to public libraries and public and private K-12 schools. Part of the approval process is a public comment period. See Cable Franchise file for copy.

3. Hurricane Drill

Tom Portz gave an update on the statewide Hurricane drill. Highlands County is identified as a host county for this exercise. This Hurricane actually has a name and is scheduled to hit South Florida and exit through Naples and do the same type of devastation as Hurricane Andrew did. This exercise is to bring the entire agency up to activation level and advise everyone that we are entering a hurricane season and identify responsibilities of the Board. The Boardroom is the first place of command and the EOC is the second. The Exercise is on paper and can be reviewed in the Assistant County Administrator's office.

Rick Minton- Legislative update

Rick Minton presented a Legislative update to the Commission. \$42 million was divided and District 78 did receive their share. The Land Management bill was updated. The budget for Highlands and Okeechobee and parts of the legislation will be left with staff for review. The Chair asked for information regarding water issues. Mr. Minton presented ideas on how the legislators are trying to balance the problems with water issues.

G. Board Attorney

1. Value Adjustment Board

Motion by Commissioner Gose, seconded by Commissioner Barrett, to appoint Commissioners Maxcy, Canale, and Flowers to the Value Adjustment Board and to designate Commissioner Maxcy as the Chair to the Board. Upon roll call, all Commissioners voted aye. Motion carried.

2. Right of Way Deed

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to accept a right of way deed for recording, similar to the Adventist Health System deed, when approved by the County Engineer. Upon roll call, all Commissioners voted aye. Motion carried. See SMB

29 Page 37.

3. Board Attorney decision on vacation

Ross Macbeth informed the Board that he will be on vacation for the July 15th regular meeting and the July 22nd public hearing. Attorney Cliff Able will be sitting in for him on July 15th. He requested that the public hearing on July 22nd be deferred to July 29th. The Board gave a consensus not to hold a meeting on the 22nd and to defer the public hearing to July 29th.

H. County Administrator:

1. Report on Miccosukee Tribe lands

The County Administrator presented information regarding the Miccosukee Indian Tribe land purchase. See SMB 29 Page 38 for information.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Resolution regarding the Bureau of Indian Affairs, Department of the Interior, to accept the acquisition only if the two following terms are met with the priority being placed on number two:

- 1) All taxes due in the past are paid in the future by the Department of Interior. Payments in lieu of taxes are paid to the local government entities.
- 2) All local laws and zoning requirements are met as number one priority.

Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 5.

2. Request for reimbursement of Solid Waste assessments

Carl Cool presented request for reimbursements. Motion by Commissioner Flowers, seconded by Commissioner Gose, to reimburse Mr. Michael Wudtke for the dumpster at Lake June Condominium for nine (9) reimbursements of two years assessments with the stipulation that the amount be reimbursed by the BFI Franchise. (\$3,570.00) The Chair called for public input. Ray Napper presented questions. Ross Macbeth explained that it has to be a multifamily home and BFI has to reimburse the money. Clayton Womer presented concerns for setting precedent. Upon roll call, Commissioners Flowers, Gose and Barrett voted aye. Commissioners Canale and Maxcy voted nay. Motion carried. See SMB 29 Page 39.

3. Frontage Roads policy recommendations

Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt suggested policy as an interim policy for Frontage Roads as recommended by the County Administrator for US-98 to the Glades County line and US-98 N. to Polk County line, until a more detailed and precise policy can be adopted. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 40 for copy.

4. Recommendation on proposed lease of SFWMD lands

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve a budget amendment and lease with South Florida Water Management District and the Highlands County Board of County Commissioners for the Lockett property and the lease option to purchase. Kimbell Love, SFWMD, spoke in favor of the lease and presented a proposed drawing of the museum. Forest Michael explained the Plan for the property. Tom Portz reminded the Board of the consideration of "No Hunting on County Property." Upon roll call, all Commissioners voted aye. Motion carried.

5. Resolution Rural Staffing

Motion by Commissioner Gose, seconded by Commissioner Canale, to approve Resolution supporting Rural Staffing Grant Applications. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 6.

6. DARE grant funds appropriation letter

Motion by Commissioner Gose, seconded by Commissioner Canale to waive the agenda and approve letter for distribution of funds for fiscal year 1997, Anti-Drug Abuse funds. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 41.

I. 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	217.55
General	207,044.83
County Transportation Trust	33,969.30
E911 Operations	541.84
Local Govt Infrastructure Surtax	587,068.48
Affordable Housing Assistance	25,136.46
Law Enforcement Education	264.00
Government Center	102,466.12
Solid Waste	9,437.63
Water/Sewer	14,718.78
Risk Retention	3,987.12
Employee Benefit	105,472.39
1973 Refunding Certificate Indebtd	875.00
See Detailed check register file.	
- 2. Approval of minutes of May 6, 1997**
- 3. Accept into record - April Monthly Reports**
- 4. Appointment to Children's Services Council (Cheryl Walker). See**

- SMB 29 Page 42 for copy of resume.**
5. **Approval to reapply for State Library construction grant. See Res. Book 11 Page 7.**
 6. **Approval to record nuisance release case #9697-042 (Lake Haven Estates, Section 1). See SMB 29 Page 43.**
 7. **Approval to sell tax certificate. See SMB 29 Page 44.**
 8. **Approval of budget amendments 96-97-196 (Highway Park Water System) 96-97-200 (To reflect EMS grant Award) 96-97-202 (Temporary employee in Parks Department) 96-97-205 (Centro Campensino close out). See SMB 29 Page 45.**
 9. **Approval of resolution and budget amendment 96-97-204. (System Upgrade Project) See Res. Book 11 Page 8.**
 10. **Appointment to Affordable Housing committee. (Eddie Lee Ellis) See SMB 29 Page 46.**
 11. **Approval of Chastain Skillman Supplemental Agreement #33 for the preliminary design, construction drawings, and construction management for the County Annex. See SMB 29 Page 47.**
 12. **Approval to purchase stainless steel tanker with underrun funds from the Capital Outlay account. See SMB 29 Page 48.**

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

6. COMMISSIONERS:

A. Commissioner Barrett: Frontage road payment request

Commissioner Barrett presented issue of Frontage Road. He mentioned that the City has currently annexed this property but did not assume responsibility of the road. The road is a public right of way. Jim Richardson and Bob Hoffman, City of Sebring, have been in negotiations with the Chairman and the City will pay one-half of the cost and assume responsibility of the road, if the County will pay the rest. The approximate cost of the improvements listed at \$6,500.00. Several complaints from citizens regarding the condition of the road were noted. Jim Richardson spoke in favor of the resurfacing.

Vaden Pollard presented a memo with proposed cost of resurfacing Frontage Road and the reconstruction of the cul-de-sac. Mr. Pollard identified several issues for the Board to consider.

- 1) Labor and equipment provision will need to be on an overtime basis.
- 2) The project should not be started until after the six-laning of US 27 is complete in this area due to parking of equipment storage utilized by DOT and moving equipment will cause sever damages to newly paved road.
- 3) This road is the same as any other non-maintained road built by a developer with

substandard design and materials. See SMB 29 Page 49.

Ray Napper and Clayton Womer spoke in opposition to the reconstruction. No action was taken on the request.

B. Commissioner Flowers dumping tires in orange groves.

The consensus of the Board was to set this issue for a workshop discussion.

7. ADJOURN

The meeting adjourned at 12:54 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MAY 27, 1997

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	Charles Lairsey
Jeri Canale	Carl Cool
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 of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

The County Administrator announced that this special meeting was advertised in the Sebring News Sun. See SMB 29 Page 50 for copy of Proof of Publication. He also read the reported meetings into the record. Additional meetings were announced for the benefit of the public.

4. **Resolution on retirement of Roy Carr**

The Chairman recognized Roy J. Carr, Supervisor of the Veterans Service office, upon his retirement. Carl Cool read the retirement resolution into the record.

Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt Resolution commending Roy Carr for his unselfish dedication to the veterans and their families of Highlands County and his service of employment since January 1, 1971. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 9. Mr. Carr gave a brief statement to the Board regarding his employment with the Veterans Service office.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to add to the agenda a proclamation for Healthy Children and also an approval for a hand cut check to Jahna Concrete. Upon roll call, all Commissioners voted aye. Motion carried.

- 4-A. **Approval for proclamation "Stand for Healthy Children Day"**

The County Administrator read the proclamation into the record. Motion by Commissioner Gose, seconded by Commissioner Flowers to adopt Proclamation, proclaiming June 1, 1997, as **STAND FOR HEALTHY CHILDREN DAY** in Highlands County Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 10.

5. Budget Officer:

1. Request approval to pay for lease of surplus tract and grant of purchase option

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve payment of a hand cut check for annual lease of Surplus Tract No. KR 103-30 and grant of purchase option with SFWMD for the Kissimmee River project. (Lockett Pearce Estate). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 51.

2. Request to issue hand cut check

Motion by Commissioner Flowers, seconded by Commissioner Gose to approve request to issue a hand cut check to Jahna Concrete in the amount of \$25,216.00 for the Government Center. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 19 Page 52.

6. Adjourn

The Chairman called the meeting to recess at 9:20 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JUNE 3, 1997

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	Charles Lairsey
Jeri Canale	Carl Cool
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 the Clerk of Courts, L.E. "Luke" Brooker with special remembrance for the fatalities of the air crash in Avon Park. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. Sheriff

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending June 3, 1997.

- B. Clerk

L.E. "Luke" Brooker, Clerk gave a report on the final Teen Court proceeding. He also reported on the Pinzon Trial and the Jury Selection. Charles Lairsey reported on the financing recommendations for the Government Center. Complete recommendations will be presented on June 17.

- C. Future upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Discussion regarding Commissioner attendance at the Public Records Workshop on June 11. Preston Colby advised that there is no need for the Commission to pay for the registration, since they are providing the building. Mr. Colby reported that monies received will be donated to the First Amendment Foundation after expenses are deducted.

- D. **Dorn Whitmore, U.S. Fish & Wildlife: Presentation of Revenue Sharing check**

Mr. Whitmore was not available for his presentation.

4. **CITIZENS NOT ON AGENDA:**

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- A.** Richard Conover reported that attendance of Water and Safety meetings and lateness of meetings by staff has been corrected since he called attention to the fact on May 20.
He also requested the Board attend budget sessions set for next week.
- B.** Hank Kowalski presented a hand out from Long Island, New York regarding public meetings that are similar to meetings held in Highlands County.
- C.** Don Brooks spoke regarding three (3) different contracts issued for lighting of US 27. His concern was for the cost of the electric bill. Mr. Cool explained that the contract for the roadway work was put out to bid and two local contractors obtained the bid. (Macasphalt and Better Roads). These contractors hired subcontractors for the installation of lighting, as there are no local companies that do that type of work. The lighted roadway is for safety. DOT agreed to pay for the lights if the county and cities would pay for the power cost.
- D.** Chris Cusimano spoke to the Board regarding proper zoning for his property. Mr. Macbeth explained that the use he is requesting requires a special exception and the Zoning Supervisor does not have the authority to grant this use. The Chair suggested that he work with staff to obtain a special exception.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the action agenda with the following changes:

- A.** Removal of E-4 Interlocal Agreement with Sebring Airport Authority and City of Sebring.
- B.** Addition of four (4) items under F. County Administrator.
1) Tim Eures Fire Hydrants
2) Interlocal Agreement Sun'n Lakes of Sebring Improvement District.
3) EPA fines imposed.
4) Discussion on Board membership - Sebring Airport Authority
- C.** Delete Consent Agenda Item G-5 (Approval to terminate agreement with Heartland Rural Health Network)
- D.** Consent agenda item 13- proposed agreements - additional verbiage
- E.** Consent Agenda item 20 -paving for City of Sebring. Discussion

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

A. Preston Colby:

1. “Readers’ Digest” article

Mr. Preston Colby presented a reprint from Readers Digest titled “Competition’s Coming to Town.” The article related to how local governments were cutting their cost by increasing competition. See SMB 29 Page 62. Mr. Colby suggested that the Board establish a review committee for contract compliance. He also mentioned specific names for appointment. The Board discussed the scope of work involved and the Chair asked that staff set this item for a workshop on July 8.

2. Salvation Army Probation Services

Preston Colby discussed with the Board concerns that a private entity(Salvation Army Probation Services) which provides court-ordered services and charges a fee for the services, is in possible statutory violations of the contract. He cited FS 948.51. In 1995 the Legislature amended the law and added Sub Section 4. (A private entity that provides court-ordered services to offenders and that charges a fee for such services must register with the Board of County Commissioners in the county in which the services are offered. The entity shall provide information for each program it operates). Mr. Colby listed the information for clarity. See SMB 29 Page 63. He also mentioned other agencies that are not providing information to the Commission.

The Board Attorney advised that this is a statutory requirement and it must be provided. Commissioner Maxcy stated that he wanted to hear from Charles Lairsey of the Clerks office. Charles Lairsey, Grants Officer, advised that a review of contracts are done on a daily basis, not associated as to the statutes; but purchase orders are checked back to the contract for the dollar value, line item and invoice verification to the contract. This is a regular function of the Clerk’s office. The Chair asked that the discussion be continued July 8.

Break 10:15 a.m. - 10:30 a.m.

B. Operations Director: Paving of Montessori Way

Vaden Pollard presented a request from Mr. Jeff Kennedy for the paving of Montessori Way. Mr. Pollard advised that the county is currently widening the shoulders and repaving approximately 4 miles of C-17 and this is a 200' section of county-maintained road. Mr. Kennedy has agreed to pay for the asphalt cost of \$1100.00.

Motion by Commissioner Flowers, seconded by Commissioner Canale, to approve the paving of Montessori Way with Mr. Kennedy paying for the asphalt and county staff to schedule during the paving of C-17. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 64.

C. Development Director: Recommendation for Settlement Agreement with

Dept. of Community Affairs

Jim Polatty presented planning and Zoning recommendations concerning DCA's suggested sewer study for Highlands County's Comprehensive Plan Amendments 95-1 and 95-2 proposed settlement agreement.

The Board discussed the issue of the Sewer Study and the cost involved. Mr. Macbeth stated that the DCA representative said that when the county reached certain density it would be appropriate to develop sewer systems in certain areas. We need to identify what areas this would affect and the criteria that the county would use when we determine to do more. We have to look at urban densities Mr. Macbeth felt that we would spend less than \$5,000.00 on the study.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve P&Z's recommendation and direct staff to submit the following amendment as part of the settlement agreement: Amend Policy 2.6 to: "Within six (6) months of the completion of the study (December 1,2000), the County shall amend its Comprehensive Plan to adopt the study and review implementation of its recommendations." See SMB 29 Page 65.

The Chair opened the floor to the public. Wendell Whitehouse stated that DCA is looking at us as a metropolitan area and he has concerns for the Future Land Use Map and we do not need a Sewer System. He was representing Ms. Elizabeth Phillips, who owns property on Highway 70 for a vesting issue. There is no final ruling on a determination for her. He asked that the Board include Mrs. Phillips' property within the settlement agreement. See SMB 29 Page 66 for copy. Jim Polatty explained the situation. Commissioner Maxcy amended the motion to include Elizabeth Phillips' property to be included in the Settlement Agreement. Commissioner Canale seconded the amendment. The Chair called for public input. Hank Kowalski spoke in opposition to the amendment. Upon roll call on the amendment, all Commissioners voted aye.

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

D. County Engineer: Payment without purchase order for Government Center

Bill Lecher presented request for payment without a purchase order for the Government Center. Discussion followed by Commissioner Canale regarding the type of concrete. Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve payment of invoice to Jahna Concrete without a purchase order in the amount of \$10,735.97.

The Chair opened the floor to the public. Richard Conover questioned the increase of payments without purchase orders for the Government Center.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 67.

E. Board Attorney:

1. Interlocal Agreement with City of Sebring for building inspections

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve Interlocal Agreement with City of Sebring to provide for the inspection of buildings of the county and the city with two additional words (Building Construction) to be added verbiage. Upon roll call, all Commissioners voted aye. Motion carried.

2. Approval of closing on Sun 'n Lake Preserve

3. Amendment I to Grant Award Agreement with Fla. Communities Trust

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve waiving the requirement for an update of an environmental survey and to execute and record the Amendment I Grant Award Agreement from the Florida Communities Trust (94-042-P4A) and execute necessary papers for the closing of Sun 'n Lake Preserve upon approval by FCT. Upon roll call, all Commissioners voted aye. Motion carried.

3-A. Interlocal Agreement with the Sun'n Lake of Sebring Improvement District

The Board Attorney updated the Commission on the purchase of lots needed for the Preserve area. Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve Interlocal Agreement with the Sun'n Lake of Sebring Improvement District for the exchange of lots. Upon roll call, all Commissioners voted aye. Motion carried.

The Board Attorney discussed how the county could assure that there would not be development of homes in the out parcels during this time. An ordinance was considered that restricted development to parcels served by municipal sewer and water systems and infrastructure. The County Administrator recommended that the Board adopt by motion a moratorium on issuance of building permits in the area west of Balboa. No action was taken.

4. ~~Interlocal Agreement with Sebring Airport Authority and City of Sebring~~

Canceled.

F. County Administrator: Recommendations on Sebring Airport Authority request

The County Administrator reviewed three CIP recommendations on the Sebring Airport Authority and the effect the request might have on the Plan. See Sebring Airport Authority file for copy. He suggested that the Board review and come back with recommendation in two weeks. Commissioner Maxcy asked that the public be involved with input when the decision is made. Commissioner Gose reminded the Board that this is the County's only

functional industrial park with water and sewer. The Chair opened the floor to the public. Clayton Womer, Richard Conover and Hank Kowalski spoke in opposition to the request for the Authority.

2. Sebring Airport Authority appointments-discussion- Commissioner Gose
Lengthy discussion by Board members on accountability and the funding of the Sebring Airport Authority.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, that the Board of County Commissioners not appoint Board Membership to the Sebring Airport Authority. The Chair called for public input. Clayton Womer spoke in opposition to the motion. The Board Attorney explained the Sebring Airport Board membership. Upon roll call, all Commissioners voted aye with exception of Mr. Barrett, who voted nay. Motion carried.

3. Emergency Operations Director - Approval to Purchase Fire Hydrants
Motion by Commissioner Canale, seconded by Commissioner Flowers to approve request of Tim Eures for purchase and installation of two fire hydrants from Heartland Utilities at a total cost of \$2,800.00 Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 68.

4. EPA - Fines to Local Businessmen for Hazardous Waste Oil
Commissioner Canale asked that a letter be sent on behalf of the Board of County Commissioners to our legislators to defend our local businessmen, regarding huge fines imposed for Hazardous Waste Oil cleanups and to send a copy of the letter to the business owner. The consensus was to request that the Board Attorney prepare the letter for transmittal.

The County Administrator thanked Hank Kowalski for bringing the interesting literature on “Village Government” from Port Jefferson Village, New York.

G. Consent agenda:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the Consent Agenda as amended:

1. Approval to pay all duly authorized bills

Law Library	1,285.55
General	1,674,277.07
County Transportation Trust	25,551.50
E911 Operations	10,309.86
Intergovernmental Radio Communications	346.03

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Local Govt Infrastructure Surtax	66,419.66
Affordable Housing Assistance	12,316.00
Government Center	357,963.80
Solid Waste	39,623.76
Water/Sewer	1,686.65
Risk Retention	2,463.03
Employee Benefit	127,709.96
Conservation Trust	100.00

See Check Register for details

2. Approval of minutes of 5-13-97 and 5-20-97 meetings
3. Approval to increase EMS fees. See SMB 29 Page 69.
4. Approval of Addendum V. Conceptual Agreement, Sun 'n Lake Preserve. See Sun'n Lake file for copy.
5. ~~Approval to terminate agreement with Heartland Rural Health Network.~~
See SMB 29 Page 70.
6. Approval to purchase ambulance. See SMB 29 Page 71.
7. Approval to sell tax certificates #95-10476 and #96-8997(Wallace Richard or Judy N. Lowe and William R. Wilson). See SMB 29 Page 72.
8. Accept into record - Spring Lake Improvement District audit. See SMB 29 Page 73.
9. Approval of DARE drug control grant. See SMB 29 Page 74.
10. Approval of 911 Fund expenditure and budget amendment 96-97-220(Computer System and CAD file interface with City of Avon Park. See SMB 29 Page 75.
11. Approval of Adopt a Highway Agreement - Sunrise Rotary. See SMB 29 Page 76.
12. Approval of Adopt a Highway Agreement - VFW 3880. See SMB 29 Page 77.
13. Approval to execute recycling grants - Part I Recycling & Education Grant, Waste Tire Grant and Small County Grant. See SMB 29 Page 78.
14. Approval to change date of bid - Consumer Credit Counseling Services
15. Approval of Supplemental Agreement No. 2 and budget amendment (Chastain Skillman Preliminary design of an addition to the existing Emergency Operations Center). See SMB 29 Page 79.
16. Approval of budget amendments 96-97-207, 210, 213, 218, 221, 223 and 226(OPS funding/Correction of Interest Account on Long Term Note Payment; Unemployment Claims; Emergency Management overtime and OPS; Computer purchase for the Supervisor of Elections,

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- Ambulance purchase; OPS for OMB and NAU assessments
- 17. Approval to change street name from Hope Road to Robbins Road. See SMB 29 Page 80.
- 18. Approval of prices for indigent burials/cremations. See SMB 29 Page 81.
- 19. Approval of commodity contract amendment. See SMB 29 Page 82.
- 20. Approval of resolutions and budget amendments 96-97-216 and 224(reimbursement from the City of Sebring for paving Prospect Drive and Government Center revision). See Res. Book 11 Page 18 and 19.
- 21. Approval to void budget amendment 96-97-126. See SMB 29 Page 83.
- 22. Approval to execute resolution and agreement with Centro Campesino. See Res. Book 11 Page 20.

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

6. COMMISSIONERS

- A. Commissioner Flowers requested that staff seek an exemption from the City of Sebring for Highlands County for the utility tax on electric power.
- B. Commissioner Maxcy announced the 22nd annual Memorial Bass Tournament in Highlands County this weekend.
- C. Commissioner Barrett reported on the Land and Water linkage issues meeting in Tampa.

7. ADJOURN

The meeting adjourned at 12:45 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, JULY 8, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a song and prayer by Commissioner Maxcy. The Pledge of Allegiance was led by Richard Conover.

The Chair announced that item number six was deleted from the agenda.

3. **ANNOUNCEMENTS:**

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

4. **Placid Utilities rates**

- A. Carl Cool presented information regarding the Board's decision to purchase the water system and expanding the lines to eliminate the problem of polluted well water.

Mr. Cool stated that the Board has received projected financial statements for the fiscal years ending September 30, 1997, 1998, 1999, 2000 and 2001 from the external auditors, based on existing revenues, costs and projected cost over the next five years. The cost of the utility is exceeding the projected revenue. Mr. Cool gave an executive summary of the report presented by the external auditors. See Placid Utilities file for copy.

The County Engineer has prepared some proposed rates that would bring this into balance. Mr. Cool stated that he felt that based on additional staff review, the projected rates can be lowered. He identified several options to consider in dealing with the facility:

- 1) Keep the rates as is (payment of excess costs to be made by the General Fund)
- 2) Raise the rates.
- 3) Sell or give the utility to the Town of Lake Placid.

- 4) Put up for sale to a private company.
- 5) Set up a Special Improvement District to run the system (Dependent District).

- B. C. Michael Eastman, Director of Accounting and Finance, explained that in setting rates, the first law is to recover all costs, the second law is to recover all costs, and the third through the tenth law does not matter, as long as you recover all costs.

Placid Utilities is operated under an enterprise fund, and we are required to use the accrual method for accounting. Under this method, depreciation expense is a cost that has to be reflected.

Depreciation accounting represents a process of cost allocation. You take this cost of a fixed asset and spread it over its estimated useful life. The recording of depreciation is a process of matching cost with revenues. If we do not reflect depreciation in setting our rates, we will be in trouble down the road.

Break 10:34 - 10:45 a.m.

- C. The County Engineer gave a slide presentation of the projected financial statements prepared by Dorrell, Hancock and Carter.
- D. Bill Benton, CPA with auditing firm, addressed questions regarding auditing fees, deprecation expense, and methods of accounting.
- E. Public Input was received from the following citizens:

Preston Colby, Spence Lloyd, Gerry Irvine, Sheligh Byatt, Adele Kamen J.R. Doty, Don Schlosser, Mr. Spindel and Ray Napper.

- F. Commissioners:

Commissioner Canale suggested a Citizens Advisory Board from Tomoka Heights to assist in resolving the rate issue. The make up to consist of seven (7) members. Staff will also present ideas to cut the cost of operation.

Commissioner Gose stated that he favors the Advisory Board and to also look at split rates.

Commissioner Flowers stated that he would not support a 50% rate increase. He spoke in favor of the Advisory Board.

Sheligh Byatt stated that the expertise is available in the community.

The consensus of the Board was to allow the Chair to get with the Homeowners of Tomoka Heights and Harold Owens, along with county staff to meet and come up with solutions.

Break 12:30- 12:40 p.m.

5. H.L. Bishop Park options

The Operations Director presented a video tape of the H.L. Bishop Park, recorded on July 4, 1997 of visitors and their activities at the park. The tape showed that additional safety measures of restricting swimming to water four feet deep and removing the floating dock has been accomplished as directed by the Board. However, there was still swimming in the deeper areas of the lake. Teenagers and small children wearing flotation devices were jumping from the end of the nearby fishing pier into the lake. The Commissioners debated the value of hiring lifeguards. Also, observed was the violation of the county ordinance prohibiting alcohol at the park and personal water craft users coming close to the pier.

Carl Cool stated that the issue of whether the county needs lifeguards at the park is debatable, and establishing the service would mean assuming a greater liability risk. People expect a higher level of safety if lifeguards are present and we should provide more than one lifeguard. He felt that lifeguards are not needed at any other park in the county, based on the sheer volume of H.L. Bishop.

Ladd Baumgart, Special Risk Manager, stated that our duty has increased since the drownings have increased. Mr. Baumgart presented lifeguard control measures. Ross Macbeth advised that we have been proactive. When drownings occur, we are taking additional safety measures. Commissioner Gose suggested that we limit participation, put up a fence, and charge for swimming. The Chair opened the floor to the public. Preston Colby spoke regarding the problems due to the alterations to the lake. Jim Cash, Water Safety Committee, suggested enforcement, crowd control, no alcohol and close the pier to swimming, and someone to enforce the dock and alcohol. Commissioner Flowers asked that the Water Safety Committee meet and discuss this issue. The consensus of the Board was to ask for recommendations from the Water Safety Committee. See SMB 29 Page 138 for copy of New Lifeguard Training Protocol.

Discussion regarding “no wake zones.” This item will be discussed when all information is available.

6. ~~Contract compliance / Citizen Review Committee~~

7. Avon Park Estates bird sanctuary

Bill Stephenson presented information regarding the establishment of a Bird Sanctuary. See SMB 29 Page 139 for copy. The Board consensus was to wait for comments from Mr. Elliott before any action is taken.

8. ADJOURN

The meeting adjourned at 2:00 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JUNE 17, 1997

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
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 of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

Carl Cool advised that three copies of the agenda package have been placed in the Board room since Friday for perusal by interested persons.

The Chair reported that he will be following time saving ideas presented at the workshop as to reading of *new* reported meetings and the Consent Agenda. He will also be allowing discussion only after the motion is made and seconded.

- A. **Sheriff**

Report to be presented in writing.

- B. **Clerk: Recommendation for Government Center financing**

C. Michael Eastman, Director of Accounting and Finance, presented a brief summary of the proposals received on the RFP for the \$3,100,000 financing of the government center. His recommendation of the most prudent financing decision is to select Sun Trust's fixed rate at 4.73%. See SMB 29 Page 88 for copy of rates.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to accept recommendation of the Clerks Finance Director. Upon roll call, all Commissioners voted aye. Motion carried. The Board Attorney suggested that additional documents will be coming to the Board for approval and it may be necessary to have a special meeting to speed up the process.

- C. **Future upcoming meetings:**

The County Administrator presented additional meetings into the record. He also reported

that the Sebring FFA Parliamentary team which held a demonstration for Board members, has won first place in the State. Commissioner Canale asked that they be invited back.

4. CITIZENS NOT ON AGENDA:

- A. Richard Conover spoke in regards to lack of attendance at budget hearings.
- B. Hank Kowalski presented a letter from the Department of the Interior, Fish and Wildlife Service, regarding habitat protection and other information on the Carter Creek and Endangered Species area. See SMB 29 Page 89.

DISCUSSION OF SEBRING AIRPORT AUTHORITY

The Chair reported that Item G- Interlocal Agreement with City of Sebring & Sebring Airport Authority has been pulled by him, due to discussion with external auditors, county staff, and the Airport Authority.

Commissioner Maxcy suggested that this item be placed back on the agenda for discussion as he may not be present at this meeting. Commissioner Canale also reported that she may not be present. However since the Board does not have all the information necessary for action, she would like the item discussed and not voted on. Commissioner Gose spoke against the Chair removing the item without the Boards' consensus and advised he is prepared to take action. Commissioner Flowers asked for discussion on the subject, and if further information is needed, then delay the action.

Questions were asked of the Board Attorney regarding the Chair removing the item without a full consensus. Mr. Macbeth reported that the Chair does have the authority to remove an item. However, the Board can replace the item if they wish. Generally, there were scheduling problems and were removed. The Chair asked that Tom Portz relate the information as to the reason for the rescheduling. Mr. Portz stated that staff was looking at a five-year window instead of a three-year window and the external auditors do not have the five-year projections at this point. Mr. Barrett stated that all the information should be provided to the Board before a decision is made.

5. ACTION:

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

- 1) Under Commissioners- to discuss Chairmanship
- 2) Move the Airport Authority discussion under Commissioners
- 3) Removal of Item G-Interlocal Agreement with City of Sebring & Sebring Airport Authority
- 4) Delete item B.
- 5) Under the Consent Agenda, Item 10 to be deleted.

- 6) Addition under Item D. Operations Director-Request to waive purchasing procedures for Sidewalk on Schumacher Road.
- 7) Addition under Item D. Operations Director-Request to waive the purchasing procedures and approve Road Project on Sun'n Lake entrance and budget amendment.
- 8) Under Item H. - County Administrator Add Item 3.- budget amendment 96-97-251.
- 9) Under Item H. - County Administrator- Add Item 4.- Resolution on the Miccosukee Indian Tribe.
- 10) Under Item H.- County Administrator-Add Item 5.- Resolution setting a public hearing for a possible road closing.
- 11) Under Item H. - County Administrator-Add Item 6.-Discussion regarding grant for a new Ballfield.
- 12) Under the Consent Agenda -Item #16 Riverdale Road Project-move to the Special Improvement District.
- 13) Correction to minutes of Book 17 Page 256 - Jean Nichols spoke in favor of the Gas Tax.
- 14) Under Commissioners- Request from Commissioner Maxcy to speak for the placement of a stop sign.
- 15) Under Commissioners-Request from Commissioner Canale, Rules and Polices for adoption.

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

Dorn Whitmore- Revenue Sharing Check

Mr. Whitmore presented a Revenue Sharing check in the amount of \$4,734.00 for a Refuge payment for lands (Flamingo Villas) located within the National Wildlife Refuge System in the county. This payment is made to the county in lieu of taxes. See SMB 29 Page 90.

A. Jim Fitch, Museum of Florida's Art and Culture: RFP for Pearce Homestead

Mr. Jim Fitch appeared before the Board of County Commissioners representing the Museum of Florida's Arts and Culture with a request to meet with the committee of the Pearce Homestead Property for predisposal discussion regarding the issuance of an RFP. His request will not include any county funding but state and federal grant opportunities, and is to expedite the process to comply with state funding.

Carl Cool noted for the record that the RFP has not been approved by the committee at this point. Once approved it will be issued and published for the public. The appropriate time to meet with the committee will be at the next meeting, when the RFP will be discussed. Commissioner Gose made a motion, seconded by Commissioner Canale, to change the makeup of the Committee to add Bob Allen as the representative. Upon roll call, all

Commissioners voted aye. Motion carried.

~~B. Joyce Connore: Request to waive fee and fence requirements~~

Item deleted.

C. Everett Weeks: Request for building materials

Motion by Commissioner Gose, seconded by Commissioner Canale to give permission to Mr. Everett Weeks to remove items from the home purchased by the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 91 for copy of request.

D. Operations Director:

1. Supplemental Agreement No. 3 with Chastain Skillman for engineering/consulting services for Recycling facility expansion, with resolution and budget amendment

Mr. Vaden Pollard, Director of Operations, stated that an increase in the materials received from the recycling program has created several operational problems. Based on information received from a subsurface investigation of the old Desoto City Landfill site, future expansion at this site is not possible due to geological instabilities caused by buried garbage at the old dump site. To address this situation, it is necessary to expand the operation relocating the recycling operation from the closed Desoto City Landfill to the new Solid Waste Management Center at Arbuckle. Christy Reed explained the operation of the Recycling Center and suggested that the operation would be more effective.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve Supplemental Agreement No. 3 with Chastain Skillman and budget amendment #96-97-235 for the realignment of grant accounts for consulting services with Chastain Skillman for the Recycling Program Expansion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 92 and Res. Book 11 Page 22.

2. Increased funds for Aquatic Plant Program, with resolution and budget amendment

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to adopt Resolution and approve grant agreement and budget amendment #96-97-240 for the increased revenue in the amount of \$25,000 from DEP for Aquatic Weed Control on countywide water bodies. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 93 and Res. Book 11 Page 23.

F. Waive Purchasing Procedures and approve Sidewalks on Schumacher Road

Motion by Commissioner Flowers, seconded by Commissioner Gose, to approve request

to waive purchasing procedures and allow MacAsphalt to construct the county’s portion of the Sidewalk at Hill-Gustat Middle School for a price of \$16.38 per square yard. Funds to be obtained from the Road and Bridge contractual services account. The Board Attorney stated concerns for kids riding their bikes on the sidewalk. Carl Cool noted that right of way is not available for building a multi-use path. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 94. Commissioner Maxcy suggested that the School Board should share ½ of the cost of the construction.

G. Waive Purchase Procedures and approve Turn Lane at Sun’n Lakes Entrance

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to waive purchasing procedures and approve proposal by Better Roads for \$36,737.02 and a budget amendment for the realignment of funds for the construction of a turn lane at Sun’n Lakes Entrance. This action to be coordinated with DOT. Upon roll, all Commissioners voted aye with the exception of Commissioner Gose and Barrett, who voted nay. Motion carried. See SMB 29 Page 97.

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

E. Development Director: Sun ‘n Lake Preserve, Use of Conservation Trust Funds for outparcel acquisition

Jim Polatty presented the proposal for the outparcel acquisition. Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the use of Conservation Trust Funds of up to \$700 per lot to purchase out parcels in the Sun’n Lake Preserve in conjunction with the “Swapout” program and \$1,500 per lot to purchase the lots directly from the third part owners. Hank Kowalski spoke in opposition to removing money from the Conservation Trust Fund. Steve Miller spoke in favor with a request for the appraisals to be reviewed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 95 for copy of explanation.

F. County Engineer: FDOT Transportation Enhancement Program Project request

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve FDOT Transportation Enhancement Program Project applications’ request and direct engineering staff to forward the applications to the FDOT for determination of eligibility. Projects are as listed:

- | | | | |
|--------------------------|-----------------------------|---------------------|-----------|
| <input type="checkbox"/> | Interlake Beautification | Town of Lake Placid | \$313,000 |
| <input type="checkbox"/> | Storm Water Mitigation Plan | City of Sebring | \$50,000 |

Upon roll call, all Commissioners voted aye. Motion carried. See FDOT file for copy.

~~G. **Board Attorney: Interlocal Agreement with City of Sebring & Sebring Airport Authority**~~

H. County Administrator:

1. Presentation of three options for 10-year Capital Improvement Plans

Mr. Cool reviewed options for the Board to consider for a 10-year Capital Improvement Plan.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve the option that did not include funding the SAA request. Upon roll call, all Commissioners voted aye with exception of Mr. Gose, who voted nay. Motion carried. See Capital Improvement Plan for copy.

2. Building permit moratorium at Sun 'n Lakes Preserve

Carl Cool recommended a temporary moratorium be placed on the County's new Sun'n Lakes Preserve area. This moratorium would apply to all building and right-of-way permits unless a special exception is granted by the Board. Discussion by Commissioner Canale on exposure. The Board Attorney stated that this is a temporary measure to see how the program will work. It will be reviewed in December for results.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve recommendations as presented for the following boundaries:

- West Boundary--Hardee/Highlands County Line
- East Boundary--Balboa Road
- North Boundary--North line of Sun'n Lakes Subdivision
- South Boundary--South line of Sun'n Lakes Subdivision

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 96.

3. Budget Amendment 96-97-251-Ship Program Expenditures

Motion by Commissioner Gose, seconded by Commissioner Canale to approve budget amendment 96-97-251 to close out expenditures for 3rd year Ship Program. Upon roll call, all Commissioners voted aye. Motion carried.

4. Resolution-Miccosukee Tribe of Florida

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Resolution on the proposed conveyance of land by the Miccosukee Tribe of Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 24.

5. Resolution- Establishing a Public Hearing on Road Closing-Wilson Avenue - Russ Albritton, Jr. for Mary C. Dumont

Motion by Commissioner Gose, seconded by Commissioner Flowers to adopt Resolution setting a Public Hearing date for July 15, 1997 for consideration to close Wilson Road. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 25.

5. Ballfield Grant report

Carl Cool presented a report on the Grant application approved for a ballfield located north of the E.O. Douglas School. The next step would be to accept the grant. Consideration should be given for the maintenance of the field. Estimated cost for the maintenance is \$15,000 per year.

Motion by Commissioner Gose, seconded by Commissioner Canale, to accept the Grant from the State of Florida, Department of Environmental Protection, if the City of Sebring will offer the services of Keith Lockett to administer the scheduling. Commissioner Maxcy suggested that staff ask the School Board to perform maintenance on the field, since it is School Board property. Mr. Cool stated that he has no problem with this suggestion. Upon roll call Commissioners voted aye. Motion carried.

I. Consent agenda:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the Consent Agenda as listed with changes:

1. Approval to pay all duly authorized bills	
Law Library	830.11
General	733,409.78
County Transportation Trust	29,740.88
E911 Operations	348.11
Intergovernmental Radio Communications	6,386.00
Local Govt Infrastructure Surtax	63,527.18
Affordable Housing Assistance	29,084.20
Law Enforcement Education	2,159.00
1973 Refunding Cert Indeb	174,912.50
Government Center	48,045.84
Solid Waste	130,742.22
Water/Sewer	9,458.49
Risk Retention	1,605.49
Employee Benefit	

See Check Register for detailed information

- 2. Approval of minutes of 5-27-97 and 6-3-97 meetings**
- 3. Accept into record - May Monthly Report**

4. **Approval of fee waiver policy for consistency rezones. See SMB 29 Page 98 for copy of policy.**
5. **Approval to execute Litter Control and Prevention Grant. See SMB 29 Page 99.**
6. **Appointment of Betty Thomas to Health Council of West Central Florida. See SMB 29 Page 100.**
7. **Approval of sale of Tax Certificates 94-9372 and 95-8223. See SMB 29 Page 101.**
8. **Approval of budget amendments 96-97-229(Veterans Services computers upgrade) 96-97-236(Purchase of Landfill property) 96-97- 237(Library overtime training) 96-97-239(Land acquisition-Eucalyptus Parkway Phase I)**
9. **Approval to execute Highway Lighting Maintenance Agreement. See FDOT file for copy.**
10. **~~Approval to waive requirements for Heartland Harvest Church carnival.~~**
11. **Approval to execute lease agreement for Venus Volunteer Fire Department. See SMB 29 Page 102.**
12. **Approval of fall 1997 Large Scale Comp Plan Amendments (CPA-97-067LS:Adam Schreier) (CPA-97-070LS:CAT Recycling Inc. (CPA-97-073LS: County - Charles Trieste Family Trust. See SMB 29 Page 103.**
13. **Approval of Adopt a Highway Agreement with the Helbigs. See SMB 29 Page 104.**
14. **Approval of SHIP payment without a purchase order to Centro Campesino. See SHIP file for copy.**
15. **Approval to execute Memorandum of Understanding with Venus Volunteer Fire District. See SMB 29 Page 105.**
16. **~~Approval of change orders No. 1 and 2 contract with Better Roads for the Riverdale Road project.~~**

This item was moved to Sebring Highlands Special Tax District

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

The Chair read a letter into the record from John Manning, President elect of the Florida Association of Counties, commending Commissioner Canale for being selected as Vice-Chair of the Growth and Environmental Committee. She will be a part of the fact legislative committee that will assist during the session of issues affecting county government.

6. COMMISSIONERS

- A. Commissioner Maxcy requested the consideration of a stop sign to be placed

at Lakeview Drive and State Road 17. The Board discussed the location and no action was taken.

B. Commissioner Maxcy-Discussion on Sebring Airport Authority Funding

Commissioner Maxcy asked Commissioner Canale to explain what information she needed and from where the information should come, before making a decision on the request for the Airport Authority. Commissioner Canale asked for a 5-year projection. She stated concerns because the Airport only gave a three-year projection, and after speaking with the Auditor General's office there were questions regarding a financial crisis. Mike Willingham related that he felt that any projection beyond the three years would not be reliable. He also stated that the financial crisis issue relates to the depreciation and not to cash flow. Commissioner Gose reminded the Board of all the projects that the Airport has been involved in and the accountability of the funds. He stated that the Board should support Economic Development or consider doing away with that department. Commissioner Gose made a motion to waive the agenda and approve funding for the Sebring Airport Authority and enter into the Interlocal Agreement. Commissioner Maxcy seconded for discussion. Discussion was held regarding deletion of the three projects. Commissioner Flowers stated that he supports Economic Development but he has a problem with the \$100,000 increase per year. He suggested that we continue the funding at the current level for six more years. Commissioner Canale recommended accountability and she made a motion to table. The motion was seconded by Commissioner Flowers. Upon roll call, Commissioners Canale, Flowers, Gose and Barrett voted aye. Commissioner Maxcy voted nay. The motion carried to table.

Commissioner Barrett stated that he is looking at hard facts and he wants to help them, but he is asking for accountability at the Airport. Mike Willingham asked for a list of the particular information that the Board is asking to see. Carl Cool recited the information as requested by Commissioner Canale. The Board asked that staff present information to Mike Carter, external auditor for Dorrell and Hancock, and that he project the figures and bring back for a special meeting at the beginning of the Public Hearing on June 24.

Commissioner Canale asked that the Board draft a policy and procedure manual on running meetings. She feels that the meetings are getting uncontrollable.

Commissioner Gose reminded the Chair that he only has the responsibility to run the meetings. He does not have the authority to change agenda items nor to direct staff to perform audits. He feels that the Chairman has ignored the wishes of the Board. He would like the Citizens moved to the end of the meeting and to start acting like the Chair. At the July 15 meeting, he is leaving it open to put a motion on the floor to remove the Chair. Mr. Barrett asked the Board Attorney if the Chair has the authority to set the agenda. Mr.

Macbeth stated that the Board Chairman traditionally has the responsibility working with the County Administrator to set the agenda. The Chairman has always done this. Mr. Barrett also questioned Mr. Cool as to the format of the agenda and the placement of citizens since Chairperson Gentry presided. Carl Cool explained that generally it is the same. Citizens not on the agenda were moved at one time. Mr. Barrett concluded that he will continue to address issues that concern tax dollars.

7. ADJOURN

The meeting adjourned at 12:25 p.m.

Chairperson

Attest:

Clerk

SPECIAL MEETING OF THE BOARD, JUNE 24, 1997

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	Charles Lairsey
Jeri Canale	Carl Cool
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 the County Administrator, Carl Cool. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

The County Administrator presented the Proof of Publication for this special called meeting into the record. See SMB 29 Page 109. Mr. Cool asked that the Board place on the Action Agenda consideration to approve construction of a well, water plant and a distribution system in Highway Park pursuant to a bid received.

Motion by Commissioner Canale, seconded by Commissioner Gose to add to the Action Agenda, this request for a water system in Highway Park as Item **five**. Upon roll call, all Commissioners voted aye. Motion carried.

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

Commissioner Maxcy advised that he can not attend the meeting of July 15 and would request that Chairmanship be discussed under Commissioners on July 1. The Chair directed the County Administrator to place this item under Commissioners.

The Chair read a letter into the record from the Department of Environmental Protection, Virginia Wetherell and Fran Mainella. Enclosed were two checks totaling \$85,104.73. These funds represented unobligated funds allocated from prior fiscal years and the 1996 allocation to the county under the Florida Boating Improvement Program. See SMB 29 Page 110.

4. **Proposed Interlocal Agreement with City of Sebring and Sebring Airport Authority**

Motion by Commissioner Canale, seconded by Commissioner Flowers, to place the motion back on the table from last week to approve Interlocal Agreement with the City of Sebring and the Sebring Airport Authority for financing, planning, and constructing infrastructure for the public facilities in the amount of \$300,000 per fiscal year, for five (5) consecutive years totaling \$1,500,000.00, beginning fiscal year 1997-1998, through and including fiscal year 2001-02.

Commissioner Canale amended the motion to fund Sebring Airport Authority \$1,500,000.00 at \$300,000.00 per year for five years starting in 1998 and the overlap monies of \$300,000.00, (remainder) to be given to IDA/EDC for infrastructure matches countywide at \$100,000.00 per year for three consecutive years. Commissioner Flowers seconded for discussion. The Board discussed the amendment and Commissioner Flowers asked Mike Willingham if the proposal would be beneficial to his needs. Mr. Willingham related that working with the proposal would be possible.

Commissioner Flowers proposed that the county maintain the funding as it is, add in the \$300,000.00 overlap with a contingency that the \$300,000.00 in five years would be repaid, and with no objection to it being paid to the IDA/EDC.

The Chair opened the floor to the public. Clayton Womer, Joe Sherlock, Richard Noel, Don Holton and Thomas Welch spoke in opposition to the funding. Christine Hands, Gene Harry and Phil Lockwood spoke in favor. Allon Fish, Sebring Chamber, spoke in favor of the original motion. Ray Napper asked for accountability. David Hickman, Airport Authority, asked for direction on the motion. Commissioner Canale withdrew her amendment. Commissioner Flowers withdrew his second. See SMB 29 Page 111 for prepared statements.

The Commissioners continued the discussion on the original motion. Ross Macbeth presented guidance. Mike Carter, External Auditor, spoke regarding the depreciation and the net worth of the Airport. Mike Willingham presented information on the feasibility of a commuter airline and the increase of T-Hangers.

Commissioner Canale amended the motion to delete the overlap. No second was received. The motion died for lack of second. Commissioner Flowers amended the motion with the overlap in place for the one year and fund one million for five years total package of \$1.3 million for six years. Commissioner Barrett seconded the motion. The Chair asked Rick Helms, Budget Officer, to give the amount of taxes paid by the Airport Authority. See SMB 29 Page 112 for information. Mike Willingham spoke in opposition to the motion and stated that the terminal project would have to be dropped. Pete Pollard asked that the Board please make a decision. Upon roll call on the amendment, Commissioners Flowers and Barrett voted aye. Commissioners Maxcy, Canale, and Gose voted nay. The motion did not carry. Upon roll call on the original motion, all Commissioners voted aye. Motion carried.

Break 10:46 p.m. - 11:05 p.m.

5. Highway Park Water System Treatment Facility

Motion by Commissioner Canale, seconded by Commissioner Gose, to enter into the contract for the Highway Park Water System Treatment Facility. Upon roll call, all Commissioners voted aye. Motion carried.

The meeting adjourned at 11:08 a.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, JULY 1, 1997

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

**J D Barrett
Jeri Canale
Guy Maxcy
James L Gose
David Flowers**

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



2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Richard Conover.

3. ANNOUNCEMENTS:

A. Sheriff

Report presented by Lt. Susan Benton for the Daily Jail Log Inmate Count. Lt. Benton also requested a consensus of the Board to apply for grant funds from the Bureau of Justice. The consensus of the Board was to move forward with the grant application in the amount of \$66,857.00, that requires a county match of \$7,429.00. The grant funds to be used for procuring equipment, technology and other material directly related to law enforcement functions. See SMB 29 Page 114.

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:

A. Mr. Richard Conover spoke regarding Citizens being deleted from the telecast shown in Lake Placid. He also asked that Commissioners attend the Budget presentation set for July 8th. Tom Portz advised that the Budget presentation has been moved back to July 15.

B. Ray Napper asked that the Commissioners show compassion when issues of diversity are discussed.

C. Joe Shorrock spoke in support of Commissioner Barrett on the issue of the

Airport funding and the Chairmanship.

- D. Hank Kowalski spoke in favor of Commissioner Barrett and asked that Citizens remain at the beginning of the meeting.
- E. Roger C. Perkins spoke in favor of retaining Mr. Barrett as Chairman and asked for a greater check and balance system with County Tax Money.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Flowers, to set the action agenda with the following amendments:

- 1) Delete Item G.-2.
- 2) Add Sun'n Lake Turn Lane under the Operations Director.
- 3) Under Commissioner Canale to discuss match money.
- 4) Riverdale road paving to be discussed under Special Districts.

The Chair opened the floor to the public. Clayton Womer asked for a brief discussion on items number 6-7-9-12-13. The Chair advised that a brief explanation will be provided under the consent agenda.

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

A. Operations Director:

1. Request to sell overburden dirt

Request presented by Vaden Pollard, Operations Director.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to sell excess fill material at the Charlotte County shell pit site for \$1.00 per yard, loaded by county equipment, and .50 per yard if vendor loads with own equipment. Commissioner Canale suggested a higher per yard rate. The Board Attorney advised that this item must be placed out to bid according to Fl. Statutes. Commissioner Maxcy withdrew his motion and Commissioner Gose withdrew his second.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to put out to bid. Richard Conover presented questions regarding cost of the county utilizing the overburden. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 115.

2. Expansion vs. relocation of base rock mining operation

Vaden Pollard, Operations director, presented information regarding expansion vs. relocation of base rock mining operations. See SMB 29 Page 116 for copy.

The consensus of the Board was to allow Road and Bridge staff pursue the purchase of land to expand upon the current shell mining site first, then as a second choice, pursue land for relocation of the operation.

3. Discussion - Sun'n Lake Turn Lane

Motion by Commissioner Canale, seconded by Commissioner Gose, to reconsider the motion and stop the acceleration of the project. The County Engineer explained the project and the accommodation to the businesses in the area, along with safety considerations. Carl Cool spoke in opposition to the motion. Commissioner Canale withdrew her motion. Commissioner Gose withdrew his second. Carl Cool advised that the agreement will come before the Board on July 15.

Break 10:15-10:25 a.m.

B. Development Director:

1. Environmental Impact Report - Pena property

Kirk Crane, representing the Development Director, presented request to approve the Environmental Impact Report (EIR) prepared by Polston Engineering, Inc. for an approximate 6.07 acre property along U.S. Highway 27 near the Highlands Regional Medical Center, known as the Pena property pursuant to Policy 3.15 of the Highlands County Comprehensive Plan.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the Environmental Impact Report for the Pena property with the following conditions:

- 1) The applicant comply with all requirements of permitting agencies.
- 2) The property owners comply with the mitigation option #2 by contributing to the Conservation Trust Fund an amount equal to the total property acreage times \$1,250 per acre to the issuance of any permit on the property. See SMB 29 Page 117.

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

2. Comprehensive Plan amendment application

Duane Neiderman, representing the Development Services Director, presented a revised application for Comprehensive Plan amendments.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the Comprehensive Plan amendment application form and related traffic generation data for use with this study. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 118.

3. EAR public participation process

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve the tentative schedule of public hearings for adoption of the EAR and the list of Advisory Commissions/Committees, making sure that all areas or districts are covered, with six public hearings in August. Upon roll call, Commissioners Canale and Maxcy voted aye. Commissioners Flowers, Gose and Barrett voted nay. Motion did not carry. See SMB 29 Page 119 for copy.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the tentative schedule of public hearings for adoption of the EAR and the list of Advisory Commissions/Committee with one public hearing in August and arrange other public hearings throughout the year in different districts. Hank Kowalski suggested that the Natural Resources Conservation Services should be included in the Committees. Staff to include. Joe Shorrock spoke in opposition to the motion because of exclusion. Ms. Mitchell asked if all districts would be covered. The Chair advised that they will. Upon roll call, all Commissioners voted aye. Motion carried.

C. County Engineer:

1. Government Center- Additional services to PSI contract for testing

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve contract with PSI for additional Scope of services to complete the Soils and Construction Material testing Services for the Government Center in the amount of \$8,074. The Commission questioned the amount of tests required. The County Engineer was asked to report back to the Board after a determination is made. Richard Conover spoke regarding the overall cost of the Government Center. Upon roll call, Commissioners Gose, Flowers and Maxcy voted aye. Commissioners Canale and Barrett, voted nay. Motion carried.

2. Vantage Pointe Subdivision improvements

The County Engineer presented an update on Vantage Pointe Subdivision and correspondence received in regards to acceptance of the roads. Staff has completed an inspection and the roads do not meet the criteria for acceptance. He requested guidance from the Commission as to next step. The Board Attorney stated that he cannot guarantee legal proceedings will be beneficial with the personal guarantee but he will move forward as to the best of his ability.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to go forth with legal action to enforce the guarantee.

Commissioner Flowers stated that we should go forth if for no other reason than to make a statement to the developers.

The Chair opened the floor to the public. Dan Foley suggested that the county should not accept the roads and allow the Homeowners Association to seek legal action. Mr. Macbeth stated that the Board has legal remedies that the Association would not have. Keith Renish asked that the county please accept the roads for maintenance.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 120.

I. E.D. “Sonny” Vergara, Exec. Director, SWFWMD: Preservation of inland resources

Mr. Vergara spoke regarding water problems in the county. Two issues discussed specifically to this area are lake levels and salt water intrusion. Tampa Bay area was discussed. The Partnership Plan was created. The focus of the Water Management District is to encourage reuse and desalination. This speaks directly to Highlands County concerns. He reported that no additional tax will be levied from this county. Refer to tape for further details.

3. Resolution on Eucalyptus Parkway Phase I

Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt Resolution determining the necessity to construct Eucalyptus Parkway Phase I from Gardenview Road to Ridgewood Drive, and direct the condemnation of interests in property owned by Davis Enterprises, Inc. Upon roll call, all Commissioners voted aye except Commissioner Maxcy, who abstained, due to Mr. Davis being a client. Motion carried. See Res. Book 11 Page 30. See SMB 29 Page 131.

4. Request for advance from General Fund - Placid Utilities

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve Resolution and budget amendment authorizing an advance of \$27,964.00 to Placid Utilities from the General Fund. The loan to be at the prevailing interest rate for a period of twelve (12) months. This advance of funds is to provide for necessary repairs to the Water/Sewer facility, 6" well, analysis and sampling of groundwater monitoring wells, repair to hydro pneumatic tank, alarm/ auto dialer and sludge return line. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 27 and SMB 29 Page 132.

5. Contract execution of appraisal services for Powerline Road

Motion by Commissioner Canale, seconded by Commissioner to Flowers, to place out to bid and offer services to several appraisers. The County Administrator explained the difference when seeking professional services and when placing out for bid. When you go for low bids, you get low prices with less qualifications. Tom Portz stated that we do not have the purchasing capabilities that the larger counties have. The County Engineer stated that the purchasing procedures would have to be changed. Upon roll call, Commissioners Canale, Flowers and Barrett voted aye. Commissioners Gose and Maxcy voted nay. Motion carried. Commissioner Canale to work with staff to bring back a plan to proceed. See SMB 29 Page

121.

D. Personnel Director: Establishment of lifeguard service

Staff Statement to the Board on the establishment of a County Lifeguard Service. See SMB 29 Page 122.

Fred Carino, Personnel Director, presented a proposal to improve the safety of the H.L. Bishop Park and Swimming Beach. His recommendation was to establish an Aquatics Division under the Parks and Recreation cost center of the Operations Department. Personnel to consist of one full-time Aquatics Manager with one full-time 6-month position Leading Lifeguard and five full-time temporary (OPS) Lifeguards. The current Parks Custodian position would be changed to a Grounds keeper position. Total cost including personnel and equipment would be \$89,244.00. The facility could generate revenue through the collection of user fees for access to the beach and swimming area.

The Commission discussed several concerns with the proposal and Commissioner Maxcy suggested that the Board give the Park back to Town of Lake Placid.

Motion by Commissioner Canale, seconded by Commissioner Gose, to keep this proposal for consideration but not adopt at this time, to limit the swimming area to 4 feet, change to the west side of the beach and remove the swimming dock. The Chairman asked for public input.

Voncile Myer stated concern for the expense of moving the swimming area. Commissioner Canale amended the motion to accept the recommendation of staff that the current swimming float be removed and the buoy rope line be anchored in water no more than 4 feet in depth. Commissioner Gose accepted the amendment.

Gladys Hungling spoke regarding the swimming program that is in place for the cities. Jim Cash questioned a four-foot swimming area at the Park. Clayton Womer suggested that the county give the Park back to Lake Placid. Upon roll call, Commissioners Canale, Gose and Flowers voted aye. Commissioners Maxcy and Barrett, who voted nay. Motion carried. See SMB 29 Page 123.

The consensus of the Board was to place the H.L.BishopPark on the next workshop for discussion.

Groundskeeper position postponed

**E. Asst. County Administrator: Jail roof situation and budget amendment
96-97-257**

Motion by Commissioner Flowers, seconded by Commissioner Canale, to approve budget amendment 96-97-257 for the transfer from reserve for contingency for roof replacement on the 1984 Jail Addition and allow staff to negotiate. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 124 for copy of request.

F. Board Attorney

No report

G. County Administrator:

1. Placid Utilities projected financial statements

Mike Carter, external auditor, reviewed with the Commission Placid Utilities projected financial statements for fiscal years ending September 30, 1997, 1998, 1999, 2000 and 2001. See Placid Utilities file for copy.

Bill Lecher, County Engineer, took the numbers projected by the auditor and put together a draft of proposed rates needed to create a stand alone utility. Carl Cool suggested a public hearing be set to consider rate increases. Mr. Lecher reviewed the draft of proposed utility charges. Discussion regarding selling the utility. The consensus of the Board was to place this item on the workshop agenda. See SMB 29 Page 125 for copy.

~~**2. Appointment to Construction Licensing, Enforcement & Appeals Board**~~

H. Consent agenda:

The County Administrator discussed items number 6-7-9-12-13 as requested.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the Consent Agenda with changes as listed:

1. Approval to pay all duly authorized bills

Law Library	132.13
General	804,242.83
County Transportation Trust	238,317.36
E911 Operations	10,820.76
Intergovernmental Radio Communications	340.92
Local Govt Infrastructure Surtax	136,900.60
Affordable Housing Assistance	11,550.00
Correctional Facility	183,030.36
Government Center	388,765.44
Solid Waste	9,206.48
Water/Sewer	176.36

Risk Retention	107,305.24
Employee Benefit	175,243.36
Tax Deed Surplus	1,363.14

See Check Register for details

2. **Approval of minutes of 6-9-97 budget hearings, 6-10-97 special meeting, 6-10-97 workshop and 6-17-97 meeting**
3. **Approval to utilize Emergency Management base grant(97CP-05-07-38-01-028) for the purchase of a trailer. See SMB 29 Page 126.**
4. **Approval of Traffic Signal Maintenance & Operation Order and Resolution. See Res. Book 11 Page 26.**
5. **Approval to remove obsolete stock from warehouse inventory. See SMB 29 Page 127.**
6. **Approval of addition to Greenways and Trails Plan (Arbuckle Creek, Josephine Creek and Carter Creek). See SMB 29 Page 128.**
7. **Approval to adopt revised Resolution on library construction. See Res. Book 11 Page 27 and SMB 29 Page 133.**
8. **Approval of OPS line item and budget amendment 96-97-258. Fire Services. See SMB 29 Page 129.**
9. **Approval of contract with Chastain-Skillman-Miscellaneous Engineering Services-CSI Project No. 6150.08.**
10. **Approval of budget amendments 96-97-242(EMS OPS Services) 96-97-247 (VA accreditation class) 96-97-249(Building Department Software Installation) and 96-97-255 (General Services, employee injury).**
11. **Approval of budget amendment and resolutions, 96-97-250 (Water and Sewer facility repair), and 96-97-259(Government Center Infrastructure Surtax and Lake Sebring Structures). See Res. Book 11 Page 27 and 28.**
12. **Approval of Project Maintenance Agreement - bridge over Stearns Creek. See SMB 29 Page 130 and Res. Book 11 Page 29.**
13. **Approval to execute contract with Commercial Communications Systems, Inc. for the voice and data cabling for the Highlands County Government Center.**

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

6. COMMISSIONERS

A. Commissioner Canale: Policy and Procedure Manual for adoption

Commissioner Canale suggested that information was different in the manual prepared for

new Commissioners and the draft copy of Rules/Policies outlined by the County Administrator. The discrepancies should be addressed before the Board adopts these policies. She addressed the Code of Ethics for Commissioners and asked that it also be considered. She requested that the Board again workshop a policies and procedures manual for adoption.

Commissioner Canale suggested that the Board members participate in fund raising efforts for fire works for Sebring' July 4th celebration.

B. Commissioner Maxcy:

1. Insurance Committee recommendation

Motion by Commissioner Gose, seconded by Commissioner Canale, to accept the recommendations of the Insurance Committee as follows:

- 1) The Board to opt out of the Health Insurance Portability and Accountability Act.
- 2) The Board to proceed with the RFP for the 1998 Wellness Program and enter into a three-year contract with the successful vendor. See SMB 29 page 134.

2. Chairman question

Commissioner Maxcy presented three items for discussion as follows:

1) Citizens not on the agenda

Request that the Chair place this item at the end of the agenda except in an emergency.

2) Agenda Items

These items should only be taken off at the request of the representative.

Discussion regarding government in the sunshine law violations.

3) Letter Writing

Mr. Maxcy asked that the Chair not write personal letters using Board stationary.

Comments were received from Commissioner Canale in support of the Chairman. Commissioner Flowers stated that he is trying to reach the middle ground and asked that the Chair include everyone. The Chair commented on the Citizens issue, stating that it was at the beginning when Doris Gentry was Chairperson. If members wish to place it at the end, a motion would be in order. He addressed the letter writing issue as he was not representing anyone but himself and sunshine violations did not occur. Commissioner Gose asked that the Chair consider the consensus of the Board where Citizens are concerned. He also addressed the issue of the Salvation Army audit and the letter writing issue. He reminded the Chair that we are elected as a Board to do business for the county. The Chair advised that he did not order an audit, which was confirmed by county staff. Commissioner Gose apologized for bringing up the issue.

Motion by Commissioner Maxcy to instruct the Chairman not to remove any agenda items, unless a consensus is reached and not to write any letters on Board stationary and sign as the Chairman of the Board of County Commissioners without a consensus. No second was

received. The motion died for lack of a second.

C. Commissioner Flowers:

- 1.** Request for Commissioners to be allowed water.

The consensus was to take the signs down disallowing drinks in the Board room.

- 2.** Avon Park Fire Works

Commissioner Flowers reported that Avon Park will be participating in a fireworks display without public funds. Festivals start at 5:00 p.m. at the museum and continuing down to Donaldson Park with the fire works display at 9:15 p.m.

- D.** Commissioner Gose advised that he did not second Commissioner Maxcy's motion as he did not feel it was necessary.

7. ADJOURN

The meeting adjourned at 1:54 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, JULY 15, 1997

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:

**Jeri Canale
James L Gose
David Flowers**

**C Michael Eastman
Thomas Portz
Cliff Ables
Louise Graham**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. Sheriff**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending July 15, 1997.

- B. Clerk**

Mr. Brooker gave a brief summary of the Pinzon Trial and commended county staff and the Sheriff's Department for their help. He advised that such a high profile case would usually be very expensive but cost was held to a minimum due to the cooperation of these departments.

- C. Future upcoming meetings:**

The Asst. 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.** Mr. Ray Napper addressed a proposed error in the Solid Waste Ordinance. See SMB 29 Page 139. Mr. Napper asked that other questions be deferred to allow the presence of a full board.

5. **ACTION:**

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

- 1) Delete Items 3-A and 3-B (Sun'n Lake of Lake Placid Recreation District) per Ross Macbeth, Board Attorney.
- 2) Addition under the Asst. County Administrator-request of the Historic Preservation

Commission.

3) Discussion on Consent Agenda items number 3 and 4 per Richard Conover.

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

A. Resolution honoring Sandy Kuhn

Kevin Roberts, Human Services Director, commended Mrs. Sandy Kuhn on her retirement. Mr. Roberts read the Resolution into the record.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Resolution commending Sandra Kuhn, Health Department Administrator, on her retirement, July 24, 1997. Mrs. Kuhn was recognized for her diligent work and sincere desire to improve the quality of life for the residents of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 31.

Lt. Benton also addressed the Board on behalf of the Sheriff and presented comments on the tremendous relationship of the Health Department and the Sheriff's office through the efforts of Mrs. Kuhn.

B. Public hearing to consider closing a portion of Wilson Avenue - Lakewood Terrace

Proof of publication entered into the record. See SMB 29 Page 140. Petition presented by the County Engineer for Russ Albritton representing Mary C. Dumont and Robert Birch.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Resolution closing a portion of Wilson Avenue in Lakewood Terraces Subdivision and to record a Unity of Title Agreement to assure that properties will not be sold later creating a land-lock situation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 132.

C. Public hearing to consider an ordinance amending Chapter 4.5 regarding dangerous dogs

Proof of Publication entered into the record. See Proof of Publication Ordinance Book 1 Page 176. The Asst. County Administrator explained that Florida Statutes require that the local governing agency establish hearing and appeal procedures pertaining to dangerous dog determinations.

Motion by Commissioner Flowers, seconded by Commissioner Gose, to adopt Ordinance providing for hearing and appeal procedures for dangerous dog determinations with the makeup of the panel members to include the following:

- (1) Two (2) citizens who are licensed veterinarians.
- (2) One (1) citizen who is an officer or director of the Highlands County Humane Society.
- (3) Two (2) citizens at large.
- (4) Two (2) additional alternate veterinaries in case of a conflict.

The Chair opened the floor to the public. Mike Carr asked the Board to look into a more comprehensive ordinance and to consider the addition of a nuisance ordinance. After discussion by the Commission, staff was directed to research concerns and provide response. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 139-A for copy of members.

D. Jeffrey Ludwig: Presentation of proposed public park site on Lake Grassy

Jeff Ludwig presented request for the county to acquire a parcel of land on the north shore of Lake Grassy as a water oriented park site. He advised that recommendations were received favorably from the Natural Resources Advisory Commission and the Parks and Recreation Committee. See SMB 29 Page 141.

The Chair opened the floor to the public. Jim Penrod, President of the Homeowners Association, spoke in opposition due to the future stress to the lake. Betts Lamb, Dee Dee Martin and Gordon Davis also spoke in opposition. The consensus of the Board of County Commission was to take no further action.

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

E. Operations Director: Paving of Seventh Ave. West

Vaden Pollard presented request of Mr. Dave Eckberg to pave a portion of 7th Avenue West from the edge of Montessori Way to the Highlands Oak Mobile Home Park entrance.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve request for the paving with submittal of \$3400.00 from Mr. Eckberg, subject to a permit being received from SFWMD. Paving to be scheduled during the paving process of C-17. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 142.

F. Budget Officer: Recommended budget for FY 97-98

Mr. Thomas Portz read a letter addressed to Mr. Cool advising that the budget office has received the distinguished budget presentation award for the current year from the Government Finance Officers Association. This award is the highest form of recognition in Governmental Budgeting and a certificate of recognition for budget presentation is given to the individual the department has designated for being primarily responsible. This certificate

was presented to Rick Helms, Budget Officer. Mr. Helms presented recommendation for FY 97-98 budget. See SMB 29 Page 143 for copy of what the proposed budget allows. The Commission reviewed the budget recommendations. Commissioner Gose asked for the Sheriffs' recommendation on funding the Community Traffic Safety Team.

Commissioner Canale presented information in comparison to other counties on how we rate with spending and conservatism. She reported that Highlands County rated 57th when compared with other counties and \$612.00 is spent per citizen as compared with the average of \$1,222.00 from other counties.

Rick Helms also reported that the county has made the last payment on the bonds issued for the initial four-laning of U.S. 27, and the county now has no general obligations outstanding.

The Asst. County Administrator asked the Commission to review the document and present direction back to staff before final certification of the millage on July 29. Two Public Hearings will be held in September for final adoption. Questions were presented from Commissioner Canale in regards to the amount of the contingency.

Discussion on IDA-Economic Development

Motion by Commissioner Gose, seconded by Commissioner Flowers, to take \$50,000 out of the Contingency and add to the IDA/EDC budget for marketing. Commissioner Flowers asked that a quarterly report be submitted by the Authority. Clayton Womer stated concern that the Board is voting on budget changes with only three members present. He was advised that other meetings will be open for ideas from absent Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

G. Asst. County Admin.:

1. Block Grant Advisory Committee recommendation

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve recommendation of the Local Law Enforcement Block Grant Advisory Committee, that funds be used in Purpose Area I, Law Enforcement Support; procuring equipment, technology, and other material directly related to basic law enforcement functions. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 144.

2. Communications Committee recommendations

The Asst. County Administrator briefed the Commission on the Communications Committee recommendations.

Motion by Commissioner Flowers, seconded by Commissioner Gose, to approve the recommendation to purchase a hand held VHF radio for the Sheriff's Department for lending

to the State Fire Marshal. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 145.

3. Utilization of Disaster Medical Assistance Corp. Program

Mr. Portz presented request for approval of the Disaster Medical Assistance Corporation Program concept, and to allow staff to move forward to enhance the County’s public safety capabilities. Commissioner Gose presented questions as to a possible conflict with the county ordinance regarding signage. The consensus was to reagenda this item after the Board Attorney has time to review.

4. Historic Preservation request

Discussion regarding property swap and request to allow county staff to provide a survey to proceed with the preservation of the old railroad depot. Commissioner Flowers questioned the amount of funds collected from the other agencies, as the Board only committed to one-third of the project. The consensus was to reagenda this item for a decision by a full board.

H. Consent agenda:

Richard Conover presented questions regarding items number 3 and 4. Response was given by staff. The Asst. County Administrator read into the record the Consent Agenda items.

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

1. Approval to pay all duly authorized bills	
Law Library	465.52
General	1,251,255.87
County Transportation Trust	26,221.15
E911 Operations	1,813.60
Conservation Trust	7,500.00
Intergovernmental Radio Communications	350.00
Local Govt Infrastructure Surtax	51,360.09
Affordable Housing Assistance	39,916.77
Government Center	55,744.58
Solid Waste	23,783.77
Placid Utilities	6,450.53
Risk Retention	7,367.78
Employee Benefit	135,682.62

See Check Register for details

2. Approval of minutes of 6-24-97 and 7-1-97 meetings, and 6-24-97 public hearing

3. **Accept into record - June Monthly Report**
4. **Acceptance of distribution easement and authorization agreement for Government Center. See SMB 29 Page 146.**
5. **Approval of resolution to establish a public hearing for road closing - Hillside Lake Estates. See Res. Book 11 Page 33 and SMB 29 Page 147.**
6. **Approval to sell tax certificates. See SMB 29 Page 148 for copy.**
7. **Appointments to Prekindergarten Early Intervention Interagency Council. See SMB 29 Page 149.**
8. **Approval to certify Tax Collector's Recapitulation. See SMB 29 Page 150.**
9. **Approval to execute Interlocal Agreement for County building inspection in Avon Park. See SMB 29 Page 151.**
10. **Approval of budget amendment 96-97-254 (Planning & Development shortfalls) 265 (Intergovt Radio Communication) 268 (Refuse Disposal System) 269 (Water & Sewer, Interest on loan) 270 (Parks & Recreation) and 272 (OPS Work/Study).**
11. **Approval of resolution and budget amendment 96-97-262 (Highway Park Fire Hydrants). See Res. Book 11 Page 34.**
12. **Approval to receive EAR Grant funds in the amount of \$14,069 and to allocate to the budget as assistance in the preparation of the Evaluation and Appraisal Report. See SMB 29 Page 152.**
13. **Accept into record transcripts of litigation sessions of 12-17-96 and 1-21-97(Jack F. Terry and Gwen B. Terry). See SMB 29 Page 153.**

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

6. COMMISSIONERS

A. Commissioner Flowers: Municipal franchise fees and utility taxes

Commissioner Flowers requested Board consider contacting the cities and request a formal exemption from the franchise fee and utility tax paid for county buildings on city property. The consensus was to ask the County Administrator to send a letter of request and/or ask for discussion. See SMB 29 Page 154 for copy of staff's report on the amount of taxes and franchise fees paid by the county.

B. Commissioner Canale - Revision to constitution - State of Florida

Commissioner Canale reported that the Constitution of the State of Florida will be revised. As a member of the committee, she will be required to attend on August 1. She asked that all Commissioners read available information and present new ideas to her for any changes.

7. ADJOURN

The meeting adjourned at 11:26 a.m.

Chairperson

Attest:

Clerk

SPECIAL MEETING OF THE BOARD, JULY 29, 1997

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
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 the Father Phil Kochenburger, St. Agnes Episcopal Church. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

The County Administrator read the announcements into the record. Additional meetings were announced for the benefit of the public. Proof of Publication for this special called meeting was entered into the record. See SMB 29 Page 155.

4. **Budget Officer:**

- A. **Budget amendments 96-97-278, 280, 285 and 292**

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve budget amendment 96-97-278 for the County Engineer for reclassification of software, 96-97-280 for reclassification of generator for the Government Center, 96-97-285 to set up accounting for sidewalk installation at Hill-Gustat Middle School and 96-97-292 for the transfer of funds to meet current operating expenses for the Sheriff's Department. Upon roll call, all Commissioners voted aye. Motion carried.

- B. **Millage certification**

Rick Helms, Budget Officer, presented a modification to the certification of the millage rate. The modification was a result of rounding the figures to the next decimal, to satisfy the Department of Revenue.

Motion by Commissioner Gose, seconded by Commissioner Canale, to certify the millage rate at 8.50 mills. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 156 for copy. The first public hearing on the budget will be held Tuesday September 9, 1997 at 5:30 p.m.

5. **Kim Love, SFWMD**

Ms. Love advised that she will be leaving the Water Management District, as she has been accepted into a doctoral program at Florida State University. She asked that the Commission continue to support her favorite project, the Lockett Program.

6. Department of Business and Regulations

Motion by Commissioner Canale, seconded by Commissioner Flowers, to waive the agenda and authorize a payment of a \$85.00 to the Dept. of Business Regulations. Upon roll call, all Commissioners voted aye. Motion carried.

7. Review of Government Center colors

The County Administrator presented three (3) samples of color coordinates of tile and carpet for the Commission to review and consider for the new Government Center Board room. They were asked to make a decision by next Tuesday.

7. Adjourn

The meeting adjourned at 9:24 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, AUGUST 5, 1997

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	Charles Lairsey
Jeri Canale	Carl Cool
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 of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Mike Myers, representing the Sheriff, reported that the Department is moving into the new facility and everything looks great.

- B. **Clerk**

No report was given for the Clerk's office by Charles Lairsey, sitting in for C. Michael Eastman, Director of Accounting and Finance.

- 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:**

- A. Ms. Joan Pflueger reported on an algae bloom in Lake Josephine. Staff to contact Clell Ford, Lakes Manager. She also asked information on County wide toll free calling. Commissioner Canale gave an update.

- B. Richard Conover asked that the County consider bidding out trash hauling when the current contract is completed. He also commented on the Gopher Tortoise issue.

- C. Hank Kowalski requested that the Commissioners halt further clearing of the land until the Gopher Tortoises may be relocated. He advised that the Florida Fish and Game will issue an emergency permit without any cost to relocate the

animals. The Board Attorney advised that the Commissioners do not have authority in the matter. The Housing Authority is a separate entity. The Chairman asked that staff contact the Housing Authority and ask if they would halt clearing for just one day. The consensus of the Board was to allow Mr. Kowalski to coordinate efforts and allow the Housing Authority to move the turtles.

- D.** Ray Napper stated that after a diligent search on the computer, he found no concerns with the CAT Recycling Company. Mr. Napper also addressed Code Enforcement issues.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the action agenda as submitted. Upon roll call, all Commissioners voted aye. Motion carried.

A. Pearce Homestead proposals

Carl Cool explained the RFP submittal for the Pearce Homestead property. He advised that he has also included an evaluation form to rate the presenters.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to use the evaluation form to score the two presenters. Commissioner Gose stated that he did not feel that he could properly use the form since this was the first time it was made available to him. Commissioner Canale withdrew her motion. Commissioner Flowers withdrew his second. Commissioner Gose noted for the record that he is a member of REDI, and the treasurer of the organization. The Board Attorney has advised that this is not a conflict of interest.

1. Presentations

- A. Florida's Heartland REDI - Presenter- Minor L. Bryant, Chairman, Doris Gentry, Dr. Peter Klingman, Bert Harris, Sr. Todd Belarinum, representative for Joe Spratt, Betty Neale, and Gene Woods, Commissioner from Okeechobee County.**

The group's proposal involved creating a branch of the Florida Agricultural Museum on the property, including a living laboratory and technical training facility. Its plans also called for agricultural exhibits, a river marina and nature trails for a total cost estimated at \$1.3 million over the next five years.

Break 10:30 a.m. - 10:45 a.m.

- B. The Museum of Florida's Art and Culture Presenter-Jim**

Fitch Director

Jim Fitch introduced the steering committee, Debra Elliott, Principal of Lake Placid Elementary School, Bob Austin, archeologist, Keith Hunnicutt, architect, Dr. Paul Grey, Director of Kissimmee Preserve. Other steering members were identified in the proposal.

The Museum of Florida Arts and Culture wanted to refurbish the Pearce Lockett Home, develop exhibits on the ancient Native Americans who left a burial mound nearby and help the state establish the southern site of its planned agricultural museum on the site.

John Morgan, speaking for the water management district, stated that both plans deserve consideration and should be merged. The museum's plan focused on developing the 357 acres with the home site. FHREDI's plan includes the 600 acres still under the water management district's control and the County has an agreement with the district to manage it.

Ms. Neal stated that FHREDI seeks only to develop the first 300 acres initially, but needs the county's commitment to incorporate the development of the other 600 acres sometime in the future. The proposal promises to complete initial improvements and homestead restoration within five years, but to begin opening the homestead to the public within two years, and by that time a master plan will be completed. Then FHREDI would approach the county for a 50-year lease.

2. Consideration by the Board

Motion by Commissioner Canale, seconded by Commissioner Gose, to award the managing of the Pearce Homestead site to the FHREDI Group and to ask that the Museum of Florida Arts and Culture to work within the group. The Chair opened the floor to the public. Pauline White, Chairman of the South Florida Greenways Task Force, stated support for the motion. John Morgan, SFWMD, spoke in favor of both partners managing the property. Commissioners Maxcy and Flowers stated support for an agreement for both proposals to control the management. Upon roll call, Commissioners Canale, Gose and Barrett voted aye. Commissioners Maxcy and Flowers voted nay. Motion carried.

B. Keith Williams: Train Station update

Mr. Williams presented an update to the Board on the Train Depot project.

Motion by Commissioner Gose, seconded by Commissioner Canale, to authorize staff to survey the property for the Train Depot project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 165.

C. Eugene Burger: Request for playground at Lorida Community Center

Eugene Burger presented a request for permission to use located property between the Community Building known as the Court House Annex and the Baseball Field in Lorida.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the request to allow Engineering to work with the Lorida Community Support Group to use this location for a playground in Lorida. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 166. Tom Portz stated concerns for liability purposes. Peggy Chapman, representing “Keep Highlands Beautiful,” reported that in the future, she may be asking for sponsoring funds for expansion.

D. County Engineer:

3. FDOT Transportation Enhancement Program project ranking

The County Engineer presented the request for review and ranking by the Commission for FDOT Enhancement program.

Bert Harris, Jr., representing the Town of Lake Placid, presented the request for Lake Placid to be submitted as number one for the project. Maria Sutherland, representing the CRA of Avon Park, spoke in favor of Avon Park being ranked as number one for the project.

Motion by Commissioner Flowers, seconded by Commissioner Canale, to rank the FDOT Transportation Enhancement projects deemed eligible in an initial priority order for transmittal to the Department in the following order:

Project Name	Project Sponsor	Local Funding amount	Total Project Cost
Avon Park Mall Beautification Project Phase II	City of Avon Park/via Avon Park Chamber of Commerce	25,000	550,000
Interlake Beautification Phase III Project	Town of Lake Placid	-0-	313,000

Discussion by the Commission regarding the ranking priority. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 167.

2. Request from Florida Power Corp. to issue permit

John Martz, District Manager for Florida Power, presented information for the request. Motion by Commissioner Flowers, seconded by Commissioner Canale, to approve request to issue permit to Florida Power Corporation to construct an electric transmission line in the Avon Park area know as the “Taunton Road 69 k.v. Transmission Line” provided by Article six, Section four, Part A. Paragraph 001, D. of the LDRs. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 168.

1. Progress report on Government Center

The County Engineer presented a progress report on the new Government Center. See Government Center file for copy.

4. Request selection of colors for Government Center

The consensus of the Board was to select number one. The green color coordinates for the Board Room furnishings.

E. Board Attorney: Discussion of Tribune Company vs. Highlands County lawsuit

The Board Attorney presented the Final Summary Judgement entered in the proceeding of July 16, 1997. Judge Durrance held that The Tribune Company is qualified to publish legal notices pertaining to Highlands County in the Highlands Today section of The Tampa Tribune. Mr. Macbeth stated that he did not intend to file an appeal unless the Board instructed him to do so. It was a consensus of the Board not to appeal the decision. See SMB 29 Page 169. for copy.

F. County Administrator:

1. Public Health Unit Administrator recommendation

Carl Cool introduced Valerie Pfister who was selected by the committee as the new appointee for the position of Public Health Unit Administrator.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to grant the approval to the Secretary of Health for the appointment of Ms. Valerie Pfister to the position of Public Health Unit Administrator for Highlands County. See SMB 29 Page 170 for copy of recommendations. Upon roll call, all Commissioners voted aye. Motion carried.

2. Appointment to Construction Licensing, Enforcement & Appeals Board

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to appoint Andrew L. Kaltz, to the Construction Licensing, Enforcement and Appeals Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 171 for copy of resume.

3. Small County Coalition membership

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Resolution approving membership in the Small County Coalition for FY 97-98 and approve payment of \$2,150.00 to Robert P. Jones & Associates for services associated with the Small County Coalition through September 30, 1998. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 44.

4. Report on 1997 NACo meeting

This item to be revisited at the request of the County Administrator.

5. Request for public hearing on Senior Management Service Class designation

Motion by Commissioner Gose, seconded by Commissioner Canale, to set September 9, 1997, at 5:00 p.m. to consider the designation of Senior Management Service Class for position 210, Assistant County Administrator, in accordance with Section 121.05 FS. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 172.

6. Recommendation on inactive committees

Motion by Commissioner Flowers, seconded by Commissioner Gose, to dissolve the Occupational License Committee, Sewer and Water Committee and Solid Waste Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 173.

7. Recommendation on fee for dishonored checks

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution for the revised service fee for dishonored checks per statutes Section 832.08 (5) (2) (b) (c) and 125.0105 FS. as follows:

- (1) \$25 fee for any item not exceeding \$50
- (2) \$30 fee for items exceeding \$50 but not exceeding \$300
- (3) \$40 fee or a 5% of face value (whichever is greater) for items that exceed \$300

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 174 and Resolution Book 11 Page 45.

8. Lease with Department of Juvenile Justice

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to enter into a long term lease agreement with the State Department of Juvenile Justice, and authorize the Chairman to sign the lease for the 37 acres at the Avon Park Air Force Range, with the understanding that said property will be converted to a 100+ bed juvenile commitment facility. Upon roll call, all Commissioners voted aye. Motion carried. See Air Force property for copy.

G. Consent agenda:

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

The Chair opened the floor to the public.

Richard Conover presented questions on item number 8, regarding a clerical error discrepancy. Staff was directed to correct error.

Commissioner Canale asked that it be stated in the record, that the residents of Sun'n Lakes have objected, and feel that it is a waste of taxpayers money for the turn lane construction

at Sun'n Lakes.

1. Approval to pay all duly authorized bills

Law Library	1,378.62
General	1,538,520.26
County Transportation Trust	62,307.47
E911 Operations	10,396.17
Intergovernmental Radio Communications	696.03
Law Enforcement Education	3,248.31
Local Govt Infrastructure Surtax	61,760.39
Affordable Housing Assistance	24,257.88
Correctional Facility	1,898.40
Government Center	200,519.44
Solid Waste	63,560.65
Placid Utilities	10,360.65
Highway Park Utility	133,662.65
Risk Retention	3,194.46
Employee Benefit	171,777.35
Tax Deed Surplus	3,816.96
Flexible Benefit Trust	887.44

See Check Register for details

2. Approval of minutes of 7-8-97 workshop and 7-15-97 meeting

3. Approval to sell tax certificate. See SMB 29 Page 175.

4. Approval of plat recording and improvement agreement for Sun 'n Lakes Dockside. See SMB 29 Page 176.

5. Approval of plat recording - Fairhope Subdivision. See SMB 29 Page 177.

6. Approval to execute Chastain-Skillman Supplemental Agreement for permit renewal. See SMB 29 Page 178.

7. Approval to record r-o-w for Garrett Road extension. See SMB 29 Page 179.

8. Approval to execute contract with Better Roads for turn lane at Sun'n Lakes.

9. Approval of budget amendments

96-97-287(for Emergency Management overtime)

96-97-289(Highlands Lakes correction to accounts)

96-97-290(Recycling FICA & Unemployment Compensation)

96-97-291(Recycling realignment of grant funds)

96-97-294(Building Operations)

1. Increase overtime to support vacant position, work release

and special projects

2. **Purchase of a refrigerator for the Agri-Civic Center**
3. **Purchase an A/C unit for the Desoto City facility and year-end expense**
4. **Accommodate new parking lot at the new EMS facility (\$12,000)**
- 96-97-296(Clerk to the Board, to purchase Computer)**
- 96-97-299(Circuit Court OPS funds due to employee on maternity leave)**
- 96-97-300(Supervisor of Elections, to cover under budgeted items in operating)**
- 96-97-301(Highway Safety, to construct flashing speed limit zone at Florida Hospital-Lake Placid)**
- 96-97-306(Chastain Skillman Agreement for Tomoka Heights Wastewater Treatment Plant-ADEP operating permit renewal)**
10. **Approval of resolution and budget amendment 96-97-284 (reimbursement of Heartland Library salaries. See Res. Book 11 Page 47.**
11. **Approval to execute contract for jail re-roof, Brad Bowen Roofing**
12. **Approval of request to donate sick leave (Carla Stroup to Jack Stroup).**
13. **Approval of request from BFI to allow the county to hold the \$3000 a month travel pay to year end, and if BFI profit before taxes for the year does not exceed the 12 per cent profit margin allowed under our agreement, the county would then pay BFI the \$36000 in travel pay for the past year, effective October 1, 1997. See SMB 29 Page 180.**

Upon roll call, all Commissioners voted aye, except Commissioner Canale, who voted nay. Motion carried.

6. COMMISSIONERS:

A. Commissioner Barrett: Proposed Resolution from Water Task Force
Item pulled at the request of Commissioner Barrett.

B. Commissioner Flowers:

Commissioner Flowers thanked commissioners for the unified effort on the ISTEPA Funds designation.

7. ADJOURN

The meeting adjourned at 1:05 p.m.

Chairperson

Attest:

Clerk

WORKSHOP MEETING OF THE BOARD, AUGUST 12, 1997

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	Charles Lairsey
C Guy Maxcy	Carl Cool
James L. Gose	J Ross Macbeth
David Flowers	Louise Graham

Commissioner Jeri Canale was not present for the workshop.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Rev. W. C. Holden. 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.

4. **U.S. 27 FRONTAGE ROADS**

- I. Introduction - County Engineer, Bill Lecher, introduced Ramon Gavarrete, Engineer, who assisted with the presentation. Mr. Lecher also introduced the DOT staff attending.

Interim Policy for frontage roads was discussed. Commissioner Gose suggested a correction to Policy IV. To read from US 98 north to the Polk County line.

- A. Definition - what is a frontage road?

The County Engineer explained that a local street (also known as a marginal access street) generally having two or more open ends (access points). The ends generally connect with the same street. Other streets may intersect between the ends, and property fronts on only one side of the street. (The other side is parallel and adjacent to a higher classification street such as arterial or expressways).

- B. General Description

Frontage roads are usually provided along the outer limits of the highway cross section and serves to collect and distribute local traffic to and from adjacent development. They also provide parking and service away from the main traveled way, and frees through traffic from the disturbance and hazards introduced by local operation.

C. Benefits

Don Cashdollar, DOT, reported that two benefits would be derived from the frontage roads. They are control access to the main highway and reduction of conflict, and the potential for accidents.

II. History

- A. 1973 Regulations
- B. 1980 Regulations
- C. 1995 Regulations
- D. 1997 Interim Frontage Road Policy
- E. 1991 Proposed Frontage Road Layout
- F. 1995 US 27 Corridor Study

Bill Lecher stated that the County has encouraged the development of U.S. 27 frontage roads going back to the 1973 version of its land development regulations. However, early versions involved were not strictly applied. A proposal for a stricter frontage road requirement in 1991 was opposed by developers, who claimed the roads would devalue their property. The County has to do more to improve north-south traffic flow. Although U.S. 27 is being widened to six lanes, a DOT study shows the County needs two additional north-south highway lanes. The Commission discussed the issue and agreed a stronger frontage road requirement would be more easily enforced on 27 south of the US 98, State Road 66 intersection because most of that section is undeveloped.

Carl Cool stated that the most important issue is safety. An example is an area between Bayview and Fairmount Drive. Staff worked with landowners and bought right-of-way, built the road, changed the median and worked with DOT, reducing fatal accidents by a factor of three (3).

Commissioners expressed concern regarding the impact of a frontage road requirement on existing businesses, particularly a small business on the heavily developed U.S. 27 between U.S. 98 and the Polk County line.

III. Development of Frontage Roads

A. Plan

Jim Cashdollar, representing DOT, gave a presentation on the plan for the development of frontage roads.

B. Policy

C. Access Management

Carl Cool reported that Commissioner Canale presented comments by telephone that she was concerned about the small landowners. She did not want to deal with the idea south of 98, but would like the Board to think about frontage roads north of 98.

Ross Macbeth stated that the Board should be concerned with potential "taking issues." The Board must be sensitive to the design that they are trying to achieve and the impacts on the property. Staff needs to cooperate with the property owner to accomplish the overall objective without creating a reduced property value for them. The key is to make plans before the development and ask the property owner for set backs in advance. If the Board has a plan, the developer will buy a larger tract. The concern is not to go out and take everyone's property. The concept is to go out and make the best plan and work with the people along the way and see if we can build this into their projects.

IV. Slide Presentation

Bill Lecher and Ramon Garrevette

V. Challenges

- A. Land Values
- B. Legal
- C. Budget
- D. Inter-local Coordination

The consensus of the Board was for staff to work with DOT and bring back a Plan. See SMB 29 Page 183.

Break 10:20 a.m. - 10:30 a.m.

5. "NO WAKE" ZONES

The Commission reviewed the Highlands County Code of Ordinances that addresses traffic along the beach and shorelines and within county waterways. Commissioner Flowers noted that the ordinance does not address certain swimming areas such as lakes around private homes that are not designated as a county public swimming area.

He also noted that safety is an issue. Boats and personal water craft on smaller lakes are coming too close to swimmers. Some instances, he observed personally were, boats coming between swimmers and the shoreline, running at a high rate of speed. One instance, a swimmer had to duck under water to keep from being hit by a ski boat. He has contacted Tallahassee, and received a letter of response from the office of Waterways Management, Department of Environmental Protection. It stated that the Board of County Commissioners may take governmental action to adopt ordinances concerning all lakes, if they are properly marked and noticed. The office of Waterways Management suggested that the ordinance be adopted with the restriction of a non-criminal enforcement clause. It would not be a misdemeanor charge but a summoned type ticket.

The Commission discussed the issue. The consensus of the Board was to allow Commissioner Flowers to work with the County Administrator to develop a plan to revise the ordinance that will address this safety problem.

6. PROPOSED S.A.V.E. PROGRAM (Special Added Value Enhancement)

Commissioner Guy Maxcy introduced a program that will be beneficial to saving tax dollars. If a department saves money, a portion of that is given back to the employees in the way of a bonus. Carl Cool gave a presentation, explaining the program.

1. Basis for Program

To encourage suggestions and cost savings within the approved budget, the Board finds it in the best interest of Highlands County to reward employees of the Board for getting the job done while saving money. This effort toward efficiency is the basis for the SAVE Program.

II. Program

- A. Budget reduction requirement
- B. Project completion requirement
- C. Level of service requirement
- D. Nomination of department
- E. Calculation of savings method
- F. Awarding of incentives

III. Presentation to the Board of County Commissioners

IV. Monitoring the Program

A. SAVE Committee

See SMB 29 Page 184 for copy of the program.

The Board Attorney listed concerns that could affect the achievement of the program. Carl Cool stated that grants must be spent. Staff has to be cautious when they move into the program. It should be considered for a one year trial period.

The Chair opened the floor to the public for comment. Clayton Womer stated concerns that it will not be fair for every employee.

Commissioner Gose asked that the program be presented to the Employee Awareness Committee and the Department Heads for their ideas and bring back information. Kevin Bouffard, representing The Highlands Today, presented questions regarding the program. Jim Cash, representing the Lake Placid Journal, suggested that departments could inflate their budget. The County Administrator advised that the budgets are already in for this year.

7. ADJOURN

The meeting adjourned at 11:10 p.m.

Chairperson

Attest:

Clerk

**PUBLIC HEARING OF THE
DANGEROUS DOG HEARING BOARD, AUGUST 14, 1997**

1. The meeting was called to order at 2:30 P.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

Dr. Mark Griffin, D.V.M.
Joan Beiner
Roxanne Grice
Tom Portz

Dr. John H. Young, D.V.M.
Jack E. White
J. Ross MacBeth

2. County Attorney J. Ross MacBeth stated the procedural rules to be followed. The dangerous dog hearing was publicly noticed. Owner of the dog, Mr. Robert Schweitzer, was present. Mr. Schweitzer was given notice of meeting via certified mail. Deanna Fotheringham, who was allegedly bitten by the dog was present.

Mr. MacBeth stated that Florida Statute 767.11 provides a definition for a "dangerous dog" and a procedure for making that determination. The statute requires that the county adopt hearing procedures for that purpose. The Board of County Commissioners has done that, The Board has also adopted an ordinance that follows the statute pertaining to the notice that is given the dog owner that the Animal Control Officers have investigated and have made a preliminary finding that there is cause to hold a hearing. The owner of the dog then has a right to a hearing before that determination becomes final. That is the purpose of this hearing.

The Board has also adopted procedures for quasi judicial hearings. That basically is the purpose of the hearing today. The panel is to make a decision today based upon the evidence that is presented at the hearing.

That evidence may be testimonial in form or documentary in form or both. The provisions in county code set out procedures for hearings. It provides that hearings such as this will be recorded on tape. This hearing is being recorded on tape. The parties also have a right to have a court reporter here today. There is no court reporter here today. Witnesses may be sworn. Statements will be taken under oath and they are subject to cross examination. The parties have a right to present evidence. Upon hearing the evidence presented, the panel will enter a final order that would include a summary of evidence, findings of fact, conclusions of law and a final determination based upon those things.

If someone wishes to speak please come up to a mike. If you do not speak in a microphone you will not be part of the record.

Attorney Jim Thompkins, representative for Deanna Fotheringham, the bite victim came forward. Mr. Thompkins stated that the notice that was sent out indicates that pursuant to Florida Statute 767.11 there is sufficient cause to classify the dog as dangerous, which, coupled with the second check mark on the notice, which indicates "according to our findings, the dog that has been described has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property", it seems to be a notice that this is a hearing to determine whether or not the dog should be labeled a dangerous dog and therefore be subjected to the purview of the statute. His concern was that his client, in her opinion, had been savagely bitten, and the wrong box is checked off. The box that should be checked off is 767.13(2), which reads that "your dog has not been declared dangerous but has attacked and caused severe injury to or death of any human being". The difference is under this statute, 767.13(2) specifically says that if a dog that has not been previously identified as dangerous, which apparently is the situation here, attacks somebody and severely injures them or kills them, that the dog is supposed to be taken into custody and after the hearing is supposed to be disposed of. Not identified as a bad dog, but disposed of, which unfortunately means putting the dog to sleep. What concerned him, is that if a hearing is held on the first part of the Statute, a hearing on the second part is not possible at a later date. His client, did not want this to happen to someone else and she wants the dog disposed of. Mr. Thompkins stated that Mr. MacBeth will have to advise the panel as to whether the panel can come back on the second issue at a later date.

Mr. MacBeth stated that he understood the point Mr. Thompkins was making and that since it has never been made before, he did not know what the answer was. The charge that is scheduled for hearing today is only a dangerous dog determination under Florida Statute 767.11(a).

Mr. Thompkins stated that he thought notice could have been given for both of them had they wanted to or if somebody had been aware of it. His concern was that the owner of the dog is entitled to notice, and he hasn't been given notice that this might result in his dog being put to sleep. If the proceedings aren't held pursuant to an amended notice, 767.13(2) not be applicable any further.

Mr. MacBeth asked Mr. Thompkins if he is asking for a continuation of the hearing. Mr. Thompkins stated that if it was for the purpose of re-noticing, yes, he would like the matter continued so that it can be brought before the board. Mr. Thompkins stated that the statute is exceedingly clear. That if the dog kills somebody or severely injures them, it shall be taken into custody after appropriate findings, and shall be disposed of. He stated that if the County does not do that, and it happens again, the County could be held responsible for it. Mr. MacBeth disagreed. Discussion took place regarding the exact wording and interpretation of 767.13(2).

Mr. MacBeth again asked Mr. Thompkins if he would like the matter continued. Mr. Thompkins stated that yes he did wish the hearing to be continued so that proper notice can be given regarding 767.13(2).

Mr. MacBeth stated that under the Statute there are two parts that are being referred to, the first part entails the provisions under 767.12 and the declaration of a dangerous dog. The definition of a dangerous is under 767.11(1)a, the procedure for making a determination is under 767.12. The definition states that "a dog that has aggressively bitten, attacked or endangered or has inflicted severe injury on a human being on public or private property" can be deemed dangerous. The allegation here is that this dog has inflicted severe injury. That term is also defined in section, 767.11(3). Severe injury is any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery. One of the ways the dog could be declared dangerous is a finding that the dog has inflicted severe injury on a human being. That determination would result with the dog being classified under 767.12 as a dangerous dog if the board found that it had inflicted severe injury on a human being. Mr. MacBeth stated that under 767.13 (2), again with a dog that has not been previously declared dangerous, attacks and causes severe injury or death to a human, it then says that the dog shall immediately be confiscated and placed in quarantine for the proper length of time, or held for 10 business days after the owner is given written notice under 767.12 and thereafter destroyed in an expeditious and humane manner. Appeal from a decision like that I believe would also be to County Court just as it is under 767.12 for dangerous dog determinations. So both those statutes speak to the same basic underlying

factual circumstance, one which could lead to a dangerous dog determination, one which could lead to destruction of the animal. What Mr. Thompkins is asking, is that since the notice that was given was only under 767.11, if the record made here is such that there is a finding that the dog inflicted severe injury on a human being, we've only got half of the possible results before the panel. The only item that has been noticed that can be heard, is the dangerous dog determination, not destruction of the animal. If there is to be any possibility of destruction of the animal as a result of a hearing, a notice would also have to be given to that effect and the matter heard. Mr. Thompkins is requesting that the matter be continued to a later date so that a notice can be given so that both of those matters can be brought before the board for consideration.

Mr. Schweitzer stated that he did not want his dog destroyed but he understands he must abide by the law.

Mr. MacBeth stated that the County also requests a continuance.

Mr. Thompkins clarified that at the next meeting, it will be determined if the dog is in fact a dangerous dog and if the dog should be put to sleep.

Mr. MacBeth stated that will take place at the next meeting. The panel will have the opportunity to make a determination whether the dog is dangerous, but not put the dog to sleep, or determine the dog is dangerous, and order destruction of the dog, or the panel could advise that the dog is not dangerous and that there is nothing further required. Those are the three possibilities the panel has at the next meeting. What ever the panel decides is appealable through the County Court by the owner.

Mr. Thompkins stated that the decision to be made at the next meeting is whether or not the dog inflicted sever injury on a human being, and in his opinion, the statute speaks for itself in that the dog must be destroyed.

3. The meeting was adjourned at approximately 4:00 P.M.
4. The next meeting is scheduled for Friday, August 29, 1997 at 2:30 P.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

REGULAR MEETING OF THE BOARD, AUGUST 19, 1997

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
Guy Maxcy	J Ross Macbeth
David Flowers	Louise Graham

Commissioner James Gose was not present for the meeting.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Courts, Luke Brooker. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending 8/19/97. The Farm report was also given.

- B. **Clerk**

L.E. "Luke" Brooker reported on Teen Court sessions held for the new year. The first training session was held August 4, 1997, and although school was out, sixty students came for training. The second session was held on August 11, 1997 with another 33 students participating. Highlands County is a leader in the Teen Court Program.

Mr. Brooker also reported on the Value Adjustment Board Hearings. RFP's were sent out for the Special Master. Six responses were received back. The first meeting of the Value Adjustment Board will be held Monday, August 25, 1997 at 9:00 a.m. in the Boardroom.

- C. **Future upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool read a letter read into the record from Det. Ken Benson of the Sheriff's Department in special recognition to Lance Truax and Al Smith for their heroic deeds during the crash of a lear jet at the Avon Park Airport.

4. **CITIZENS NOT ON AGENDA:**

- A. Mr. Richard Conover spoke on TV coverage in Lake Placid and how certain portions of the tape was deleted. Mr. Conover also mentioned that items on

the Consent agenda are too lengthy.

- B. Mr. Hank Kowalski complained that Ordinance 94-3 is not being enforced. He stated that the Youth Care Lane property (Hope Villas) is being constructed without a land clearing permit. Mr. Kowalski stated that staff did not sign off on the necessary document. He requested that the Board of County Commission stop the construction through the Circuit Court. Carl Cool responded that a building permit was applied for and properly issued, and an environmental clearance was issued. Staff did fail to initial the section confirming the land clearing. Staff has corrected the error. The Chair suggested that this item be discussed further under Commissioners.
- C. Rev. Leroy McGahee asked for a waiver of a permit for the Old Firehouse construction in Highway Park and to ask for the county to renovate the firehouse. Direction to staff to work with the Black businessmen and to come up with a cost projection.

5. ACTION:

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to set the Action Agenda and Consent Agenda with the following changes as listed:

1. Remove item #16 and place under the County Engineer.
2. Remove item 18 and place under the County Administrator.
3. An additional item to be added under the County Administrator - award of the delinquent tax bid.
4. Remove item #11 and place under the County Administrator

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

A. Betty Neale: Request two resolutions in support of grants at Pearce Homestead site

A brief explanation was given by Betty Neale on the two Resolutions.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to adopt Resolutions in support of grants at Pearce Homestead site. The Chair opened the floor to the public. Dan Foley presented questions regarding the support Resolutions. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 49.

B. County Engineer: FDOT Work Program request

The County Engineer, Bill Lecher, presented request from the Department of Transportation for the initial listing of priority transportation projects. These priorities will primarily be for the new fifth year of the Work Program, Fiscal Year 2002/2003. The requests were for the

proposed highway capacity, resurface, and transportation system management projects. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to rank the projects as submitted with the US 17 (Ridgewood Drive, Eucalyptus Parkway intersection) as number one priority. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 185.

B-1. Consent Agenda Item #16-Approval to execute contract for Government Center Sewer, water and fire system

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to accept Spring Lake Services as the low bidder. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to approve the contract with Spring Lake Services. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 186.

C. Personnel Director: WAGES Community Service Agreement with SFCC
Fred Carino, Personnel Director, explained the Work and Gain Economic Self-Sufficiency (WAGES) Community Service Work Experience Program Agreement to the Board.

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to enter into the WAGES Agreement with South Florida Community College in accordance with the staff recommendations. The Chair called for public input. Richard Conover questioned cost involved for the training. Tom Portz advised that liability will be covered by the state. Dan Foley stated that hard decisions must be made down the road once the grant ends. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 187.

D. Special Projects Director: Consideration of donated property

William H. Stephenson, Jr., Special Projects Director, presented request for the Board to accept a donated lot in Sun'n Lake Estates of Sebring. The taxes were paid but an outstanding bond is due the district for \$4,115.88. The valuation by the Property Appraiser is \$2,800. The lot is on a paved road, but does not have water or sewer. Staffs recommendation is to decline the offer.

The Board discussed the possibility of a swap-out with the district. The consensus of the Board was to table the issue and request that staff contact John McClure, Attorney for the District, for his input regarding the donated lot offered for Lot 51, Block 195, of Sun'n Lake Estates of Sebring. See SMB 29 Page 188.

E. Assistant County Administrator:

1. Request from Emmanuel United Church of Christ

Tom Portz, Asst. County Administrator, presented the request from the Emmanuel United Church of Christ for the waiver of installing a fire hydrant. The City of Sebring has requested the Church pay an initial fee of \$1655.00, and an ongoing monthly charge of

\$57.00 along with executing a covenant to annex to the City when the property becomes contiguous to any then existing city limits. The President of the Council advised that the fee is excessive and causes an undue financial burden. See SMB 29 Page 189.

The Commissioners discussed the fee. Tim Eures, Fire Coordinator, explained that this is a state fire code. Ross Macbeth suggested that the answer to the problem could be the establishment of Sewer and Water Districts. This would spread the cost out so that one property owner would not bear the full burden of the hydrant. It would be shared by all that benefit from the hydrant. This could be accomplished by adopting an ordinance. The Board does not have the authority to waive a requirement of state law. Commissioner Canale suggested that the Board sit down and discuss the fees with the City of Sebring. The Board gave a consensus for staff to contact the City of Sebring Council for a possible workshop next Tuesday after the Boards' public hearing, and to invite the representative staff. If not feasible, advise county staff to set a joint workshop for September 16, 1997.

The Chair opened the floor to the public. Harold Seamen, suggested that the county stay away from the City, as they will involve citizens with more debt, as with Sebring Utilities.

Commissioner Maxcy asked that the County Administrator also review John Boutwell's proposed rate hike.

2. Facility use request

Tom Portz presented request from the Heartland Avian Society, a nonprofit organization, to approve an application to use the Agri-Civic Center on February 22, 1998 and charge admission since the funds are used locally.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the request of the Heartland Avian Society to approve the request and allow the admission charge. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 190.

Break 10:45 a.m. - 10:56 a.m.

F. Board Attorney: Consideration of bonds to be issued for LESCO by the Industrial Development Authority

Mr. Macbeth explained that the Revenue Bonds do not constitute an endorsement to a prospective purchaser of the Bonds of the credit worthiness of the Company or the project and the Bonds do not constitute an indebtedness or obligation of the county. He also read the captions of the Resolution into the record.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to adopt Resolution

approving the issuance of not to exceed \$7,500,000, Highlands County Industrial Development Revenue Bonds (Lesco, Inc. Project). The Chair opened the floor to the public. Clayton Womer questioned if there is any guarantee that the company will stay in this area. The attorney advised that a security is in place with the letter of credit. Betty Neale, former Executive Director of the IDA, spoke in favor of the bonds. Hank Kowalski suggested that language read that the Board is only following state statutes. The Board Attorney reported that the language is contained within the Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 50.

G. County Administrator:

1. Resolution on "Firefighter Appreciation Week"

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution declaring the week of August 25 - September 1, 1997, as Highlands County Firefighter Appreciation week. Commissioner Maxcy read the Resolution into the record. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 51.

2. Request to reconsider appraiser selection

Removed from the agenda for consideration at a later date. See SMB 29 Page 191 for copy of request.

3. Request from City of Sebring on Northwood Subdivision

The County Administrator reviewed the request from Bob Hoffman, City of Sebring, for road improvements in Northwood Subdivision. The Board discussed the cost involved for the County. The consensus of the Board was to discuss this item at the joint workshop. See SMB 29 Page 192.

4. Advertisement for Delinquent Bids:

Carl Cool reported that the tabulation of sealed bids have been received on the delinquent taxes for the Tax Collector's office. When Purchasing Department solicited bids, a ruling had not been received from the Attorney General's office, regarding the Tampa Tribunes' validity to run legals for the county. The Tampa Tribune did not submit a bid. The News Sun and The Lake Placid Journal submitted bids. Since then, the bids have been received with the Lake Placid Journal being the low bidder. Mr. Cool asked direction as to rebid the taxes or to accept the low bidder. A motion was made by Commissioner Flowers, seconded by Commissioner Barrett, to award the bid to the Lake Placid Journal. Upon roll call, all Commissioners voted aye. Motion carried.

5. Meeting of the Railroad

Carl Cool reported a committee meeting on the preservation of the Historic ACL Station on August 21, 1997 at 5:00 p.m. at the Old Train Depot. The meeting will focus on efforts to restore the station.

Consent Agenda item #11. Approval of payment without purchase order-Housing Office

Consent Agenda Item #18. Approval of amendments to Housing Assistance Plan

Jim Polatty and David Heacock explained the payment and the exception to the Housing Assistance Plan.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve Items #11 and 18 of the Consent Agenda. Richard Conover presented questions. The Board Attorney gave his approval. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 193.

H. Consent agenda:

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

1. Approval to pay all duly authorized bills	
Law Library	44.84
General	440,711.78
County Transportation Trust	94,314.83
E911 Operations	239.15
Law Enforcement Education	1,238.66
Local Govt Infrastructure Surtax	121,924.44
Affordable Housing Assistance	15,442.86
Government Center	55,265.67
Solid Waste	31,659.94
Placid Utilities	8,650.93
Highway Park Utility	170.37
Risk Retention	1,168.00
Employee Benefit	144,594.64

See Check Register for details

2. **Approval of minutes of 7-29-97 and 8-5-97 meetings**
3. **Accept into record - July Monthly Report**
4. **Approval to name road (Goff Lane) and change name (Cemetery Road) to Sunniland Drive. See SMB 29 Page 194.**
5. **Approval of request to advertise for Building Inspector position. See SMB 29 Page 195.**
6. **Approval to sell tax certificates(Gingerlee Mitchellindo #937-Robert N. Taylor). See SMB 29 Page 196.**
7. **Approval to execute Recycling and Education Grant no. RE98-26**
8. **Approval to execute Waste Tire Grant no. WT98-28**

9. Approval to execute Small County Solid Waste Grant no. SC98-16
10. Approval to execute Litter Control Grant no. LC98-26. See SMB 29 Page 197.
11. ~~Approval of payment without purchase order - Housing Office, James E. Baker~~
12. Approval of resolution and budget amendment 96-97-313(Certificate of Indebtedness). To increase the budget for additional interest earnings. See Res. Book 11 Page 52.
13. Approval of budget amendments 96-97-318(EMS-office furniture) 96-97- 322 (Water and Sewer- to cover cost of overtime personnel) 96-97-323 (re-roof & asbestos removal of the Venus Fire Dept House) 96-97-324 (Recycling Operations, overtime and OPS) 96-97-325 (EMS computer hardware and software) 96-97-326 (Extension Director overtime) 96-97-329 (CDBG waterline grant - Highway Park)
14. Approval to execute Project Grant Agreement #F8122 - Lincoln Heights Ballfield. See SMB 29 Page 198.
15. Approval to execute EMS grant application and resolution. See Res. Book 11 Page 53.
16. ~~Approval to execute contract for Government Center level, water and fire system. See SMB 29 Page 198.~~
17. Approval of change order to LaGrow Systems, Inc. See SMB 29 Page 199.
18. ~~Approval of amendments to Housing Assistance Plan. See SMB 29 Page 200.~~

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

6. COMMISSIONERS

Commissioner Maxcy: Insurance Committee recommendation

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve recommendations of the Insurance Committee to enter into a three-year contract with Robey-Barber Insurance Services for Third Party Administrator services. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 201.

Land Clearance Permits

Carl Cool explained the procedure for the permits. Hank Kowalski requested a 30-day stop order to allow the tortoises to be rescued. The Board discussed the clerical error and Mr.

Macbeth advised the Commissioners not to pursue this in Circuit Court. Commissioner Maxcy asked the Board to consider the stop order and allow Mr. Kowalski to get the tortoises.

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to issue a stop order for 30 days to rescue the turtles. Commissioners Flowers and Barrett spoke in opposition to the motion. Carl Cool advised that there is a cost to delay the project. After discussion, Commissioner Maxcy withdrew his motion and Commissioner Canale withdrew her second.

Motion by Canale, seconded by Commissioner Flowers, to instruct the Board Attorney to contact the Housing Authority and request a delay of the project for 30 days. Commissioner Canale withdrew her motion. Commissioner Flowers withdrew his second.

Motion by Commissioner Maxcy, seconded by Commissioner Canale to instruct the Board Attorney to contact Attorney Cliff Ables and ask if the Authority would consider allowing a qualified biologist to go on the property with his equipment to check and see if the tortoises can be saved. If they can be saved, then allow that to take place, and if this can only be accomplished by delaying construction, the authority also to consider delaying construction briefly, up to thirty (30) days. Commissioner Flowers suggested that an amendment be placed to the motion that states at no cost to the county. The Board Attorney stated that he will ask questions regarding cost. Upon roll call, all Commissioners voted aye, except Commissioner Barrett, who voted nay. Motion carried.

Commissioner Flowers announced a District 1 Town Hall meeting August 28, 1997 at 7:00 p.m.

Commissioner Canale reported on a meeting in West Palm Beach on August 22, 1997 at 9:30 a.m. The topic will be local government and declaration of rights. Testimony will be taken from each county on the problems of the Florida Constitution. Commissioner Canale also noted that she is following up with the government school program. Other meetings were also announced.

7. ADJOURN

The meeting adjourned at 12:25 p.m.

Chairperson

Attest:

Clerk

**JOINT WORKSHOP MEETING
of the HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
and
SEBRING CITY COUNCIL
August 26, 1997 - 6:00 p.m.
AGENDA**

1. The meeting was called to order at 6:00 P.M. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with all members present:

Highlands County Commissioners Present: J D Barrett, Jeri Canale, Guy Maxcy, James L Gose and David Flowers.

Also Present: County Administrator Carl Cool, Assistant County Administrator Tom Portz, Director of Accounting & Finance Mike Eastman and Lisa McClelland.

Sebring City Council Members Present: Mayor Smith Rudasill, George Hensley, Bud Whitlock, Pauline White, Jim Richardson and John Clark.

Also Present: City Administrator Bob Hoffman and City Attorney Mike Swaine.

Proof of Publication entered into the record by Carl Cool. See SMB 29 Page 212.

2. **Proposal on Trust for Public Lands**

Mr. Cool discussed the purchase of property near Hammock Road, stated most of the property would be acquired for preservation, while some may be acquired for additional recreational facilities.

Mr. Hoffman discussed the grant application and future recreational needs of the city and the county.

Mr. Hensley discussed the grant process funding and grant activity.

Mr. Barrett asked if there would be an EIR (Environmental Impact Report) required?

Mr. Cool responded, that it would have to be looked into.

Mrs. White stated the EIR was done a year ago with the other grant and it would carry over.

Ms. Canale questioned the cost involved with the purchase of the property.

Mr. Hoffman replied, that the property the city and the county would carve out for active recreation would be approximately \$9000.00 an acre.

Mr. Gose suggested NRAC look at the proposal.

3. Question of Franchise Fees and Utility Taxes charged by the cities to the County on power consumed inside the city

Mr. Cool discussed the county wide franchise fee in the unincorporated areas and stated that the city and the county decided not to proceed with the franchise fee. Also, stated the county commissioners pay franchise fees to the city for power consumed by the county in county buildings inside the cities. See SMB 29 Page 213.

Mr. Hoffman stated that the county does not pay a utility tax, but does pay a franchise fee.

Mr. Hensley stated that the city had their Financial Director John Boutwell check with Florida Power. They originally stated the county paid utilities tax and then revised their statement to say the county did not pay utility taxes. Florida Power sent copies of the power bills to support their statement.

Mr. Hoffman stated that the city has an ordinance exempting the county, school board, and all government properties from the utility tax.

After board and city discussion, Mr. Barrett suggested Mr. Cool check with Budget Officer Rick Helms to find the correct amount paid to the city in franchise fees.

4. Question of the proposed utility surcharge on water bills in the unincorporated area

Mr. Cool stated that the city council owns and decides the rates for the water system. The city has a 25% surcharge added to the water bills of the residents of the unincorporated areas of the county. Also stated the city residents inside the city limits pays a 10% utility tax. See SMB 29 Page 214.

Mr. Cool stated that Mr. Boutwell has put together a report to analyze the cost of providing water to the unincorporated areas of Highlands County. Mr. Cool stated that the city has also considered raising the rate from 25% to 50%, raising the bill in the unincorporated areas by 25% the city decided not to raise the rate. The city may in the future add another 10% to the 25% surcharge, by statute the city council has the authority to do this.

Mr. Hensley discussed a possible rate increase by the city council and the impact this may have.

5. Question of the \$57 per month maintenance fee on hydrants in the unincorporated area

Mr. Cool stated that the city agrees the \$57.00 per month maintenance on fire hydrants is too high and suggested agreeing with the city council revised recommendation. A letter from Mr. Hoffman was also discussed regarding Fire Hydrants/Fire Protection Service to unincorporated Highlands County. See SMB 29 Page 215.

Mr. Hoffman discussed the amount charged by the city for fire hydrants in the county.

Mr. Cool discussed the County Ad Valorem Tax for city residents, fair sharing of recreation costs, and roads in the Northwest Subdivision.

After board and city council discussion, Mr. Cool and Mr. Hoffman discussed burial of paupers in the city cemetery.

6. Adjourn

The meeting adjourned at 7:30 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, SEPTEMBER 2, 1997

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
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 of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. Sheriff**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending September 2, 1997.

- B. Clerk**

C. Michael Eastman, Director of Accounting and Finance, presented a status report on the Value Adjustment Board. The Property Appraiser sent out TRIM notices on August 18 with the deadline to file petitions on September 12. As of Friday, August 29, the Clerk has received no petitions.

- C. Future upcoming meetings:**

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

4. **CITIZENS NOT ON AGENDA**

No citizens came forth.

5. **ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Canale, to set the Action Agenda with changes as listed:

1. Remove for discussion Item #16, and place under the County Administrator.
2. Remove Item #9 for reagenda.

3. Remove Budget Amendment 96-97-340 from Item #11 on Consent Agenda and place on Item #12.
4. Remove Item #15 and place under the County Engineer.
5. An addition under the County Administrator for consideration of the SAVE Program.

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

A. Elgin Bayless: Request to reconsider appraiser selection

Mr. Bayless spoke to the Board regarding the appraiser selection and the amount of work involved in the appraisal. He requested that the Commission accept the Professional Services Acquisition Committee recommendation and reconsider the request. Phil Holden, Appraiser, stated that most of his work is eminent domain and he felt that the fee was fair.

The Commission discussed the bid and Commissioner Canale reviewed with the Board information obtained from other counties. She suggested that the Board place this out to competitive bid and open up for rebid.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to accept the decision and approve the Professional Services Acquisition Committee recommendation, to select Bayless and Holden to perform the appraisal work required in connection with the Powerline Road right of way acquisition, and to execute the contract.

Commissioner Canale asked the question if Mr. Bayless has been listed as an expert witness in a condemnation proceeding. Carl Cool responded that he has been notified that Elgin Bayless has been listed as an expert witness. He was obtained after the Board did not accept his contract. The Chair asked the Board Attorney for a legal opinion in the matter. Ross Macbeth stated that the contract could be still be awarded to Bayless. It is a potential conflict on his part.

The Chair opened the floor to the public. Richard Conover spoke regarding the professionalism of the committee and in favor of the motion. Clayton Womer suggested that everything should be placed out to bid. Bill Lecher, County Engineer, explained that the county did follow state statutes and followed the Purchasing Policy. Upon roll call, all Commissioners voted aye, except Commissioner Canale, who voted nay. Motion carried. See SMB 30 Page 1.

B. Operations Director:

1. Fair Association entrance construction request

Paul Sparks, representing the Fair Association presented construction request. Mr. Sparks introduced Richard McClain, Fair Manager. Mr. McClain explained the additional property

acquisition and requested the county build an entrance to the Fairgrounds. Vaden Pollard, Operations Director, presented the cost of the design with the estimate at \$4,830 and a surface water permit from the Water Management District at approximately \$4,000. The Chair asked that the City of Sebring be contacted for their assistance. Mr. Pollard stated that scheduling of the project must be considered.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to move funds from the Road and Bridge contingency and approve the Fair entrance construction request. The Chair opened the floor to the public. Clayton Womer asked that the City share in the expense. Hank Kowalski spoke in favor of the motion but in opposition to the permit of \$4,000. Richard Conover questioned the width of the road proposed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 2.

2. Road Improvement lists

Vaden Pollard presented the Road Committee's evaluation and consideration for resurfacing, reconstruction and dirt road paving.

Motion by Commissioner Gose, seconded by Commissioner Canale, to approve the Road Committee's recommendations for improvements. This will keep current the 2-year resurfacing and reconstruction and the 5-year dirt road paving programs. Commissioner Gose amended his motion to allow staff to include Ruth Road if the environmental and right-of-way problems can be resolved. Discussion regarding change of policy on approval by the Commission. It was a consensus to allow the road list to continue to come before the Board.

The Chair called for public input. None was received. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 3.

The Chair announced that the time now being 10:25 a.m., a break will be given and the scheduled hearing for 10:00 a.m. will be heard at 10:35 a.m.

G. 10:35 a.m. Public hearing to consider settlement of Petition for Equitable Distribution filed in Betty S. Bash, et al v. Eugene W. Donson, Case No. GCG-96-1562

Commissioner Gose declared a conflict of interest on this item, as Attorney James Kelly is a business partner.

Proof of Publication entered into the record. See SMB 30 Page 4. The Board Attorney explained the Bash case. Gregory Bash is a Highlands County employee, and the county has paid \$31,585.33 on behalf of Betty S. Bash for medical treatment that was necessitated by injuries received in an automobile accident. Highlands County has asserted a lien against Plaintiffs' recovery from the third party. Plaintiffs settled the case for less than full value.

The county has offered a settlement of \$15,000 to resolve this matter.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept the offer of \$15,000 for equitable distribution filed in Betty S. Bash, et al V. Eugene W. Donson case. Upon roll call, all Commissioners voted aye, except Commissioner Gose, who abstained. Motion carried. See SMB 30 Page 5.

C. Development Director: Appointment to Natural Resources Advisory Commission

Motion by Commissioner Canale, seconded by Commissioner Gose, to appoint Kevin Main as the Environmental Representative to fill the unexpired term of Tom Bancroft until December 31, 1998. Kevin Main spoke in the interest of Natural Resources. Hank Kowalski spoke in favor of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 6.

D. County Engineer: Grant of sidewalk easement - Sun 'n Lakes Estates of Sebring

Bill Lecher presented request for the approval of an easement document for the purpose of relocating an existing sidewalk. The easement is located in Sun'n Lakes Estates of Sebring, along the South side and West side of Florida Hospital, Heartland Medical Center. The sidewalk is a requirement of the Hospitals Development Order. The easement is required due to its location on the Hospital's property and not in the public right-of-way.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve and execute the Grant of Sidewalk Easement between Adventist Health System/Sunbelt, Inc., and Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 7.

Consent Agenda Item 15- Contract with LaGrow Systems

Motion by Commissioner Gose, seconded by Commissioner Canale, to accept the bid from LaGrow Systems for the repair and painting of the Hydro Tank at Tomoka Heights Water Treatment Plant. The Chair called for public input. Richard Conover presented questions. The Board Attorney stated that all issues have been resolved. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 8.

E. Board Attorney: Settlement proposal from Mann claim

Commissioner Gose stated a conflict of interest due to the attorney for Patricia Mann, being a business partner.

Mr. Macbeth explained the case. The request is for a reduction of the lien in the amount of \$1,174.28 for full settlement. Total lien was listed at \$2,174.60.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept the Settlement Proposal from Attorney W. James Kelly in the amount of \$1,174.28 for client Patricia Mann. Upon roll call, all Commissioners voted aye, except Commissioner Gose, who abstained. Motion carried. See SMB 30 Page 9.

F. County Administrator: Discussion of Fewell property purchase

Carl Cool presented information regarding purchase of property north of Hammock Road. The request is for the County to join with the City to purchase approximately 30-acres at \$10,000 per acre, conditioned on the city of Sebring winning a grant from the Florida Communities Trust to buy most of the 110-acres. The City and County would need to come up with \$200,000 each to purchase the remaining acres that could be used for Max Long expansion. The repayment period would last five years, but development could begin on the smaller property once the agreement is signed. The City is proposing to build four new softball diamonds, tennis courts, an open field for football and soccer and picnic facilities on the site.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve that staff work with the City of Sebring to come up with a lease purchase agreement.

Don Morrow, Senior Project Manager, Trust for Public Lands in Tallahassee, gave a brief update on the program that supports land purchases for preservation and passive recreation. Dee McDonald, Director of the YMCA, spoke in favor of the purchase.

Commissioner Flowers asked that the County explore the cost of a walk over bridge rather than signalization. Clayton Womer spoke in opposition to the amount of property proposed and the city's request for funds. Hank Kowalski spoke in favor. Upon roll call, all Commissioners voted aye. Motion carried.

1. SAVE Program

Carl Cool gave an update on the results from the Employee Awareness Program. Commissioner Maxcy and Mr. Cool met with the Department Heads and the Employee Awareness Committee. The proposed program was noted to have some benefits toward team building and budget reduction ideas. At the conclusion of the meeting, the employees voted as follows to recommend that the Board implement the program for one year to study its effectiveness in reducing the budget and increasing employees' morale:

For - 12
Against - 0
Undecided -3
Total - 15

Commissioner Maxcy suggested that a Committee should be established with a Commissioner as liaison. Motion by Commissioner Maxcy, seconded by Commission

Gose, to implement the program with Commissioner Maxcy as liaison to the Committee. Dan Foley suggested that the public be involved. The consensus was to keep the program with employees, only, the first year and then open up to the public. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 10.

Consent Agenda Item 16. Approval of Road Name

The County Administrator reported that Tortoise Terrace was a temporary name in order to obtain electrical service to the development. The road is a private road and suggested that Mr. Santos DeLa Rosa as Chair of the Housing Authority does have the authority to name the road. Hank Kowalski spoke in favor of leaving the road name at Tortoise Terrace. It was a consensus to allow the Authority name the road.

H. Consent agenda:

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

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

Law Library	304.11
General	1,544,994.01
County Transportation Trust	41,630.68
E911 Operations	10,945.07
Intergovernmental Radio Communications	696.11
Local Govt Infrastructure Surtax	190,427.78
Affordable Housing Assistance	634.16
Correctional Facility	112.00
Government Center	230,464.77
Solid Waste	58,029.67
Placid Utilities	1,283.35
Highway Park Utility	70,060.50
Risk Retention	2,967.13
Employee Benefit	81,489.35
See Check Register for details	
2. **Approval of minutes of 8-12-97 and 8-19-97 meetings**
3. **Approval of correction to minutes of 7-15-97, Book 17 Page 306 and 307. See SMB 30 Page 11.**
4. **Approval of Supplemental Agreement #6 Chastain-Skillman for environmental audit. See SMB 30 Page 12.**
5. **Approval of FDOT Railroad Reimbursement Agreement and Resolutions for the CR-17 Bridge. See SMB 30 Page 13 and FDOT file for Resolution.**
6. **Approval to execute State Aid to Libraries Application and**

- Agreement. See SMB 30 Page 14.
7. Approval to sell used/obsolete tires by competitive bidding for fiscal year 10/1/97 through 09/30/98. See SMB 30 Page 15.
 8. Approval of Solid Waste Assessment roll certification. See Res Book 11 Page 64.
 9. ~~Approval to request Disaster Medical Assistance units.~~
 10. Approval to sell Tax Certificate #95-6995 - Sharon Cochran. See SMB 30 Page 16.
 11. Approval of budget amendments 96-97-333(Emergency Management OPS Overtime) 96-97-342(Solid Waste Workers Compensation) 96-97- 346 (Local Govt Infrastructure, new account numbers) 96-97-347 (Road and Bridge new account) 96-97-348(Carpentry Shop Workers Compensation) 96-97-349 (Parks Department new project) 96-97-351 and 96-97-352 (Clerk of Courts office furnishings).
 12. Approval of resolutions and budget amendments' 96-97-340(Prepayments for Orange Blossom Unit 6 and Units 8 & 9). See Res. Book 11 Page 65. 96-97-343 (Sebring Library computer purchase). See Res. Book 11 Page 66. 96-97-345(paving of Montessori Way, 6th Ave. & 7th Ave.) See Res. Book 11 Page 67.
 13. Approval of plat recording - Courtyard Oaks. See SMB 20 Page 17.
 14. Approval to execute Interlocal Agreement with City of Sebring (meter reading).
 15. ~~Approval to execute contract with LaGrow Systems, Inc.(repair and painting of Hydro tank at Tomoka Heights Water Treatment Plant).~~
 16. ~~Approval of road name - Hope Circle. See SMB 30 Page.~~

Clayton Womer presented questions on items #4 and 5. Carl Cool explained the agreements. Richard Conover questioned corrections to budget amendments. Upon roll call, all Commissioners voted aye. The motion carried.

6. COMMISSIONERS

Commissioner Barrett: Placid Utilities Advisory Committee appointment recommendation

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve recommendation of the committee for membership to the Placid Utilities Advisory Committee as written in the minutes of August 11, 1997 meeting. See SMB 30 Page 18 for copy. Upon roll call, all Commissioners voted aye. Motion carried. Commissioner Barrett to remain as liaison to the Committee.

Commissioner Flowers stated concern for the way the Board members are showing lack of professionalism and courtesy in conducting the meetings. They continue to interrupt each

other and staff members who have the floor. A student did a survey on how many interruptions occurred at one meeting. The County Administrator has the results and he encouraged all Board Members to review the results.

Commissioner Maxcy stated concern for a News Sun article printed on the front page that caused him and his family to suffer. The paper has reprinted a clarification on the second page. He requested that Board Members and newspapers be more careful when making statements and quotes.

Commissioner Canale also stated concern that Commissioner Maxcy questioned her information.

7. ADJOURN

The meeting adjourned at 12:15 p.m.

Chairperson

Attest: _____
Clerk

SPECIAL MEETING OF THE BOARD, SEPTEMBER 9, 1997

- 1. The special meeting was called to order at 5:00 p.m. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

J D Barrett	
Jeri Canale	Carl Cool
Guy Maxcy	J Ross Macbeth
James L Gose	Louise Graham
David Flowers	

Proof of Publication entered into the record by the County Administrator. See SMB 30 Page 19.

- 2. **Designation of position 210 (Assistant County Administrator) as Senior Management Class**

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to designate the Asst. County Administrator, Thomas Portz as position 210, Senior Management Class. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 20.

- 3. **Adjourn**

The meeting adjourned at 5:09 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, SEPTEMBER 9, 1997

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
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 the County Administrator, Carl Cool. 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.

Commissioner Gose apologized for being unable to attend the September 15, 1997 Public Hearings for the Special Benefit Districts. He has a scheduled meeting out of town.

7. **9:10 a.m. - Representative Rick Minton: Presentation of check for grant in aid funds for Lincoln Heights Ballfield**

The Chair welcomed Representative Rick Minton. Rick presented a check in the amount of \$50,000 for grant in aid funds for Lincoln Heights Ballfield. Commissioner Canale thanked Rep. Minton and Senator Dantzler for the nine million dollars given back to the counties for reimbursement of Article V costs for unfunded mandates in 1997. Beginning in 1998-99 and the for the next four years, they will also redirect almost 50 million dollars in general revenue back to the counties.

Representative Minton also discussed the benefit of the Welfare bill. Commissioner Gose stated concerns for the new dollars that will be available that includes the provision of transportation. Commissioner Barrett expounded on the Water Safety Committee meeting and the concerns of the central part of the state.

6. **Workshop: Legislative issues for Florida Association of Counties**

- Building Inspectors Certification** - Discussion by Carl Cool. Rick Minton stated that the requirement is a result of Hurricane Andrew. Larry Ford, representing Senator Dantzler, suggested that the Commission present comments at the Legislative Delegation meeting in December.

- Water Policies** - Discussion on water needs - definition on local sources first. Commissioner Canale suggested an ordinance to regulate wells. Chairman Barrett advised that the Water Management District already has wells in Highlands County.
- Representative Minton discussed the concerns** of the smaller counties in relation to the larger counties.
- Term Limits** were also discussed.

4. Workshop: Boating regulations

The County Administrator reviewed the Polk County vessel control, water safety ordinance. He advised that this ordinance is a bit more restrictive than Highlands County has. Commissioner Flowers discussed the safety and enforcement issue. He asked that advisory signs be placed at the boat ramps as public awareness for safety. Jim Cash asked that skiers be allowed to bring small children back into shore. Ross Macbeth suggested that specific language should remain in the new ordinance.

Commissioner Canale suggested that the water safety committee and Commissioner Flowers fine tune the ordinance and bring back before the Board. Commissioner Maxcy stated that he is not in favor of a committee. He would like the attorney to work on an ordinance that would amend the current code. Hank Kowalski suggested that information be obtained from Polk County on how it is working. Clayton Womer stated concern for enforcement. Commissioner Flowers advised that he will attend the meeting of the Water Safety committee and address the issue. The consensus of the Board was to ask the attorney to begin implementation of an ordinance.

Break 10:11 a.m. - 10:25 a.m.

5. Workshop: Toll-free calling

The County Administrator reviewed the Toll-free calling request. Commissioner Canale stated that she has had several request from residents. Jeff Mechlin, Public Affairs, Sprint United, gave an update on what remedies are available to the customers from each city. Discussion on technology and issues of the 911 wireless communications. Christine Girardin, News Sun Reporter, suggested that other options for services in different areas should be made available. Commissioner Canale stated that she would like to petition the Public Service Commission for a survey to ask the residents if they are willing to pay an additional amount and have toll-free calling. Jeff Mechlin explained that the petition should be to the company. He stated that there would have to be an increase in basic service rates for toll-free calling. Rates are now just \$6.47 a month for residential telephone customers

in Avon Park and Lake Placid, and \$7.22 for customers in Sebring and Spring Lake.

The Chair called for public input. Jim Cash asked why the difference in charge in Lake Placid. Clayton Womer spoke in opposition to a phone change. Joan Pflueger stated that we do need toll-free calling. Richard Conover suggested a public hearing at the Agri-Civic Center with the PSC. Commissioner Flowers stated that he is not in favor of pursuing the public service commission. Commissioner Gose also agreed that he is not in favor of a change.

8. ADJOURN

The Chair adjourned the meeting at 11:09 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, SEPTEMBER 16, 1997

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
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 L. E. "Luke" Brooker, Clerk of Courts. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. Sheriff - DARE Grant Award**

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve and acknowledge acceptance of the subgrant award for the program entitled the DARE grant award. Upon roll call, all Commissioners voted aye. Motion carried.

Lt. Benton presented a copy of the Daily Jail Log of Inmate Count for the period ending September 16, 1997. See SMB 30 Page 35.

- B. Clerk**

L. E. "Luke" Brooker, Clerk gave a report on the Value Adjustment Board petitions. He advised that a total of 46 have been received as of the deadline last Friday. However three of those have been withdrawn. The Special Master will begin the Hearings on September 24 and continue through September 25, 1997 in the Board of County Commissioners Board Room. None of the petitions filed are single family home owners. Only two are vacant land owners. The other petitions consist of citrus growers, grocery chains, lending institutions, discount stores, hotels and a citrus processing plant.

Mr. Brooker also presented a report on "Teen" Court proceedings.

- 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:**

- A.** Keith Renish spoke to the Board regarding burning of trash in the Vantage

Point subdivision and the violation of the county ordinance. He also spoke on the truck load limit and the destruction to the roads.

- B.** Richard Conover spoke regarding two items on the Consent Agenda and the good will shared by the Board

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the Action Agenda with changes as listed:

1. The addition of request for the Belle Aire Estates under the Special Tax Districts.
2. Remove item #7 from the Consent Agenda and place for discussion under the County Administrator.
3. Addition of Budget Amendments 96-97-387 and 391 under Consent Agenda item #11.

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

A. Public hearing : Objections, Recommendations and Comments Response to DCA No. 97-1 and Adoption of Comprehensive Plan Amendment 97053LS

Proof of Publication entered into the record. See Proof of Publication Ordinance Book 1 Page 177.

Jim Polatty, Development Services Director, reviewed with the Board the objections, recommendations and comments from the DCA for CPA-97053LS, Spring 1997, Large Scale Plan Amendment and the revisions to the ordinance.

The Board Attorney read the captions of the ordinance into the record. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt ordinance approving the revisions to the amendment, as directed by the ORC. The Chair opened the floor to the public. Richard Conover spoke in favor of the motion, but asked why the delay in the adoption. Hank Kowalski asked to go on record in opposition to language stricken that required Highlands County to notify the appropriate state or federal agency before any development orders are issued. Don Brooks questioned why the language was placed in the ordinance. The Board Attorney explained that it was a triggering mechanism for other state agencies. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 36. The Chair closed the Public Hearing and reopened the regular meeting.

B. Resolution establishing Highlands County Water Advisory Committee

A short tape was reviewed by the Commission regarding the Water Task Force. Ross Macbeth presented changes to the Resolution. John Borgemeister embraced the changes

mentioned.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to adopt Resolution, establishing the Highlands County Water Advisory Committee with changes as suggested. Commissioner Canale asked that an ordinance be initiated by the Task Force for county adoption to restrict the size of wells that are drilled in the county. Dan Foley, Citrus Growers Association, advised that the Planning and Zoning Commission is already addressing these issues. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 83.

C. Maria Sutherland: Request for Proclamation “Florida Hospital Heartland Medical Center Day”

Motion by Commissioner Canale, seconded by Commissioner Flowers, to adopt Proclamation designating “Florida Hospital Heartland Medical Center Day” on September 28, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 84. Commissioner Maxcy requested that HMA should not be overlooked.

D. Proclamation: “Handicapped Awareness Day”

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Proclamation designating Friday, September 19, 1997 as “Handicapped Awareness Day” in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 85.

E. Don Brooks: Appraising

Mr. Don Brooks presented information to the Commission regarding the Appraising field. He suggested the Board consider using the County Property Appraiser for county appraisals. Commissioner Canale stated that she and Mr. Cool met with the County Property Appraiser’s office and discussed utilizing their office. In condemnation cases, public appraiser would be required.

F. Operations Director: Fill dirt at shell pit

Vaden Pollard presented request. Ross Macbeth suggested that we consider giving the fill dirt to the counties in that area.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to allow the Operations Department to contact vendors to remove fill material at the shell pit at .50 cent per yard for two weeks and thereafter .25 cent a yard, and if there are no takers, offer it to the surrounding counties free, providing they have the appropriate insurance coverage to enter county owned premises. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 37.

G. Budget Officer: Distinguished Budget Presentation Award

Ricky Helms, Budget Officer presented a distinguished budget award to the Board of County Commissioners from the Government Finance Officers Association. Carl Cool presented a certificate of recognition for Budget Presentation to Ricky G. Helms, Budget Officer, as being the individual primarily responsible for Highlands County receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association. See SMB 30 Page 37 A.

H. Emergency Management Coordinator: Request for 3 Disaster Medical Assistance units

Motion by Commissioner Flowers, seconded by Commissioner Canale, to approve request of Oscar Garner, Emergency Management Coordinator, to request three DMAC units. Upon roll call, all Commissioners voted aye. Motion carried.

I. County Engineer:

1. FDOT aviation project request for FY 1998-2003

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve for submittal to FDOT, the FY 1998-99-2002/03 aviation project priorities for consideration in developing the Joint Automated Capital Improvement Plan (JACIP currently under development). See DOT file for copy. Upon roll call, all Commissioners voted aye. Motion carried.

2. Change order on Water Distribution System

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve change order with Tri Sure Corporation in the amount of \$10,050 for Highway Park Water Distribution System with budget amendment and Resolution. Richard Conover questioned why staff did not have a number on the budget amendment. Commissioner Canale presented questions regarding the cost of the project. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 86.

3. Change order on Water Treatment System

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve an additive change order in the amount of \$2,850 to LaGrow Systems for the Highway Park Water Treatment System. The change is necessary to provide water to pressurize the water distribution system contracted to Tri-Sure Corporation to test the line which is necessary prior to installing the house services. Richard Conover questioned the reason why the County Engineer did not sign off on the document. Upon roll call, all Commissioners voted aye. Motion carried.

J. Board Attorney: Resolution #97-95 and financing for Government Center Loan

Ross Macbeth read the captions of the Resolution into the record. Motion by Commissioner

Flowers, seconded by Commissioner Maxcy, to adopt Resolution confirming the acceptance of the proposal of SunTrust Bank, for the financing of the county's \$3,100,000 Revenue Bond Series 1997 for the Government Center. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 87.

K. County Administrator: Request from Sun n' Lake of Sebring Improvement District

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the request of the District to transfer and convey title of the access easement of the Tanglewood Mobile Home Park entrance to the Sun'n Lake of Sebring Improvement District, with the District to maintain the easement and roadway in perpetuity. The motion was made subject to the review by the Board Attorney. Attorney John McClure spoke in favor of the transfer for the District. Richard Conover presented questions regarding encroachment of right-of-way. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page.38.

Consent Agenda Item #7- Approval of vehicle donation to Red Cross

Motion by Commissioner Gose, seconded by Commissioner Canale, to waive the purchasing manual and declare this vehicle surplus and acknowledge that the Red Cross is requesting the use of it and that the Red Cross is a private, not for profit agency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 38.

L. Consent agenda:

Motion by Commissioner Canale, seconded by Commissioner Gose, to remove item #16, Robey Barber contract to allow the Board Attorney time to review the document. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve the Consent Agenda as listed. The Chair called for public input. Richard Conover presented information regarding item #17, the portable welder and drill press bid. He also questioned the CDBG enterprise fund increase. Red Bohanon questioned why the county is purchasing an osprey nest pole with tax dollars. Tom Portz advised that the nest was blocking one of the lights at the tower and it is a violation of FCC regulations. Oscar Garner spoke to the Board about the cost involved and the necessity to remove the nest.

1. Approval to pay all duly authorized bills	
Law Library	599.77
General	592,759.88
County Transportation Trust	66,855.24
E911 Operations	255.75
Local Govt Infrastructure Surtax	445,160.12

BOOK 17 PAGE 380

Affordable Housing Assistance	27,091.88
Correctional Facility	1,922.72
Government Center	57,720.09
Solid Waste	69,328.67
Placid Utilities	6,824.16
Risk Retention	15,112.73
Employee Benefit	160,130.60
Flexible Benefit Trust	887.44
See Check Register for details	

2. **Approval of minutes of 8-26-97 public hearings, joint meeting and 9-2-97 meeting**
3. **Accept into record - August Monthly Report**
4. **Approval to sell tax certificates. (Robert Lee Oakes & Gingerlee Mitchelllindo) See SMB 30 Page 41.**
5. **Approval to purchase computer - Fire Services. See SMB 30 Page 42.**
6. **Approval to purchase osprey nest pole. See SMB 30 Page 49.**
7. **~~Approval of vehicle donation to Red Cross. (1983 Ford vehicle County #LPF77).~~**
8. **Approval to execute commodity contract**
9. **Approval of provisional paramedic positions. See SMB 30 Page 43.**
10. **Approval to execute Court Reporter Grant-in-Aid Agreements**
11. **Approval of budget amendments 96-97-366 & 96-97-367(vehicle & liability for various cost centers) 96-97-370 (Elections machinery and equipment) 96-97-371(OPS cost and capital equipment for upgrade to current system, installation of new design software for Engineering and repair to vehicle) 96-97-372(Govt Center reclassification of line item expenditure) 96-97- 375 (Arbuckle Class I Landfill) 96-97-377(EDC project) 96-97-378 (Clerks compensated absences) 96-97-380 (Highlands Park Estates) 96-97-387 (Building and Maintenance, OPS and construction of a slab for the Sheriff's auto maintenance facilities. 96-97-391 (Fire Services - reallocate funds to correct account items, P.O. 975512).**
12. **Approval of resolutions and budget amendments 96-97-316 (Sebring Airport Authority) 96-97- 353(Fla License Plates revenue for library materials) 96-97-359(SHIP interest) 96-97-373 (installation of fire hydrants) 96-97-376(Healthy Kids Program). See Res. Book 11 Page 88.**
13. **Approval to execute resolution to establish a public hearing to close**

- road(Hillside Lake Estates). See Res. Book 11 Page 92.
- 14. Approval to execute Aquatic Plant Control DEP contract. See SMB 30 Page 44.
- 15. Approval of request for CDBG enterprise fund for cash advance from General Fund. See SMB 30 Page 45.
- 16. ~~Approval to execute contract with Robey-Barber.~~
- 17. Approval to purchase portable welder and drill press. See SMB 30 Page 46.
- 18. Approval of contract amendment - Lake Sebring Structures - SWFWMD. See SMB 30 Page 47.
- 19. Approval of agreement with BFI. See SMB 30 Page 48.

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

Request of Lake Placid Moose Lodge

Motion by Commissioner Gose, seconded by Commissioner Barrett, to waive the agenda and approve the Moose Lodge application. The Board Attorney presented requirements that the Sheriff’s Department and the Health Department sign off on the document. Mr. Cool advised that the Health Department has signed off on the application. Commissioner Gose amended the motion, seconded by Commissioner Barrett, subject to the approval by the Sheriff’s Department. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 40.

6. COMMISSIONERS

- A. Commissioner Barrett thanked the Commissioners on the unified effort for the establishment of the Water Advisory Task Force Committee.

7. ADJOURN

The meeting adjourned at 11:59 p.m.

Chairperson

Attest: _____
Clerk

SPECIAL MEETING OF THE BOARD, SEPTEMBER 30, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

Proof of Publication entered into the record for this Special Meeting by Carl Cool. See SMB 30 Page 55.

3. ANNOUNCEMENTS:

A. Sheriff

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending September 30, 1997. Discussion regarding the high population figure at the jail.

B. Clerk

C. Michael Eastman reported on the Value Adjustment Board. He advised that the hearings were held last Wednesday and Thursday by the Special Master. Originally there were 43 petitioners. However, only 18 were heard. The balance of the 25 were withdrawn by the petitioners prior to the hearings. Of the 18 heard, only eight involved citrus and all were submitted by one petitioner. The other ten were commercial. The Special Master will have his findings of fact this week and will notify the Clerk. Mr. Brooker will then contact the members of the Value Adjustment Board.

C. Future upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool also reported that appointment openings are available in the Historic Preservation Commission. He asked that citizens interested in these appointments, please apply at his office. The Hospital Advisory Committee for HRMC will be needing replacement of members. If citizens are interested, contact the Commissioner of your district.

4. Citizens Not on Agenda:

- A. Mr. Harold Seaman, District Six, Executive Vice-President of the Federal Mobile Homes Inc. of Florida, presented a statement on Taxes paid by mobile homeowners.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the Action agenda with the following additions:

- A. Approval to pay all duly authorized bills
B. Budget Amendments 96-97-413-414-415-416-417
C. Robey Barber third party Administrator and Pharmacy Agreement with FFI under the Asst. County Administrator.

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

A. Proclamation: Fire Prevention Week

The County Administrator read the Proclamation into the record. Mike McCann, Fire Services, was recognized by the Chair. Motion by Commissioner Gose, seconded by Commissioner Flowers, to adopt Proclamation, proclaiming October 5-11, 1997 as **Fire Prevention Week** in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 98.

B. Approval of payment for architectural services (recycling grant)

Motion by Commissioner Flowers, seconded by Commissioner Canale, to approve payment of purchase order number 974846 for Chastain Skillman invoice number 017509 for \$18,375.41 to comply with the financial provisions that all FDEP grant funds must be expended by September 30, 1997. See SMB 30 Page 56.

C. Board Attorney

1. Tanglewood Manufactured Home Improvement agreement

Motion by Commissioner Gose, seconded by Commissioner Canale, to approve Tanglewood Manufactured Home and RV Retirement Resort Phase I Improvement Agreement. Upon roll call, all Commissioners voted aye. Motion carried.

2. Right - of -Way Deed - Sun Lake of Sebring Improvement District

Mr. Macbeth explained the right-of-way deed and recommendations.

Motion by Commissioner Canale, seconded by Commissioner Gose, to approve to execute right-of-way deed for a portion of land lying within Block 476 of Unit 23 from the Board of County Commissioners to the Sun 'n Lake of Sebring Improvement District. Upon roll call, all Commissioners voted aye. Motion carried.

D. Development Services Director

1. Consultant's Agreement for Phase II, Archaeological Survey

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve the Consultant's Agreement between Highlands County Archaeological Consultants, Inc., to initiate Phase II of the Survey. This survey is funded in part by a grant of \$14,000 from the U.S. National Park Service, administered through the Florida Division of Historical Resources, and matched with comparable funds by Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 57.

2. CDBG Amendment to Contract

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution requesting a time extension to the Community Development Block Grant number 96DB-1E-07-38-01-N15, due to a time delay for delivery of pumps by LaGrow Systems. Richard Conover presented questions on the delay. The County Engineer explained the status of the contract. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 99.

Development Services Director, Jim Polatty, identified a concern regarding Centro Campesino's performance in completing rehab work for SHIP clients. The company closed their Immokalee office and this raised concerns about their ability to perform work scheduled for the completion of the Hiway Park Water System. Charles Lairsey, Grants Officer confirmed the concerns and indicated the state was scheduled to issue a compliance review of Centro Campesino on October 2, 1997 that will be made available to the county. Staff will bring a recommendation to resolve the issue for the October 7, 1997 board meeting.

E. Assistant County Administrator

Tom Portz presented an update of the 911 Coordinator meeting.

1. Insurance committee recommendations

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve the Insurance Committee recommendations of appointments on Item 1 as listed:

Item1: Restructure of the Insurance Committee Membership to consist of one Commissioner to serve as Chairman, one Board employee representative, the Tax Collector, Property Appraiser, the Supervisor of Elections, the Sheriff, one Sheriff employee representative, Clerk of Courts and one member of the public, all voting members. Employee members will have an alternate. Each Constitutional Officer may appoint a designee with a proxy to vote.

Item 2: Based on claims experience to date and budget allocations, a realignment of

dependent and spouse structure for FY 97/98 is recommended. See SMB 30 Page 58.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve item number two for the realignment of dependent and spouse rate structure for FY 97/98. Effective November 1, 1998 or when feasible for the Clerk's office to implement the process. Upon roll call, all Commissioners voted aye. Motion carried.

The Committee is currently investigating the feasibility of an HMO or similar managed care program as an additional option to the county employees. This was discussed after a review of the dual option insurance program offered by Okeechobee County to its employees. Upon roll call, all Commissioners voted aye. Motion carried.

2. PRM Board of Directors Voter Designation

Motion by Commissioner Gose, seconded by Commissioner Flowers, that the Board designate the primary and alternate voting authority on the Public Risk Management Board of Directors to the Public Risk Manager as primary and continue the Personnel Director as alternate voting members on the PRM Board of Directors in accordance with staff recommendations. Commissioner Gose publicly thanked Ford Heacock for his help in developing the County Self-Insurance Plan.

Harold Seaman cautioned the Board that we are a small insurance company and we have to be very careful to protect the surplus funds that we have in our plan. His suggestions to the insurance committee is in the record. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 59.

3. Approval of Contract with Robey Barber - Third Party Administrator

Motion by Commissioner Maxcy, seconded by Commissioner Gose to approve the contract for execution with Robey Barber-Third Party Administrator as approved by the attorney. Upon roll call, all Commissioners voted aye. Motion carried.

4. Approval of Pharmacy Services Joinder Agreement with FFI

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve the Pharmacy Services Joinder Agreement with FFI. Commissioner Gose requested that the Insurance Committee address the issue of a 90-day supply for maintenance prescriptions. Upon roll call, all Commissioners voted aye. Motion carried.

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

F. County Administrator

1. Approval to execute Health Department contract

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve for execution the Highlands County Health Department contract with a modification to add Kevin Roberts name as the county contact in place of the Chairman. Commissioner Maxcy suggested a workshop to discuss the funding of the Health Department to be set for October 14, 1997. The Chair called for input on the motion. Richard Conover spoke in favor of the workshop. Upon roll call, all Commissioners voted aye. Motion carried.

2. Report of Small County Coalition annual meeting

Carl Cool reported on the annual meeting in Tallahassee. He listed items discussed as follows:

- A) Requirement for the certification of Building Inspectors.
- B) Update on Gas Taxes
- B) Water issues
- C) Article V costs

He summarized some of the expense that counties are experiencing from the location of a prison system in their county and assuming incarceration cost of prisoners. Mr. Cool also reported on the economic benefit that Highlands County will receive from the new Juvenile Justice Center. He reported that a new law has been created by the state (OTED). When a county deems a project an economic benefit to that county, it is reviewed by this office and the process can only last 60 days to obtain all permits.

3. Reconsideration of City of Sebring request on Northwoods Subdivision roads

Discussion was presented on the request from the City of Sebring asking the County to do the grading and equipment work for the Northwoods Subdivision. The City would take care of the resurfacing and maintenance after that. Mr. Cool stated that he did not feel that this is a county responsibility and recommended the Board deny the request. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to inform the city that the county would be interested in a joint effort for the two roads (Commercial and Floradale) *only for a cost estimate*. Clayton Womer spoke in opposition to the motion. Upon roll call, all Commissioners voted aye, except Commissioner Barrett, who voted nay. Motion carried. See SMB 30 Page 60.

- 4. Carl Cool reported that Highlands County is number one in people over 60 and 65 for the State of Florida.

5. Proposed EAR recommendations

Jim Polatty, Development Services Director, presented recommendation for review by the Commission.

6. Commendation to Ray Culpepper

Mr. Cool read part of a letter into the record, thanking Ray Culpepper, Paramedic, for his help while off duty.

G. Consent agenda:

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

1. **Approval of minutes of 9-9-97 meeting, special meeting of 9-16-97, and public hearing of 9-15-97**
2. **Approval to sell tax certificates #95-6633 & #94-4932. See SMB 30 Page 61.**
3. **Budget Amendments 96-97-383(Purchasing Retirement Contributions and Workers Compensation shortfalls) 96-97-388(Building Dept. Classify purchases and acknowledge fixed assets) 96-97- 390 (Veterans Service FICA) 96-97- 395(Human Services Insufficient amounts in salary accounts) 96-97-396 (Citizens Task Children Health Care (Insufficient funds in salary accounts) 96-97-404 (Recycling Operations - realign Personal Services Accounts) 96-97-410 (Refuse Disposal System - Realign funds for state’s financial asset criteria and Base Radio Communications System). 96-97-413(to cover negative balances in Personal Services.**
4. **Resolution & budget amendment 96-97-409 (Refuse Disposal System) to recognize additional revenues received from non ad valorem refuse deposal and provide additional funds to cover negative balance in the waste franchise account) 96-97 414(Sheriff’s Dare Grant) 96-97-415 (Highway Park negative balances) 96-97-416 (Heartland Cooperative reimbursement of salaries) 96-97-417 (Sheriff - to distribute revenues and expenditures). See Res. Book 11 Page 101,102, 103 and 104.**
5. **Approval of Resurfacing Contract (Better Roads of Lake Placid).**
6. **Approval of Housing Assistance Plan Resolution. See Res. Book 11 Page 100.**
7. **Approval of Supplemental Agreement #8 for Lincoln Heights Multi-use field design. See SMB 30 Page 61.**
8. **Approval to pay all duly authorized bills as listed:**

General	74,370.00
County Transportation	20,022.16
Employee Benefits	173,063.89

See SMB 30 Page 62 for copy.

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

6. Commissioners - No discussion

**7. SPECIAL MEETING OF THE VENUS SPECIAL BENEFIT FIRE DISTRICT
Request from Volunteer Fire Department**

James Hill, Fire Chief, speaking for the Board of Directors, presented request for funds for Fire Department equipment. Signatures were entered into the record in opposition to closing the Fire Department. See SMB 30 Page 63. Tim Eures, Fire Operations Director, stated concerns for the safety issue if equipment is not purchased. Carl Cool stated that residents do not want to spend \$75.00 to protect vacant lots from fire. However, homeowners feel different. They want to protect their home. Implementation of a Countywide fire protection was discussed. Commissioner Gose stated that we do have a Countywide Volunteer Fire Department. Ross Macbeth presented legal advice on the assessment method.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to lend the Venus Special Improvement District, \$20,000 out of General Fund Contingency and levy a \$35.00 assessment next year to pay the loan back. Mr. Macbeth asked that we leave the assessment open until next year to allow a study of the area to determine the benefit of the assessment.

Commissioner Gose amended the motion to commit to an assessment that would equal to the \$20,000 minimum per year budget and the pay back of the \$20,000 over the next six-year period. Commissioner Flowers accepted the amendment. The Chair opened the floor to the public. Joe Tucker, Patrick Scantland, Richard Conover, and John Nicholas spoke in favor of the motion. Sharon Sheppard thanked the Board for their consideration. Ross Macbeth presented information regarding a fair assessment cost to districts. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay. Motion carried.

7. ADJOURN

The meeting adjourned at 12:40 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, OCTOBER 7, 1997

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:

Chairman Barrett was not present. Commissioner Jeri Canale presided.

**Jeri Canale
C Guy Maxcy
James L. Gose
David Flowers**

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. Sheriff

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending October 7, 1997.

- B. Clerk

L. E. "Luke" Brooker, Clerk of Courts, reported on the final Value Adjustment Board Hearing. The Special Master presented findings of fact for eighteen petitions. All petitions were upheld by the Special Master.

Mr. Brooker also commented on the investment of jail financing funds and the interest income of \$92,000 that was realized for the Board by the Clerk's office during the three-year period. He noted that the Clerk's office will be keeping a watchful eye on investment of the Government Center funds.

C. Michael Eastman, Director of Accounting and Finance, presented request to accept SFWMD's Resolution number 97-52, adopting the Tax Rate and Certifying the Levy for the South Florida Water Management District, the Okeechobee Basin, and the Everglades Construction Project within the Okeechobee Basin and Resolution number 97-54 "Adoption of the Budget for Fiscal Year 1997-98".

Motion by Commissioner Gose, seconded by Commissioner Flowers to accept into the record, the two Resolutions as read. Upon roll call, all Commissioners voted aye. Motion carried. See SFWMD file for copy.

C. Future upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool also read a letter into the record from Heartland Utilities, thanking the Road Crew Unit 2, for work performed on County Road 17. The letter was signed by Howard Short.

Commissioner Canale announced the Sebring High School Homecoming Parade and the request for participation by the Commission. It was a consensus to participate.

4. CITIZENS NOT ON AGENDA:

A. Hank Kowalski presented comments regarding an advertisement by the county to hire a paramedic and the comparison on the rate of pay with a School bus driver. Tom Portz explained that the EMS salary rate does not equate to the hourly rate as they are guaranteed 19 hours of time and one-half every pay period to comply with the Fair Labor Standards Act. The County is competitive with paramedic pay throughout the state.

B. Richard Conover commented on the loyalty of Rick Weigand, EMS Director.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy to set the Action Agenda as listed. Richard Conover asked for an explanation on the Consent Agenda item number six. Commissioner Gose amended his motion to place this item under General Services Director, Item E. Commissioner Maxcy accepted the amendment. Upon roll call, all Commissioners voted aye. Motion carried.

A. 1. Proclamation: "4-H Week in Highlands County"

Commissioner Maxcy read the Proclamation into the record. Carrie Smith, President of the 4-H Club introduced the officers of the club and thanked the Board for their support.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to adopt Proclamation declaring the week of October 5-11, 1997 as **4-H WEEK IN HIGHLANDS COUNTY**. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 105.

2. Proclamation: National Business Women's Week

Commissioner Flowers read the Proclamation into the record.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Proclamation declaring, the week of October 20-24, 1997 as **NATIONAL BUSINESS WOMEN'S WEEK IN HIGHLANDS COUNTY** and urging all citizens to join in this salute to working women. Upon roll call, all Commissioners voted aye. Motion carried. See

Res. Book 11 Page 106. Val Habel, President of the Club thanked the Commission for their support.

3. Resolution: Commendation for Earl W. Fayson upon his retirement

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution recognizing Earl W. Fayson for his work with Highlands County for the past 20 years. Vaden Pollard commended Mr. Fayson on his retirement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 107.

B. Public hearing: Transmittal of the Evaluation and Appraisal Report to the State Department of Community Affairs

Proof of Publication entered into the record. See SMB 30 Page 65.

Jim Polatty reviewed the Transmittal Report with an explanation on the issues.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approval transmittal to DCA of the draft EAR. Richard Conover presented comments regarding Mobile Homes in the county. Hank Kowalski stated concern that specific properties are being placed on the map as Conservation Management Lands. The Vice-Chair asked that Jim Polatty request a recommendation from the Natural Resources Advisory Commission on this issue. Dan Foley, Highlands County Citrus Growers Association, presented comments in opposition to the purchase of land for conservation. Gabriel Reed, Avon Park, asked that the Board be very cautious with zoning as urbanizing can be devastating. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 66.

Recess 10:04 a.m.

The Vice-Chair called the meeting back to order at 10:19 a.m. Commissioner Gose was not present

C. Board Attorney

Comments to be heard under the County Engineer.

E. General Services Director

1. Purchasing Manual Revision

Bob Jamison, General Services Director, requested a revision to the Purchasing Manual to facilitate the following changes:

- 1) A change in the Florida Statutes.
- 2) The need to clarify and streamline the procedure for disposing of County property.
- 3) An ongoing requirement for an RFP method of obtaining goods and services.
- 4) A reclassification of some previous "Professional Services" under a new RFQ procedure.

Mr. Jamison reviewed the proposed revisions. The Board discussed the RFQ process. Refer

to tape for further information.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request for the revision for inclusion into the Board's adopted Purchasing Manual, effective October 7, 1997. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 67 for copy.

2. Consent Agenda Item # 6. - Approval of "Piggy Back" Agreement with Office Depot via The National Association of Counties

Bob Jamison explained the purchase alliance program. The Board presented questions regarding options available. Mr. Jamison advised that we are not obligated to use this source for purchases. Richard Conover spoke regarding cost savings to the County.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the "Piggy Back" Agreement with Office Depot, via The National Association of Counties. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 68.

F. County Engineer

1. Approval of resolution for Daffodil Street Easement Application

The County Engineer presented request for the adoption of a Resolution with two stipulations for the acceptance of Daffodil Street. Commissioner Maxcy presented questions regarding the necessity of the County accepting Daffodil, the road paving and the environmental impact. Carl Cool explained that this is the first step in the process and the right of way is free. Vaden Pollard stated that the road would save the County \$40,000 in marl hauling cost.

The Chair opened the floor to the public. Hank Kowalski spoke regarding the environmental issue. Phil Askew, President of the Homeowners Association, spoke in opposition to the road paving. The Chair asked that staff attend the next Homeowners meeting to explain the Daffodil Road Extension. Gabriel Reed, Avon Park, questioned the road right-of-way policy for the County.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution for Daffodil Street Easement Application. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 107.

2. Government Center Progress Report

The County Engineer presented a progress report on the Government Center for the period ending August 25, 1997. The project is currently on schedule and within budget. See Government Center file for copy. Carrington Barrs, representative for Peter Brown Construction, spoke to the Board regarding the scheduled completion date of December 3, 1997.

3. Amendment to Subdivision Improvement for Consolidated Tomoka, Section 9

The County Engineer explained that the current agreement is lapsing and Consolidated Tomoka is providing an amendment to the subdivision improvement agreement with a new guarantee. The Board Attorney explained that the Commission has an existing agreement that has been in effect since 1995. Consolidated Tomoka is providing an updated letter of credit that will be reduced by the amount of improvements that are already completed. The County Engineer agreed with the amount of the guarantee. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the Subdivision Improvement Agreement for Consolidated Tomoka, Section 9. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 70.

D. Development Services Director

1. Highway Park Grant Updates

Jim Polatty presented an update on Centro Campesino as it relates to the Highway Park Water system and the use of CDBG and SHIP funding. The Company has not completed any work in 30 days but records show that they are in a position to renovate five more homes. Mr. Polatty stated that they should be given a chance to do the new work as a test case. Meanwhile he will be negotiating with a local contractor who can step in at a moment's notice should the company fold. He is expecting to receive an audit report from the DCA that could confirm some of the county's fears about the company's financial status. The Board needs to be prepared to declare it an emergency to be replaced with whatever local contractor is on stand by. This allows the Commission to waive the Purchasing Manual requesting bids. Charles Lairsey, Grants Coordinator for the Clerk's Office, stated that he supports what Mr. Polatty says, but would like to see the involvement of a local contractor.

G. County Administrator

1. Appointment of County representative to Polk County Opportunity Council, Inc.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to designate Kevin Roberts as the representative from Highlands County to serve on the Polk County Opportunity Council, Inc., to serve the indigent of the county through the Community Service Block Grant Programs Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 70.

H. Consent agenda:

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

1. Approval to pay all duly authorized bills	
Law Library	1,099.46
General	2,033,434.54
County Transportation Trust	72,045.93
E911 Operations	16,450.01

Intergovernmental Radio Communication	1,474.15
Law Enforcement Education	2,036.85
Local Govt Infrastructure Surtax	282,525.12
Affordable Housing Assistance	30,277.95
Correctional Facility	10,416.65
Government Center	247,974.94
Solid Waste	320,867.26
Placid Utilities	2,492.60
Hiway Park Utility	125,837.99
Risk Retention	493,852.39
Employee Benefit	16,357.28
Flexible Benefit Trust	865.36

See Check Register for details

2. **Approval of minutes of September 23, 1997**
3. ~~**Approval of "Piggy Back" Agreement with Office Depot via The National Association of Counties**~~
4. **Correction to minutes of July 1, 1997, Clarification of action concerning Environmental Impact Report - Pena Property. See SMB 30 Page 71.**
5. **Accept into record Country Club of Sebring DRI Annual Monitoring Report. See SMB 30 Page 72.**
7. **Approval of Hazardous Materials Grant(98CP-3V-07-38-22-012)**
8. **Approval of Emergency Management Preparedness & Assistance Base Grant(98C-05-07-38-01-028)**
9. **Approval to sell Tax Certificates #95-7681, 95-7693, 95-6707 & 97-7018. See SMB 30 Page 73.**
10. **Approval of City of Sebring's Interlocal Agreement on recreational facilities**
11. **Division of Forestry's annual report. See SMB 30 Page 73.**

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

6. COMMISSIONERS

A. Commissioner Maxcy requested information from the Board Attorney regarding CDBG mortgages. He will bring the paperwork for the Board Attorney to review.

B. Commissioner Maxcy - Riverdale Road discussion. The County Administrator gave an update on the road paving. No action was taken

C. Asst. County Administrator - DEP contract

Tom Portz reported that he has received the new contract from the Okeechobee County

Health Department. They have retained responsibility for the Highlands County Regulated Storage Tank Program through negotiations with the Florida Department of Environmental Protection. Mr. Portz advised that the Tax Collector has shown an interest in obtaining the contract beginning in February for the next fiscal year.

7. ADJOURN

The meeting adjourned at 11:51 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, OCTOBER 14, 1997

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
Guy Maxcy	J Ross Macbeth
David Flowers	Louise Graham

Commissioner James Gose was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. 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.

4. **Expansion of Legal Aid Society to Highlands County**

- A. Judge Durrance spoke to the Board in favor of having a legal aid in Highlands County. He believes it will be beneficial to the Court System to accommodate the backlog, and to the client, who is unable to pay for an attorney.

- B. Commissioner Maxcy presented questions regarding the funding and the provision for office space.

- C. Amanda Traywick, Board of Director of the Polk County Legal Aid, advised that they presently offer free family law legal counseling and direct legal representation in court for residents of Polk County who qualify for services under the Federal Poverty Guidelines. The emphasis is on assuring that the children of parents involved in family law litigation are adequately provided for as to financial and emotional support. The goal is to provide free, quality legal representation to poverty level people in the county. The Board of Directors have decided to expand services to Hardee and Highlands Counties. Funding sources are derived from the Florida Bar Foundation, the United way of Central Florida, and filing fees from divorce cases. Polk County has enacted this Ordinance to increase fees. The Legal Aid is also receiving funds for domestic violence. This is federal money that will be distributed by state government and covers all three counties according to population.

The request from Polk County at the present is that Highlands County donate a couple of offices and hookup for the computers. They do not require a large presence at first. Her suggestion is the

adoption of the ordinance with an increase in the filing fee to create a funding source. This will provide staffing. A projection of the budget can be presented. Commissioner Maxcy questioned the funding to Polk County. Ross Macbeth explained that the fee could be imposed on all court cases. The Clerk's office would collect the fee and distribute pursuant to an agreement with the Legal Aid Society for legal fees. The money must be spent in Highlands County. Debbie Henderson, Administrative Assistant to the Executive Director, presented a handout. See Legal Aid Society file for copy. The Chair asked that the Society come back before the Board with a presentation on numbers. Commissioner Maxcy requested that the Clerk's office bring back projection figures on cases filed in the county.

The consensus was to proceed after providing information for review. A budget projection of 100 clients was outlined by the Executive Director. See file for copy.

5. Health Department presentation

- A. Valerie Pfister, Health Administrator, presented an update on the Encephalitis outbreak.

- B. Ms. Pfister gave a slide presentation on Public Health in Highlands County. She expounded on all areas as listed:
 - 1. History
 - 2. Mission
 - 3. Public Health Funding
 - 4. County Population
 - 5. Per Capita Expenditures
 - 6. Program Expenditures
 - 7. Personal Health
 - 8. Environmental
 - 9. Benefits - Highlights
 - 10. Current state of our Health Department

Hank Kowalski questioned the topic of contaminated wells in the county and who contaminated them? Roger Christopher, Environmental Health Director, stated that the wells are mainly contaminated by pesticides and nitrates. The main causes are the application of pesticides and fertilizer for agriculture and golf courses. See Telecommunication File for copy of information.

Recess 10:16 a.m. 10:29 a.m.

6. Right-of-way management discussion

The Asst. County Administrator reviewed with the Board the Telecommunications Act of 1996. He stated that the law can affect zoning, right of ways, and building activities in Highlands County. The question is whether the county wishes to actively manage its road right of ways. Aggressive management will result in increased revenues but could create opposition from the affected industries. Carl Cool expounded on the Cell Phone industry and level of service of towers and the funding issues. Staff to research with Martin County and follow up. The Chair opened the floor to the public. Hank Kowalski spoke on the right-of-way management and suggested the Commission consider ways of

removing exotic plants from the right-of ways. He also asked if any compensation has been paid for orange trees growing in the right-of-ways and asked that the county be more aggressive in removing the trees. Dan Foley, Citrus Growers Association, stated that the Citrus Industry is paying for the right of way use. It is a cooperative effort that has been in existence for a long time.

7. Special Tax Districts policies

Carl Cool reviewed the Special Tax Districts Handbook approved by the Commission on November 5, 1996. The Survey issue was discussed. Mr. Cool stated that Commissioners are not required by Florida Statutes to take a formal survey of land owners' opinions before setting an assessment. They have relied on the balloting procedure to justify increases in assessments, although the votes are intended to be just an opinion poll. Commissioner Canale suggested that staff compile results in a way that identifies whether the person is a local resident and would benefit from the services provided or an absentee land owner who has no personal risk for fire. Commissioner Maxcy spoke in favor of retaining the survey, as it is the democratic way. Ross Macbeth asked that the Commission distinguish in the policy, how it will be funded. A survey is not required. The Public Hearing can be held after it is determined that the need is there. Then the assessment could be determined. Commissioners agreed to collect more information on whom and where the voters live before they set any future assessments rather than canceling the survey policy. They also agreed that for assessments to be successful, supporters must explain to voters what they are getting for their money.

The Chair opened the floor to the public. Hank Kowalski presented comments regarding the policy on Special Tax Districts. Richard Conover from Avon Park spoke regarding budget discussion and suggested that a PR person should be hired. Clayton Womer suggested a questionnaire be sent to each district and then after the results are in, the Commissioners should decide. Commissioner Canale will meet with the County Administrator for additional information to the policy.

8. Carl Cool - Halloween dates

The County Administrator requested that the Board official designate a "Trick or Treat" Halloween Night for the children in the unincorporated area of the County. After discussion, the Board decided to take no action in this matter.

9. ADJOURN

The meeting adjourned at 12:00 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, OCTOBER 21, 1997

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
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 the Clerk of Courts, L.E. "Luke" Brooker. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending 10/21/97. Richard Conover asked for a Pre-Trial Release and a Farm Report. Ms. Benton advised that staff was held up in "First Appearance" and unable to prepare a report. The Farm is almost ready for harvesting.

- B. **Clerk**

L.E. "Luke" Brooker, Clerk reported on the Domestic Violence injunctions filed with the Clerk's office. Mr. Brooker stated that two individuals have died in Highlands County as a result of domestic violence. A Candlelight Vigil was held on the Circle in Sebring by the Safehouse in their memory.

- C. **Future upcoming meetings:**

The County Administrator read the reported meeting into the record. Additional meetings were announced for the benefit of the public. Several letters of commendation were included within the packet for county employees.

4. **CITIZENS NOT ON AGENDA**

- A. Ray and Angela White appeared before the Commission and requested curbs and sidewalks for handicapped persons and mothers with strollers where feasible. Commissioner Canale suggested that they work with the HALLO group. Carl Cool stated that he believes the county is ADA accessible.
- B. Richard Conover stated that he takes exception to the article in the newspaper regarding Mobile Home development.
- C. Edward McNamara also spoke on the benefit of Mobile Home Parks to the

community and the amount of taxes paid.

- D. Preston Colby requested that the Board pay for county employees to attend the Ethics Law Seminar. The Chair placed this item after the Salvation Army item for discussion.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the action agenda with changes as listed:

- A) Addition of budget amendments to the Consent Agenda for year end closing.
- B) Ethics Commission question to be added after the Salvation Army discussion.
- C) Addition of Building Use Committee discussion under item G.

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

A. Proclamation: "Mediation Week"

Presented by Luke Brooker, Clerk of Courts, and read into the record. Jan Loeb and Charles Kunz were recognized as Mediators for Highlands County.

Motion by Commissioner Gose, seconded by Commissioner Canale, to adopt Proclamation, designating the week of October 20 through 26, 1997 as Mediation Week in Highlands County and recognizing the importance of mediation in resolving disputes. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 108.

B. Resolution: Relating to Court Appointed Attorneys in Death Penalty Cases

The County Administrator explained that this Resolution is in opposition to adoption of Minimum Standard G by the Supreme Court that would require the trial court to appoint two (2) attorneys to represent a defendant accused of committing a capital crime.

Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt Resolution relating to Court Appointed Attorneys in Death Penalty Cases. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 109.

C. Capt. John Parrish, Salvation Army: Discussion of possible audit

John Parrish appeared before the Board, with a request for the Commission to consider an audit of the Salvation Army records. Mr. Parrish agreed that the Army would pay one-half the cost if the County auditors would perform the audit. The County Administrator reported on the meeting held with Mike Carter, CPA of the office of Dorrell, Hancock, and Carter. Mike Eastman and Charles Lairsey of the Clerk's office also attended the meeting. A full-blown audit would cost approximately \$12,000. Mike Carter suggested an agreed upon procedure engagement letter that would allow the independent auditor to go through and

perform an appropriate test of the records. This would cost \$5,000. Mr. Cool's recommendation is that an audit is not needed. John Parrish stated that the Salvation Army will have an internal audit completed in about 30 days and the Board may review this audit. Mike Carter stated that he has worked with internal auditors and he feels comfortable with their audit. Tom Nunnalee, Chair of the Advisory Board, spoke regarding allegations.

Preston Colby, read a letter into the record from Linda Duncan, former Chairperson of the Advisory Committee. See SMB 30 Page 75. Mr. Colby presented allegations of improprieties. Commissioner Maxcy also presented questions to Mr. Colby regarding procedures and insurance requirements. Ross Macbeth explained the role that the Board plays in the operation of the Salvation Army.

Jim Brooks, citizen, spoke regarding the unnecessary time spent on this discussion. The Chair stated that Charles Lairsey of the Clerk's office had agreed to review the Salvation Army's financial records. Mr. Lairsey stated that any review would be limited to the Clerk's office internal control procedures. Mr. Lairsey expressed an interest in reviewing the Salvation Army's scheduled internal audit when completed. No action was taken by the Board. The Chair advised that he will not place this item on the agenda for any other discussion.

Break 10:45 a.m. - 10:55 a.m.

1. Ethics Commission Seminar

Preston Colby asked the Board if the county will be paying for the county employees to attend the seminar to be held at the Agri-Civic Center. The Board gave a consensus to pay the \$30 fee for employees, advisory and committee members to attend.

D. Operations Director: Contract hauling bids

Vaden Pollard presented request to the Board to reject the low bid from DeMcintyre Organics for contract hauling due to problems encountered by Mr. and Mrs. Neil Thomas, owner of the Company. See SMB 30 Page 76 for copy of memo. Commissioner Canale questioned the amount of vendors that exceed the load limit. Discussion followed by Board members on excessive weight loads. Ross Macbeth stated that the Board should not be paying for excess weights. Mr. Pollard agreed to the Attorneys' suggestion.

The Chair opened the floor to the public. Mr. and Mrs. Thomas spoke in favor of receiving the bid.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to reject the bid from DeMcintyre Organics for contract hauling in Highlands County and accept the next low bid. Angela White and Clayton Womer spoke in favor of the motion. Upon roll call, Commissioners Gose, Flowers, and Canale voted aye. Commissioners Maxcy and Barrett

voted nay. Motion carried.

E. Development Services Director:

1. Approval of SHIP Agreement

Motion by Commissioner Maxcy, seconded by Commissioner Canale, to adopt Resolution and approve agreement with the Housing Authority of the City of Avon Park to provide funding up to \$35,000 for the purchase and installation of 60 window air-conditioning units. The funding is available as a part of the SHIP Program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 109.

2. EIR Report of Highlands County Tennis Assn. property

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the Environmental Impact Report for the Highlands County Tennis Association and the recommendation of the NRAC as listed:

- A) The applicant comply with all requirements of permitting agencies.
- B) The property owner comply with the mitigation option #2 by contributing to the Conservation Trust Fund \$3,000 prior to the issuance of any permit on the property.

The Chair opened the floor to the public. Richard Aber, representing the Tennis Association, and Hank Kowalski, NRAC, spoke in favor Option #1. Gayle Murdock, representing the seller of the property, stated that the intention was to donate one lot in the Carter Creek area, as a trade-out. Bobby Fulcher, Highlands County Tennis Association, spoke in favor of the motion. Kirk Crane, Staff Planner, explained the motion by NRAC. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 77.

Lunch Break - 12:00 - 1:30 p.m.

F. Board Attorney

1. Lake Apthorpe / Florida Highlands Properties, Inc. - Phase II access easement in favor of Highlands County

Mr. Macbeth stated that all easements are related to property that is being purchased by the State of Florida for Conservation purposes.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept easement from Florida Highlands Properties, Inc. - Lake Apthorpe Phase II easement with the verification of the survey by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried.

2. Saxon Groves and Sun 'n Lake Improvement District

Motion by Commissioner Gose, seconded by Commissioner Canale, to accept easements for

recording from the Sun'n Lake of Sebring Improvement District and Saxon Groves, Inc. Upon roll call, all Commissioners voted aye. Motion carried.

3. Lease for grazing on Pearce property

Postponed

4. Building Use Committee-Assst. County Administrator

Motion by Commissioner Canale, seconded by Commissioner Gose, to accept recommendation of the Building Use Committee to allow the Lorida Community Club to handle bookings of the Lorida Schoolhouse for an additional one year term. Liability to be maintained by the County and any protests or challenges are brought before the Committee for resolution. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 78.

G. County Administrator

1. Appointments to Historic Preservation Commission

Motion by Commissioner Canale, seconded by Commissioner Gose, to reappoint Marguerite Stewart Skipper and to appoint Keith Williams as lay positions to the Historic Preservation Commission with terms ending 6/30/01. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 79.

2. Designations to Small County Coalition

Motion by Commissioner Canale, seconded by Commissioner Flowers, to appoint Commissioners Maxcy and Gose to serve as Board Representatives to the Small County Coalition and to appoint the County Administrator as county staff person to serve as liaison to the Coalition. See SMB 30 Page 80.

3. Request approval to execute agreement with FHREDI

The County Administrator explained that the Water Management District is not agreeable with paragraph number 8 of the agreement. John Morgan, speaking for the SFWMD, asked that the Board of County Commission approve the agreement, with the deletion of paragraph 8, but(not execute the agreement). The SFWMD will then review and send back a document that is acceptable for signatures to the Board.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve agreement with the Board of County Commissioners and Florida Heartlands REDI, Inc. for the Pearce Homestead Property with the deletion of paragraph number 8. Commissioner Gose amended the motion to approve the contract for execution, upon approval by the Water Management District. Commissioner Flowers accepted the amendment.

Motion by Commissioner Gose, seconded by Commissioner Flowers to approve a change

in the FHREDI contract in Paragraph number 6 to change the word insuring, to ensuring. Upon roll call, all Commissioners voted aye. Motion carried.

The Chair opened the floor to the public. Hank Kowalski and Clayton Womer spoke in favor of the motion. Richard Conover presented questions regarding the grazing area. Upon roll call, all Commissioners voted aye. Motion carried.

4. Transmission Lines in Avon Park

Carl Cool reported on the meeting in Avon Park regarding the Transmission Lines. He requested that the Board consider an alternative route for discussion as it will be back before the Board on November 4, 1997. The Chair asked that all parties involved in the subject, attend Commissioner Flowers' District #1 meeting.

5. December Meeting Dates

The Board gave a consensus vote to the County Administrator to hold Public Hearings on December 16, along with the regular meeting and not to hold a meeting December 23, or December 30, 1997.

H. Consent agenda:

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

The Chair opened the floor to the public. Richard Conover presented questions regarding items number 7 and 13.

1. Approval to pay all duly authorized bills

Fund	Amount
Law Library	405.00
General	320,137.91
County Transportation Trust	85,405.21
E911 Operations	12,443.01
Intergovernmental Radio Communication	379.76
Local Govt Infrastructure Surtax	43,050.22
Affordable Housing Assistance	11,975.00
Government Center	132,815.39
Solid Waste	21,325.50
Placid Utilities	9,847.48

Risk Retention	1,508.00
Employee Benefit	73,662.29

2. **Approval of minutes of 9-30-97 and 10-7-97**
3. **Approval of resolutions and budget amendments' 97-98-5(CIP Road and Utility Construction Infrastructure projects) and 97-98 -9 (Venus Fire Department loan). See Res. Book 11 Page 110 and 111.**
4. **Approval of grant contracts for ARC, Children's Museum and EDC.**
5. **Approval to dispose of water tank and concrete slab at Highway Park Fire Station. See SMB 30 Page 80.**
6. **Approval of budget amendment 96-97-421(Shell Pit insufficient funds).**
7. **Approval to purchase two radios. See SMB 30 Page 81.**
8. **Approval of plat recording - Tanglewood Manufactured Home and RV. See SMB 30 Page 82.**
9. **Approval to contract with FAC Foundation for grant consultant. See SMB 30 Page 83.**
10. **Accept into record - Housing Authority Activity Report for 1996-97. See SMB 30 Page 84.**
11. **Approval to sell tax certificate #97-11478. See SMB 30 Page 85.**
12. **Accept into record - Spring Lake Improvement District schedule. See SMB 30 Page 86.**
13. **Approval to execute Maintenance Agreement with DOT (Replacement of Low Level Bridge over South Central Florida Express Railroad Crossing). See Res. Book 11 Page 118.**
14. **Accept into record - SWFWMD Operational Audit for 1995-96. See SMB 30 Page 87 and SWFWMD file.**
15. **Approval to execute Intergovernmental Cooperative Agreement for PRM. See SMB 30 Page 88.**
16. **Approval to purchase laser leveling equipment and Budget Amendment 97-98-6, Solid Waste Department. See SMB 30 Page 89.**
17. **Approval of budget amendments 96-97-421-429-431-432-433 to cover year end expenditures.**

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

6. COMMISSIONERS

- A. Commissioner Maxcy reported that Wally Cox has asked to continue to serve on the Hospital District.

7. ADJOURN

The meeting adjourned at 2:15 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, NOVEMBER 4, 1997

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
Jeri Canale
Guy Maxcy
James L Gose
David Flowers

C Michael Eastman
Carl Cool
J Ross Macbeth
Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending 11/04/97. The Farm report was also given.

- B. **Clerk**

Luke Brooker, Clerk, spoke to the Board regarding the Child Support program. He reported that the Family Case filings, which includes child support, divorce, paternity, adoption and domestic violence, is up 30% from last fiscal year. Child Support collection is up 11% which amounts to about \$500,000. Child Support payments collected were approximately 5 million. Fees on the remitted amount are 4% or about \$115,000. Mr. Brooker advised that this fee will no longer be in place after July 1998, due to a new statute that will be implemented. Robert Germaine, Civil Division Director, explained that the new statute, 61.181, does not allow the Clerk's office to charge a fee unless the fee is paid in addition. The Clerks are objecting to this new statute and are lobbying hard on this decision. The effect is that the taxpayers will be the one to pay as this is a reduction in the Clerks budget.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to authorize the Chairman to send a letter to the legislators and the Florida Association of Counties in opposition to the new statute. Upon roll call, all Commissioners voted aye. Motion carried.

- B-1 Financial Statements**

C. Michael Eastman, Director of Accounting and Finance, entered into the record the year end financial statements from the Constitutional Officers. He also informed the Board that all are in compliance. See SMB 30 Page 99.

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. Introduction of Highlands Today Publisher

The Chairman introduced Jim Hyatt, the new publisher for the Highlands Today.

4. CITIZENS NOT ON AGENDA:

- A. Richard Conover presented the telephone number for the "I Care Hotline." He also spoke a few words on behalf of Kevin Roberts and the Children's Advocacy Center.

5. ACTION:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to set the action agenda with the following changes:

- 1) Memo concerning Disaster Medical Assistance under item G.
- 2) New Position for Building Maintenance Operations under item G.
- 3) Discussion on Consent Agenda item number 8, budget amendment 97-98-13 under the County Administrator.
- 4) Discussion on Consent Agenda item number 10

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

A. Public meeting on Florida Power transmission line in Avon Park

The County Administrator reported on the meeting held with the Avon Park City Council, regarding the modification of Florida Power transmission line. The County Administrator presented the recommendations of the City of Avon Park for lowering of the poles. John Martz, Florida Power representative, identified the best estimate at \$98,000, with Florida Power paying the first \$75,000 and any amount over \$100,000 if necessary. Commissioner Maxcy and Gose spoke in favor of the County paying for the cost difference. Commissioner Flowers stated that the Power Company should assume the responsibility but he would be in favor of the County paying the cost, since they initially approved the permit. Commissioner Barrett stated opposition to spending taxpayers money if the poles were approved by FAA. Commissioner Canale suggested that legislation should dictate the safety factor.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to pay up to \$25,000 for the cost of replacing the poles with the payment to be in one-thirds, starting with next fiscal year. The Chair opened the floor to the public. Stanley Wells commented on the cost differential. Kenny Long spoke in favor of the City as an innocent bystander. Von Whitesides, Clayton Womer and Hank Kowalski spoke in opposition. Ben Hill Griffin III,

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representing his company, agreed to give \$5,000 to assist in the cost. Upon roll call, all Commissioners voted aye, except Commissioner Barrett, who voted nay. Motion Carried. See SMB 30 Page 100.

Break 10:05 a.m.- 10:20 a.m.

B. Beverly Hickman, Family Services: Proclamation of Adoption Awareness Month

Beverly Hickman read the Proclamation into the record. Motion by Commissioner Canale, seconded by Commissioner Gose, to adopt Proclamation in support of Adoption Awareness month in Highlands County with a change to correct the County to Highlands. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 115.

C. Peggy Chapman: Keep Highlands Beautiful annual report

Peggy Chapman, "Keep Highlands Beautiful," presented the annual report as required in the contract. Ms. Chapman gave an overview of accomplishments.

D. Development Services Director:

1. Request to waive application fee and County to pay ad and mailing costs

Jim Polatty presented the request for the waiving of fees for a rezoning to expand the existing cemetery in Highway Park on Bryant Street. The rezoning is located at lot 7, Block 31. The proposed zoning is from M-I-S to PU. Rev. McGahee spoke to the Board in favor of the request. Carl Cool presented a proposal that the County pay for the advertising cost and the Highway Park Cemetery Association give to the County burial space for indigent burials when the need arises from the Lake Placid area. Rev. McGahee agreed to the proposal.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the request to waive the application fee of \$350.00 and to pay for the newspaper ad and postage for letters to be mailed to surrounding property owners in trade for indigent burial space in Lake Placid. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 102.

2. Royce family property preservation

Jim Polatty, Development Services Director, presented NRAC recommendation for the possible acquisition of the Royce Family property for preservation. Commissioner Gose discussed the Sunshine issue when negotiations occur. The Board Attorney clarified the position of a sunshine matter.

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Motion by Commissioner Canale, seconded by Commissioner Gose, to authorize staff and NRAC to negotiate acquisition of the Royce family properties, and to authorize an expenditure of the Conservation Trust Fund of up to \$5,000 to pay for appraisal of the properties. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 101.

E. County Engineer:

1. Update on Sebring East Industrial Park

The County Engineer presented recommendations for requirements to be completed in order for the County to accept roads for maintenance in the Sebring East Industrial Park Subdivision. All conditions have been met except for two minor items:

- 1) There needs to be a small touch up on roadside vegetation.
- 2) A concrete apron to be placed on the edge of the pavement. Requires access to Lot 23 that has been subdivided among several developers

See SMB 30 Page 103 for copy of recommendations.

Motion by Commissioner Canale, seconded by Commissioner Flowers, to waive item number two, and accept roads in the subdivision for perpetual maintenance for Sebring East Industrial Park, Plat Book 15, Page 45. Ross Macbeth suggested that the Board consider the destruction of the pavement when trucks start hauling in that area. Commissioner Canale made the motion, contingent upon shell rock being completed and placed on Commercial Drive access by November 15th as recommended by the County Engineer. Commissioner Flowers seconded the contingency. David Plank addressed the issue of providing access to Roy Copeland's property. Dan Ritter, property owner, suggested a final date for the shell rock to be placed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 103 for copy of recommendations.

2. SR 17 bridge replacement

The County Engineer presented the recommendations that Highlands County not fund the relocation of the 8" water main on the bridge as the water services to the properties along Lake June will not be affected, and even though less than minimum fire flows will be available in the fire hydrants that water is carried by the fire departments and Placid Utilities will explore the interconnection of the two water systems. The Board discussed the issue and took no action. See SMB 30 Page 104.

3. Extension of Contract with CH2M Hill, Inc.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to accept the revised contract for execution of the extension of the contract with CH2M Hill, Inc. to provide additional services for the construction management of Cell 1 B and partial closure of Cell 1 A and Cell 3 in the amount of \$111,700, which includes a fee of \$98,002.70 for

construction management services and \$13,698.30 for testing services for liner installation. Richard Conover commented on the difference in the amount of original bid. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 105.

4. Construction of Landfill Cell 1B and partial closure of Cell 1A

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to accept the low bid in the amount of \$1,394,000 and to execute the contract with Ground Improvement Techniques, Inc., contingent upon Board Attorney approval. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 106.

F. Public Risk Manager: Status report on Employee Benefit Fund

Ladd Baumgart, Risk Manager, presented a status report on the Employee Benefit Fund. Discussion regarding amount of the reserve. See SMB 30 Page 107 for copy. This report will be provided on a quarterly basis, or as needed. Mr. Baumgart also presented an update on the Property and Casualty program.

G. Assistant County Administrator: Emergency Preparedness Draft Ordinances

Mr. Portz presented recommendation to set a public hearing date to consider adoption of an ordinance to handle emergency disaster situations. The consensus of the Board was to instruct staff to work toward the development of one Ordinance and to set a public hearing date to consider adoption. This ordinance would provide relief against price gouging during an emergency. See SMB 30 Page 108.

G-1. Disaster Medical Assistance Corp. Program

Tom Portz reported that county staff has reviewed the program with representatives from Miami and he is not comfortable with the proposal. The company is seeking support similar to a co-marketing partner to help sell to local businesses. The consensus was not to continue with the program. See SMB 30 Page 109.

G-2. Mediation Agreement - New Position Building Operations

The Asst. County Administrator recommended that a new position be created in the Building Operations Department. The supervisor of that department is lacking in clerical support and due to a personnel action in another department, this action would provide a win-win situation. A mediation stipulation has been crafted wherein the previous Personnel Aide will be reassigned, as a pay grade 9, Clerical Assistant, to the Building Operations Department. This is an acceptable solution to this agency and can be handled within this agency's budget allocation for the fiscal year.

Motion by Commissioner Canale, seconded by Commissioner Maxcy, to approve the

Stipulation Agreement, Job Description and new position for this cost center effective 11/4/97. Upon roll call, all Commissioners voted aye. Motion carried. Mary Myers was commended for her work with the Mediation Agreement. Jim Lobo, Attorney, thanked Board staff for their consideration.

H. Board Attorney

No report given.

I. County Administrator

1. Appointments to Water Advisory Committee

The County Administrator reviewed the resumes for appointment to the Water Advisory Committee. No names were submitted for public or private potable water system. The County Administrator asked that each Commissioner seek a member and an alternate from their district. Appointments to be made on November 18, 1997. See Water Advisory Committee for copy.

2. Highway Park STAR Center

Motion by Commissioner Gose, seconded by Commissioner Canale, to approve the proposal as presented by the County Administrator for the improvements to the old Volunteer Fire Department building as a Star Center. The Board's cost, not to exceed \$17,000, to be transferred from the anticipated underrun in the water system. See SMB 30 Page 110 for copy. Upon roll call, all Commissioners voted aye. Motion carried. Rev. McGahee thanked the Board for their consideration.

3. Lease on E.O. Douglass ballfield

Removed from the agenda at the request of the County Administrator.

4. Requested change on Christmas holidays

Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve request of the County Administrator to change the Christmas holidays from December 24 (Wednesday) and December 25 (Thursday) to December 25 (Thursday) and December 26 (Friday). This would make for a more efficient operation and eliminate the Friday work day. Richard Conover questioned the schedule. Upon roll call, all Commissioners voted aye. Motion carried.

5. Report on Northside Subdivision

The County Administrator presented the cost to reconstruct the cul-de-sac on Frontage Road, remove trees in the clear zone, clean ditches, and regrade swales. Labor cost for the project listed at \$2,333.60 and equipment cost at \$2,226.90. Total approximate cost \$4,560.50. Discussion regarding which roads were designated to be reconstructed.

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Motion by Commissioner Canale, seconded by Commissioner Flowers, to approve the request of the City of Sebring to provide the cost of labor and equipment for the construction of Frontage Road with the resurfacing cost to be the responsibility of the City. Upon roll call, all Commissioners voted aye, except Commission Gose, who voted nay. Motion carried. See SMB 30 Page 111.

J. Consent agenda:

Question by Commissioner Canale on Budget Amendment 97-98-13.

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

The Chair opened the floor to the public. Richard Conover presented comments on Item #13, *the Annual Report* presented by Comcast, as to why no mention of the price increase.

1. Approval to pay all duly authorized bills

Law Library	766.22
General	1,941,500.43
County Transportation Trust	27,733.87
E911 Operations	842.09
Local Govt Infrastructure Surtax	143,281.07
Affordable Housing Assistance	24,738.11
Government Center	148,312.41
Solid Waste	54,992.27
Placid Utilities	8,751.45
Highway Park Utility	80,718.16
Employee Benefit	112,556.41

2. Approval of minutes of 10-14-97 meeting and public hearing
3. Approval to execute Interlocal Agreement with City of Avon Park
4. Approval of revisions to Library Patron Policy. See SMB 30 Page 112.
5. Approval of donation from Forfeiture Fund to Florida Sheriffs' Youth Ranches. See SMB 30 Page 113.
6. Approval to execute grant contracts for Big Brothers/Big Sisters and NuHope
7. Approval to execute Interlocal Agreement with Town of Lake Placid
8. Approval of budget amendments 96-97-437 (year end expenditures) 97-98-13

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(Extension 4-H Horse Arena) 97-98- 15 (EMS audit purposes) and 97-98-17 (Law Library transfer into the new Library).

- 9. Approval of resolutions and budget amendments 97-98-11 (Library Copier) and 97-98-16 (Leisure Lakes land purchase). See Res. Book 11 Page 116 & 117.
- 10. Accept into record Comcast 1996 Annual Report. See Franchise file for copy.
- 11. Accept into record 10th District Medical Examiner's 1996 Annual Report

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

6. COMMISSIONERS

- A. Commissioner Flowers thanked Board members for their support with the Power line issue.
- B. Commissioner Maxcy presented questions regarding the Polk County Legal Aid Society request. No action was taken

7. ADJOURN

The meeting adjourned at 12:20 p.m.

Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD, NOVEMBER 18, 1997

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
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 the Commissioner David Flowers. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 18, 1997.

- 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. Mr. Cool thanked the Veterans Service Officers in Highlands County for the Service to Veterans award given to him in recognition for his help with the veterans.

- D. **Letters of commendation to Deputy Kircher and Sergeant Allen, Sheriff's Dept.**

Lt. Benton and Col. Bill Jones, from the Sheriff's Department, gave special recognition to Sergeant Mike Allen and Deputy Sheriff Jay Kircher, by presenting two letters of commendation from Chair Barrett for outstanding performance in the capture of the armed robbery suspects of the Rishma Food Store on August 26, 1997.

Motion by Commissioner Canale, seconded by Commissioner Gose, to accept the letters into the record. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 114.

4. **CITIZENS NOT ON AGENDA:**

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- A. Mr. Ted Feldt, Mobile Home Estates, spoke regarding the October 19th newspaper article regarding the Board discussion on future mobile home construction. He stated that it represented a discrimination to mobile home owners in the county. He noted that his discussion will continue under the agenda item of Harold Seaman.

5. ACTION

Motion by Commissioner Gose, seconded by Commissioner Flowers, to set the Action Agenda with changes as listed:

- 1) Addition of budget amendment 96-97-442 - 443 and 97-98-40
- 2) Delete Consent Agenda item 12, Case #97-98-001

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

A. Election of Chair and Vice Chair for 1997-98

Discussion to set policy on chairmanship. The consensus of the Board was to set a workshop for continued discussion.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to elect Commissioner Jeri Canale as Chairperson to the Board of County Commissioners. The Chair called for input on the motion. Richard Conover spoke regarding the Board omitting the workshop last week. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to elect Commissioner Jim Gose as vice-Chairman to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

Break 9:35 a.m. - 9:45 p.m.

The new chair presided at the meeting.

B. Proclamation: Farm-City Week

Proclamation read into the record by Dan Foley, representing the Agriculture Community.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Proclamation, proclaiming the period of November 21 through November 27, 1997 as Farm-City Week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 119.

C. Harold Seaman: Mobile Home presentation

Mr. Seaman appeared before the Commission regarding Board discussion on limiting Mobile Home structures in the county. The discussion was in regards to an EAR public hearing, which is a part of the development of the County's comprehensive plan. A hand out was presented with a letter included from Bill Williams, President of the Federation of Mobile Home Owners of Florida, Inc., in opposition. See SMB 30 Page 115. Mr. Don Reeves, also representing the FMHO, stated

concerns from the Community and presented information on how mobile home residents *do* pay their fair share of taxes. The County Administrator addressed the depreciation value of a mobile home in relation to a traditional home. The decline in value occurs gradually with every additional generation of owners. Mr. Cool also addressed the density issue as the biggest single factor contributing to the loss of value. See SMB 30 Page 116 for copy of information. Mr. Reeves stated that he did not have a problem with a change in density. Commissioners presented statements regarding Mobile Home developments. David Perkins, Ed McNamara and Richard Conover spoke in favor of the continued development. Refer to tape for further information.

D. County Engineer:

Motion by Commissioner Flowers, seconded by Commissioner Barrett, to waive the agenda and add an additional item for consideration under the County Engineer. Upon roll call, all Commissioners voted aye. Motion carried.

1. Request to dispose of surplus property on Government Center site

Bill Lecher, County Engineer, presented list of four (4) structures that needs to be sold or removed from the Government Center site.

Motion by Commissioner Barrett, seconded by Commissioner Gose, to declare these structures surplus and grant approval for solicitation of bids for *Demolition and Removal and Purchase and Removal*. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 117 for copy of sites.

2. Selection of commission chamber chairs

Motion by Commissioner Gose, seconded by Commissioner Flowers, to approve selection #2 Executive High back Swivel (with fabric arms and wood pedestal). Upon roll call, all Commissioners voted aye, except, Commissioner Flowers, who voted nay. Motion carried. See SMB 30 Page 118.

3. Additive Change Order for Electrical Panels for Government Center

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve additive change order for Electrical Panels for the Government Center. Discussion regarding cost of the panels. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 119.

E. Risk Manager: Managed Care Health Insurance option

Ladd Baumgart, Risk Manager, presented a lower cost health insurance option to the Commission that was developed through staffs' work with Robey Barber, Third Party Administrator, for the County. The Insurance Committee reviewed the *Managed Care Option and endorsed the Program*. Other Program features were discussed.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to direct staff to offer a Managed Care option to employees, retirees, and dependents under the self-insured health program as detailed in the memo of recommendations. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 120 for copy.

F. Assistant County Administrator: Discussion of Mitigation Strategy Development

The Asst. County Administrator gave a brief synopsis of the recommendations for local government on the hazard mitigation planning process. He advised that most states not affected by repeated disasters have objected to these strategies. He stated that DCA will become actively involved in Emergency Management as they have in Growth Management and could withhold funding if the states fail to comply. Highlands County does not have the resources available to set up an elaborate subcommittee. Suggestions were to task a group of staff, the Asst. County Administrator, Emergency Operations Director, Emergency Management Director, Planning Director and Building Official, to approach the situation and bring back an outline to the Commission for possible appointments. The Board gave a consensus.

G. Board Attorney

Ross Macbeth reported that he has been working on a Boating Safety Ordinance and samples will be given for review and discussion at a workshop December 9th.

H. County Administrator:

1. Annual Report 1996-97

The County Administrator reviewed the 1996-97 Annual Report with the Commission. See File for copy.

2. Appointment of Library Advisory Board members

Motion by Commissioner Barrett, seconded by Commissioner Flowers, to reappoint Mrs. Sue Rood as the representative from District 5 and to appoint Mrs. Nancy Mays as the District 2 representative. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 121 for copy of resume.

3. Recommended Holidays for 1998

Motion by Commissioner Barrett, seconded by Commissioner Maxcy, to approve the Judicial list of holidays for observance by the Board of County Commissioners for the 1998 year. See SMB 30 Page 122 for copy of list as specified. Upon roll call, all Commissioners voted aye. Motion carried.

4. Appointments to Water Advisory Committee

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to appoint Don Hansen as the member and Greg Reynolds as the alternate on the Aquatic Recreation or Tourism category of the Water Advisory Committee. Upon roll call, all Commissioners voted aye.

Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Barrett, to appoint Raphord Farrington as the Agriculture member and Pam Fentress as the alternate. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Barrett, seconded by Commissioner Gose, to appoint Jeff Ludwig as the member and Barbara Bazley as the alternate to the Real Estate Development, Sales or Management category. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to appoint Dr. Richard Aber as the member and Leo Rosenbaum as the alternate for the Environmental Sciences category. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to appoint Mary Carter as the member and Archie Summers as the alternate for the Lakes Association category. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to appoint Howard Short as the member and Don McKenna as alternate on the Public or Private Water System category. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Maxcy to approve appointments as listed to the Water Advisory Task Force:

Commission Appointees' by District

Commissioner	Member Appointee	Alternate
Flowers - District #1	Bob Barben, Jr.	John Barben
Canale - District #2	Pat Hogue	Edward Brosi
Gose - District #3	Wendell Whitehouse	Keith Renish
Barrett - District #4	Red Bohannon	open
Maxcy - District #5	James Brigham	Tommy Lovett

The Board gave a consensus to the Chair to send out congratulatory letters to the appointees, and at the suggestion of Dan Foley, to hold the first organizational meeting on Wednesday, January 7 at 6:00 p.m. The Chair to place the meeting announcement in the letters. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 123 for copy of resumes.

5. Sebring Airport request for amendment to Hancor Interlocal

Agreement

Motion by Commissioner Gose, seconded by Commissioner Barrett, to approve request of Mike Willingham, Executive Director of the Sebring Airport Authority, for the Board Attorney to draft an amendment to the contract and to authorize the Chairman to sign the contract for reimbursement of disallowed expense. The Chair called for input on the motion. Clayton Womer presented questions regarding the motion. The County Administrator explained the request. Upon roll call, all Commissioners voted aye. Motion carried. See Airport file for copy.

6. Memorandum of Understanding with City of Sebring on Fewell property

Motion by Commissioner Flowers, seconded by Commissioner Gose, to approve the Memorandum of Understanding with the City of Sebring on the Fewell property. Upon roll call, all Commissioners voted aye. Motion carried.

7. Polk County Rezone of Avon Park Air Force Range Property

The Board gave a consensus to the County Administrator to attend a rezone hearing in Polk County to represent the Commission on December 9th and to allow the Asst. County Administrator to sit for him at the regular workshop for the Board.

I. Consent agenda:

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

1. Approval to pay all duly authorized bills

Fund	Amount
Law Library	166.39
General	225,698.54
County Transportation Trust	30,412.33
E911 Operations	65,610.27
Intergovernmental Radio Communication	350.00
Local Govt Infrastructure Surtax	944,923.57
Affordable Housing	34,791.36
Special Law Enforcement	4,581.09
Government Center	13,672.48
Solid Waste	103,558.20

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Placid Utilities	14,576.13
Risk Retention	2,336.00
Employee Benefit	123,357.66

2. **Approval of minutes of 10-28-97**
3. **Accept into record - October Monthly Report**
4. **Approval of addendum to Conceptual Approval Agreement for Sun 'n Lake Preserve. See File for copy.**
5. **Approval to trade in a fuel leak detection meter. See SMB 30 Page 124.**
6. **Approval to execute resolution setting public hearing for 11/25/97 for Marvin Kahn, Petitioner. See Res. Book 11 Page 120.**
7. **Approval of contract with Chastain-Skillman, Inc., for miscellaneous engineering (CSI Project No. 6150.08C).**
8. **Accept into record - Tax Collector's annual financial report. See SMB 30 Page 125.**
9. **Appointments to Tourist Development Council (Eugene Williams and David Jewell to four (4) year terms. See SMB 30 Page 126.**
10. **~~Approval of additive change order to Better Roads, Inc. for Riverdale Road in the amount of \$1,590.~~ Moved to Special Tax District.**
11. **Approval to execute resolution in support of library construction projects. See Res. Book 11 Page 121.**
12. **Approval to declare nuisance, Cases 9697-100 and ~~9798-001~~. See SMB 30 Page 128.**
13. **Approval of modification to Appendix Ten of Personnel Rules and Regulations (Job Descriptions). See SMB 30 Page 129.**
14. **Approval of change orders for Highway Park Water Line Project-Tri-Sure and LaGrow Systems. See SMB 30 Page 130.**
15. **Approval to waive the RFP process and execute agreement with Habitat for Humanity.**
16. **Approval to sell tax certificates. See SMB 30 Page 131.**
17. **Approval of budget amendments 97-98-24(Fire Hydrants for Placid Lakes) 97-98-28 and 97-98-34((Unemployment Compensation Bldg. Maintenance Operations). 97-98-40(Guardian Ad Litem Center) 86-97-97-442 (close Sheriff's year end) 96-97-443 (realignment of expenditures for year end).**
18. **Approval of resolutions and budget amendments 97-98-20 (Emergency Management- Hazardous Materials Grant) 97-98-**

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21(Emergency Management Base Grant) 97-98-26 (Prior year encumbrances) 97-98 -35 (CDBG year end carry overs) 97-98-36 (OMB reappropriate project funds not utilized). See Res. Book 11 Page 122.

19. Approval to amend Health Insurance Plan to include Depo-Provera Shot. See SMB 30 Page 133.

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

6. COMMISSIONERS

A. Commissioner Gose reported on the meeting of the Florida Rural Executive Council. Discussion on rural counties not being represented on committees. Consensus for the Chair to send a letter to the State indicating support for representation by rural counties on the State Wages Board and the Tourism Board.

Commissioner Gose presented a marketing brochure that he brought from the meeting titled *CROSSROADS FLORIDA-Opportunities for Business Growth in Florida's Heartland*.

7. ADJOURN

The meeting adjourned at 12:15 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, DECEMBER 2, 1997

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:

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending December 2, 1997. The Farm Report was also given. A special invitation was given for the public by Sheriff Godwin to an "open house" at the Sheriff's Department Thursday evening, December 4, 1997 from 4:00 p.m. to 7:00 p.m.

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. **CITIZENS NOT ON AGENDA:**

A. Richard Conover spoke regarding problems with Cable Coverage in Highlands County.

B. Ray Napper spoke regarding the upcoming garbage franchise audits and asked that the Commission request a corrected version.

5. **ACTION:**

Motion by Commissioner Gose, seconded by Commissioner Barrett, to amend the Action Agenda with changes as listed below:

- 1) Delete Item 5 C-2
- 2) Amendment to Item G-3

- 3) Delete Item G-5
- 4) Delete Item G-6

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

A. Betty Neale, FHREDI: Report on Pearce Homestead

Ms. Neale presented a brief report on the FHREDI project, known as the Pearce Homestead Project. The Historic Preservation Advisory Council reviewed and presented recommendations for the Grant. The application was submitted for \$18,250 and was a 50-50 match requiring a local match of 50% or equal dollar to dollar. The total amount was \$36,500. The Committee did approve the application for full funding. The major factor that contributed to the full funding was that the project was a multi-county project and the strong support of the letters and resolutions from the six counties. This is the first step in moving forward with the project. The next step will be the FERDAP Grant. She thanked all participants for their help.

B. Presentation by Legal Aid Society of South Central Florida, Inc.

Peggy Shaffer of Sebring presented a proposal for “Legal Aid” in Highlands County. She stated that the “Legal Aid Society of South Central Florida Inc.” will ensure that all residents of Highlands County have equal access to the judicial system regardless of their financial means. The Chair asked the Commission if they wished to endorse the proposal for the Program to allow the establishment in the county. The consensus was to recognize that the Society exist but to take no formal action at this time. See Legal Aid Society file for copy of the proposal.

C. Development Director:

1. Staff proposal by The Nature Conservancy

Jim Polatty, Development Services Director, presented proposal for partial funding from Highlands County for an administrative staff position at the Nature Conservancy’s Florida Regional Office to assist with conservation land acquisition in Highlands County.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve the Land Acquisition staff proposal to Highlands County submitted by the Nature Conservancy with an amendment to fund a staff position up to \$15,000 the first year. The position to be funded from the Conservation Trust Fund for the current fiscal year. Commissioner Flowers presented questions to Keith Fountain, Field Representative for Nature Conservancy, on how the other funding will be derived and the amount of funds in the Conservation Trust Fund. Keith stated that they will look at other sources for funding. Rick Helms, Budget Officer asked what the long range plan for the properties are and who will be responsible for the maintenance of these properties? Keith advised that the land is being purchased for Conservation and the state will be the party responsible for the maintenance. Hank Kowalski, Von Whitesides and Ray Napper spoke in favor of the NRAC recommended motion. Dan

Foley spoke in favor of the funding from the Conservation Trust Fund. Lew Carter, Co-Chairman of the NRAC, presented closing statements in favor of the County funding. Commissioner Maxcy asked consideration for a declaration page at the time of closing by which a plea is made that part or all of the sale proceeds to be donated to the Conservation Trust Fund. Mr. Fountain stated that instituting this policy would be hard but agreed to ask the question. Commissioner Gose amended the motion, to grant from the Conservation Trust Fund, funding for this position up to \$15,000 for the two years. The motion was seconded by Commissioner Barrett. Upon roll call, all Commissioners voted aye, except Commissioner Canale, who voted nay. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to work with staff and Keith Fountain to institute the policy for a declaration page at the time of closing, asking for contributions to Nature Conservancy. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 143.

Break 10:25 a.m. - 10:40 a.m.

~~2. Carter Creek land acquisition funding proposal by The Nature Conservancy~~

Item deleted from the agenda.

D. County Engineer: Government Center progress report

Bill Lecher, County Engineer, reviewed the Government Center Tentative Schedule for the completion and occupancy dates. See SMB 30 Page 144 for copy of schedule. The County Administrator spoke to the Commission regarding the preparation for the occupancy.

E. Board Attorney

No report.

F. County Administrator:

1. Resolution on SFCC baccalaureate degrees

The County Administrator read into the record the Resolution supporting the efforts to authorize South Florida Community College to offer baccalaureate degrees.

Motion by Commissioner Barrett, seconded by Commissioner Maxcy, to adopt Resolution in support of South Florida Community College to offer baccalaureate degrees in education, business, applied technology and computer science. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 127 and SMB 30 Page 145.

2. Report on FAC Legislative Conference

The County Administrator reported on the FAC Legislative Conference. The most

interesting information came from the Citrus County Administrator, Gary Kuhl, in a round table discussion. When Citrus County decides a road needs improvements, an assessment is levied without the process of setting up special tax districts. Mr. Kuhl agreed to send the information to our County Administrator.

Committees presented recommendations on their top three (3) priorities.

The Public Safety Policy Committee

1. Article Five Costs,
2. Civil Justice Reform and Sovereign Immunity
3. 911 Surcharge on Wireless Communications

Health and Human Services Policy Committee

1. Childrens Health Care title eleven funding
2. Tobacco Lawsuit - monies to go toward Medicare and Medicaid expenses
3. Transportation disadvantaged

Growth Environment and Planning Policy Committee

1. EAR - allow local policy
2. Water Management District Oversight
3. Eminent Domain

The most debated issue was Local Sources First. The Counties voted to leave this issue in as part of the legislative package. To appease Carol Roberts from Palm Beach County a motion was made to include in the definition of *Local Sources*, Lake Okeechobee. A strong discussion was held and she tried to get this issue to a weighted vote. It did not carry as a priority but did stay in as a policy.

The Finance and Administration Committee

1. Local Option Gas Taxes - funding for the counties
2. Public Right-of-way support
3. Statewide Study for Building Codes

Mr. Cool reported that he also lobbied for the rezoning issue at the Bombing Range.

Commissioner Barrett commented on the importance of the County Administrator attending the FAC Conference and the idea of housing inmates for Polk County in overcrowded situations.

Commissioner Gose suggested top priorities for Highlands County should be *water issues*

and rural representation on state committees. Commissioner Canale summarized priority issues.

G. Consent agenda:

Motion by Commissioner Barrett, seconded by Commissioner Flowers, to approve the Consent Agenda as listed with revisions. Richard Conover presented questions regarding item five. This item was deleted at the request of staff.

1. Approval to pay all duly authorized bills

Law Library	1,152.51
General	364,915.05
County Transportation Trust	46,692.88
E911 Operations	10,709.33
Intergovernmental Radio Communication	724.15
Law Enforcement Education	2,441.75
Local Govt Infrastructure Surtax	282,590.52
Affordable Housing Assistance	12,665.19
Government Center	247,913.54
Solid Waste	97,417.67
Placid Utilities	1,904.65
Risk Retention	1,168.00
Employee Benefit	73,069.03

2. Approval of minutes of 11-4-97 and 11-18-97
3. Approval of budget amendments 97-98-37(Economic Development projects) and 97-98-47 with an amendment for Clinical Evaluation County Criminal Competency expert witness account.
4. Approval of resolutions and budget amendments 97-98-33(VFD building for the Star Program) 97-98-38 (SHIP year end expenses) 97-98-39 (SHIP fourth year budget) 97-98-42 (SHIP 6th year funding) 97-98-48 (Clinard Nursing Scholarship). See Res. Book 11 Page 128.
5. ~~Approval to execute contract with Florida Hospital for Employee Wellness Program.~~
6. ~~Approval of payment without purchase order - Recycling-Chastain-Skillman Supplemental Agreement No. 3 - Relocation of the Recovered Materials Processing Facility and offices.~~
7. Approval of EMS Advance Life Support standby fee. See SMB 30 Page 146.
8. Approval to write off EMS bill - Carole Jaskot- EMS Support Squad. See SMB 30 Page 147.
9. Approval of revision to Blood borne Pathogen Exposure Control Plan.
10. Approval to trade in van - Supervisor of Elections. See SMB 30 Page 148.
11. Approval to execute Fish Management Area Agreement. See SMB 30 Page 149.

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

6. COMMISSIONERS:

A. **Commissioner Flowers:** Thanked all participants of the Avon Park Christmas Parade.

B. **Commissioner Barrett: Appointment to Water Advisory Committee**
Motion by Commissioner Barrett, seconded by Commissioner Gose, to appoint Robert F. Bullard to the Water Advisory Board as an alternate in District #4. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 150 for copy of resume.

C. **Commissioner Gose: Resolution on "School to Work Month"**
Commissioner Gose presented request for the endorsement of the Heartland School-to-Work Regional Partnership Program.

Motion by Commissioner Gose, seconded by Commissioner Barrett, to approve the request of Karyn E. Gary, STW/Tech Coordinator and adopt Resolution declaring January 5 - February 6, 1998 as *School to Work* Month. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 129.

D. **Commissioner Canale:** Suggested that animals be permitted to ride in the Sebring Parade on the float since hay is available.

Committee appointments will be distributed in Commissioners' packets and appointments will be made at the next regular meeting.

7. ADJOURN

The meeting adjourned at 11:26 a.m.

Chairperson

Attest: _____
Clerk

SPECIAL MEETING OF THE BOARD, DECEMBER 9, 1997

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:

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

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:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Proof of Publication for this Special Meeting entered into the record. See SMB 30 Page 155.

4. **SPECIAL MEETING FOR BOARD ACTION:**

The Operations Director requested a change in the agenda, with Jerry Earnest, Solid Waste Manager, to present the *History of Highlands County's use of auto fluff* and the Operations Director to present *Item B-Savings*.

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to set the Special Meeting with Items 1 through D., and the Workshop format with Items 5-9. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Jerry Earnest: History of Highlands County's use of auto fluff**

Jerry Earnest, Solid Waste Manager, presented a brief history of the use of auto fluff. He stated that the automobile shredder fluff became an issue because of the 1994 rule change, Florida Administrative Code, 62701. It eliminated the 18-hour rule that meant no cover was required for a 18-hour period on the working face. Different programs were implemented to meet the need and to do it economically. In October 1993, he visited Sunshine Recycling in Miami and reviewed the operations. In November he began discussions with DEP for the use of fluff. A test trial period began in January 1994 and additional shredding was required to comply with DEP requirements and they approved using fluff in October 1994. The Board of County Commissioners approved the use of fluff in November 1994.

Mr. Earnest explained that since the use of fluff was on a trial basis the landfill staff billed G.F. Enterprises. The billings did not get in the finance system and therefore the unpaid balance was not identified. The problem was identified in May by the landfill staff and G.F. Enterprises owed approximately \$100,000.00. Mr. Harrington of G. F. Enterprises was contacted and they promised to pay within two weeks.

Discussion followed from the Commission regarding whether the material is a cover material or solid waste disposal. The Chairperson questioned if testing was done on the cover material. Mr. Earnest related that the shredder and G.F. Enterprises is required by the state to test for any violations or contaminates.

Commissioner Canale presented information from other counties not favorable to the use of the auto fluff at the Landfill.

B. Vaden Pollard: Savings to Highlands County by use of auto fluff

Vaden Pollard, Operations Director, listed savings to Highlands County by use of the auto fluff. He included a mathematical formula, showing how much less space fluff takes up than dirt in the landfill, what space is worth, how many cubic yards of fluff are dumped in the landfill and how much revenue is generated. See SMB 30 Page 152 for copy of information.

Mr. Pollard stated that other cover materials sprayed on are too expensive when compared with his numbers showing a savings of approximately \$4.6 million since 1994. Chairperson Canale questioned how the Operations Director arrived at the numbers, what the county should be charging to accept the fluff and the safety of the cover.

C. Carl Cool: Recommendation of settlement agreement with G.F. Enterprises, Inc.

Carl Cool presented proposed recommendations to set the dumping fee at -0- charge, allow the fluff to be delivered for cover material and charge G.F. Industries \$1.50 per ton. The amount owed is \$147,009.30. Mike Eastman addressed the need for good internal controls. He stated that the county's budget is approximately 68 million dollars, and the only way to control the budget is with good internal controls, such as running revenue through accounts receivable. He calculated interest that would have been earned as \$7,306.98. The total amount owed the county is \$154,316.28. A note will be prepared by the Board Attorney to apply the SBA interest rate to the unpaid balance each month. It is estimated it will take approximately three years to pay off the debt. Mr. Cool suggested the concern shared by Commissioner Canale should be checked before additional fluff is delivered. Commissioner Flowers suggested a random test three times a week for contaminates.

Adam Bielecki, G. F. Enterprises, stated that he has no problem with Mr. Cools' request and moving forward with the Company. Commissioner Maxcy asked Mr. Bielecki would consider a Liability Bond. The Attorney suggested a cash bond. Mr. Bielecki agreed to explore the issue.

Ross Macbeth asked if G.F. Enterprises would pay Highlands County at the same rate of other counties. He explained that Mr. Cool's offer was more viable to the solvency of the company. Discussion regarding Environmental Bond. Mr. Macbeth suggested the county use some of the money they are saving for a consultant to verify the accuracy of the test that are being done.

Break 11:05 - 11:15 p.m.

The Chair opened the floor for public comments.

1. Hank Kowalski strongly disagreed with Carl Cool. He also spoke regarding the future liability of the landfill.

- 2. Gabriel Reed from Avon Park Lakes stated future landfill concerns.
- 3. Von Whiteside agreed with Hank Kowalski. The County should not allow free dumping.
- 4. Ray Napper spoke in favor of the fluff program and asked for a check and balance system.
- 5. Dee Thomas presented comments in opposition.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to continue to use fluff with the \$3 fee in place and staff to negotiate with G. F. Enterprises to reach an agreement by which the repayment will be made, and to come up with a different rate structure. Mr. Bielecki suggested that the Board suspend the Fluff to Highlands County until we get the proper agreements in place. Upon roll call, all Commissioners voted aye, except Commissioner Canale, who voted nay. Motion carried.

Commissioner Gose spoke to the Board regarding the private landfills and regulations for these landfills, other than DEP. He suggested that the County consider an ordinance to adopt occupational fees for the operation or consider a consultant to perform tests.

D. Committee appointments

The Commission discussed the committee appointments for the year. Hank Kowalski spoke in opposition to Commissioner Barrett serving as liaison to the Natural Resources Advisory Council. The Chair advised that actually the NRAC did not need a liaison. The consensus of the Board was to accept the Commissioner Appointments for 1998 as submitted by the Chair. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 153 for copy.

Adjourn:

The meeting adjourned 12:07 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, DECEMBER 9, 1997

The meeting was called to order at 12:08 p.m. in the Board of County Commission Chambers at 411 S. Eucalyptus St. Sebring, Florida with the following members present:

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

5. Amendments to Comp Plan Economic Element

Amendment 2. The Economic Forecast and Base Study was updated to reflect the economic and demographic changes in Highlands County. DMG Consultants, the firm retained to complete the update noted the requirement in Economic Element Policy 4-1 (B) that the Base Study should be updated annually. Based on information developed in the study, the firm recommended that barring catastrophic events, that the Base Study should be updated every 5-10 years. This recommendation is based on the knowledge that trend analysis is a legitimate tool, but annual examination is more likely to turn up a short term phenomenon. The IDA and EDC concur with that assessment and recommend that the Economic Forecast and Base Study be updated on an as needed basis, with the maximum time to elapse between updates set at five years. The Commission reviewed the recommendations.

Amendment (1) Jim Stanfill, Executive Director of the Economic Development, reviewed amendments and changes for the Economic Element of the Comprehensive Plan. He advised that there is insufficient industrial zoned land and infrastructure needed in the economic development marketplace. This implies that Highlands County is not business industry friendly. To ensure that the County has enough industrial zoned land for present and future development, the Board of County Commission should purchase not less than 1,000 acres for a publicly owned industrial park or parks. State and federal matching grants and other resources can be used to establish the necessary infrastructure to make the park functional and attractive. Commissioner Gose and Barrett questioned the purchase of \$1,000 acres by the Board of County Commissioners. Jim Polatty, Development Services Director, stated that this recommendation will be presented to the Planning and Zoning Board and will come back to the Commission at a later date. See EDC file for copy

6. Boating Safety Ordinance

Commissioner Flowers stated that this issue came before the Board a few months ago and the attorney was asked to explore an ordinance for Boating Safety rules. This is still in the workshop stage and he hopes that all Commissioners have reviewed and will present suggestions.

Sheriff Howard Godwin stated that he came before the Board in a spirit of cooperation and if the county should adopt the ordinance, he will do his best to enforce it. However, he has concerns with specific parts of the ordinance. In Sec. 11-106 Regulation of Operators, Subsections B-C- D-E-G-H and Sec. 11-107. The distance is the main element of determining if a violation has occurred. Measuring distance on the water is very difficult. Fl. Statutes' 327- 33, *Reckless or Careless Operation of a vessel* is a good illustration of verbiage, void of the requirements of footage measurements. The existing state law covers most sections, including alcoholic beverages, life vests and so forth. He believes that the solution to enhance safety on the waterways is using existing state laws, utilizing state law enforcement to assume part of the enforcement burden that may be done by establishing restricted areas on the waters for any purpose deemed necessary for the safety of the public. If the ordinance is adopted, the county needs to provide a system for non criminal infractions, where the violator can mail in the fine if they agree, similar to a traffic citation. Also, the Sheriff's Office may have to develop a marine patrol that could cost the county thousands of dollars. He would like a chance to work with the state to enforce these regulations.

Commissioner Flowers advised that his primary objective is to establish some type of education system, such as signage to let citizens know that they need to operate their watercraft in a safe manner. He has no desire to place additional hardship on the Sheriff's Department. In the future additional funding for more patrols may be necessary.

The consensus of the Board was to do the job of *education* and let the Sheriff try to do the job of patrol. Clayton Womer spoke in favor of education to the public. Ray Napper agrees it is an educational issue.

7. Policy and procedure manual

The Commission discussed Draft #3 of the suggested Rules and Policies for adoption. It was a consensus not to adopt official rules.

8. Code of Ethics for County Commissioners

The Board of County Commissioners reviewed the Code of Ethics, developed by the National Association of Counties in 1991 and adopted in 1997. It was a consensus not to adopt a code of ethics.

9. Article V funding

The Chair discussed with the Board the Constitution Revision Commission vote set for December 10, 1997 on Proposal 31 and 55, which specifies that the state shall fund most costs of its court system. The committee substitute, sponsored by Commissioner Alan Sundberg, has broad support from the CRC and will bring significant financial relief to Florida's counties. The Chair advised that the counties will be expected to help with funding in the future. See SMB 30 Page 154.

Commissioners discussed the need for the CFRPC. No action was taken.

10. ADJOURN

The meeting adjourned at 1:15 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, DECEMBER 16, 1997

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:

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

2. **Invocation and Pledge of Allegiance**

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

3. **ANNOUNCEMENTS:**

- A. **Sheriff**

Lt. Benton presented the Daily Jail Log of inmate Count for the period ending December 16, 1997.

- 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. **Santa Claus**

Santa Claus arrived with presents for everyone.

4. **CITIZENS NOT ON AGENDA:**

- A. Adam Bielecki, G.F. Enterprises, introduced his business partner, Bob Choguette. Mr. Choguette gave a brief report on the distribution of fluff to the County by his Company. He advised that no one has requested information regarding environmental concerns. He will be glad to answers any questions except the ones that are private to business. Vaden Pollard reported that he has requested information regarding tests and they are forth coming.
- B. Hank Kowalski spoke regarding the monitoring of *sludge* by DEP and suggested an ordinance to control this problem. See SMB 30 Page 172.
- C. Joan Pflueger spoke regarding the Jackson Creek Canal and the Buttonwood

Bay Investors' agreement.

- D. Ray Napper presented information regarding fluff, obtained from his computer.

5. ACTION:

Motion by Commissioner Barrett, seconded by Commissioner Flowers, to set the Action Agenda with changes as stated:

- Addition under the Board Attorney - Sun'n Lake of Sebring Improvement Contract as item #3.
- Addition under the Consent Agenda item #12 - budget amendment 96-97-444.

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

A. Public hearing to consider zoning change

NEW BUSINESS: HEARING #1454- HIGHLANDS LODGE NO. 20, PRINCE HALL AF & AM

Lot 7, Harry Taylor Highway Park Tract Unrecorded, Highlands County, Florida. Requesting a zoning change from M-1-S (Mobile Home and Residential Subdivision district) to PU (Public Lands district). Applicant desires to expand the existing cemetery. Proof of Publication entered into the record. See SMB 30 Page 156. Jim Polatty, Development Services Director presented an analysis of the petitioner's proposal. Planning and Zoning Commission denied the Hearing. Concerns were listed by Mr. Polatty.

Motion by Commissioner Barrett, seconded by Commissioner Gose, to adopt Resolution, and approve the PU zoning after entering into the public hearing record, the mandatory findings with the stipulations as listed:

- The zoning text is amended to allow the proposed use as a permitted use.
- A deed is recorded conveying ownership to Highway Park Cemetery Association.
- An agreement is entered into between the Highway Park Cemetery Association and the County providing free burial space for indigent persons from Highlands County as long as there are burial spaces available to the public.

Richard Conover presented questions regarding the stipulations. Hank Kowalski spoke regarding the agreement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 130.

B. Public hearings to consider adopting amendments to the text of Comp Plan and

Future Land Use Map

Jim Polatty, Development Service Director, presented Proof of Publication into the record for these Hearings. See Proof of Pub Ordinance Book 1 Page 1. Mr. Polatty stated that the purpose of this agenda item is to approve the response to the Florida Department of Community Affairs' Objections, Recommendations and Comments Report (ORC) for the 1997 "Fall" Large Scale Comprehensive Plan amendments which includes CPA-97-067LS, CPA-97-070LS, CPA-97-073LS and CPA-97-074LS, also known as DCA 97-2.

The Development Services Director read the captions of the ordinances into the record.

The Board discussed the adopting amendments and the Chair opened the floor to public comments. No one spoke for or against.

Motion by Commissioner Gose, seconded by Commissioner Barrett, to adopt the Comprehensive Plan Amendment DCA 97-2, as revised, which includes the adoption of the Large Scale amendments' CPA-97-067LS, 97-070LS, CPA-97-073LS and CPA-97-074LS and adopt four ordinances with staff changes and text amendments. Upon roll call, all Commissioners voted aye. Motion carried.

Break 10:05 -10:15 p.m.

D. Highlands Citizens for Better Government

Frank Celentano, spokesperson for the group, approached the Board with the issue of *annexation in the City*. Mr. Celentano asked the Board to appoint a liaison to go to the City and discuss this issue. He pointed out several areas where the County would lose revenue if the annexation takes place. Christine Hands, representing the Lakeshore Mall and CBL and Associates stated that if the Mall is annexed, its property tax will increase more than \$200,000 a year and its annual electric bill by more than \$120,000. The Mall cannot take the over \$300,000 hit. The increased cost will cause vacancies in the Mall.. Commissioner Maxcy and Barrett stated support for the group. Commissioner Canale agreed to hold a joint workshop with the City of Sebring in January to discuss the issue. Commissioner Barrett stated that he felt that the issue relates to water. Discussion to continue at the workshop.

The Chair recessed the Regular Meeting and opened the Public Hearing for the *DOT WORK PROGRAM*

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to waive the agenda to allow the Department of Transportation to make a presentation. Upon roll call, all Commissioners voted aye. Motion carried.

David Twiddy, District Secretary of DOT, District I, discussed the five-year work program through 2003. The proposal includes continuation of the U.S. 27 widening from four to six lanes, resurfacing on state road 17, and U.S. 98 and improvements at the Avon Park and Sebring Airports, including a new terminal at the Sebring airport. The plan also includes

spending three million dollars on public transportation in Highlands, Hardee and Okeechobee counties.

Susan King, DOT, gave a brief summary of the Public Hearing schedule. Debbie Hunt, FDOT Director of Planning and Programs, gave an overview of the tentative program presented.

The Public Hearing was opened for public comment.

- Jim Stanfill presented questions regarding deleted projects.
- Carl Cool presented comments on the Avon Park drainage problems.

Motion by Commissioner Barrett, seconded by Commissioner Gose, to endorse the plan. Upon roll call, all Commissioners voted aye. Motion carried. See DOT file for copy of information.

C. Melvin Picking: Roads in Lorida

Melvin Picking appeared before the Board with request that the Board pave 310 feet of Willow Lane in the Lorida area, and not pave Elm Street.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to pave the 310 feet of Willow Street. After discussion, Commissioners Maxcy and Flowers withdrew the motion and made a motion to bump Oak Street and pave all of Willow Lane in early 1998. Commissioner Barrett discussed the road policy and the unfairness of bumping roads that have been on the list for five years. The County Administrator explained the committee findings and how the roads are placed on the paving list. Commissioner Gose spoke on the issue of not following policy and putting politics in the place of staffs' recommendation. Commissioner Maxcy withdrew his motion.

Motion by Commissioner Maxcy to pave 310 feet of Willow Lane, without the bumping of any road for the safety of the people, and the money to come out of the Contingency Fund. Commissioner Canale passed the gavel and seconded the motion. The vice chair opened the floor to the public. Clayton Womer spoke in opposition to the paving. Hank Kowalski suggested that we lend the residents the money and then assess them the cost. The Chair advised that the residents do not live on the road. Upon roll call, Commissioners Maxcy and Canale voted aye. Commissioners Barrett, Flowers and Gose voted nay. Motion did not carry.

Motion by Commissioner Gose, seconded by Commissioner Flowers, to place Willow Lane on the paving list at the bottom of the list regardless of staffs' recommendation. Upon roll call, all Commissioners voted aye. Motion carried. The County Administrator stated that the policy is in place if the residents wish to contribute for the road paving sooner than five years and he will ensure that Mr. Picking has the exact cost needed for the construction.

E. Special Projects Director: Request to accept donated property

Motion by Commissioner Gose, seconded by Commissioner Flowers, to accept donated property from Toyoji Yamaguchi for lot in Sun'n Lakes Estates, Section 6, P.B. 8 Page 61. Upon roll call, all Commissioners voted aye. Motion carried.

Lot 23, Block 223 of Sun'n Lakes Estates from the estate of Michael F. Simon

Bill Stephenson advised that there would be some court cost involved in acquiring this donated lot. The Board Attorney estimated the cost at approximately \$200.00. Motion by Commissioner Gose, seconded by Commissioner Barrett to spend the amount of money needed to obtain the lot. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 158. Mr. Stephenson reported that several other lots have been offered since the tax bills were mailed and he will be bringing back an attractive package that will be marketable.

F. Jim Stanfill: REDI Targeted Industry Resolution

Motion by Commissioner Barrett, seconded by Commissioner Gose, to adopt the REDI waiver Resolution that is part of the Qualified Targeted Industry tax incentive program for the IDA/EDC project 363661. Highlands County is a designated Rural Economic Development Initiative County, and under the guidelines for QTI can waive the required local match for the incentive. Christine Guardian of the News Sun asked what type of company the county is trying to attract. Mr. Cool advised that it is a prestressed concrete manufacturing company. Hank Kowalski stated apprehension on not knowing who the industry is, that will be getting the tax break, and if it is an environmentally safe industry. Jim Stanfill reported that it is an environmentally clean product and the confidentially is necessary as the county is in competition with other agencies and states. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 11 Page 130.

Lunch 12:15 P.M.

The meeting was called back to order at 1:30 P.M. with all members present, except Commissioner Maxcy.

G. Board Attorney:

1. Request for quitclaim deed for Lake Apthorp property

Motion by Commissioner Gose, seconded by Commissioner Barrett, to execute Quit-Claim Deeds to I. Edward London and Florida Highlands Properties, Inc. for property described in Exhibit "A" of Highlands Park Estates, contingent upon this transaction closing with the state. When the property was purchased by Mr. London and Florida Highlands Properties, Inc., two deeds were executed in favor of Highlands County for road right-of-way and drainage easements. Since all the surrounding property is being sold to the State, the

easements are no longer necessary. However, as the deeds contain no automatic reverter, the State has requested that Highlands County issue a quitclaim deed, who will in turn transfer to the State of Florida. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 30 Page 159.

2. Compensation agreement with Health Facilities Authority

Ross Macbeth explained the Compensation Agreement with the stipulations in place. Motion by Commissioner Gose, seconded by Commissioner Barrett, to approve for execution the Health Facilities Authority Compensation agreement with the two amendments:

- The Sunbelt System could litigate the adverse determination - Bank-qualified status
- To place the total amount of the interest differential.

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

C. Guy Maxcy arrived at the meeting at 1:45 p.m.

3. Sun 'n Lake Improvement Contract

Motion by Commissioner Barrett, seconded by Commissioner Gose, to approve the contract with the Sun'n Lakes Improvement District for the purchase of 52 lots at \$36,400.00. The money to come out of the Conservation Trust Fund. Upon roll call, all Commissioners voted aye. Motion carried.

H. County Administrator:

1. Grazing lease

Motion by Commissioner Gose, seconded by Commissioner Barrett, to approve *Lease for Grazing* purposes with Elder M. Summer and Louis E. Larson, Jr. as Lessee, earmarking the *profit* for the Edna Pearce Lockett Estate. Discussion regarding the amount of the lease and staff time involved. Tom Portz requested that Finance track the profit flow. Upon roll call, all Commissioners voted aye. Motion carried.

2. Recommendation on office space for legislators

The County Administrator presented suggestions to the Commission for providing state legislators office space. He recommended space equivalent to the foyer area of the commissioners' new offices plus three commissioners' offices in either the new Government Center or on the second floor of the annex at no charge for a minimum of three years.

Commissioner Barrett offered to give up his office at the Government Center for use by the legislators. Commissioners Maxcy and Flowers disagreed with offering space from the Government Center. Chairperson Canale believes that state officials have a budget and each

Commissioner should decide if they want to give up their office.

Todd Bonlarron, representative from Joe Spratt’s office, spoke to the Board and offered to pay rent. It was a consensus that staff work out the details and not include the Government Center. Clayton Womer spoke in opposition to state legislators using County Commission space.

See SMB 30 Page 160.

3. Signs to be placed at Boat Ramps

The County Administrator passed out information to be placed at all boat ramps in the county. Staff to prepare signs with this information. Commissioner Flowers suggested that the Heading be changed to Before you launch in place of *Before you leave*. See SMB 30 Page 161 for copy of information.

4. County Administrator - Use of Fluff

The County Administrator apologized to Commissioner Canale regarding the statement made at last Tuesday’s meeting.

I. Consent agenda:

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to approve the Consent Agenda as read into the record by the County Administrator:

- 1. Approval to pay all duly authorized bills**
 - Law Library 165.00
 - General 605,732.00
 - County Transportation Trust 56,170.94
 - E911 Operations 411.43
 - Intergovernmental Radio Communication 350.00
 - Law Enforcement Education 2,942.15
 - Local Govt Infrastructure Surtax 93,973.24
 - Affordable Housing Assistance 28,166.10
 - Correction Facility 115,418.06
 - Government Center 25,518.66
 - Solid Waste 11,101.96
 - Placid Utilities 10,278.28
 - Hiway Park Utility 144,663.50
 - Risk Retention 158,680.65
 - Employee Benefit 77,172.00

- 2. Approval of minutes of 11-18-97, 11-25-97 and 12-2-97**

BOOK 17 PAGE 475

- 3. Accept into record - November Monthly Report**
- 4. Approval to declare nuisance, case #9697-080. See SMB 30 Page 162.**
- 5. Appointments to Hospital District Board. Reappoint Wally Cox and Bruce Lybarger and appoint Doris Gentry. See SMB 30 Page 163.**
- 6. Approval to trade in three county sedans - Building Department. See SMB 30 Page 164.**
- 7. Approval of payment without purchase order - Chastain-Skillman (recycling building and administration offices for the solid waste department). See SMB 30 Page 165.**
- 8. Approval to execute contract with Florida Hospital for Wellness Program. See SMB 30 Page 166.**
- 9. Approval of additive change order for Tomoka Heights Wastewater Plant expansion. See SMB 30 Page 167.**
- 10. Approval of additive change order for Highway Park Water System. See SMB 30 Page 168.**
- 11. Approval of additive change order for Tomoka Heights Water Treatment Plant. See SMB 30 Page 169.**
- 12. Approval of resolutions and budget amendments' 97-98-51 (Highlands Park Estates, Roosevelt Ave) 97-98- 54 (CDBG Highway Park Water System-correction to previous budget amendment. 96-97-444 (Criminal Justice year end close). See Res. Book 11 Page 131 and 132.**
- 13. Approval of budget amendments 97-98-50 (Prepayment for Orange Blossom 8 & 9) 97-98-55(Cabling of the Government Center) 97-98-58(Natural Resources computer purchase) 97-98-60 (Placid Utilities change order) and 97-98 62 (SHIP ARC new group home).**
- 14. Approval of lease continuation and notice to vacate for Everett C. and Jane P. Weeks. See SMB 30 Page 170.**
- 15. Approval to execute SHIP Agreement and Resolution with Ridge Area ARC. See Res. Book 11 Page 133 and SMB 30 Page 171.**

The Chair opened the floor to the public. Richard Conover presented questions on item #7-8 and item 15.

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

6. COMMISSIONERS

BOOK 17 PAGE 476

1. Commissioner Gose addressed the issue of boom boxes. He requested that staff contact the City of Sebring and the Sheriff's Department and ask for their help to control the noise.
2. Commissioner Gose also discussed over spending by the Board.
3. Commissioner Flowers reiterated the issue of boom boxes.
4. Commissioner Barrett reminded everyone of the Lake Placid Parade Saturday.
5. Commissioner Canale read a letter into the record asking for a recommendation to continue using the Medical Examiner. The consensus of the Board was to continue using Dr. Nelson.

7. ADJOURN

The meeting adjourned at 2:45 p.m.

Chairperson

Attest:

Clerk
