

REGULAR MEETING OF THE BOARD, JANUARY 5, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner C. Guy Maxcy. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

3. **ANNOUNCEMENTS**

A. Sheriff

Lt. Susan Benton presented the daily jail log of inmate population for the period ending January 5, 1999.

B. Clerk

No report presented.

C. Upcoming meetings:

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

5. **ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to set the Action Agenda with changes as submitted:

A) Remove Consent Agenda item number 13, Chastain-Skillman Agreement from the agenda.

B) Add approval of Job Description of an existing-funded position under the County Administrator as G.4.

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

A. Proclamation of "Credit Education Week"

Carl Cool advised that Consumer Credit Counseling Service, Inc., in partnership with the International Credit Association of Central Florida is celebrating this week with the Sixteenth Annual Creative Writing Contest. This contest is for High School students in Orange, Seminole, Osceola, Lake and Highlands Counties. The purpose of the contest is to help students understand credit cards and credit in general. This is an effort to heighten public awareness on the importance of credit education. Three contest winners will receive U.S. Savings Bonds for their efforts. Since Highlands County has an existing contract for Credit Education Services with CCCS, this request is in keeping

with the purpose of the existing contract. The County Administrator read the Proclamation into the record.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt the Proclamation designating April 18 through April 24, 1999 as National Credit Education Week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 89.

B. Doug Leonard, CFRPC: Request for approval of funding priorities

Item deleted.

C. Development Director: Appointments to Natural Resources Advisory Commission

Jim Polatty, Development Serviced Director, presented recommendations of the Natural Resources Advisory Commission.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to appoint Dale R. Knapp as the At-Large Representative for NRAC to serve the unfinished term of Pat Hogue. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to reappoint all five members whose term in office expires on December 31, 1998. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 99 for list of members.

D. County Engineer:

1. Release of final payment for Tanglewood

Ramon Gavarrete, County Engineer, presented recommendation for the release of final payment in the amount of \$2,854.00, in accordance with the intersection improvement agreement for Tanglewood.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve release of the final payment as requested by John McClure, Attorney for Sun'n Lakes Improvement District, John Greytak, Developer and Better Roads, Inc., Contractor Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 100.

2. Amended Highlands County maintained road map

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve for recording the amended Highlands county maintained road map with the Clerk of Courts as requested by the County Engineer. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 101 for copy of detail changes.

E. Assistant County Administrator:

1. Revised appointments for Communications Committee/911Committee

Tom Portz, Asst. County Administrator, presented recommendations to consolidate the Communications and the 911 Committee since they are working toward the same mission.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve recommendations

of the Asst. County Administrator to consolidate the two committees with the appointment of the following voting members:

Asst. Count Administrator or other Board of County Commissioners designee
Highlands County Sheriff's Office representative
Sebring Police Department or designee
Avon Park Police Department or designee
Lake Placid Police Department or designee
County Fire Chief or his designee
911 Coordinator

Staff support personnel to include:

E.O.C. Operations Director
Emergency Management Director
EMS Director
General Services Director

This committee will handle emergency communications/911 needs county-wide. Business telephone applications are handled by the Computer Committee due to the blending of those technologies. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 102.

2. Desoto City Fire Station/Emergency Operations Center update and change order

Tom Portz, Asst. County Administrator, presented explanation of the two significant construction projects underway affecting emergency operating capabilities of the County. The first is a 12,000 square foot design built volunteer fire station. After the contract was executed, it was determined that our proposed new Operations Center should be located in the same area. The Emergency Operations Coordinator worked with the DeSoto City contractor jointly to deliver the civil engineering for both projects. This has caused some changes in the scope of the original contract. Additionally, the fire department has requested some upgrades and these changes have been incorporated into a change order.

The Board Attorney advised that the Commission may open the floor for discussion on the DeSoto City Fire District and take action at this time. The Chair called to order the DeSoto City Fire Special Benefit District at 9:17 a.m.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the change order for the construction project for the DeSoto City Fire Station and Emergency Operations Center and appropriate budget amendments. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 103 for detail explanation. The Chair closed the DeSoto City Special Fire District at 9:20 a.m. and reopened the Regular Meeting.

3. Revised fee structure for Agri-Civic Center

Thomas Portz presented request from the Sheriff's Department for a modification to the previously adopted recommendations of the Building use Committee. The suggestion is for events of 100

vehicles or more that two off-duty deputies be utilized at \$16.50 per hour each for a minimum of three hours. For safety purposes the detail will not be worked with one officer.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the modification to the Building Use Committee policy, as recommended by the Sheriff's Office, to require that the two off-duty deputies be utilized. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 104.

Commissioner Maxcy recommended that we send a letter to Governor Jeb Bush, asking for a full light at the intersection of George Blvd. and Highway 27. It was a consensus to resubmit a letter to the Governor with the new Chairman's signature.

4. Request for waiver of fees

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request of Kwame Fosu for a fee waiver to host a free health fair for the adult indigent at the Agri-Civic Center on March 20, 1999. The Chair asked for public input on the motion. Richard Conover questioned if the County will pay for the Deputy Sheriff's, if there are more than 100 vehicles at the health fair. Mr. Portz advised that if they meet that benchmark, it will be staff's request that the Board pay the fees. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 105.

F. Board Attorney

No report presented.

G. County Administrator:

1. Solid Waste Enterprise Fund

Carl Cool, County Administrator, reviewed the final numbers of the Solid Waste Enterprise Fund for the FY 97-98. He reported that we have increased retained earnings from three quarters of a million dollars to 1.5 million dollars. See SMB 33 Page 106. Mike Eastman reviewed the financial statements for the landfill. In addition to explaining what the financial statements reflected, he stated that the landfill's current ratio, which is current assets to current liabilities, is not sufficient. He explained the reason was paying cash for \$2.4 million in fixed assets, and that the enterprise fund will probably be coming before the Board to request a loan sometime during the year. Consensus of the Commission was to hold workshops for future discussion of the landfill.

Break 10:20 - 10:30 a.m.

2. Committee appointments

Carl Cool presented a list of appointments and reappointments needed in calendar year 1999 for the Boards's review. He suggested that each Commissioner look through the list of names for consideration of appointment and the Board will discuss at a workshop on January 12, 1999. See SMB 33 Page 107.

3. Flag protocol

Carl Cool presented suggested policy for protocol of the use of the American and Florida Flags. The

proposed policy will include the following:

In the event of the death of a present or former locally elected official, the U.S. flags at all County buildings in the community the official represented will be displayed at half-staff from the day of death until interment. If the present or former elected official represented the entire county, all U.S. flags of all county-owned buildings will be displayed at half-staff from the day of death until interment.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt the requested policy on display of U.S. flags at County buildings as a recognized custom for Highlands County. The Chair opened the floor for public input on the motion. Hank Kowalski spoke in opposition, as he felt this honor should be reserved for only national or state figures of significance. Raymond McIntyre, County Property Appraiser, spoke in favor of the protocol procedures. Commissioner Bullard asked for a change in the verbiage as follows:

In case of the death of a present or former locally elected official, the U.S. flags at all County buildings in the community the official represented, will upon notification be displayed at half-staff from the day of death until interment. Commissioner Maxcy and Stokes accepted the amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 108.

4. Natural Resources Specialist II Job Description

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve the new Job Description for the funded Natural Resources Specialist II position. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 109 for copy.

H. Consent agenda:

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve the Consent Agenda as listed with the deletion of item number 13: The Asst. County Administrator advised the Board that Consent Agenda item number 6, budget amendment number 98-99-88 (reimbursement of funds from the State is in the wrong amount. An additional check will be forthcoming in the amount of \$8,000 and there will be a repeat budget amendment).

1. Approval to pay all duly authorized bills

Law Library	554.38
General	1,517,774.86
County Transportation Trust	43,381.02
E911 Operations	234.59
Intergovernmental Radio Communication	433.23
Local Govt Infrastructure Surtax	189,871.35
Affordable Housing Assistance	2,834.00
Special Law Enforcement	9,188.00
Solid Waste	13,681.91
Placid Utilities	3,374.51
Hiway Park Utility	605.74
Risk Retention	6,038.54
Employee Benefit	181,107.63

- Highlands Hosp. pass thru 30,000.00
- 2. Approval of minutes of 12-8-98, 12-15-98 and 12-22-98
- 3. Approval to execute Hazardous Waste Grant with Glades County. See SMB 33 Page 109.
- 4. Approval of agreement to remove feral hogs at Sun ‘n Lake. See SMB 33 Page 110.
- 5. Approval of contract for melaleuca removal and disposal fee at the landfill. See SMB 33 Page 111.
- 6. Approval of resolutions and budget amendments 98-99-79(transfer funds from 98-99 CIP) 98-99-82 (bring forward funds for the Govt Center) and 98-99- 88 (FEMA grant wildfire reimbursement). See res. Book 12 Page 87.
- 7. Approval of budget amendments 98-99-77(Highlands Park Est. Roosevelt Ave) 98-99-83 (Building Operations & Maintenance, purchase of two computer systems with Windows NT) 98-99-86 (Eucalyptus Access Rd. To transfer funds back to the reserve for contingency).
- 8. Approval to execute grant contract for American Red Cross
- 9. Approval to execute agreement with David M. Griffith and Associates, Ltd. (OMB Circular A-87 cost allocation plan based on actual expenditures for fiscal year 1997).
- 10. Approval to trade in equipment (1989 Dodge D-250 3/4 Ton Pick-Up Ser. 1B7KE26Z7KS108781, property number CE-0076). See SMB 33 Page 112.
- 11. Approval to execute grant from FEMA for emergency food and shelter in the amount of \$4,162, with the United Way to serve as fiscal agent for the grant. See SMB 33 Page 113.
- 12. Approval to execute Satisfaction of Mortgage (Ms. Terri Nettles). See SMB 33 Page 114.
- ~~13. Approval of Supplemental Agreement no. 31 with Chastain-Skillman, Inc.~~

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

5. Citizens not on Agenda

- A) Mr. Richard Conover presented questions regarding liaison Commissioner appointments.
- B) Gabriel Read spoke to the Commission regarding Development and Environment. Refer to tape for detail.
- C) Hank Kowalski commended the Board on the new booklet “Your Community Government in Action.” He suggested that the booklet should also include protection of the environment.

6. COMMISSIONERS

Commissioner Flowers: Proclamation - “Stop Red Light Running”

Commissioner Flowers read into the record a Proclamation, created through his work with the

Community Traffic Safety Team.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Proclamation, designating the week of January 10-16, 1999 as STOP! RED LIGHT RUNNING WEEK in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 88.

Commissioner Flowers: County Audit Contract

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve recommendation of Commissioner Flowers, to adopt Fl. Statutes, Section 11.45, provision of subparagraph (6) that designates the governing body may elect to use its own competitive auditor selection procedure or the procedure outlined in that subparagraph for the auditors selection effort, that needs to start the first of 1999. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Flowers commended staff - Lisa Burley, Tom Portz and Carl Cool for the work that went into the Government Bulletin. In response to comments from Mr. Kowalski, the goals listed were adopted goals from last year set by the Commission, and no intent was made to slight the Environmental Community. The Environment may be addressed in next years goals. Comments were received from the Board in favor of continued protection of the Highlands County environment.

Commissioner Maxcy

Commissioner Maxcy presented a petition with more than 200 names from residents of Maranatha Village thanking the Board for the installation of turn lanes from Arbuckle Creek Road into Maranatha.

Commissioner Gose

The Chair directed the County Administrator to add to next weeks workshop items to be discussed before the legislative delegates.

7. ADJOURN

The meeting adjourned at 11:11 a.m.

Chairperson

Attest: _____
Clerk

JOINT WORKSHOP MEETING OF THE BOARD, JANUARY 12, 1999

1. The meeting was called to order by the Chair at 7:00 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Carl Cool
David Flowers	Thomas Portz
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

Also present were Sebring City Council members, Bud Whitlock, Pauline White, Jim Terry, John Clark, Annette Daff. Also City Clerk, Kathy Haley, and Finance Director, John Boutwell. Avon Park City Council members, Mayor Tom Macklin, Sharon Schuler, Justine Devlin, Doug Eason, City Manager, C. B. Shirey, and City Attorney, Michael Disler. Town of Lake Placid City Council, Jim Fulton, and Clint Smith. Representing Sun'n Lake Improvement District, Donna B. Whittington, Dale E. Merrill, Jim Shader, Dottie Hughes, and John Clark. YMCA Director, Dee McDonald, Sebring CRA, Sheila Scott and NRAC member, John Williams.

Proof of Publication of meeting entered into the record by the County Administrator. See SMB 33 Page 125.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by Commissioner David Flowers.

3. Workshop on recreation facilities

Carl Cool spoke to the Commission regarding the history of recreation funding in Highlands County. Over the years the recreation facilities in Highlands County have primarily developed on City-owned property. Most of the present recreation facilities have been developed with the assistance of the Board of County Commissioners. In fact, each of the original quadri-diamonds in Avon Park, Sebring and Lake Placid were designed by the County Engineer's office. Each facility received major assistance from the County as they were being developed.

Surveys of the user organizations such as Dixie Youth, Senior Softball, Girls' Softball, Soccer Leagues and Tennis League note that most of the users of the City-owned facilities are from the unincorporated area of Highlands. The percentages of users from the organizations polled varied from about 75% unincorporated and 25% incorporated in the Sebring area to more than 90% unincorporated and 10% incorporated in the Lake Placid area. The request of cities and the Recreation Committee was to have the County fund 50% of the operational costs of the recreation program for each city. Budgets submitted to the Board of County Commissioners over the past few years have started with a percentage of 20%, and each year the percentage was increased by 5%, up

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to 30% recommended in the 1998-99 budget.

Mr. Cool presented three options to the Commission as a suggested policy on Recreation Funding to the municipalities as follows:

- 1) Adopt the policy binding staff and the Board to follow the policy.
- 2) Draft proposed Interlocal agreements between the municipalities and the Board pursuant to the suggested policy. (This would be more binding than an adopted Board policy.)
- 3) Adopt the policy as a guideline for staff to follow in preparation of the proposed annual budget. (This would be less binding than an adopted Board policy.)

SUGGESTED POLICY:

The Board of County Commissioners agrees to fund an increasing percentage of the municipalities' recreation budgets in accordance with the following formula:

- '96-97 20% funding by the County
- '97-98 25%
- '98-99 30%
- '99-00 35%
- '00-01 40%
- '01-02 45%
- '02-03 50%

After that, the percentage will be at 50%. The percentage of the municipality recreation budget will be based on true recreation funding by the municipality for the budget year in question. Things like roadway mowing, garbage pickup and golf course expenses will not be included in the funding match provided by the County.

Each year an Interlocal agreement with each municipality will be drafted, covering the specifics of the funding to be provided by the County. The County Budget Office will monitor the payments to the municipalities in compliance with the adopted Interlocal agreements. See SMB 33 Page 126 for copy of suggested policy.

A memo was entered into the record from Thomas Portz, Asst. County Administrator, in favor of continued funding for recreation, but against a set formula requiring an increase irrespective of other issues that may be facing the Board. He recommended that the Commission consider the cities request through the budget.

Commissioner Maxcy, Chair of the Recreation Committee, spoke in favor of the suggested policy. Commissioners Stokes and Bullard spoke in favor of the suggested formula for funding of recreation. The Chair spoke in favor of funding but would like to consider the funding at the budget cycle.

Open to Public:

- 1) Preston Colby spoke in favor of an enforceable agreement and encouraged the Board to look at the broader solution.
- 2) John Williams presented ideas developed in Broward County and encouraged the Board to

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consider a Highlands County open space district with taxable authority.

3) Tom Macklin, City of Avon Park, Mayor, spoke in favor of an Interlocal Agreement with the 5% increase funding up to the 50% level.

4) Dottie Hughes, Sun'n Lake Improvement District, asked that they be included for future funding.

5) Bud Whitlock, President of Sebring City Council, spoke in favor of funding.

6) Pauline White, Sebring City Council, presented information in favor of continued funding.

7) John Clark, Board of Supervisors, Sun'n Lake District, spoke in favor of funding for recreational facilities.

8) Clint Smith of Lake Placid, spoke of the impact of recreation to Lake Placid.

Commissioner Bullard spoke in favor of an Interlocal Agreement to be funded at 30% this year and 5% increments per year up to 50%. He would like equal access to all citizens, whether in the city limits or out of the city limits and if there are fees to be equal fees and no discriminatory fees or discriminatory access and this to be a condition of the agreement. The consensus of the Board was to bring the funding up to 30% this year and to pursue interlocal agreements. The County Administrator advised that this will be an agenda item next week for the Board to consider.

Commissioner Flowers spoke in favor of joint workshops that will bring more issues to the table in a spirited cooperation.

The meeting adjourned at 8:16 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, JANUARY 12, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bullard. The Pledge of Allegiance was led by Commissioner Flowers.

3. **ANNOUNCEMENTS**

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

4. **WORKSHOP:**

A. **Committee appointment discussion**

The Chair reviewed the proposed Committee appointments. It was a consensus of the Commission to accept the appointments as listed. See SMB 33 Page 120 for a copy.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve Commissioners Maxcy, Stokes, and Gose to the Value Adjustment Board. Upon roll call, all Commissioners voted aye. The motion carried.

Motion by Commissioner Gose, seconded by Commissioner Stokes to elect Commissioner Maxcy as the Chair of the Value Adjustment Board. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to appoint Commissioner Maxcy to the Workforce Investment Board. Upon roll call, all Commissioners voted aye, except Commissioner Gose, who abstained, as he is an employee on that Board. Commissioner Gose entered into the record, a Memorandum of Voting Conflict, to become a part of the minutes. Motion carried. See SMB 33 Page 119.

Hank Kowalski addressed the concern of NRAC to request that a liaison from the Board of County Commissioners be appointed to that committee for guidance. Commissioner Stokes agreed to serve on that Board. The Chair accepted the appointment.

The Commission held a discussion regarding the terms of the Water Advisory appointments and the scope of the committee. Commissioner Bullard asked that specific terms be set up, and the term run

concurrent with the Commissioner that appointed the member. The County Administrator suggested that minutes be obtained from prior committee establishment for review with attendance records and the committee become a permanent committee.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to reaffirm the appointments of the Dangerous Dog Hearing Board. Upon roll call, all Commissioners voted aye. Motion carried.

B. Corporate sponsorships recommendation

Carl Cool introduced the idea of Corporate Sponsorship as a revenue source to Highlands County. Lisa Burley, Public Information Officer, reviewed information from other counties. The most popular idea is a corporate sponsorship, i.e., revenue and products in exchange for billboard on county property, vending rights, logo presence on public information and/or public safety brochures, newsletters, annual reports, etc. Highlands County hosts special events that will offer name recognition for a particular product. Staff discussed the idea of attempting to target a soft drink product. Highlands County could piggyback onto the idea of Volusia County, since we have the races, natural resources and other events. Bob Jamison, General Services Director, advised that he favors any revenue enhancement for our county but expressed caution for product endorsement. Commissioner Stokes stated that he does not feel good with endorsements. The Chair spoke in favor of exploring the idea. The consensus of the Board was to proceed with an agreement to come back before the Commission. See SMB 33 Page 121.

C. Legislative Delegation issues

Carl Cool reviewed the Florida Association of Counties' 1999 legislative priorities. He also asked the Board to consider providing rental offices to legislators. In the proposed design and revision of the Courthouse Annex, space is available that is not designated. The Commission was agreeable if staff asks for payment of rent. The Chair spoke in favor of having the legislators in one building, accessible to the public.

Commissioners listed concerns to be presented to the Legislative Delegation as follows:

- 1) Commissioner Bullard - the provision of local governments to regulate speed limits. The consensus was to allow Commissioner Bullard to pursue the issue in legislative draft form.
- 2) Commissioner Flowers - trucks with more than six wheels be restricted to the two right lanes. The County Administrator noted that the Community Traffic Team will also consider this issue.
- 3) Commissioner Flowers - endorsement of Revision number 7.
- 4) Commissioner Maxcy - the concern of leakage from big trucks. The trucks should have lined containers.
- 5) Commissioner Gose - Senate Bill 230 and House Bill 73 - reorganization of the Department of Labor- Highlands County remain with Desoto and Hardee field office, to keep the Workforce area

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intact. The Chair requested that the County Administrator present the ideas before the legislation. Mr. Cool to bring a draft form back to the Commission.

The Chair opened the floor to the public for input on issues:

1) Jim Cash, Lake Placid, asked if legislators could adjust the fee at the toll station to encourage truckers to use that highway and divert traffic out of the county. Commissioner Flowers asked for a weigh station in Highlands County as our roads are being affected by overloaded trucks.

2) Gabriel Read stated concern for the control of hog farms. Carl Cool stated that the County has tightened their regulations on hog farms. The affluent of animals is controlled by the State of Florida, Department of Environmental Protection. See SMB 33 Page 122 for copy of FAC 1999 Legislative priorities.

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

D. Frontage road policy discussion

Commissioner Bullard discussed the Frontage road policy that involved the taking of property from an applicant that came before the Board for a rezoning and a Future Land Use Map change. He stated concerns that the Board is operating under an Interim Policy and this should be dealt with under a permanent policy based on adequate studies and documentation. The second concern was *if the* rezoning triggers that taking of right of way. He believes that the taking of the property should take place at the Development Review process and only after an analysis by the County Engineer. He believes that compensation should be offered if the land is taken. He requested that staff check with Florida Association of Counties and other counties for a policy. Meanwhile, follow our Interim Policy and let the Development Review process be the trigger for the dedication of the easement, and reverse action on the Salazar case.

Carl Cool reviewed the Land Development Regulations of 1973, 1985 and 1995, that dealt with frontage roads and the adopted interim policy of 1997. He stated that the concept of frontage roads is the safety issue. Ross Macbeth stated that the easement was not a condition of the rezoning. The rezoning went forward and the easement was a condition upon a change in the Comprehensive Plan. The County is creating value in making the change. The trade off is for the applicant to provide frontage roads for safety. He suggested that property owners need to know the process up front. Carl Cool advised that having a frontage road is necessary in order for the county to ensure safe development of commercial and residential property along U.S. 27. Commissioner Stokes stated concerns for the taking of property. Commissioner Maxcy also spoke opposing the taking of the property. He requested a set of maps to review.

The County Engineer was directed to prepare a map, detailing areas needed for frontage roads along U.S. 27, receive input from the property owner, with existing parcels, bring back a policy and Mr. Macbeth to discuss alternatives with Mr. Salazar's attorney. See SMB 33 Page 123 for copy of Subd. Regulations.

5. ACTION:

A. Consideration of proposed modification to Chastain-Skillman, Inc., contract Motion by Commissioner Maxcy, seconded by Commissioner Stokes to accept the recommendation of staff, to approve contract modifications, that removes the ending date of the contract. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 124.

6. ADJOURN

The meeting adjourned at 12:15 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JANUARY 19, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bullard. The Pledge of Allegiance was led by Charles Bryan, Tax Collector.

3. **ANNOUNCEMENTS**

A. Sheriff

Lt. Susan Benton presented the daily jail log of inmate population for the period ending January 19, 1999. She also announced a dedication service at the Sheriff's Department at 10:00 a.m. to honor all fallen police officers that were killed in the line of duty. The Chair announced that he will call a recess to allow board members to attend.

B. Clerk

No report presented.

C. Upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Commissioner Flowers reminded everyone that District one meetings will resume on January 28, 1999 at 7:00 p.m.

5. **ACTION:**

The Chair presented a brief statement regarding item G. Interlocal Agreement with Heartland Workforce Investment Consortium. This item will be discussed by the Board Attorney. Chairman Gose will be abstaining and will not participate in any discussion.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda with changes as submitted:

- Consent Agenda Item- J-11 revision to budget amendment 98-99-89, to include the benefits portion.
- Consent Agenda Item #13 to be deleted.
- The County Administrator to present Item E. Code Enforcement request.
- Addition of Orange Blossom, Unit 12, Special Benefit District, loan closing, to be heard

under the Special Tax Districts

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

A. Gary Gossett: Law Library, legal aid and naming of State Attorney's building
Law Library

Attorney Gary Gossett, Chairman of the Law Library Committee, reported that the Law Library has recently moved down to the basement of the Courthouse. All the new furnishings have not been completed but the space is more suitable to the small type of library that we have in Highlands County. He asked that everyone drop by and visit.

Legal Aid

Mr. Gossett also spoke to the Legal Aid directive. He asked that the Commission take a closer look at the legal aid issue before they approve a contract. Define the goals. He is not sure that providing services for family law is broad enough in scope. The Asst. County Administrator, Tom Portz, advised that staff has not yet approved the contract. We are at this point working with the scope of the RFP. Ross Macbeth advised that Judge Dale Durrance spoke to the Board regarding the need for legal aid in family law practice. Carl Cool stated that he will include Mr. Gossett in the negotiations of the Professional Services Acquisition Committee. The Chair spoke against expanding services.

Naming of State Attorney's building

This item to be addressed at a later date.

B. Jeff Roth: Ridge Area ARC update

Jeff Roth presented a plaque to the Commission thanking them for their continued support.

C. Special Projects Director: Request to accept donated property

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve request of Bill Stephenson, Special Project Director, to accept Lot 3 Block 223, and Lot 10 Block 221, Sun'n Lake Estates of Lake Placid, as donated property to Highlands County. Commissioner Stokes questioned what the County will do with this property. Mr. Stephenson advised that he will put them up for bid after a determination has been made that it is not needed for drainage. Mr. Cool reported that he is working with Habitat for Humanity and HALLO to provide lots that may be of value to them. Upon roll call, all Commissioners voted aye. Motion carried.

D. Solid Waste Director: Recommendation to apply for C&D landfill permit

Jerry Leszkiewicz, Solid Waste Director, presented recommendation to amend the decision to apply for a Class III permit, since re-evaluation by staff to best manage tree waste and other disposal. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to amend the Board decision of December 15, 1998, and direct staff to proceed immediately with the permitting of a conventional C&D landfill at the Arbuckle site. Commissioner Stokes asked that staff also consider permitting the Avon Park Landfill. Commissioner Maxcy suggested that staff also look at privatization of yard waste at the Landfill. The Landfill Director advised that we do have a contract

in place to provide those services. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 127.

G. Board Attorney: Interlocal Agreement with Heartland Workforce Investment Consortium

Chairman Gose passed the Gavel to the Vice-Chairman Flowers, and abstained from any discussion on the item.

Ross Macbeth presented the proposed changes to the new Interlocal Agreement. See SMB 33 Page 128 for copy.

Michele Roberts, Dean of Applied Science, South Florida Junior College, presented a brief history and explained the program. She informed the Commission that they do retain liability for the other counties.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Interlocal Agreement with the Heartland Workforce Investment Consortium with changes as stated. Upon roll call, all Commissioners voted aye, except Commissioner Gose, who abstained, as he is an employee of the Workforce and Wages Coalition. A Memorandum of Voting Conflict was entered into the record to become a part of the minutes. See SMB 33 Page 129. Motion carried.

Commissioner Gose informed the Commission that the Heartland Consortium were the rural leaders with the decline of 64.81% of caseloads. Commissioner Bullard spoke to the success of the program.

Break 9:50 a.m. 10:35 a.m.

E. Code Enforcement Officer: Request for extension from Mastec Technologies

Carl Cool presented the request to grant Mastec Technologies an additional ninety-day extension. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the request of Mastec Technologies, the owner of the old Sevon Drive-Inn Theater, to grant an extension to solicit bids and commence with demolition. The motion was amended to include that this is the final extension. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 130.

F. Assistant County Administrator: Request replacement for Building Use Committee member

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve request to appoint Gabriel Read as a member of the Building Use Committee to replace Clayton Womer, who resigned in December 1998. Upon roll call, all Commissioners voted aye. Motion carried.

H. County Administrator: Budget amendment 98-99-108 for recreation funding

Carl Cool presented suggested policy on recreation. Rick Helms, Budget Officer, reported that the amount of \$8,033.00 will bring the level of funding up to the 30% level for the cities for fiscal year 98-99 as agreed by the Commission.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve budget amendment 98-99-108. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 131.

The Commission discussed providing an Interlocal Agreement with the cities for future

recreational funding. Mr. Macbeth spoke in opposition to an Interlocal agreement and encouraged the Board to address at budget time.

Commissioner Bullard spoke in favor of a commitment for future funding. It was a consensus of the Board that staff bring back a Resolution with the stated policy for adoption at the next meeting.

I. Doug Leonard: Request for approval of funding priorities

Doug Leonard, Executive Director of CFRPC, appeared before the Commission and requested a letter of concurrence from the Chairman. The letter will include support of the adoption of the five-year update of the Overall Economic Development Program, with an inclusion of updated priorities. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to concur with the 1998 update of the Central Florida Overall Economic Development District Plan. Commissioner Bullard advised against approving the concurrence without a review of the Plan.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to table this motion until next week's meeting to allow Commissioner Bullard to review the updated Plan. Upon roll call, all Commissioners voted aye. Motion carried.

J. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda with the revision of Item 11, and the deletion of Item 13:

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

Law Library	169.00
General	1,178,253.73
County Transportation Trust	123,766.35
E911 Operations	15,751.56
Florida Boating Improvement	6,121.32
Local Govt Infrastructure Surtax	86,583.27
Affordable Housing Assistance	32,071.38
Solid Waste	37,101.85
Placid Utilities	1,720.65
Hiway Park Utility	479.77
Risk Retention	34,742.63
Employee Benefit	120,175.34
Tax Deed Surplus	10,120.33
2. **Approval of minutes of 1-5-99 meeting**
3. **Accept into record - December Monthly Report**
4. **Approval to declare Nuisance case no. 98-99-013 (W. Hill and W. Church St.) See SMB 33 Page 133.**
5. **Approval to sell tax certificates. Rafael Rivero #1022. See SMB 33 Page 134.**
6. **Approval to execute State and Local Assistance Grant 99EM-9X-07-38-10-028. See SMB 33 Page 135.**
7. **Approval of contract with DeMott Auction Co., Inc. (conduct public auctions for surplus unwanted County property during the two years, 1999**

- and 2000). See SMB 33 Page 136.
8. Approval of Improvement Agreement - Eckerd's Lake Placid for construction improvements, County Road 621 and U.S. 27. See SMB 33 Page 137.
 9. Approval of agreements to remove feral hogs from The Preserve . See SMB 33 Page 138.
 10. Approval of resolution and budget amendment 98-99-95 (Lockett Estate Trail head grant. See Res. Book 12 Page 91.
 11. Approval of budget amendments 98-99-81(Animal Control remains) 98-99-89 (Avon Park Library OPS) 98-99-90 (grounds keeper overtime) 98-99-91 (R&B runoff containment) 98-99-93 (Planning Dept. Extension of Clerical Assistant for Census 2000 project) 98-99-94 (Emergency Mgmt. Svs. Grant reduction) 98-99-96(allocate funds for principal and interest, Bill R. Perdue) 98-99-99 (Affordable Housing 6th year SHIP overruns). 98-99-100 (OPS for Zoning Dept). See SMB 33 Page 139.
 12. Approval of grant contract for Highlands Hospitality - CVB
 - ~~13. Appointments to Placid Utilities Advisory Committee. (Teresa Orlandina, Mary Dearbro and John Delaney as primary members, Ralph Miner and William Ruge as Alternates). See SMB 33 Page 140.~~
 14. Approval of expenditure from Law Enforcement Trust Fund in the amount of \$4,722.40 for video and recorder system. See SMB 33 Page 141.
 15. Approval of amendment to CDBG purchasing regulations. See SMB 33 Page 142.
 16. Approval to execute Supplemental Agreement #31 with Chastain-Skillman, Inc. Courthouse Fire Sprinkler System.

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

5. CITIZENS NOT ON AGENDA:

- A. Richard Conover presented a statement into the record regarding budget cuts and recreational funding. He requested that all Commissioners attend budget hearings scheduled for June 1999.

6. COMMISSIONERS

The Chair reported that Preston Colby has contacted him with request to pursue the idea of Highlands County as a host county for Olympic events in 2012. He stated that Hillsborough County and the City of Orlando are bidding to be the host for these games. If one of them should be successful, Highlands County could be considered, since the Olympics include sailing, biking and canoeing. The County Administrator was directed to check on the matter and report back.

7. ADJOURN

The meeting adjourned at 11:10 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, FEBRUARY 2, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Court, L.E."Luke" Brooker. The Pledge of Allegiance was led by Commissioner C. Guy Maxcy.

3. **ANNOUNCEMENTS**

A. Sheriff

Lt. Alex Whitbeck presented the daily jail log of inmate population for the period ending February 2, 1999.

B. Clerk

Coach Craig Sowers of Lake Placid High School, in charge of internship, contacted L.E. "Luke" Brooker, Clerk of Courts, with the idea of specific students who are interested in public service, becoming a part of the Clerk's office for a day. Mr. Brooker introduced Patrick Hoy, student, and also a part of the Teen Court Sessions with the Clerk's office. Patrick spoke to the Commission on his accomplishments in School as well as his trip to Washington D.C. to attend a National Young Readers Conference.

Upcoming meetings:

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

Tom Portz, Asst. County Administrator, reported that the Commission will be approving payments for the Volunteer Fireman, which is payments for FEMA reimbursement funds, that resulted from last summers fire. The last reimbursement check was received on January 25, 1999 and the Clerk's office agreed to pay the Firefighters as they have been waiting for the check for a long time. These amounts will be included with the payment of *all duly authorized bills on the Consent Agenda*.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to set the Action Agenda with changes as submitted:

A) Correction to the minutes- Minute Book Page 18 Page 77 to read: Michele Roberts, South Florida Community College, Dean of Workforce Development, presented a brief history and explained the program.

B) Correction to Consent Agenda item number two to read: approval of minutes as corrected.

C) Correction to Consent Agenda item number 12, revision to Budget Amendment 98-99-112 (due to the preparation of transcript on appeal for a first degree murder case. Bills in excess of \$20,000).

D) Addition of Budget Amendment 98-99-129, to accomplish the transfer of funds for the Sebring Airport Authority Industrial Park Community Redevelopment Agency. (change in the method of accounting).

E) Richard Conover - discussion on Consent Agenda item number #14 - Approval to execute Declaration of

DeSoto City Landfill closure. Carl Cool advised that the Landfill is full and this is a requirement by DEP to execute a Declaration of Landfill closure. The Recycling Department will remain open.

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

A. Edward Cox: Request for sidewalk on DeSoto Road

Mr. Edward Cox appeared before the Board, representing the residents of DeSoto Road. He proposed that the residents of Francis II will contribute up to one half of the cost for installation of sidewalks. The estimate by the County was \$25,000. The residents will contribute \$12,500 up front for the construction. Mr. Cool spoke in favor of the sidewalks and agreed that the County should look within this years budget for the remainder of funds, possibly out of Road and Bridge contingency or the one cent contingency. The sidewalks to be placed on the north side of Desoto Road, from Highlands Avenue down to Real McCoy Drive. Commissioner Maxcy suggested that the Board apply the same philosophy to the Brunns Road request.

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to direct staff to proceed and match funds with Francis II Mobile Home Park to build the sidewalks. Upon roll call, all Commissioners voted aye. Motion carried. Carl Cool reported that the project will not be completed immediately. Staff must issue specs and accept bids. We are looking at a time frame of at least two months.

B. Jim McCollum: Chatterpaul property

Ross Macbeth reported that the County has been in negotiation with Jim McCollum, attorney for the Chatterpauls for an easement across their property for over six months. The rains were heavy in March and the ditch was dug to alleviate flooding. At the time the ditch was temporary. There have been disagreements along the way on the size and the terms of the easement. The parties are getting much closer to resolution. Staff needs to visit the site with the Chatterpauls and determine the location of the easement and the culvert. It will then come back before the Commission for acceptance for maintenance. Commissioner Stokes asked that the surveyor get with the Water Management District to follow the natural flow. See SMB 33 Page 136 for copy of revised drawing.

The Chair opened the floor to the public. Mike Byers, Chair of the Lake Letta Restoration Association, spoke in favor of keeping the waterway open. Charles Robarts, owner of Lake Letta Campground and RV Park spoke in favor of eliminating the flood problem.

C. County Engineer: Appointments to Placid Utilities Advisory Committee

Ramon Gaverrete, County Engineer, presented recommendation for the appointments to the Placid Utilities Advisory Committee.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to appoint Teresa Orlandini, Mary Darbro, and John Delaney as primary members, Ralph Miner and William Ruge as alternate members, and to extend the term of Harold Owen and Chester Gates through September 2, 1999. The Chair opened the floor to the public. Richard Conover and Spence Lloyd presented concerns on the makeup of the committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 137 for copy.

D. Assistant Administrator: Lease for Highlands County Chapter, American Red Cross

Tom Thomas Portz, Asst. County Administrator, presented recommendations for a lease agreement with the Highlands County Chapter of the American Red Cross. The property is located next to the pre-trial release program on Palmetto Avenue. The long term goal of the Red Cross is to start a building fund, and construct a facility for their headquarters.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve lease agreement with the

American Red Cross for Lot 12, Block 67, Town of Sebring. The term of the lease will be for one month, commencing as of the first day of the month and shall automatically renew for successive terms of one month unless terminated by lessor or lessee by giving a thirty days written notice of termination. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 138.

E. Board Attorney

No additional report.

F. County Administrator:

1. Construction Agreement with SWFWMD for drainage project

Carl Cool presented recommendation for approval of a consent order from the Southwest Florida Water Management District, that will allow the installation of improvements designed for the Thunderbird Hills and Vantage Pointe drainage.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Consent Order for drainage improvements project construction agreement. Commissioner Bullard commended the SWFWMD for their support of the project. Commissioner Maxcy asked if Sunworld Development Corporation should be liable for the problem. Ross Macbeth stated that the retention system failed to do the job that it was designed to do and the developer has sold and left the area. The Chair opened the floor to public comment. Ed Sharpnack, Vantage Pointe, presented concerns and asked for a time line on the project. Mr. Cool presented an estimated time of *four months* for the long term solution. The short term solution, which is the pump, will remain in place until the project is complete. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 139.

2. Resolution on recreation funding

The County Administrator presented a Resolution into the record for Recreation Funding to the Municipalities. The County will agree to fund the cities a 5% increase per year until the percentage reaches the 50% benchmark. The percentage of the municipality recreation budget will be based on true recreation funding by the municipality for the budget year in question. Roadway mowing, garbage pickup, golf course expenses and the like will not be included in the funding match provided by the County. Commissioner Maxcy spoke in favor of the Resolution but asked that Mr. Macbeth present an opinion on binding future Boards. The attorney stated that generally speaking the rule is that the Board cannot bind future Boards by action that they take. Commissioners may enter into contracts or bond arrangements that have the effect of binding future Boards, because financial commitments have been made and have to be honored. The proposal here was a statement of intent for assistance in funding and there are no consideration for contracts with commitments. This is merely a budgetary matter in assisting the cities in funding.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution for recreational funding. The Chair voiced concern for the amount that *50% spending will include in the future.*

The Chair opened the floor to the public. Richard Conover spoke in favor of the funding. Clayton Womer spoke in opposition to the reimbursement.

Commissioner Flowers mentioned that a constituent called regarding lack of softball facilities in the County. The fields in Avon Park are going to be turned into "All Youth Baseball Fields. He intends to bring this item up at the next Recreation meeting. Commissioner Maxcy advised that the Committee will be discussing this issue very soon.

Commissioner Maxcy asked that a measurement be considered when the funding reaches the 50% benchmark. Carl Cool explained that the County this year will reimburse the cities 30% of the actual dollars

they spend toward recreation. They must submit proof of the payment and cannot inflate their budget.

Commissioner Bullard proposed an amendment as a condition of this Resolution, the municipalities agree that the use of recreation facilities shall be permitted to all residents of both the incorporated and the unincorporated areas of Highlands County and that any user fees charged by the municipalities shall be equal for residents of the cities and of the unincorporated county.

Voting on the Amendment to the Resolution. Upon roll call, all Commissioners voted aye. Motion carried. Voting on the original Resolution, to accept the Resolution as amended. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 100.

Break 10:32 a.m. - 10:45 a.m.

3. Interlocal Agreement with Town of Lake Placid for Central Avenue

Carl Cool reviewed the Interlocal Agreement with the Town of Lake Placid for Central Avenue renovation. Ross Macbeth reviewed the proposed changes.

1) Paragraph #3 - He does not expect to be involved with acquisition of right of way. Administrative charges should not be shared by city and county.

Commissioner Bullard advised that the Town of Lake Placid has acquired a great deal of the right of way and they have absorbed 100% of that cost. It seemed more reasonable to take the remaining portion, which is one primary parcel, and let the county have the legal expense on that portion and the Town maintain paying the legal expense on the portions they acquired.

Commissioner Maxcy asked for the amount of legal expense that will be incurred. The Board Attorney advised that he has no information available. Commissioner Bullard stated that the cost for the one parcel could be substantial higher than the cost for any of the other parcels.

Paragraphs 4-5-6-7, Mr. Macbeth does not believe these paragraphs are necessary to the agreement. He does not need to be brought in on closing the transaction. Each one has essentially been agreed to by the Town and the property owner. All that needs to be done is closing the transaction and Bert Harris is capable of doing this. Recommendation to delete 4 thru 7 references. Mr. Bullard spoke in favor of the County working cooperatively with the Town of Lake Placid for the renovation.

Ross Macbeth spoke to Paragraph -3 He advised that the County needs to be aware of the expense related where the county will bear the expense of the legal fees for both sides. The expense could exceed \$120,000. Commissioner Maxcy suggested that the Board approve all except item 3, and allow the attorneys to negotiate this one. Commissioner Bullard advised that the Town only has \$60,000 to spend on this project. The Chair suggested that the Board may want to move the project construction date up to 2002.

Ramon Gavarrete, County Engineer, estimated the project cost at \$270,000 and right-of-way cost at \$50,000, permit fees at \$1,600, plus the construction of a retention area. Rick Helms presented acquisition cost information that the Board incurred in the past on this project.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to table the Interlocal Agreement with the Town of Lake Placid for the renovation of Central Avenue for two weeks. Upon roll call, all Commissioners voted aye. Motion carried.

G. Dr. Alexander Almeyda: Mental health in-patient facility

Dr. Alexander Almeyda presented a follow up from the December meeting, regarding the development of

a *Mental Health in-Patient Facility for Highlands County*. See SMB 33 Page 140. The Commission discussed the cost involved and questions were presented *on the County involvement with a private facility*. Dr. Almeyda asked that the Chairman get back with him on concerns and questions.

H. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the Consent Agenda as listed:

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

Law Library	2,902.12
General	1,910,616.28
County Transportation Trust	113,744.49
E911 Operations	2,019.14
Conservation Trust	54,395.00
Intergovernmental Radio Communication	783.23
Local Govt Infrastructure Surtax	17,594.57
Affordable Housing Assistance	25,472.00
Solid Waste	37,391.76
Placid Utilities	8,662.05
Hiway Park Utility	1,888.16
Risk Retention	3,194.00
Employee Benefit	123,215.02
2. **Approval of minutes of 1-12-99 workshop, 1-12-99 special joint workshop and 1-19-99 meeting as corrected.**
3. **Approval of Dental Plan Amendment #9 to Employee Benefit Plan Document.**
4. **Appointments to Children’s Services Council as follows:**
 - Margaret Cooper - Voting Member
 - Christina Smith - Voting Member
 - Wally Randall - Elected Non-Voting Member

See SMB 33 Page 141 for copy of resume.
5. **Approval to execute Memorandum of Understanding for the listed fire districts:**
 - Lorida Special Benefit Fire District
 - Desoto City Special Benefit Fire District
 - Sun’n Lakes of Lake Placid Special Benefit Fire District
 - Highlands Lakes Special Benefit Fire District. See SMB 33 Page 142.
6. **Approval of Additive Change Order No. 1, LaGrow Systems, Inc. for Tomoka Water Plant. See SMB 33 Page 143.**
7. **Approval of plat recording - Southside Business Park. See SMB 33 Page 144.**
8. **Approval of contract with SCS Engineers for C&D landfill permit. See SMB 33 Page 145.**
9. **Approval to execute Intergovernmental Cooperative Agreement - Public Risk Management. See file for copy.**
10. **Approval to execute agreement for feral hog removal. (Perry L. Waldron, Jr). See SMB 33 Page 146.**
11. **Approval of resolutions and budget amendments 98-99-109(donations, County-Wide Libraries) and -111(6th Year SHIP Program-Home Repair Strategy). See Res. Book 12 Page 101 and 102.**
12. **Approval of budget amendments 98-99-105 (Government Center Sign) 106 (Law**

Library, purchase of books) 112 (Appeals Court) 113 (Fire Hydrant installation) 115 (renovations of R&B and General Services) and 121 (Veterans Services OPS) 127(signal modification US 27 & George Blvd.) 129 (Sebring Airport and Industrial Park CRA tax increments.

- 13. Approval to execute contract with W.R. Borgemeister, Inc. for Commerce Ave. Annex in the amount of \$437,205.00.
- 14. Approval to execute Declaration of DeSoto City Landfill closure. See Landfill file for copy.

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

5. CITIZENS NOT ON AGENDA:

A). Dick Vanderlaan thanked the Board for their assistance at Vantage Pointe and asked if the Commission would consider taking over the roads for maintenance. Carl Cool advised that a detail inspection of the roads has been completed to bring the roads up to standards. The cost estimate was set at \$165,000.00. This information has been shared with the homeowners. He also reviewed Board policies in place for taking over maintenance of roads. Discussion followed regarding the Board requiring the developer to bring the roads up to standards. The bottom line is that the developer does not have sufficient sources to pursue. Mr. Vanderlaan advised that there is a new developer on site and asked that staff require county standards be followed. The County Administrator was directed to bring back an update in two weeks.

B). Ray Napper spoke to the Board regarding road paving on South Huckleberry and thanked Commissioner Maxcy for his effort to complete the road paving project. He also asked that Better Roads clean up the site once the paving is completed. Staff to follow through with request.

6. COMMISSIONERS

A) Commissioner Maxcy, speaking as the liaison to the Water Advisory Committee, requested direction on continuation of the Committee. The Chair asked that the Committee develop goals and objectives and bring back to the Commission for direction.

B) Commissioner Flowers asked for a consensus to approach the City of Avon Park for a possible lease of the old Library building for renovation by the Commission. This building will give additional space for the Tax Collector or any elected official and provide a satellite office next to City Hall. The Board gave a preliminary consensus.

C) Commissioner Bullard presented request for the Leisure Lakes Homeowners Association to waive the fees and use the H.L. Bishop Park for their final meeting of the year on February 13, 1999. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to waive the fees as requested for the last annual meeting of the year. Upon roll call, all Commissioners voted aye. Motion carried.

7. ADJOURN

The meeting adjourned at 11: 50 a.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, FEBRUARY 9, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Lisa McClelland
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Luke Brooker, Clerk of Court. The Pledge of Allegiance was led by Joe Campbell, Supervisor of Elections

3. **ANNOUNCEMENTS**

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

4. **Workshop:**

A. Year 2000 preparation

A general discussion regarding the Year 2000 preparation was held. For more information see SMB 33 Page 147.

Break 11:20 - 11:30 a.m.

B. Purchasing Manual draft

Bob Jamison, General Services Director, presented a draft of the proposed new Purchasing Manual for consideration by the Commission. He reviewed the Explanation of Changes that addresses changes in policy or procedure. The changes consist primarily of clarifications of existing practices plus only six policy changes and one refinement of a responsibility. After several legal questions by Commissioner Bullard, the Board decided to let Mr. Macbeth review the Purchasing Manual draft before discussing it at the February 16th meeting. SMB 33 Page 148.

5. **ADJOURN**

The meeting adjourned at 12:20 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, FEBRUARY 16, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	Lisa McClelland

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner David Flowers.

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Alex Whitbeck presented the daily jail log of inmate population for the period ending February 16, 1999. The Farm Report was also given.

B. Clerk

No report presented.

C. Upcoming meetings:

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

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda with changes as submitted:

Addition of a Resolution and two Budget Amendments under the Asst. County Administrator, *Article V Trust Fund Spending*.

Discussion of the Purchasing Manual under the County Administrator.

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

A. Herb Phillips: Colony Pointe flooding

Mr. Don Reeves appeared before the Board, representing the residents of Colony Pointe, to discuss the damage from the 1998 flood. He reported that the flood washed out the Dam in the Holding Pond and the road under Briaridge Circle East. The County made temporary repairs to the road but the Dam is still washed out. The water from the Holding Pond and the adjoining Canals drain directly

into Lake Sebring. The residents of Colony Pointe feel that 11 ½ months is long enough to investigate the problem. He requested that the Commissioners bring this issue to a conclusion.

Mr. Herb Phillips stated concerns that the retention pond is completely blocked and if a storm comes, there will be problems. The Commission directed Carl Cool to come up with a time frame on the project and the Board Attorney to write a letter in an effort to secure an easement.

Pictures were entered into the record showing past flooding. Tom Portz advised that Emergency Management and staff will not abandon these folks in case of an emergency.

B. Arlyn Johnson: Request to accept right of way on Longwood Road

Mr. Arlyn Johnson, speaking for the property owners of Longwood Road, presented the history of Longwood Road problems and requested the Board accept the 60-foot wide Longwood Road right of way. This would enable the County to consider maintenance of the roadway under the County Road Maintenance Policy. Carl Cool reported that the Subdivision was created without right of way being recorded. He recommended that each property owner should convey right of way. The Chair opened the floor to the public. Clinton Howerton asked for a level of maintenance that will ensure the residents that they have access to their property. Laura Rose and Tracy Reed spoke in favor of the County accepting maintenance. Kitty Terry asked that each property owner have their lot surveyed. Mr. Cool asked that the residents get together as a homeowners group and have the property surveyed jointly. This will reduce the cost of the survey.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to accept any roadway easements in that subdivision and the County to consider maintenance of the roadway under the regular policy. The Chair opened the floor to the public. Commissioner Bullard stated concerns that all road right of ways may not be received. The Board Attorney suggested that the owners convey a road right of way easement to the County rather than a deed. Gabriel Read spoke regarding road maintenance policies. Sara Ramer presented questions regarding liability. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 149.

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

C. General Services Director: Request to donate surplus property

Bob Jamison, General Services Director, presented request of Herbert A. Murphy, representing the Boys and Girls Club of Highlands County, asking the Board to donate surplus property for that organization. Mr. Alvin Walters, representing the Boys and Girls Club spoke in favor of the donation.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to declare the items surplus with the continued use to be determined uneconomical or inefficient due to age and incompatibility, waive the Purchasing Policy which requires the Board to offer the items to another governmental agency, acknowledge the desire of the private, not for profit organization to have the items and to donate the items to the not for profit organization pursuant to Florida Statute 274.05, which allows offering them to a governmental entity or donating them to a private, not for profit corporation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 150.

D. Asst. County Admin.: Draft legislation and resolution

Tom Portz, Assistant County Administrator, presented a request from Palm Beach County for support of the proposed legislation and resolution to amend the Florida Statue 539. The amendment would restore property rights to victims. Along with the request was a letter of support from Sheriff Godwin.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt resolution of support to amend Florida Statute 539 *with one correction to read:* Whereas, it has been found that invariably *some* pawnbrokers provide incorrect and inaccurate records. (Addition of the word *some*) Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 104.

1. Article V Trust Fund Grant-in aid Agreement and Budget Amendments 98-99-138 and 98-99-141

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve execution by the Chairman for the grant and Resolution, along with two associated budget amendments, 97-98-138 and 97-98-141, to pay for transcript on appeal case and for tenting the Courthouse for termites. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 33 Page 151.

E. Board Attorney: Improvement and Escrow Agreement

Mr. Macbeth, Board Attorney, presented an Improvement and Escrow Agreement to the Board for a small amount of sidewalk and sod replacement approval for *Ruby Tuesdays Restaurant*. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to approve the agreement establishing a requirement that the Developer secure its obligation to complete the required improvements with security equal to 110%. Upon roll call, all Commissioners voted aye. Motion carried.

F. County Administrator: Recommendation on Vantage Point roads

Carl Cool, County Administrator, advised that the Road and Bridge Superintendent conducted a visual inspection of the Vantage Pointe road system and determined that the roads are in need of repair in four major areas. The damage appears to be caused from poor compaction around the sewer pipes as was the case at the intersection of Vantage Trace and Vantage Circle. The estimated repairs of the four damaged areas is \$14,262.00. See SMB 33 Page 151.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to accept these roads for maintenance with the Homeowners paying \$14,262.00 and the Board taking over perpetual maintenance. Dick Vaanderlan, Homeowners Association, spoke in favor of the maintenance but asked that the County pay the \$14,262.00. Carl Cool gave a report on the flooding problem and the temporary drainage in place in these areas. Ed Sharpnack spoke in opposition to the Homeowners paying for the cost. Ray Napper spoke regarding road problems. Marilyn Olstrand asked for a time frame on the project. Mr. Cool advised that the County will accept maintenance immediately upon receipt of the funds being received. Upon roll call, all Commissioners voted aye. Motion carried.

1. Purchasing Manual

Commissioner Bullard asked that the Purchasing Manual be removed from the Consent Agenda to allow the Board attorney to review the policy changes being made and give the Board consensus that it is in compliance with all state requirements. The Board Attorney stated that he can not give us that

assurance today and some revisions will be needed to comply. He asked that the Commission not approve today and allow the Board Attorney to meet with the County Administrator and the Purchasing Director to answers concerns. Commissioner Bullard also stated concerns for page 2.3, section, 30.40-violations-section is designed to put some teeth in getting compliance by our employees with the requirements of the manual-complaint from vendor regarding the sentence a violation may occur in the county's refusal to pay for any improperly ordered goods or services. It is his opinion in that case, we are disciplining the vendor when the County employee did not properly follow procedures in the manual.

G. Consent agenda:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the Consent Agenda as listed minus item number 17:

- 1. Approval to pay all duly authorized bills**
 - Law Library 4,389.81
 - General 300,078.61
 - County Transportation Trust 44,087.92
 - E911 Operations 18,445.11
 - Local Govt Infrastructure Surtax 40,497.50
 - Affordable Housing Assistance 7,729.58
 - Special Law Enforcement 822.50
 - Government Center 325.00
 - Solid Waste 29,701.59
 - Placid Utilities 4,300.28
 - Risk Retention 1,392.80
 - Highway Park Utility 1,202.24
 - Florida Boating Improvement 6,802.00
 - Employee Benefit 192,910.66
 - Tax Deed Surplus 1,481.83
- 2. Approval of minutes of 1-26-99 and 2-2-99**
- 3. Accept into record - January Monthly Reports.**
- 4. Accept into record - Sun 'n Lake of Sebring Improvement District Annual Report. See file for copy.**
- 5. Appointment of Phil Askew as a member to Library Advisory Board. See SMB 33 Page 152.**
- 6. Approval to execute four contracts for Sun 'n Lake Preserve out parcels. See SMB 33 Page 153.**
- 7. Approval to convert deferred loan of Mr. Frank Lomonico to SHIP Home Repair Grant. See SMB 33 Page 154.**
- 8. Approval to execute Satisfaction of Mortgage for SHIP for William E. And Jimmie A. Futch. See SMB 33 Page 155.**
- 9. Approval of resolutions and budget amendments 98-99-125(SHIP 5th year down payment funds). 98-99-126(Legal Aid Program) 98-99-130 (SHIP Down payment funds) 98-99-134 (Hydrilla treatment on Lake Istokpoga).**

and 98-99-137 (sidewalks on DeSoto Road). See Res. Book 12 Page 105.

10. Approval of budget amendments 98-99-124 (SHIP 7th Year Down Payment and 98-99-136 (adjust Disaster-President's Day cost center).
11. Approval of amendment to commodity contract #4605.
12. Approval to declare surplus property. See SMB 33 Page 156.
13. Approval to sell tax certificate #97-7319 (Robert Beasley). See SMB 33 Page 157.
14. Approval to assume loan for Lake Placid Fire/Rescue Dept. (To waive the Board's purchasing policy and allow the county to assume the existing loan of approximately \$85,000.00, and negotiate the interest rate which is presently one over prime.) See SMB 33 Page 158.
15. Approval of contract amendment to Aquatic Plant Control grant. See SMB 33 Page 159.
16. Accept into record - financial statements of garbage haulers.
17. ~~Approval of proposed Purchasing Manual.~~
18. Approval to execute Declaration of Covenants, Desoto City VFD water hydrant. See Desoto City file for copy.
19. Appointments to Industrial Development Authority of Clifford Rhoades and Wade Taverniere and to reappoint Morris Adams and Red Bohanon. See SMB 33 Page 160.

5. **CITIZENS NOT ON AGENDA:**

- A. Hank Kowalski spoke regarding the issuance of business identity cards for the Historic Preservation Committee. He requested that the members of the Natural Resources Advisory Commission be allowed to also have cards. Mr. Cool spoke in opposition to issuance of cards to any appointed Board members. Commissioners Gose, Flowers, and Stokes, also spoke in opposition. Commissioner Maxcy spoke in favor of the business cards. The Chair asked that Mr. Cool poll the committees for input and report back.
- B. Richard Conover spoke regarding the Y2K workshop presentation.
- C. Ray Napper spoke regarding Franchise Fees for Comcast Cable. He will bring back further information. See SMB 33 Page 161.

6. **COMMISSIONERS**

Commissioner Flowers: Proclamation "Buckle Up Florida"

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation in support for National Child Passenger Safety Week and Buckle Up Florida, and urge everyone to help reduce injuries and the loss of life on our highways by buckling up every child in an approved restraint, in the vehicle's back seat. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 106.

Commissioner Flowers: Resolution U.S. 27 Truck Restrictions

Commissioner Flowers presented a Resolution into the record, *supporting the concept of requiring trucks over six wheels to use the right hand two lanes and urging FDOT to put into place the necessary steps to so designate the six lane section of U.S. 27 in Highlands County.* Commissioner Stokes stated concerns for regulating an industry that is the backbone of this nation. He suggested that we consider encouraging trucks to use the center lane. Commissioner Gose also spoke in opposition to placing restrictions on trucking. The Chair opened the floor to the public. Ray Napper and Clayton Womer spoke regarding the enforcement issue. Richard Conover questioned the lane to be designated for safety purposes. The direction from the Commission was to request that Commissioner Flowers take this issue back to the Committee for further direction. Commissioner Bullard recommended that the Committee be asked to address the closed-in trucks and trailers. Commissioner Maxcy asked that the speed issue be enforced.

Commissioner Maxcy - asked that a letter of support be sent by the Chairman to Glades County asking for a delay in closing Highway 74. See SMB 33 Page 162.

Discussion regarding Sebring Landfill, Inc. Cease and Desist Order. See SMB 33 Page 163.

Commissioner Bullard commended Commissioner Gose for his professionalism in serving as Chairman of the Board.

7. ADJOURN

The meeting adjourned at 12:03 p.m.

Chairperson

Attest: _____
Clerk

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REGULAR MEETING OF THE BOARD, MARCH 2, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Susan Benton read a Proclamation into the record in recognition of "Juvenile Justice Week." Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt the Proclamation, proclaiming the week of March 14 thru 20, 1999 in recognition of said Proclamation, and urging all citizens to take part in preventing juvenile delinquency. Lt. Benton thanked the Commission for their participation and gave a short update on the programs implemented by the Sheriff's Department. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 111. Ms. Benton also presented the daily jail log of inmate population for the period ending March 2, 1999.

B. Clerk

C. Michael Eastman reported that the External Auditors have completed their annual audit and staff is working on the Comprehensive Annual Financial Report. He stated that staff will send it to the printers next week and then file with GFOA by March 31, 1999, to apply for the Certificate of Financial Reporting.

C. Upcoming meetings:

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

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to set the Action Agenda with changes as submitted:

- 1) Addition of Super Fund discussion under the Board Attorney
- 2) Addition of two reports under the County Administrator
- 3) Remove Consent Agenda items number 7 & 8 for action later.
- 4) Remove Consent Agenda items number 4 & 6 for discussion under the County Administrator.

A. Jabos Clement: Request to remove stop sign

Mr. Jabos Clement presented a visual presentation with request that the Commission direct staff to remove the stop sign at Catfish and Dean Road in Lake Placid. A petition with 379 signatures in support of removing the stop sign was entered into the record. Ramon Gavarrete, County Engineer, presented a background and analysis

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of the Lake June Pointe Subdivision. His recommended action was, upon evaluation of the present traffic flow patterns and projected traffic volumes, that an All-Way Stop Controlled Intersection be implemented. Commissioner Bullard spoke in favor of a four-way stop or either to treat this as a through road as it may some day be a four-lane and treat Sunset Pointe Blvd. as an intersectional road and close the dirt road coming out of the grove. These are the only two options available and the four-way stop is probably the safest. He also suggested referring this to the Traffic Safety Committee and asking them to take a more extensive look at the intersection. Chairman Gose spoke in favor of a four-way stop for safety's sake, and requested the Board Attorney to comment on liability issues. Ross Macbeth advised that the Commission is responsible for operational decisions if they deviate from the traffic standards.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to refer this issue to the Community Traffic Safety Committee for study, in addition, receive input from the Town of Lake Placid, since they have annexed the property and to look at all alternatives, which might be the redesign of the corner. The Chair called for public input. No one spoke for or against. Commissioner Flowers invited Mr. Clement to attend the Traffic Safety meeting. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 1.

B. Lawrence Sorensen: Request to change Building Code

Mr. Sorensen appeared before the Commission with request to change the code to prohibit the practice of installing air-conditioning equipment in attics. He presented a hand-out outlining information regarding the average taxpayer. He asked that the Board Attorney provide a way to restrict the installation of the equipment according to safety issues. Commissioner Stokes reviewed the response from Sol Moseley, Building Official, which stated that the installation of A/C units in the attic has never been totally prohibited. It was allowed if the unit was placed within a mechanical closet built in the attic. Commissioner Bullard asked that the Building Official monitor the situation and if there is an increase in air handlers going into the attic, alert the Board, and with his association with Building Officials statewide, address the situation with other counties for additional codes. See SMB 34 Page 2.

C. Ray Napper: Request to remove cable television franchise fees

Ray Napper addressed the 3% Comcast Cable Franchise fees. He asked that Mr. Cool explain why the Commission grants a Franchise Fee. The County Administrator advised that it allows the Cable Company to do business in Highlands County and it also gives the Commission control over the quality of their work. Mr. Napper reviewed SEC rules regarding a franchising authority and the Scrambling of Sexually Explicit Adult Video Service Programming. He also spoke of the difficulty experienced trying to calculate the subscribers revenue as documented by Comcast Cable Company. His request was that the second tier of the franchise fees be removed from Comcast Cable billing, as he feels that this is a hidden tax to the citizens. C. Michael Eastman, presented a brief statement into the record stating that he believes the Board does receive the 3% gross subscriber revenues as stated in the contract, and that he relies on the numbers received from the independent CPA firm. Commissioner Bullard addressed the reasons for the franchise fee and how it serves the good of the community. Tom Portz, Asst. County Administrator, presented a small summation of cable franchising with Highlands County. He reported that he tracks all citizen complaints and will follow up on the Audio 97. The Chair opened the floor to the public. Hank Kowalski commented on Comcast vs. satellite television. See SMB 34 Page 3.

Break 10:45 a.m. - 11:00 a.m.

D. Maggie Alexander: Big Brothers/Big Sisters update

Ms. Alexander gave an update on the Program now located in the new Advocacy Center. She thanked the

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Commission for their support. Commissioner Bullard praised the program and encouraged everyone to get involved.

E. Lakes Manager: Request for tussock management on Lake Istokpoga

Clell Ford, Lakes Manager, reported that the Lake Istokpoga Management Committee was formed to consider management options for Lake Istokpoga. A slide presentation was given regarding Lake Istokpoga tussock removal. The Committee recommendations were as follows:

That the Board of County Commissioners accept Lake Istokpoga Management Committee's recommendation to support the partial drawdown and tussock removal plan (Lake Istokpoga Tussock Management Program), prepared by the Florida Game and Freshwater Fish Commission, with the following stipulations:

- 1) That the minimum project objective is funding to remove at least 60% of lake tussocks before the project goes forward,
- 2) That a hydrologic study of the impacts to permitted water users be complete, and that the impact of the draw down on permitted withdrawals be documented, and
- 3) That the project does not go forward until funding for a pre-drawdown hydrilla treatment is secured.

Commissioner Maxcy questioned why we are not taking care of the island tussock. He recommended that we incorporate a spray for a one time attempt and include the islands. Mr. Portz reported on a meeting with the Game and Fish Commission. They are asking for support in extending boat ramps during the drawdown, support in spreading upland materials and the County be involved with drawing the legals on the agreement with the landowners and the County. The cost will be approximately \$4,500 per acre and the County's in kind services. Mr. Portz advised that it is doable from the equipment end. Tom Champeau stated that the plan calls for 800 acres, but the hope is to get enough money to remove 1,400-1,600 acres of tussock, and include the islands. Commissioner Stokes stated concerns for the uplands and the water table. He questioned who is overseeing the project. He also wanted to be sure that tussock globs surrounding Big Island and Bumblebee Island would be broken up and removed. He would like the 2,000 acres done. Mr. Stokes stated that he would not support the plan if it does not include the Islands. Chairman Gose also stated concerns for the water levels. Steve Johnson, SFWMD, Governmental Affairs, advised that before the work begins, workshops will be held with affected residents. At this time we are at the planning stage and all the questions have not been answered. Tom Champeau stated that the state commission is looking at the State Legislature and U.S. Army Corps of Engineers for funding. The earliest the drawdown could begin will be July of 2001. The Chair asked that funds be derived from both Water Management Districts.

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to endorse the concept of a drawdown, with the Committee's plan and to include that all lakes in the Ridge are studied with both Water Management Districts involved for removal of at least 60% of the tussock. Hank Kowalski spoke in favor of the motion but would like consideration for the wildlife. Jim Cash, Lake Placid Journal, questioned the amount of the removal. Bill Dwinell, President of the Friends of Istokpoga, explained the recommendation. Don Linton, President of Eagle's Nest Homeowners and the Save Istokpoga Committee, stated concerns for the amount of the removal. Commissioner Bullard presented questions regarding shoreline and tussock removal. Upon roll call, all Commissioners voted aye. Motion carried. Commissioner Stokes requested a quarterly report come back to the Commission. See SMB 34 Page 4 for copy of information.

Break 12:45 p.m. - 1:00 p.m.

F. Assistant County Administrator:

1. Sprint contract proposal

Tom Portz, Asst. County Administrator, reviewed the contract proposal for adoption to upgrade the Public Safety Answering Points (County-wide). The purchase lease will bring the County's 911 system into Y2K compliance, and upgrade our equipment to more modern standards. The committee recommends purchase of this upgrade, which totals \$249,184.62.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept the recommendations of the committee to approve Sprint as the vendor, and waive bidding requirements of its components for acquisition of the 911 delivery system. The Chair opened the floor to the public. Jim Cash of Lake Placid, spoke in favor of placing the item out to bid and questioned if the 50 cent surcharge will continue. Mr. Portz advised that the surcharge will continue for payment of system upgrades and maintenance. Commissioner Bullard presented questions regarding the pricing list. Mr. Portz advised that he will be glad to check the pricing and report back to the Board. Upon roll call, all Commissioners voted aye. Motion carried. See Sprint file for copy of contract and information.

2. Phase II communications upgrade and budget amendment 98-99-150

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve recommendations of the Asst. County Administrator to instruct staff to notify the Professional Communications Consultants, Inc. to begin Phase II of the Strategic Emergency Telecommunications Plan and approve budget amendment 98-99-150 to move funds for Phase II of the scope of work. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 5.

G. Board Attorney

1. Danmark Superfund Site

Mr. Macbeth reported that the Board of County Commissioners received a claim from EPA for clean up cost for used vehicle oil deposited at the Danmark Superfund site in Tampa, Florida. Danmark picked up the used oil from Highlands County. A long list of Depositors are involved in the clean up site. Highlands County is 29th on the list. The list includes 100 of the largest users of the dump site.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to enter into the tolling agreement for the Danmark Superfund Site, for possible settlement. Upon roll call, all Commissioners voted aye. Motion carried.

An agreement has been prepared asking participating parties to become a member of the Danmark Superfund Site Group to contribute \$500.00 to the Coll Davidson Smith Salter & Barkett Trust Account. These funds will be used to pursue activities of common interest to group members.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to enter into the Preliminary Participation and Funding Agreement. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to waive the agenda to place a Drainage Easement with Iris Hart Young a/k/a Iris H. Young on the agenda for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

The Board Attorney presented a request for the County to accept a Drainage Easement that runs along side of Vaughn Road and includes the existing ditch. The easement will provide drainage for grove owners in that

area. The Government is in negotiations for the purchase of property from Mrs. Young to become a part of the Highlands Hammock State Park. Mrs. Young has agreed to provide the necessary easement to the County. The County needs to accept the Drainage Easement before the closing on the property.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the Drainage Easement from Iris Hart Young a/k/a Iris H. Young, conveying to the County for the purposes of maintaining drainage easement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 6.

H. County Administrator

1. Vantage Pointe

The County Administrator presented a letter into the record from Richard Vanderlaan, President of Vantage Pointe Homeowners Association, with a copy of the check delivered in the amount of \$14,262.00. These funds were the estimated amounts needed to make the necessary repairs to bring the roads up to county standards, and allow the County to accept maintenance of the roads in Vantage Pointe. See SMB 34 Page 7.

2. Lake Jackson Stormwater Update

Mr. Cool informed the Commission that he met with the Lake Jackson Homeowners Association and talked to them about the joint efforts between the City and the County to perform the studies for the stormwater runoff into Lake Jackson. Vicki Pontius preceded him with her presentation and did a great job. The residents were very appreciative of the efforts. The hydrilla and melaleuca control project were discussed.

3. Planning & Zoning, Board of Adjustment and Local Planning Agency

Richard Conover presented questions regarding committee appointments. The Deputy Clerk agreed to research information. This item to be placed back on the Consent Agenda for approval.

4. Consent Agenda item number 6.

Richard Conover questioned Budget Amendment 98-99-149 (batting cage for the Avon Park High School). His concern was if other entities can use the batting cage and if other schools will be asking for funds. The Chair advised that similar requests have been honored in the past.

Chairman Gose presented concerns for approval of budget amendment 98-99-110. He questioned taking funds out of the General Fund Contingency. Rick Helms, Budget Officer, related that the budget amendment was necessary to provide funding for the remediation of Y2K issues. Commissioner Bullard asked that those budget amendments that withdraw from the Contingency to fund something new and did not come before the Board, be placed under the County Administrator for discussion. This item to be placed back on the Consent Agenda.

5. Consent Agenda Item 7 - Approval of Prescribed Burning Plan for the Preserve - delete

6. Consent Agenda Item 8 - delete

I. Consent agenda:

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

- 1. Approval to pay all duly authorized bills**
- Law Library 721.12**
- General 1,687,250.06**

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County Transportation Trust	89,940.08
E911 Operations	2,207.16
Intergovernmental Radio Communication	783.23
Local Govt Infrastructure Surtax	132,233.96
Affordable Housing Assistance	20,317.59
Special Law Enforcement	3,920.00
Solid Waste	115,724.39
Placid Utilities	741.60
Hiway Park Utility	159.78
Risk Retention	2,483.47
Employee Benefit	74,607.29
Highlands Hosp Pass Thru	26,259.14
2. Approval of minutes of 2-9-99 and 2-16-99 meetings	
3. Approval to execute Resolution and Memorandum of Understanding with USDA. See Res. Book 12 Page 112.	
4. Reappointments of all six members to Planning & Zoning, Board of Adjustment and Local Planning Agency. See SMB 34 Page 8.	
5. Adopt resolution to establish public hearing for March 23, 1999 for road closing - Lake June Vista. See Res. Book 12 Page 113.	
6. Approval of budget amendments 98-99-110 (Y2K issues) 98-99-142 (expert witness account) 98-99-148 (Children's Advocacy Center expenses) 98-99-149 (Recreation funds for Avon Park High School batting cage).	
7. Approval of Prescribed Burning Plan for The Preserve.	
8. Approval of Insurance Committee recommendation to change Dental Plan to include employees who retire after 1/1/99 and their dependents.	
9. Approval of Y2K Plan Summary and Readiness Disclosure. See file for copy.	
10. Approval to execute Urban & Community Forestry Grant FDACS # 98-29, resolution and budget amendment 98-99-154. See Res. Book 12 Page 114.	
11. Approval of expenditure from Law Enforcement Trust Fund for \$5,444.00 to be used for technologically advanced equipment. See SMB 34 Page 9.	

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

5. CITIZENS NOT ON AGENDA:

- A: Richard Conover invited everyone to have lunch at Homer's Restaurant on March 5, 1999 to listen to the Sheriff and Commissioner Flowers sing.
- B: Michael H. Carr spoke regarding the expense of \$35.00 per ton to dump tree trimmings at the landfill. He has addressed the problem with Carl Cool and Jerry Leszkiewicz, but no solution has been reached. He asked that the Commission waive the \$35.00 fee and allow the citizens to dump the tree trimmings at \$15.00 per ton as was discussed. The Chair requested the Commission send a letter to the Committee asking that they address the issue of legitimate tree trimmers. Carl Cool spoke regarding the cost of *permitting differential between a Class III and a C & D Landfill*. The Solid Waste Director reported that none of the tree surgeons were using the Landfill and that Tu-co Peat is accepting tree trimmings for \$30.00 per truck load or \$15.00 per ton. Carl Cool stated that they can do this by grinding the tree limbs and then selling to their customers. Commissioner Stokes asked that the Solid Waste Director honor the \$15.00 per ton for a four month period and allow the Board time to address this issue.

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Jerry Leszkiewicz stated that he can stockpile and grind up later. After discussion by the Commission regarding problems associated with this proposal, Michael Carr withdrew his request. The Chair asked that Mr. Cool bring numbers back.

6. COMMISSIONERS

The Chair discussed a memo from the State Emergency Management Director requesting a meeting with each County Commissioner. The Asst. County Administrator will follow through with the request.

7. ADJOURN

The meeting adjourned at 2:25 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, MARCH 9, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Flowers. The Pledge of Allegiance was led by Attorney Wendell Whitehouse.

3. ANNOUNCEMENTS:

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

4. Wendell Whitehouse: Update on Water Advisory Committee issues

Attorney Wendell Whitehouse, Chair of the Water Advisory Committee, updated the Commission on water matters. He presented a satellite image depicting Highlands County as the number one area where the fresh water is located. Mr. Whitehouse explained the structure of the Committee and commented on its representation. He urged Highlands citizens to pay close attention to the Water Districts and the Basin Board surrounding Highlands County.

Attorney Whitehouse shared duties the Committee has been working toward:

- Collect and catalog the best available information on surface and ground water in Highlands County.
- Investigate the long term water supply needs for our County.
- Monitor rule and policy making and strategic plan actions of other Water Management Districts and other Counties.
- Monitor other County, Municipal and Regional Water Supply Authority actions and advise the Board of County Commissioners how those actions may affect Highlands County.
- Monitor, advise, and participate, with Highlands County to prevent significant aquifer depletion through water conservation and preservation of high recharge areas.
- Investigate and advise the Board of County Commissioners on the need for and the merits of establishing formula for joining a local or Regional Water Supply Authority. This process is currently ongoing.
- Advise the Board of County Commissioners on Water Use Planning measures that can assure an adequate and affordable supply of water to meet the future needs of all water users in Highlands County.

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Highlands County will be affected by three or four water supply planning efforts. The first one is the Southern Water Use Caution Area Advisory Committee, of which Commissioner Gose is a member. Mr. Whitehouse related information as to the planning efforts of the following authorities.

- Southwest Florida Water Management District
Southern Water Use Caution Area (SWUCA) Planning Process
- South Florida Water Management District
Kissimmee Basin Water Supply Plan (KBWSP) Planning Process
- Central and Southern Florida Comprehensive Review
(C & SF Everglades Restudy)

Mr. Whitehouse also spoke regarding the restoration of the Everglades and the impact to Lake Istokpoga and the Kissimmee River. The County Administration reported that a representative will be speaking to the Commission regarding the Everglades study process.

- Hardee, Highlands and Polk Regional Water Supply Authority Study

A consultant has been retained to study the process whether it is advisable to enter into a Regional Water Supply Authority and report back to the three Boards of County Commissioners.

Commissioner Stokes discussed the issue to move the Biscayne Aquifers to include more boundaries to the north. Carl Cool reported that the larger Counties favored the Association of Counties bill "Local Sources First" regarding water issues since they were able to include Lake Okeechobee and the tributaries to Lake Okeechobee as a local source.

The Commission thanked Attorney Whitehouse for his continued support of this project. See SMB 34 Page 10.

5. Mike Eastman: Audit response

Mike Eastman, Director of Accounting and Finance, for the Clerk's Office, reviewed the Management response for current year findings as reported by the External Auditors.

The Chair requested input from the Commission. Commissioner Bullard presented questions to the County Administrator regarding status of prior year findings on Emergency Medical Services. He requested periodic reports that will compare with County results, on the outsourcing to Sky Asset Management Service, to better monitor the program. Commissioner Bullard also asked that Mr. Cool check to see if Medicare and insurance claims are filed electronically, to delay turn around time and increase cash flow. Staff advised that they will provide this information. Commissioner Bullard spoke regarding Community Development Block Grant. He asked that staff bring back to the Board established procedures to verify accounts receivable balances. The Commission and Mike Carter, External Auditor, commended staff on the clean audit findings. See SMB 34 Page 11.

6. Discussion of vegetable stands

Commissioner Flowers suggested that produce stands should have the basic amenities that a business requires. This would include restroom facilities, running water for washing hands, and adequate parking. He feels that the Board should take a more proactive approach. He mentioned in particular, the vegetable stand at U.S. 27 and County Line Road, north of Avon Park. This is the first thing you see when you cross over from Polk County. Commissioners Gose and Stokes did not see a problem with the produce stands.

The County Administrator advised that the County could regulate the produce stands if it so desired. Mr. Cool stated that it would be up to the code department to enforce any violations. Alan Decker, Code Enforcement Officer, stated that most of the calls his office receives are complaints called in from competitors.

Carl Cool reviewed a memo from Jim Polatty, Development Services Director, regarding zoning amendments to the AU zoning district, to make the permitted uses and special exceptions consistent with the Comprehensive Plan's General Agriculture Future Land Use category. One additional amendment was a proposal to restrict the number of wayside stands by requiring that they be accessory uses to an existing farm and making special exceptions, those *that are not accessory uses*. The Planning and Zoning Commission rejected both proposals. The Commission also discussed other regulations that could be imposed on roadside vendors or fruit stands.

The Chair opened the floor to the public. Clayton Womer spoke opposing more regulations that will need enforcement. The Board took no action. See SMB 34 Page 12.

7. Discussion of right-of-way signs

Commissioner Flowers discussed expanding the ordinance or to adopt a policy to allow County Staff to retrieve unauthorized signs in the right-of-way and take them back to the Road and Bridge Department. The Chair reported that he would be more comfortable just allowing the Road and Bridge Department the authority to remove the signs from County property. The Commission did not have a problem with yard sale signs that people place out Friday afternoon and remove Monday. Ross Macbeth advised that the current ordinance prohibits signs in County right of ways. There will be no need to adopt an amendment ordinance. In terms of violation, we can always go to the State Attorney's office. Commissioner Bullard suggested a zero sign tolerance policy. Otherwise, the citizens will call foul preference. The Chair opened the floor to the public. Clayton Womer spoke opposing the mandate.

The consensus of the Commission was to direct the County Administrator to send a memo to the Road and Bridge Supervisors advising them to remove all signs on the major collectors and arterial roads and not pull them out of people's yard. The County Administrator was directed to contact the Highlands County Board of Realtors and give notice that agents will ensure their signs are not on a county right-of-way.

The County Administrator reminded the Commission of the joint workshop with the City of Avon

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Park at the Council Chambers, March 15, 1999, at 6:00 p.m. to discuss moving the Avon Park Tax Collector's office to the Avon Park Civic Center. The Commission directed staff to follow through with all Constitutional Officers for their input.

8. ADJOURN

The meeting adjourned at 10:35 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MARCH 16, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Alex Whitbeck presented the daily jail log of inmate population for the period ending March 16, 1999. The Farm Management report was also given.

B. Clerk

No report presented.

C. 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 presented a card from the Vantage Pointe Homeowners Association, thanking the Board of County Commissioners for their support, in taking over maintenance of the roads. See SMB 34 Page 23.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to set the Action Agenda with changes as submitted:

- 1) Deletion of Action Item number C. Personnel Director: Position upgrade and budget amendment 98-99-168.
- 2) Addition of Helicorp Corporation agreement to be listed under the County Administrator as item number 5.
- 3) Addition of a revised Resolution- to adopt the Recreation and Parks Advisory Committee mission statement and reorganization under Commissioner Bullard.
- 4) Report by the County Administrator on the 4-Way Stop Sign in Lake Placid, as item number 6.
- 5) Remove Budget amendment 98-99 152 from the Consent Agenda and place under the County Administrator as item number 7.
- 6) Remove Consent Agenda Item 19 and place under the County Administrator as item number 8.

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

A. Public hearing to consider application for Small Cities CDBG grant

The Chair opened the Public Hearing at 9:15 a.m. The County Administrator advised that this public hearing has been advertised. Proof of Publication entered into the record. See SMB 34 Page 14. Fred Fox explained that the County is applying to the Florida Department of Community Affairs for a Small Cities Community Development Block Grant (CDBG) of up to \$750,000. In order to prepare an application for funding two public hearings and a workshop is required. This is the first public hearing scheduled to receive citizen input. An additional Public Hearing and Workshop to apply for grant application to the Department of Community Affairs will be held. The Chair closed the Public Hearing at 9:20 a.m.

B. Fred Fox: Fair Housing workshop

The Chair opened the workshop at 9:21 a.m. The County Administrator reported that the Fair Housing Workshop has been advertised in the Tampa Tribune. See SMB 34 Page 15. Fred Fox advised that this workshop is being held to explain the fair housing ordinance for all of the protected classes: race, color, familial status, handicap, national origin, religion or sex. A copy of the Ordinance was available for review. The second Workshop will be held next week. This is part of the process for making application to the CDBG Grant. The Chair opened the floor to the public. No one spoke from the audience. The Chair closed the Public Hearing.

C. Personnel Director: Position upgrade and budget amendment 98-99-168

Item postponed.

D. Solid Waste Manager: Analysis of proposed tipping fee for tree wastes

Jerry Leszkiewicz, Solid Waste Manager, presented an analysis of the proposed tipping fee of \$15.00 per ton for all tree waste received from households and commercial tree trimmers. He reported, in order for the County to set a tipping fee of \$15.00 per ton for receipt of tree wastes from local tree trimming companies, the County will have to adjust the existing tipping fee for yard wastes so that the cost of disposal of tree trimmings and tree parts will be the same for everyone. He listed *two ways* to accomplish this:

- Require separate collection of tree wastes from other yard wastes for all households. Maintain a \$35.00 per ton tipping fee for yard wastes, and reduce the tipping fee for household tree wastes to \$15.00 per ton.
- Continue all yard waste collection without segregating tree wastes, but reduce the cost for all yard wastes from \$35.00 per ton to \$15.00 per ton.

The Solid Waste Director estimated that a tipping fee of \$15.00 per ton for tree wastes, with the County receiving approximately 1,000 tons per year, will generate a new revenue of \$15,000 per year for the Enterprise Fund. However, this revenue will only equal the cost to grind and mulch the tree waste and will not provide any net economic benefit to the Fund. He advised that the Enterprise Fund will lose a significant amount of revenue from lowering the tipping fee for yard wastes.

The Chair opened the floor to the public. No one spoke for or against the proposal. He advised that this item will be discussed at length next week. See SMB 34 Page 16 for copy of analysis.

E. Assistant County Administrator:

1. Victim Advocate Services Grant, budget amendment 98-99-177 and resolution

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to execute Grant, adopt Resolution and approve budget amendment 98-99-177, for the appropriation of funds received from the Victim Advocate Services Grant award to accomplish the project work plan. The Chair opened the floor to the public. Richard Conover called attention to an error listed on the address for the Highlands County Sheriff's office. The

Asst. County Administrator related that the address has been corrected. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 116.

2. Reimbursement of grant expenditure, budget amendment 98-99-178 and resolution

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution and approve budget amendment 98-99-178 for a reimbursement of the Local Law Enforcement Block Grant prior year expenditure (tracking software) and an expenditure for tracking system hardware. This will need to be reappropriated in order to be used in the current year budget. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 117.

3. Thanks from Sheriff's Office

Tom Portz, Asst. County Administrator, reviewed a letter addressed to Mr. Bruce VanJaarsveld, Road and Bridge Superintendent, from Howard Godwin, Sheriff. The letter thanked Mr. VanJaarsveld and staff members, Ed Yarbrough and Tony Kesslerling for their assistance in the investigation of stolen equipment from three different states. See SMB 34 Page 17.

F. Board Attorney

No report

G. County Administrator:

1. Approval of budget amendment 98-99-172

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve request of the Human Services Director to approve Budget Amendment 98-99-172 to cover negative balance in the unemployment compensation account. Upon roll call, all Commissioners voted aye. Motion carried.

2. Approval of budget amendment 98-99-175 and disbursement of matching funds for grant

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve Budget Amendment 98-99-175 to assist the Florida Heartland Rural Economic Development Incentive, to match grant funds to conduct an archaeological and historical survey. Upon roll call, all Commissioners voted aye. Motion carried. These funds were appropriated during FY 97-98 but lapsed at year end on 9/30/98 into Fund balance.

3. Proposed Interlocal Agreements with Town of Lake Placid for Central Ave.

The County Administrator reviewed the proposed Interlocal Agreement with the Town of Lake Placid for the Renovation of Central Avenue. The County Commissioners will take the lead in the design of the road and the final acquisition of the right of way. It also commits the Town to fund \$60,000 for Street Lights. The Greater Lake Placid Chamber of Commerce will pay \$15,000 for the landscaping. Most of the road design has already been accomplished by the County Engineer's office. One parcel that is needed will require acquisition by eminent domain, and the County will have to take the lead role, requiring the Board Attorney to handle the Corporate proceedings in that case.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to enter into the Interlocal Agreement with the Town of Lake Placid for construction of Central Avenue. The Chair opened the floor to the public. Clayton Womer asked if Lake Placid will be a participant in the cost. The Chair reported that they have committed to \$60,000 in right of ways and \$60,000 in Lights. The Chamber of Commerce has committed to \$15,000 for Landscaping. Richard Conover also presented questions regarding the cost. Upon roll call,

all Commissioners voted aye. Motion carried.

4. Proposed lease with CSX Transportation, Inc.

The County Administrator reviewed the lease agreement with CSX Transportation, Inc. for a parcel 512 feet in length on the SW side and 709 feet in length on the NE side extending along the former Atlantic Coast Line Railroad Company corridor in Section 18, Township 34 South, Range 39 East. This property is needed for the Eucalyptus right of way.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve lease agreement with the CSX Transportation, Inc. for the said property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 18.

5. Approval of Agreement with Helicorp for Herbicide Application on Lake Istokpoga

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to execute agreement with Helicorp for herbicide application on Lake Istokpoga, in accordance with the low bid. Upon roll call, all Commissioners voted aye. Motion carried.

6. Report on Four-Way Stop - Dean Blvd. & Catfish Creek Road

The County Administrator presented a report on the Traffic Safety Committee recommendations. He stated that it was a unanimous agreement that the safest idea would be to designate the intersection as a four-way stop sign. The County Engineer has authorized and instructed staff to do that and it is now functioning as a designated four-way stop. Jabos Clements spoke in opposition to the action taken. Commissioner Bob Bullard stated that we have created a bottle neck at the intersection. He would like staff to continue to study the intersection and perhaps redesign the curve and then intersect off so that the County can eliminate the problem. The other thing to consider is the County working with the Town of Lake Placid to create a connector road. The Town is proposing a resolution to extend Marquata Road with the County purchasing the right of way.

7. Budget Amendment 97-98-152

The County Administrator explained the \$10,000 cost associated with the Commerce Avenue Annex Renovation. This amount will be earmarked out of the budgeted cost for modular panel furniture. This budget amendment to be placed back on the Consent Agenda for approval.

8. Consent Agenda Item number 19- Resolution supporting "Florida Forever"

Commissioner Stokes stated concerns for this Resolution. He explained that there are two bills, one in the state House and one in the Senate, designed to replace Preservation 2000, Florida's land acquisition program. *Florida Forever* is the Senate's version of the plan. He feels that the House Bill, *Stewardship Florida*, will better suit Highlands County. He suggested that we endorse this bill and not allow the lands to be taken off the tax roll. Commissioner Flowers suggested that the Resolution read that Highlands County supports a successor for Preservation 2000, without being specific. Commissioner Bullard agreed, as long as the replacement program accomplishes some specifics, such as keeping acquired property on the tax rolls and providing adequate funding for management of the lands. After several corrections to the Resolution, the Board members presented suggestions to the County Administrator for adoption of a new Resolution for action next Tuesday, and the Board Members will take it with them to Tallahassee. Ms. Barbara Stewart, a member of the NRAC, spoke in opposition to the first Resolution. Vaughan Whitesides, Conservation Chairman, spoke in favor of the NRAC and in favor of Preservation 2000.

Break 10:35 - 10:45 a.m.

H. Consent agenda:

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

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

Law Library	219.74
General	542,165.11
County Transportation Trust	28,152.71
E911 Operations	15,355.75
Florida Boating Improvement	3,880.46
Local Govt Infrastructure Surtax	51,584.91
Affordable Housing Assistance	40,764.46
Government Center	4,408.00
Solid Waste	347,715.44
Placid Utilities	5,734.75
Hiway Park Utility	1,319.63
Risk Retention	157,257.07
Employee Benefit	323,755.35
Tax Deed Surplus	1,006.20
2. **Approval of minutes of 2-23-99 and 3-2-99**
3. **Accept into record - February Monthly Report**
4. **Approval to execute and record Satisfaction of Mortgages for CDBG program. See SMB 34 Page 18.**
5. **Approval of job description revision (Archivist/Public Records Specialist). See SMB 34 Page 19.**
6. **Approval to declare nuisance, cases no. 99-01-0037(Carva Hills) 99-01-0039(Juana Villa Sub.) and to record release of notice of nuisance, case no. 9899-002 (Block 18, Town of Avon Park). See SMB 34 Page 20.**
7. **Approval of outline for settlement with DCA for Administrative Hearing. See Comprehensive File for copy.**
8. **Adoption of resolution to revise Comp Plan application deadline and schedule. See Res. Book 12 Page 116.**
9. **Reappointments of existing members to Construction Licensing, Enforcement and Appeals Board. See SMB 34 Page 21.**
10. **Approval to execute Agreement with City of Avon Park for EMS Responses. See City of Avon Park for agreement.**
11. **Approval of Prescribed Fire Plan and Wildlife Habitat Incentives program for The Preserve. See Sun'Lake Preserve file.**
12. **Approval of budget amendments 98-99-152(Commerce Ave. Annex modular furniture) 98-99-157(OPS Zoning) 98-99-158(Unemployment Compensation) 98-99-159(Realign Recycling Grant Capital Outlay and approve purchases of modular office building with other equipment) 98-99-163 Placid Utilities Water Valve replacement) 98-99-164(Veterans Service overtime)98-99-167(Solid Waste expenditures).**
13. **Approval of resolutions and budget amendments 98-99-161(Affordable Housing expenditures) 98-99-162(to budget interest to the down payment strategy) 98-99-**

166(Budget adjustments in income, additional funding for the Down payment Program) 98-99-173(Road improvements in Vantage Pointe). See Res. Book 12 Page 117 and SMB 34 Page 22.

14. Approval of Preliminary Assessment for Nuisance Abatement, cases 9798-104, -157 and -191. See SMB 34 Page 20.
15. Approval of deductive change order no. 1 a, Commerce Annex renovation
16. Approval of SHIP amendment to 1998-2001 Housing Assistance Plan providing for the partnering with Rural Development. See Res. Book 12 Page 120.
17. Approval to execute resolution on Nonprofit Organization Rental Assistance and Agreement with Contractor, Volunteers of America of North and Central Florida, Inc. See Res. Book 12 Page 119.
18. Approval to accept additional funds for Emergency base grant #99CP-05-07-38-01-028 bringing the total to \$116,635.00. See Grant file for copy.
- ~~19. Approval to execute resolution supporting the continued funding of Preservation 2000 through its successor program "Florida Forever"~~

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

I. Linda Dahl: South Florida Ecosystem Restoration Task Force Working Group and Integrated Strategic Planning Team overview. See SMB 34 Page 24 for copy of information.

5. CITIZENS NOT ON AGENDA:

- A. Richard Conover presented statements into the record regarding various items. The Commissioners responded.
- B. Vaughan Whitesides presented questions regarding the Sun'n Lake Preserve.

6. COMMISSIONERS:

Commissioner Bullard: Recreation and Parks Advisory Committee recommendations

Commissioner Bullard reviewed the reorganization of membership and the revised mission statement of the resolution incorporating the composition of the Committee.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution, setting forth protocols for the composition, nomination, appointment, rotation, election, meetings, mission and authorities of the Recreation and Park Advisory Committee and at the same time eliminating the previous Recreation Committee. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 119.

Commissioner Bullard: Elimination of Intergovernmental Relations Coordinating Committee

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to eliminate the Intergovernmental Relations Coordinating Committee and replace the process to include the Mayors of all cities, a representative from the Commission, and the School Board with an informal breakfast once a month to discuss the problems of the County. In addition, once a year, hold a summit or a retreat with all elected officials included, to brainstorm how to better work together. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Maxcy commented on Hillsborough County's Desalination Plan.

Commissioner Maxcy also reported that he will be attending the *Historic Preservation Day* in Tallahassee on March 23, 1999, and will not be in attendance at the Commission meeting.

Commissioner Maxcy presented comments in opposition to the expansion of the Sebring Landfill.

7. ADJOURN

The meeting adjourned at 11:40 a.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, APRIL 6, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by the Clerk of Court, L.E. "Luke" Brooker. A moment of silence was held in memory of David Barefield, former Mayor of Avon Park in his passing. The Pledge of Allegiance was led by Tim Thompson, Publisher of the News Sun.

3. ANNOUNCEMENTS:

A. Sheriff

Lt. Susan Benton presented the daily jail log of inmate population for the period ending April 6, 1999. The Farm Report was also given.

B. Clerk

L.E. "Luke" Brooker, Clerk of Courts, presented a quarterly status report on the following:

- A) Cases filed and injunctions issued with the Clerk's office
- B) Divorces filed and marriages performed
- C) Report given on the Teen Court meetings.
- D) National Day of Prayer set for May 6, 1999 at 11:00 a.m.

C. Michael Eastman reported that he has distributed the Comprehensive Annual Financial Report for September 30, 1998. This report was filed timely with the GFOA and we anticipate getting the Certificate of Financial Reporting. This is the seventh certificate that has been received consecutively under the current administration and the 15th overall with the Clerk's Office.

Upcoming meetings:

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

4. ACTION:

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to set the Action Agenda with additions as follows:

- A) Remove Consent Agenda item number 4. and place as D-1.
- B) Revision to budget amendment Item F-1, Position reclassification.

C) Balloon Festival presentation to be heard as A-1.

A. Public hearing to consider changes to Chapter 12, Zoning Code

The Chairman opened the Public Hearing at 9:15 a.m. Jim Polatty, Development Services Director, presented the Proof of Publication into the record. See Proof of Pub Ordinance Book 2 Page 39. Mr. Polatty reviewed proposed changes to Chapter 12, Zoning Code and the consensus of the Commission from the March 23, 1999 public hearing. The Chair opened the floor to public comment. Laurie Gray Sr., Bob Leaphart, and Joy DeVoll objected to Section 8, restricting parking of recreational vehicles or utility trailers in the front yard. Hank Kowalski spoke in favor of the amendment. Clayton Womer presented suggestions to allow a variance. Gary Lower, Zoning Supervisor, advised that the ordinance did not change in that section. The ordinance in effect now prohibits parking in the front yard. The change is allowing the parking of utility vehicles in the side yard, as long as they meet the set backs. The only other change was inserting the word one in front of boats, utility trailers, and etc. Commissioner Bullard noted that the arguments heard are not against the revisions but against the code as it exists today. This ordinance does not impose those restrictions. It simply clarifies them. Commissioner Maxcy stated that the proposed changes are being too restrictive. He suggested that we change the ordinance to allow vehicles of any size to be parked in driveways, as long as they are in working order and not a nuisance to neighbors.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt ordinance as submitted, approving the recommendations of the Planning and Zoning Board, with exceptions of changes to Section 10. The Board Attorney spoke in opposition to deletion of Section 10. He recommended that the Board adopt the ordinance and then if we decide to allow C&D Landfills in Industrial as a permitted use, then we can develop regulations that will protect the county and place back in the code. Commissioner Bullard stated that he has no problem including Section 10 as long as it states that it does not limit Construction and Debris landfills.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to amend the motion to adopt ordinance with changes to Section 10, as presented by the Board Attorney with the three additions to Section 10 - Landfill limited exclusively to clean concrete, clean cinderblock, bricks and ceramic tile, and store, recycle, or mulch soil, and, muck and natural vegetative material and deletion of Construction and Debris Landfills. Then instruct Planning & Zoning to revisit the issue. The Chair opened the floor to the public for input. Attorney Blake Paul, representing Sebring Landfill, Inc., spoke in opposition to Mr. Macbeth's proposal. He asked that the Commission workshop the issue. Judy Sworkwood, Manager of the Landfill, spoke in opposition. Michael Jackson, Darlene Rancourt, and Ray Napper spoke in favor of regulations. Upon roll call, on the amendment, all Commissioners voted aye. The motion carried.

The Chair opened the floor for discussion on Section 8. Clayton Womer and Ray Napper spoke in favor of continuing regulations for Section 8.

Commission Maxcy amended the motion, seconded by Commissioner Flowers, to read Sec. 8 part B, Parking, storage of recreational vehicles in residential districts: Recreational vehicles may be parked in the front yard, as long as that recreational vehicle, utility trailer or boat is in operating order and is not a nuisance to their neighbor. The Chair opened the floor to the public on the amendment. Mr. George Hensley and Hank Kowalski spoke in opposition. Upon roll call on the amendment, Commissioner Maxcy voted aye. All other Commissioners voted nay. The motion did not carry.

Break 11:00 - 11:07 a.m.

Voting on the main motion, to adopt the ordinance as amended. Upon roll, call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay. The motion carried.

1. Balloon Festival Presentation

Jim Hyatt, Publisher of the Highlands Today, Allon Fish, President of the Chamber of Commerce, and Tim Thompson, Publisher of the News Sun, gave a presentation to the Commission requesting \$10,000 in support of the Greater Sebring Balloon Festival to be held on April 16-18th in Sebring for economic development purposes. Amber Joyce, President of the Highlands County Convention and Visitors Bureau and marketing director of the Lakeshore Mall spoke in favor.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to support the effort of the Greater Sebring Festivals and approve the request for funds and a budget amendment from contingency, with stipulation that funds are used for Economic Development purposes and specific for underwriting Balloonmeisters contract fees. Commissioner Bullard stated that this is a nonprofit organization and in the future if there are funds generated, they should go back into the nonprofit organization to promote other festivals and that it is a valid expenditure, due to the benefit received from the Balloonmeisters to protect the health, safety, and welfare of the citizens of the county. The Chair reminded everyone that the event is free. See SMB 34 Page 44. Upon roll call, all Commissioners voted aye. The motion carried.

B. Proclamation: Child Abuse and Neglect Prevention Month

Cindy Mitchell, Coordinator for the Childrens Advocacy Center, presented the request to adopt Proclamation in recognition of Child Abuse and Neglect Prevention Month. Michael Tiano, Department of Children Services, read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation, proclaiming the month of April 1999, as Child Abuse and Neglect Prevention Month. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 126.

C. Proclamation: National County Government Week

The County Administrator read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Proclamation, designating April 18-24, 1999, as National County Government Week in Highlands County, Florida. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 127.

D. Resolution: National Library Week

Commissioner Bullard read the Resolution into the record. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution, designating April 11-17, 1999, as National Library Week in Highlands County, Florida. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 128.

1. Keep Florida Beautiful Month

Commissioner Flowers read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution designating the month of April 1999 as Keep Florida Beautiful month in Highlands County. Upon roll call, all Commissioners voted aye. The motion carried.

See Res. Book 12 Page 129.

E. George Hensley: SAVE Committee report and proposed changes to SAVE Program

George Hensley, Committee Chair, presented a report on the SAVE Committee. He commended staff on their clerical and administrative help, and presented background, staff review, findings and recommendations of the SAVE Committee. See SMB 34 Page 45 for copy of all information. Commissioner Bullard commended Commissioner Maxcy for the establishment of this Committee.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to accept the report by the Committee. Upon roll call, all Commissioners voted aye. The motion carried.

F. Personnel Director:

1. Position reclassification - Keep Highlands Beautiful Coordinator

Fred Carino, Personnel Director, presented a request for a position reclassification to upgrade the KHCB Coordinator from PG-14 to PG-18. Mr. Carino advised that Mike Eisenhart is performing at an exceptional level and recommends that the position description be revised to more accurately reflect the abilities of the incumbent. A letter was reviewed from the Board of Directors of the program, supporting the increase in salary. See SMB 34 Page 46. Commissioner Maxcy questioned the paygrade differential between the Department Head and the Coordinator. Mr. Carino advised that he would like to compensate Ms. Reed in the budget cycle.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the revised job description and budget amendment 98-99-168 with a salary adjustment of \$2,730 for the remaining current fiscal year and a budget amendment, with the increase being absorbed by grant funds. Upon roll call, all Commissioners voted aye. The motion carried.

2. Revision to Personnel Rules and Regulations

The Personnel Director reviewed the proposed Rules and Regulations revision to Chapter 15 entitled Fire Service Compensation and Benefits Policies. Commissioner Bullard stated concerns on the overtime issue. Fred Carino and Tim Eures, Emergency Operations Director, explained the rationale. Refer to tape for further detail. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the revision to Chapter 15 of the Personnel Rules and Regulations. See SMB 34 Page 47. Upon roll call, all Commissioners voted aye. The motion carried.

G. Purchasing & General Services Director: Adoption of proposed new Purchasing Manual

Bob Jamison, Purchasing & General Services Director, advised that he has incorporated the Board Attorney's recommendations and included the revision requested by Commissioner Bullard for the Purchasing Manual. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt the new Purchasing Manual, effective April 6, 1999 as proposed with subsequent revisions as stated, to be a full and complete replacement for the current Purchasing Manual. See SMB 34 Page 48. Upon roll call, all Commissioners voted aye. The motion carried.

H. Development Services Director: Appointment to Natural Resources Advisory Commission

Jim Polatty, Development Services Director, presented recommendations from the NRAC for the appointment of a new member to fill an Agricultural Representative vacancy due to the resignation of

Mr. Don Bates, who resigned on December 15, 1998. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the recommendations of the NRAC and appoint Sarah K. Childs to fill the unexpired term of Don Bates as Agricultural Representative to NRAC. See SMB 34 Page 49. Upon roll call, all Commissioners voted aye. The motion carried.

I. Zoning Supervisor: Request to release Unity of Title Agreement

Gary Lower, Zoning Supervisor, presented request for a release of the Unity of Title Agreement from Mr. Joseph W. Hedges. The agreement was entered into on February 24, 1997. Mr. Hedges is proposing to construct a home on the lot within a year and the release will make the lot conforming. The Chair opened the floor to the public. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve an agreement releasing Unity of Title Agreement. Upon roll call, all Commissioners voted aye. The motion carried. See Lakeview Subdivision file for copy.

J. Assistant County Administrator:

1. Request bid waiver for tower maintenance

Thomas Portz, Assistant County Administrator, reported that the low bidder for a tower maintenance bid, failed to submit *part one of the two-part form*. Discussions with the vendor indicated that extenuating circumstances were present as the vendor's mother had a stroke, and he failed to check necessary paperwork. Based on review of the information, his recommendation is to accept the low bidder, Central Florida Tower. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to award the bid to Central Florida Tower and waive bid irregularity, due to extenuating circumstances as allowed in the invitation to bid. Upon roll call, all Commissioners voted aye. The motion carried. See File for copy.

2. Request for Mitigation Strategy Grant modification

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve grant modification to the Mitigation Strategy Grant #98-LM-4H-0738-01-028, changing the due date for the third period deliverable of April 30, 1999 to June 30, 1999 and the due date for the fourth and final deliverable of August 31, 1999 to October 31, 1999. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 50.

3. Request execution of Certificate of Participation for Drug Control and System Improvement Program

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the invitation to serve as the coordinating unit of government in the Department of Community Affairs Control and System Improvement Program and to execute Certification of Participation, designating William N. Jones, Undersheriff, for the purposes of coordinating the preparation of applications for grant funds with the Bureau of Community Assistance. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 51.

4. Sprint 911-contract and budget amendment

Thomas Portz, Asst. County Administrator, presented a follow-up report regarding the approval of the Sprint 911 contract. Commissioner Bullard had raised a concern on pricing differentials for the same equipment at different PSAP locations. This was reviewed with the Sprint representative, and the pricing was revised to reflect consistency of unit price for all facilities, and resulted in a \$4,527.32 price reduction for the upgrade.

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to approve contract execution,

with Sprint United for the E911 upgrade, and budget amendment 98-99-194, to recognize revenue brought forward, and to allocate expenditures to be Y2K compliant. The Chair opened the floor to the public. Jim Cash requested that other companies be given the opportunity to bid. Mr. Portz reported that Hardee County was not happy with the other vendor. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 52 and Res. Book 12 Page 133.

K. Board Attorney: Update on flood damage at Colony Pointe

A request was received from Mr. Herb Phillips and Mr. Don Reeves for a status report on the repair work in Colony Pointe Subdivision. Ross Macbeth reported that the attorney has sent a letter, stating that he has been out of the office, due to surgery, and will get the signature on the easement from his client as soon as he gets back into the office. The County Administrator advised that the roads have already been inspected and we are now waiting for the easement. Mr. Phillips asked that the county work more expeditious in this matter. See SMB 34 Page 53.

L. County Administrator:

1. Request to increase contract amount for SCS Engineers, Inc.

Carl Cool presented request for the Solid Waste Director for a budget increase for preparation of a permit application for a C&D Landfill. He reported that he concurs with SCS Engineers for the increase from \$16,000 to \$19,000, as he has requested a larger scope of services in preparing the operations than was anticipated in the contract. There is a need for the contractor to address and perform design work for the storm water ditch system, which was an out of scope item, and occurred in the final week before the permit documents were submitted to DEP. The work on the storm water issue was done in response to questions raised by DEP based on the existing storm water management plan.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the requested increase, and amend the original purchase order, prior to making a partial payment. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 54.

2. Request to pave Horse Hammock Road in FY 98-99

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the request of the County Administrator to allow the Road and Bridge Department to begin work on the Horse Hammock Road in FY 98-99, while they are paving East Arbuckle Road, along with a budget amendment transfer. No road will be pushed back or moved forward in order to work on the Horse Hammock Road. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 55.

M. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the Consent Agenda as listed. The chair opened the floor to public comment. *Bryne Towne spoke regarding item number 13.* He requested the original document as it will be flown to Tallahassee for execution.

1. Approval to pay all duly authorized bills

Law Library	1,036.33
General	1,994,749.64
County Transportation Trust	68,739.02
E911 Operations	785.60
Intergovernmental Radio Communications	30,283.23

- | | |
|--|------------|
| Local Govt Infrastructure Surtax | 83,769.33 |
| Affordable Housing Assistance | 32,592.50 |
| Special Law Enforcement | 4,500.00 |
| Solid Waste | 170,507.36 |
| Placid Utilities | 3,783.31 |
| Risk Retention | 18,112.43 |
| Highway Park Utility | 1,684.63 |
| Employee Benefit | 277,760.54 |
2. Approval of minutes of 3-9-99 and 3-16-99
 14. Approval to execute Sun 'n Lake Preserve outparcel contracts.
 15. ~~Approval to execute resolution on "Keep Florida Beautiful Month."~~
 16. Accept into record - Annual Local Government Financial Report. See file for copy
 6. Approval of changes to Health Benefit Plan to include retirees in Dental Plan. See SMB 34 Page 56.
 7. Accept into record - Southwest Florida Water Management District Annual Report. See file for copy.
 8. Approval to execute Local Emergency resolution. See Res. Book 12 Page 130.
 9. Approval to execute housing Agreement and Resolution (Sebring Housing Research and Development, Inc.) See Res. Book 12 Page 131.
 10. Approval of Additive change order nos. 2, 3 & 4 - Commerce Avenue Annex Renovation. See SMB 34 Page 57.
 11. Approval of budget amendments 98-99-179(Landscape improvements Highway Park Water plant)98-99-180(Natural Resources Computer) 98-99-181(Long term notes Refuse System)98-99-182(correct budget amendments 98-99-105 and 98-99-155) 98-99-183 (Refuse Disposal System, funding of construction Glades Electric) 98-99-184(98-99-186(Ship funds for down payment program) 98-99-192(Ship down payment program) and 98-99-193(Attorney fee cases). See SMB 34 Page 58.
 12. Approval of resolution and budget amendment 98-99-189(EMPA Base Grant Agreement funds). See Res. Book 12 Page 132
 13. Approval to execute certification and easement acceptance for Jack Creek bridge. See file for copy.
 14. Approval of Addendum No. 1 to Supplemental Agreement No. 27, Chastain-Skillman, Inc.(extension on time). See SMB 34 Page 59.

5. CITIZENS NOT ON AGENDA

No citizen participation.

6. COMMISSIONERS

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to send a letter of support for the Sebring Airport Authority to the Appropriation Committee for infrastructure purposes, and a letter of support for the Alzheimer facility. Upon roll call, all Commissioners voted aye. The motion carried.

7. ADJOURN:

The meeting adjourned at 1:00 p.m.

Chairman

Attest:-----

Clerk

REGULAR MEETING OF THE BOARD, APRIL 20, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Clerk of Court, L. E. "Luke" Brooker. The Pledge of Allegiance was led by the External Auditor, Mike Carter.

3. **ANNOUNCEMENTS:**

A. Sheriff

Lt. Susan Benton presented the daily jail log of inmate population for the period ending April 20, 1999. She stated that the cost of feeding inmates three meals a day averaged \$1.97 for food per day per inmate.

B. Clerk

L. E. "Luke" Brooker, Clerk of Courts, presented the following announcements:

National Day of Prayer announcement May 6, 1999 at 11:00 a.m. on the Courthouse Lawn.
Special recognition to Charles Lairsey on his retirement as of April 20, 1999.

C. Upcoming meetings:

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

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda with changes as submitted and amended:

- A) Item G. - Break at 10:30 a.m. to recognize the volunteers of Highlands County.
 - B) Addition under Item H-3 - One cent sales tax
 - C) Addition under Item J-3 right of way agreement with Charles and Wendy White
 - D) Renovation of Civic Center in Avon Park
 - E) Item J-2 (budget amendment #98-99-203) classification correction.
 - F) Lake Placid Special Fire District - addition of two resolutions to purchase fire trucks for loan closing.
- Upon roll call, all Commissioners voted aye. The motion carried.

A. William Grigsby: Request for maintenance of SW 196th Terrace

Mr. William Grigsby presented a request to the Board of County Commissioners for maintenance

assistance for South West 196th Terrace. He presented a proposal that shell be purchased from local suppliers and the landowners spread the shell and cut the cost by one half. In the future they will donate the right of way if the Board will assume maintenance of the road. The labor and shell cost estimate presented by Jason Murray, Road Inspector, was discussed. The cost saved by utilizing 196th Terrace as a bypass road for the bridge construction was considered. Carl Cool presented a proposal to grade the 196th Terrace regularly and bring it up to county standards, as was done with the FEMA projects for better access. Commissioner Stokes spoke in favor of the maintenance. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve a motion of intent to accept 196th Terrace for maintenance upon proper right of way conveyance. Commissioner Bullard stated concerns for the cost differential in the original proposal by Mr. Grigsby. Ross Macbeth suggested an agreement to pay for the right of way and the money to be used to bring the road up to county standards. The motion was amended to allow the County to purchase the existing roadway for approximately \$18,000 with the understanding that the homeowners buy the shell. Following conveyance the county will take over maintenance. Mr. Grigsby stated concerns that if the County buys the right of way, the landowners may want the payment. The Chair asked that staff work out the details and bring back a contract in two weeks. The motion and second were withdrawn. See SMB 34 Page 64.

B. Mike Carter, Dorrell & Hancock: Audit presentation

Dan Dorrell introduced staff. He stated that the County has a clean audit and is in a strong financial position. David Touchton, Managing Partner, gave a qualified opinion to the Commission and spoke regarding the Y2K problems associated with vendors. Mike Carter, representing Dorrell & Hancock, gave a slide presentation to the Commission on the audit findings for fiscal year ending September 30, 1998. See Audit file for copy.

C. Mike Willingham: Request for waiver of landfill tipping charges

The Board reviewed request from Mike Willingham, Sebring Regional Airport director, for a waiver of landfill tipping charges. Jerry Leszkiewicz, Solid Waste Manager's memo of August 28, 1998 stated that the Authority has the requirement under its Consent Order for a one time disposal of 528 tons of digester sludge and approximately 3,500 tons of pond organics from the old plant. The Authority has blended the digester sludge with clean sand at a ratio of one part sludge to two parts sand to create about 1,600 tons of odorless organic soil. Both materials are currently stockpiled at the wastewater treatment plant site, but must be moved to make way for construction. The Solid Waste Director proposes to use the materials for intermediate cover soil on top of the land filled MSW within the lined disposal cell. The 5,100 tons of organic soil from the Authority would represent about 13% of the County's intermediate soil need for next year, and will save the County about \$17,000 in cost to mine the sand. The material will be tested for chromium and arsenic to verify lab tests. The Authority has agreed to bear the cost of the lab testing.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the proposal for a one time waiver of fees to provide a benefit to the Sebring Airport Authority and Highlands County. Commissioner Flowers proposed a reduction in the cost of the tipping fees to \$3.00 per ton. Commissioner Bullard spoke in favor of the original motion. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. See SMB 34 Page 66.

G. Public Information Coordinator: Resolution on Volunteer Appreciation Week

Resolution read into the record by Lisa Burley, Public Information Coordinator, honoring the many volunteers in Highlands County. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Resolution in affirmation of National Volunteer Week, April 19-23, 1999 in Highlands County. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 136.

Break 10:30 a.m. - 10:45 a.m. to honor all volunteers in Highlands County with cake and punch.

D. Economic Development Director: Qualified target industries

Jim Stanfill, Economic Development Director, reported that Highlands County is under consideration for a National Electronics Warranty (NEW) Corporation incoming call center. The final site selection will be based on the fulfillment of the following:

3. The Highlands County Economic Development Commission successfully applying for and NEW being granted the Qualified Industry Tax Refund.
4. NEW receiving notice of its eligibility and awarding by the State of Florida the Quick Response Training Program.
5. New receiving notice and awarding of any Wages program incentives for which it is eligible.

Mr. Stanfill presented a request for a waiver of the 15 percent above county annual average wage requirement of the Qualified Target Industry Tax Refund Program for the service jobs and execution of letter to Tallahassee. Motion by Commissioner Stokes, seconded by Commissioner Flowers to authorize the Chairman to execute the letter and resolution supporting the exemption option. See Res. Book 12 Page 137.

E. Human Services Director: Domestic Violence Intervention Program

The Human Services Director presented support for his department to accept administrative responsibility for the court-ordered Domestic Violence Intervention Program. Tom Portz presented a letter into the record stating concerns. See SMB 34 Page 67. Commissioner Maxcy spoke in favor of the Program on a trial basis for a one year period. Ross Macbeth advised that this is a court ordered function and the paper work flow will determine the administrative functions. The Clerk's office will also be a party in accepting and tracking the funds. C. Michael Eastman presented questions regarding employee classification of the instructors.

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to approve that the County Human Services Department assume administrative responsibilities for overseeing the ADAPT domestic violence prevention program starting in June 1999, and that the Department be allowed to use any excess funds (net proceeds) at the end of each fiscal year in order to help fund the Director position for the Children's Advocacy Center, subject to Ross Macbeth and Mike Eastman approval. The Chair opened the floor to the public. Clayton Womer presented questions regarding the funding source. Rick Helms reiterated Mr. Portz comments in the memo, and spoke in opposition to the county accepting responsibility for a state function. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 68.

F. Operations Manager: Appointments to Recreation and Parks Advisory Committee

Vicki Pointus, Operations Manager, presented recommendations to approve the appointments to the Recreation and Parks Advisory Committee.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve staff recommendations of the municipalities and appointments by the Board of County Commissioners, comprising the total of 13 voting members to RPAC. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 69.

H. Assistant County Admin.:

1. Request for waiver of rabies tag fee

Tom Portz, Assistant County Administrator, presented request for waiver of rabies tag fee for the Humane Society to hold a rabies clinic at Glisson's Animal Supply on May 8, 1999. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve request and waive the \$5.00 fee usually charged for the rabies tag. See SMB 34 Page 70.

2. Program Agreement -Operation Positive Chance and budget amendment 98-99-219

The Chair passed the gavel to the Vice- Chair, David Flowers, and stated a conflict, as he is the Coordinator for the Workforce Board who funds this project. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve request of Lt. Susan Benton of the Sheriff's Department to execute Program Agreement Summary between Highlands County Board of County Commissioners and Heartland Workforce Investment Board, Inc. and Wages Coalition for the 1999 summer youth employment and training program called *Operation Positive Chance* and budget amendment 98-99-219. Lt. Benton gave a report on the effectiveness of the program. Commissioner Bullard commended the Sheriff's Department for their work with the DARE Program. Upon roll call, all Commissioners voted aye, except Commissioner Gose, who abstained, and entered into the record a memorandum of voting conflict to become a part of the minutes. The motion carried. See SMB 34 Page 71. See Res. Book 12 Page 139.

The Chair received the gavel and presided at the remainder of the meeting.

3. Local Referendum Penny Infrastructure

Tom Portz reviewed the proposed ballot. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to proceed with the ballot and resolution for a referendum to be held July 20, 1999, with suggested language as follows: *Continuation* of Local Government Infrastructure Surtax, omit the s on recreations, and delete the wording, *Landfill design, permitting, and construction*. The Chair opened the floor to the public. Gabriel Read presented comments regarding the special election. Hank Kowalski spoke in favor of using part of the funds for purchase of recreation lands. Jim Cash spoke in favor, but questioned the participation from the northern residents. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 72. See Res. Book 12 Page 141.

I. Board Attorney

No report presented.

J. County Administrator

1. Request for recommendation on appointment to Sebring Airport Board

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve that the County go on record, stating that the two candidates for the Airport Board are outstanding, and the citizens will be

well served by either candidate, and the County trusts the City of Sebring to make the appropriate choice. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 73.

2. Reserve budget amendments 98-99-203, 205 and 209

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve budget amendments 98-99-203 (Highway Safety to reappropriate funds budgeted in fiscal year 1997-98 for paint drying facility, with a correction to the classification). Budget Amendment 98-99-205, (set up project number for dirt road paving project for Horse Hammock Road). Budget amendment 98-99-209 (reverse budget amendment 98-99-94 and properly allocate the funds received for the EMS grant). Upon roll call, all Commissioners voted aye. The motion carried.

3. Right of Way agreement-Charles & Wendy White-Farm Lot 46, Section 33, TWP 34 S, Rge 29 E.

Carl Cool reviewed proposal to purchase right of way for the future needs of the Eucalyptus Parkway Phase II roadway, from Charles and Wendy White. See SMB 34 Page 74 for copy of agreement. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to move ahead with the agreement to acquire right of way for the County to build the Eucalyptus Parkway Phase II. Upon roll call, all Commissioners voted aye. The motion carried.

4. Renovation of old Avon Park Civic Center for the Tax Collector

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to instruct staff to proceed with the acquisition of the Avon Park Civic Center deed. Upon roll call, all Commissioners voted aye. The motion carried.

K. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda as listed: Commissioner Bullard noted an error in the Animal Control report. He also spoke to the issue of how few cats are adopted by the citizens of the county. Commissioner Maxcy noted that the Salvation Army received a good financial audit.

1. Approval to pay all duly authorized bills

Law Library	1,525.77
General	1,252,642.38
County Transportation Trust	89,185.21
E911 Operations	21,343.33
Conservation Trust	15,000.00
Fl Boating Improvement	10,532.98
Local Government Infrastructure	186,171.55
Affordable Housing Assistance	22,244.14
Solid Waste	102,831.63
Placid Utilities	2,572.96
Risk Retention	25.50
Highway Park Utility	830.06
Employee Benefit	107,271.53

2. Approval of minutes of 3-23-99
3. Accept into record - March Monthly Report
4. Approval of resolution to declare local emergency. See Res. Book 12 Page 138
5. Approval to execute Development Agreement for Central Ave. See SMB 34 Page 75.
6. Accept into record - Salvation Army Corrections Program audit. See Salvation Army file for copy.
7. Approval to declare nuisance, case #9899-006 and 9902-0010. See SMB 34 Page 76.
8. Approval to execute Memo of Understanding with Venus Volunteer Fire Dept.
9. Approval of partial release of escrow - Lake Park Village. See SMB 34 Page 77.
10. Approval to execute Cooperative Funding Agreement with SWFWMD. See SMB 34 Page 78.
11. Approval to record nuisance release, case #99-01-0039 and declare nuisance, case #99-01-0039. See SMB 34 Page 79.
12. Approval of budget amendments 98-99-199 (purchase radio handsets for the Engineering Department) 98-99-200 (purchase and installation of a radio link at the Commerce Avenue Annex Renovation) and 98-99-211 (Central Services Health Unit).
13. Approval of resolutions and budget amendments 98-99-208 (Affordable Housing SHIP 6th year and 98-99-210 (Eucalyptus Parkway right of way acquisition). See Res. Book 12 Page 140.
14. Approval to release Unity of Title Agreement (Ronald I. and Wanda J. Stump). See SMB 34 Page 80.
15. Approval to execute contract for Sun 'n Lake Preserve outparcel (John & Lorraine Beagan). See SMB 34 Page 81.
16. Accept into record - Sebring Airport annual financial report. See Airport file for copy.
17. Accept into record - SFWMD annual financial report. See file for copy.

5. CITIZENS NOT ON AGENDA:

Hank Kowalski asked that a two-tier arrangement be considered when special exceptions are granted, giving the final authority to the Board of County Commissioners. He cited a specific instance where a warehouse was approved in a residential district.

6. COMMISSIONERS

No report

7. ADJOURN

The meeting adjourned at 12:16 p.m.

Chairperson

Attest: _____

Clerk

REGULAR MEETING OF THE BOARD, MAY 4, 1999

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:

James L Gose	Bob Jamison
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

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 Pat Hogue, County Extension Director.

3. **ANNOUNCEMENTS**

Lt. Benton presented the Daily Jail Log of Inmate Count for the period ending May 4, 1999. The Farm report was also given.

- A. **Sheriff: National Police Week**

Lt. Benton invited all staff to attend a special ceremony, Friday, May 14, 1999 on the grounds of the Courthouse at 9:00 a.m., as a salute to peace officers. By act of Congress, the week of May 15th has been set aside as National Police week and the day, May 15th as Peace Officer's Memorial Day.

This day is to remind the public that every two days, somewhere in the nation, an officer will be killed in the line of duty. See SMB 34 Page 90.

- B. **Clerk**

L.E. "Luke" Brooker, Clerk of Courts presented the following announcements:

1) Introduced Bob Jamison as the Director of auditing and grants for the Clerk's office, to replace the recently retired Charles Lairsey.

2) Announced that the last Teen Court session will be held May 17, 1999. More than 100 teens have participated in the sessions.

3) The fourth grade classes have begun their annual visit to the Courthouse.

4) National Day of Prayer observance to be held May 6, 1999 on the Courthouse Lawn at 11:00 a.m.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Tom Portz presented a public service announcement, stating that the first confirmed rabies case (a rabid fox) was found in Highlands County. He urged all citizens to be cautious of stray animals.

4. ACTION

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda with changes as submitted:

A) Remove item D.

B) Add budget amendment 98-99-237 and place under Item E.

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

A. Wilfredo Cordero, Dept. of Children and Families, and Louise Grant, foster parent: Proclamation of “Foster Parent Month”

Wilfredo Cordero, Dept. of Children and Family Services, read a proclamation into the record, and spoke to the Commission on the importance of foster parents. Louise Grant, foster parent, related information on the joy of being a foster parent. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt proclamation, proclaiming the Month of May 1999, as *Foster Parent Month in Highlands County, Florida*. Gabriel Read, speaking as a Guardian Ad Litem representative, urged the Board to support this program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 147.

B. Christine Gilbert: Proclamation - “Teen Pregnancy Prevention Awareness Month”

Ms. Christine Gilbert presented a proclamation and read it into the record. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt proclamation, proclaiming the month for May 1999, as *Teen Pregnancy Prevention Awareness Month*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 148.

C. Emergency Operations Director: County Fire Services Plan

Tim Eures, Emergency Operations Director, reported that the Fire Services Task Force has completed the review and selection process pertaining to RFP #99-17, “Strategic County Fire Services Plan.” He presented a contract from MGT of America with request for funding the \$59,890 cost of the study and a budget amendment moving funds from the Contingency. Commissioner Flowers praised staff and firefighters for their support, and spoke in favor of the contract. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the contract with MGT of America and a budget amendment for the funding. The Chair opened the floor to the public. No one spoke from the audience. Ross Macbeth reviewed proposed changes:

Page 1. MGT of America - add *a Florida Corporation*

Page 2. Leave in wording *but are not limited to*

Item g. At the end of the second line replace the word *of*.

Item i. Second sentence, add back wording *but not be limited to*

Page 3. Paragraph 9. Indemnification - *delete the last sentence, with revision*

Paragraph 10. Limitation of Liability has been deleted at the attorneys request.

Paragraph 13. Records and Inspections - *revision*.

Paragraph 21. Correction to the word *and* to include *an*.

Paragraph 21. To include an additional sentence.

Include Tim Eures as the contact person.

Addition of a new venue paragraph with a change in the signature page.

Commissioner Bullard also reviewed proposed changes:

Page 2. Item f. Language to include shall study instead of recommend a County wide approach.

Page 3. Item 8 as it relates to Item 5. Delete initiation of Study. Include three methods of payment divided equally in the amount of \$19,963.33.

Page 4. Records and Inspections. Ross Macbeth explained that this is standard language.

Bob Jamison, speaking as the former Purchasing Director, suggested that the language remain consistent with the RFP and proposals, and establish a cost structure based on three phases. Each phase, which has a clean start and stop point, and paying for deliverables associated with each one of the phases. Commissioner Flowers amended his motion to include all changes as discussed. Commissioner Stokes seconded the amendment. Commissioner Maxcy discussed the cost associated with the contract. He suggested in house consulting. Commissioner Flowers reminded the Board of the amount of staff time involved. Tom Portz spoke in favor of the study. The Chair opened the floor to the public. Donald Long, representing MGT, agreed with the changes. The Board Attorney suggested that we follow the RFP with payment upon completion of the deliverables. The method of payment will tie into their response to the RFP, and ties a three part payment schedule to the first payment, being one third of the completion of the work described in phases one and two of their RFP response. The third payment of 19,963.33, will be at the completion of the deliverables on the phase three, and the last payment of the completion of phase four. Under Records and Inspections. Add language: The consultant shall follow the Florida Law pertaining to the retention and destruction of public records and the expiration to the retention, as required by this paragraph. Commissioners Flowers and Stokes accepted the amended language. Voting on the amendment to the contract. Upon roll call, all Commissioners voted aye. The motion carried. Voting on the main motion. Upon roll call, all Commissioners voted aye. Harry Mottinger spoke in favor of the study. See SMB 34 Page 91.

Break 10:28 a.m. - 10:40 a.m.

D. Personnel Director: Heartland Library Cooperative technical services positions

Item deleted.

E. County Engineer: Proposal for Tomoka Heights well design

Ramon Gavarrete, County Engineer, presented the contract for professional engineering services to design, permit and construct the Tomoka Heights 10" well replacement and budget amendment. He requested that the bidding procedure be waived. He also reviewed the letter sent to DEP with a time frame of the new well construction and a copy of the regulation that states the need of a back up well. Commissioner Maxcy asked what impact the well construction will have on a customer increase. Carl Cool explained the need for the well and reported that the well has to be constructed. Commissioner Stokes questioned if this included the

drilling of the well. Staff advised that it did not. The County will have to go out to bid for the construction. The budget amendment will include the cost of the drilling. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the contract with Chastain Skillman, Inc. in the amount of \$24,840.00, waive the bid procedures, and approve the budget amendment to fund the project. Commissioner Bullard questioned if the County is still considering looping this water system with Lake Placid. Mr. Cool advised that this is a consideration for the future, but it will not affect the need for the additional well. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 92.

F. Asst. County Administrator

1. Distribution of funds from Florida Contraband Forfeiture Act

Tom Portz presented request for Howard Godwin, Sheriff, to make a donation to the Florida Sheriffs' Youth Ranches. He advised that, pursuant to the Florida Contraband Forfeiture Act, the agency has exceeded the required amount of \$15,000.00 per fiscal year. His request was to donate 15% of those collections to the support or operation of the program. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve request for a check in the amount of \$2,285.49 for the Florida Sheriff's Youth Ranches to support the program. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 93.

2. Request to purchase vans and budget amendment 98-99-217

Tom Portz presented request of Al Bowles, Building Operations and Maintenance Supervisor, to approve a budget amendment to purchase two minivans to move into the team cleaning concept. He advised that team cleaning has been implemented in the Government Center and it works well but cannot really implement the program county wide because the present vehicle fleet will not withstand the additional use requirement that team cleaning will force upon it. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve budget amendment 98-99-217 to purchase two Minivans to implement the team cleaning concept. Commissioner Bullard asked that staff take a look at replacing existing vehicles and move them to surplus. Otherwise, the department increases vehicle size. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 94.

3. Proposed phone rate structure increase

The Asst. County Administrator spoke to the Commission regarding the phone rate structure increase. He advised that several phone calls were received from concerned citizens. Carl Cool reported that 28 residents called the Courthouse in opposition to a rate increase. Comments received indicate that people feel that if the Internet is creating the problem, then Internet users should pay the increase and not phone customers. Jeff Mechlin, Public Affairs Manager for Sprint, reported that this involves the optional extended area service rates that were established back in 1989. There are excessive periods of time when people are tying up the equipment. A decision was made by the regulators to implement a rate of \$2.00 per month for the first 60 minutes and any minutes over 60 will be billed at five cents per minute. The Company feels that this is non basic service because the customers do have a choice. They can pay 25 cents a call for calls from Avon Park to Sebring, Lake Placid to Sebring and Sebring to Avon Park. The Company has no latitude with basic services, but with non basic services, that may adjust rates.

The Chair opened the floor to the public. DeeDee Martin, Elizabeth Carmichael, Tom Hunt, Jim Cash, Joanie Gergen, Ray Napper, Loren Eby, Gabriel Read, and Roland Lee spoke to the Commission in opposition to any rate increase and in favor of toll-free dialing in Highlands County. The Commission directed Ross Macbeth to research if another county has filed an injunction against Sprint with the possibility of Highlands County joining them against the telephone monopoly. Commissioner Bullard presented a Resolution into the record requesting that the Public Service Commission promote the initiation of *countywide toll free dialing* in all of Highlands County and in opposition to the rate increase. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to send the Resolution to the Public Service Commission. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 149. The Commission asked that the *injunction item* be placed on the agenda for next week, and Ross Macbeth report back with information on proposed cost. See SMB 34 Page 95.

G. Board Attorney: Silver Fox Ranch right-of-way presentation

Ross Macbeth reported that he has received two Quit Claim deeds conveying title to roads in the Silver Fox Ranch subdivision. Both of the deeds contain an affirmative statement that the Board is not undertaking any obligation with respect to the lands conveyed, until such obligation is assumed by Resolution adopted by the Board. Acceptance of these two deeds will convert the roads from a private road to public road status. The Board can consider in the future whether to accept maintenance responsibility for the roads. Morgan C.B. INC. sent a note representing that he has incurred expenses in the amount of \$55.00 to have the deed notarized at the U.S. Embassy in Tel. Aviv, Israel. Mr. Morgan is requesting reimbursement. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept the deeds for recording and Mr. Morgan's request for reimbursement in the amount of \$55.00. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 96.

Ross Macbeth presented an update on the proposed ordinance for regulations of C & D Landfills. He advised that other counties are starting to take a look at *stronger regulations*.

H. County Administrator

1. Sheriffs' request for budget amendment 98-99-231

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve budget amendment 98-99-231 to transfer reserve into the current operating budget. Upon roll call, all Commissioners voted aye. Motion carried.

2. Oil company funds for road construction / maintenance

The County Administrator reported that he has received a check in the amount of \$32,227.48 that represents Highlands County's share of a recently approved settlement fund to resolve the petroleum products price-fixing case filed by the State of Florida. The lawsuit was filed against the major oil companies on behalf of Florida consumers and units of government that purchased refined petroleum products during the period July 9, 1969 to March 10, 1981. The federal court determined that the fairest way to distribute the funds was on the basis of population. In selecting this approach the court required that all settlement funds be used only for road construction or maintenance.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to amend the Road and Bridge budget and transfer funds into the current operating budget. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 97.

3. Resolution requesting appointment to the Jobs and Education Partnership

Chairman Gose presented a Resolution into the record for submission to Governor Bush in support of the appointment of Michele M. Roberts to the State Jobs Education Partnership Board, representing Occupational Deans. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution and send to the Governor’s office in support of the appointment and to also encourage DeSoto, Glades, Hardee, Hendry, and Okeechobee counties to submit a *like* resolution to Governor Jeb Bush. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 150.

4. Request from Reliable Sanitation, Inc.

Carl Cool presented a request from Reliable Sanitation, Inc., and BFI Enterprises, to discuss an extension of their current Solid Waste Collection Franchise contract. The current contract runs through September 30, 2000. Staff is presently gathering data to start the RFQ/RFP process, so a new franchise will be in place about one year from now. Mr. Cool stated that the level of service that we have in the county is very good and the low level of complaints are significant. He advised that if an agreement is not satisfactory by the end of the fiscal year that staff will proceed with the RFP process. Commissioner Maxcy suggested an RFI as a request for information from other companies. The Chair spoke in favor of retaining the present vendors due to the level of service. Commission Flowers requested a different type of truck to accommodate tree trimmings, as the elderly have a problem with bundling the tree limbs. Another suggestion was to collect the yard waste two times per month. The Chair opened the floor to the public. Ray Napper stated that safety issues have to be discussed with certain type of trucks. After discussion, it was a consensus of the Board to set a workshop discussion for next week. The Commissioners were asked to place their concerns in writing. See SMB 34 Page 98.

5. Report on the Natural Gas System

The County Administrator reported on the public hearing of the Gulf Stream Natural Gas System. It will be held on May 5, 1999, at the Sebring High School from 5:00 p.m. to 8:00 p.m. to discuss the demand for the proposed natural pipeline through Highlands County.

I. Consent agenda

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda as follows:

1. Approval to pay all duly authorized bills

Law Library	148.03
General	2,559,554.08
County Transportation Trust	44,868.17
E911 Operations	2,271.97
Intergovt Radio Communications	783.23

Fl Boating Improvement	2,849.95
Local Government Infrastructure	258,752.54
Affordable Housing Assistance	29,034.21
Special Law Enforcement	968.90
Government Center	119.50
Solid Waste	53,076.36
Placid Utilities	7,287.40
Hiway Park Utility	224.05
Risk Retention	278.42
Employee Benefit	149,753.01

2. Approval of minutes of 4-13- 99 and 4-20-99
3. Accept into record - Annul Report of Soil and Water Conservation District. See SMB 34 Page 99.
4. Approval to execute resolution on local emergency. See Res. Book 12 Page 151.
5. Approval to record release of nuisance, case no. 99-01-0037. See SMB 34 Page 100.
6. Approval to waive SHIP requirement for assistance for Richard Weatherspoon family. See SMB 34 Page 101.
7. Approval of Plat Recording - Country Club of Sebring, Phase 3, Section 2, Sterling Oaks. See SMB 34 Page 102.
8. Approval to trade in surplus equipment - Clerk's Office. See SMB 34 Page 103.
9. Approval to record release of nuisance, case no. 9798-177. See SMB 34 Page 104.
10. Appointment of Margie Rhoades as an alternate to Recreation and Parks Advisory Committee. See SMB 34 Page 105.
11. Approval to execute contract with DEP for exotic plant treatment at the Sun'n Lake Preserve. See SMB 34 Page 106.
12. Approval of amendment to Sebring Library remodeling project #99-PLC-6.
13. Approval of Agreement with Dept. of State for Florida Certified Local Government designation. See SMB 34 Page 107.
14. Approval to execute 911 resolution. See Res. Book 12 Page 152.
15. Approval of resolutions and budget amendments 98-99-218(SHIP 8th year Grant) 98-99-225(Eucalyptus Parkway and betterment of Lake Jackson) 98-99-232(SHIP 7th year) 98-99-233 (SHIP 6th year) 98-99-234 (SHIP 5th year). See Res. Book 12 Page 153.
16. Approval to waive SHIP Housing Assistance Plan rule for Debbie Rogers. See SMB 34 Page 108.
17. Approval of budget amendments 98-99-214 (Reallocate cost associated with F350 Flat Bed Truck) and 98-99-215 (Operations & Maintenance, purchase storage shed).

- 18. **Approval to execute Modification to Settlement Agreement with Goolsby, Inc. and Nations Bank for a three hundred foot buffer along the north, west, and east boundary of Section 22.**
- 19. **Approval to execute Interagency Agreement for participation in Juvenile Justice Council.**
- 20. **Approval of Insurance Committee recommendations to waive out of pocket for claimant. See SMB 34 Page 109.**

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

5. CITIZENS NOT ON AGENDA

- A. Ray Napper spoke regarding the devastation of tornados in Oklahoma. He presented the telephone number for anyone wishing to help out.

6. COMMISSIONERS

- A. The Chair reported that he will be attending a Workforce Board meeting in Ft. Lauderdale next Tuesday.

7. ADJOURN

The meeting adjourned at 12:33 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, MAY 11, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	C Michael Eastman
C Guy Maxcy	Carl Cool
Edgar E Stokes	J Ross Macbeth
Bob Bullard	Louise Graham

Chairman James Gose was not present for the meeting. Vice-Chair David Flowers presided. The Vice Chairman announced that Item nine will be added to the agenda, which is a proclamation for Better Hearing and Speech Month.

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 Commissioner Guy Maxcy.

3. **ANNOUNCEMENTS:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. The Board gave a consensus to Mr. Cool for a joint meeting with the City of Sebring in the Commission Chambers on May 25, 1999, at 6:00 p.m., for a report by SWFWMD on water quality issues of Little Lake Jackson.

4. **Garbage franchise discussion**

The Vice-Chair opened the discussion on the garbage franchise. Mr. Cool reported that Chairman Gose shared his concern that he could not support any type of a rate increase. The Vice Chair opened the floor for public input:

- Ray Napper requested that each Board member review the contracts and the ordinance of the franchisers. He listed several concerns and asked that the Commission place the contracts out to bid and not grant an extension. The Vice Chair requested that Mr. Napper sit down with the Asst. County Administrator and review his notes.
- Gabriel Read spoke in opposition to an extension without review.
- Jim Cash urged the Board to look at the commercial side of the contract and was in favor of bidding out the contract.
- Hank Kowalski requested a charge back to the haulers from the recycling program and in favor of twice a month pick up for yard trash. He also spoke in opposition to bundling of tree limbs.
- Richard Abner stated concerns for the bundling and once a month pick up.

Treasa Handley, Assessment Coordinator, advised that Bob Balgemann, representative of the Highlands Today, ran an article in the newspaper, requesting that citizens contact her regarding any comments on

garbage pickup. She reported that no negative complaints were received. Commissioner Maxcy suggested that staff issue an RFI to gather information before entering into a contract. Each Board member agreed that they do not have a problem with negotiating with the current franchisers, reserving the right to go out for competitive bid process, if the negotiations do not facilitate favorable contracts. Carl Cool recommended that the negotiation process should be held first and then if necessary, issue an RFQ. The Vice-chair suggested an ordinance review. He appointed Commissioner Bullard as the Chair of the committee to bring information back on changes to the ordinance. Commissioner Maxcy agreed to formulate a committee to put together a packet as a request for information on the contract. Commissioner Stokes concurred with these suggestions. Jerry Leszkiewicz, Solid Waste Manager, reported that he has conducted a survey from other counties and cities for the Board to review. This will be placed on the agenda next Tuesday for discussion. Ray Napper spoke of the liabilities that may occur with negotiations.

5. Code Enforcement fee discussion

Alan Decker's memo presented information as to the administrative fee charged to nuisance abatement cases. The administrative fee is authorized by the Code of Ordinances and is set at one-hundred dollars. He advised that the fee is not sufficient to cover the costs incurred in the most basic of nuisance abatement cases. The office has numerous cases that are complicated such as property that is in foreclosure, property owners that cannot be located, property that has environmental considerations due to pollution, asbestos (currently a case in Avon Park). He recommended that the Board review the fee and make necessary adjustment to ensure adequate reimbursement for expenses incurred. See SMB 34 Page 111.

Jim Polatty, Development Services Director, reported that due to the resignation of Alan Decker, the remaining officer was unable to calculate the actual administrative cost of the code violations. Discussion occurred regarding whether the administrative fees should differ with a higher charge for dealing with structures and a lesser amount for grass. Eddie Conklin, Code Enforcement Officer, stated that he preferred wording in the amended ordinance allowing an appropriate amount to be charged. Ross Macbeth advised that Gary Lower, Zoning Supervisor, recommended a fee schedule. The ordinance would read: the fee will be according to a Resolution adopted annually with the categories of the Code Enforcement fees. Commissioner Bullard stated concerns with a violation when staff costs continue to rise and someone refuses to comply with the violation. He would prefer to see the cost broken out and to see the ordinance at that point.

Break 10:20 - 10:30 a.m.

6. Lake Placid water levels and outfall structure discussion

Ramon Gavarrete, County Engineer, advised that an informational meeting was held on April 22, 1999 with Commissioner Bob Bullard, County Staff, and a representative from the Southwest Florida Water Management District, regarding Lake Placid lake levels. As a result it was a conclusion to hold a workshop with the Board of County Commissioners to discuss improving the lake levels in Lake Placid. Some residents of Lake Placid have requested that a structure be placed at the culverts (Bridge No. 094030) under Placid View Drive. Other residents have stated concerns over this issue. The County Engineer presented a slide presentation with Clell Ford, Lakes Manager, explaining the illustrations. The County Engineer reviewed the predicted Lake Placid

Hydrographs levels.

The County Administrator advised that the structure will require a permit from the SWFWMD and some additional computer modeling. Ramon has estimated the cost at twenty to twenty five-thousand dollars. The Chair opened the floor to the public:

- Winston Nees advised that this data is approximately four years behind. More data will be required.
- Mary Carter spoke in favor of the structure to build the water levels up. She presented a packet with information regarding the history of the Lake, with a petition from several residents in favor. See SMB 34 Page 110.
- Andy Tully spoke in favor for help to the lake.
- Bert Harris, Attorney, spoke in opposition, due to high water levels.
- James Nielander spoke in favor of the structure and for the clarity of the lake.
- Hope Nielander spoke in favor, to keep the lake from losing water.
- Clay Richardson, Engineer with SWFWMD, stated that the plan will not be approved without first studying its impact on the lake. SWFWMD supports the project to raise the water levels. Increasing the water level will not increase the risk of floods.
- Hugh Neeley, a resident of Lake Mirror, suggested that staff study the effect it will have on the Chain of Lakes.
- Kelly Noonon spoke in opposition, due to the impact to the lakes.

Commissioner Bullard suggested that the County pursue a permit for a six-inch board for a minimal negative impact and the positive impact is virtually the same as the twelve-inch board. The main reason is that the long term problem of Lake Placid is a seepage problem and we have to change the hydraulic gradient for that lake so that we correct the seepage problem. Carl Cool advised that it will be a county structure and the county will provide the maintenance. Clay Richardson, SWFWMD, stated that the District supports the project. The County Engineer recommended that staff proceed with the application and apply for the permit. Clell Ford stated that he supports the recommendation, contingent upon the Water Management District addressing the seepage problem. The consensus of the Board was to proceed with the permit. See SMB 34 Page 112.

The County Administrator reviewed a memo from Clell Ford, Lakes Manager, regarding concerns raised about stormwater from a dairy farm that flows directly into the southern end of Lake Placid. Mr. Cool reported that this issue has been taken care of as the Water Management District is meeting with representatives to solve the run off problem. See SMB 34 Page 113.

7. Handyman ordinance workshop discussion

Ross Macbeth, Board Attorney, reviewed a proposed Handyman Ordinance that will regulate the type of work that handymen may perform in Highlands County. At this time there are no local controls, other than acquiring an occupational license. The ordinance sets up categories for handymen. Each must register and receive a certificate of competency from the county. Handymen may not charge more than \$1,000 for any job and each must have liability insurance. Commissioner Bullard noted that holding an occupational license has not demonstrated any competency to the County. The Vice Chair opened the floor to the public:

- Ken Mann spoke in opposition to the insurance requirement and the limit of \$1,000 per job. He asked that the Commission not to be too restrictive as this will create a monopoly for the other tradesmen.

- Kelly Noonan stated that he is competent to do the type of work that falls in the handyman’s category or basic home repair.
- S.Y. Mosley, Highlands County Building Official, spoke in favor of the ordinance and suggested that it is a good start in regulating handymen.
- Hank Kowalski requested that the ordinance not be too restrictive and limit a neighborhood handyman from helping out the neighbors.
- Clarence Polston, Chairman of the Construction, Licensing Board, asked that rules be developed for handymen to make them a part of the system. He suggested that the Board act on the matter to ensure that they are competent as required by the code.

Ross Macbeth advised that we are bound by Chapter 489 statutes, in what we can allow people to do under this type of registration. We cannot go beyond the exemptions of Fl. Statutes, and not require a license or allow electrical work. Insurance is also an important aspect as it protects the homeowner as well as the handyman. Commissioner Bullard spoke in favor of the ordinance and suggested that we move forward with the public hearing on June 22, 1999. He also pointed out minor corrections to the ordinance. Commissioner Maxcy spoke to the insurance requirement. The consensus was to defer the insurance question to the insurance specialist. Commissioner Flowers advised the handymen to contact Mr. Mosley for any concerns before the public hearing.

8. Resolution to declare Local Emergency

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution, declaring a local state of emergency for all territories within the legal boundaries of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 154.

9. Proclamation for hearing impairment

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to adopt Proclamation, proclaiming the month of May 1999 as Better Hearing and Speech Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 155.

Commissioner Stokes updated the Commission on the Florida Forever bill. The bill did pass and we have our protection for small counties, along with additional protection from another bill. Commissioner Bullard asked the County Administrator to pass along to appropriate staff, including the trustees, the great job they are doing with the landscaping of the Government Center.

10. ADJOURN

The meeting adjourned at 1:14 p.m.

Chairperson

Attest: _____

Clerk

REGULAR MEETING OF THE BOARD, MAY 18, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	C Michael Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by the Tax Collector, Charles Bryan.

3. **ANNOUNCEMENTS**

- A. **Sheriff**

Lt. Susan Benton presented the daily jail log of inmate population for the period ending May 18, 1999.

- B. **Clerk**

No report presented.

Upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Commissioner Maxcy asked that a discussion be held at the joint meeting with the City of Sebring on moving the flag pole on Highway 27 that is currently submerged. Carl Cool was directed to speak with SWFWMD regarding this item. The Asst. County Administrator advised that the County participated in a successful hurricane exercise. The hurricane exercise expired on May 17, 1999 at 2:00 p.m. Staff did not resume the exercise because of the various brush fires taking place in the County. An additional briefing will be presented once the state has critiqued the event. See SMB 34 Page 114.

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the action agenda with changes as submitted:

- Remove Item D-1 from the Agenda
- Addition of Item D-5 Professional Services Acquisition Committee Appointment
- Correction to Item E-8 budget amendments 98-99-239 and 98-99-254 and place back on the Consent Agenda.
- Revision to Consent Agenda Item 12-Approval of terms of office for RPAC as highlighted.
- Remove Item 10 from the Consent Agenda and add as Item D-6.

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

- A. **Personnel Director**

1. **Request for approval of Library job descriptions and recruitment**

Carl Cool reported that the Heartland Library received a grant. He reviewed job description package to be funded by the Heartland Library Cooperative. The new position will be located at the Hardee County Library. As a result of the transfers of two Board employees, the Highlands County Library personnel cost will have a net decrease of approximately \$10,000 annually. In order to realize these savings, a position for a Library Technical Assistant II (Pay Grade 17) will be downgraded to a Library Assistant II (Pay Grade 9) within the County Library system. This position will be primarily assigned to support the Children's Department of the Sebring Library. See SMB 34 Page 115 for copy of job descriptions.

Commissioner Bullard spoke in favor of the program to reduce cost and improve efficiency. Mary Myers, Heartland Library Cooperative Coordinator and County Library Director, spoke of the success of the cooperative system and the sharing of resources. She also shared information regarding the computers that the Library will receive through the Gates Library Initiative Grant Agreement.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve job descriptions and the recruitment actions as recommended by staff. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request for position title change

Fred Carino, Personnel Director, presented request for a position title change. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to authorize the change of position title from Public Information Coordinator to Public Information Officer, to better define the scope and performance of duties for that position. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 116.

B. Economic Development Director: Request for Target Industry resolution

Jim Stanfill, Economic Development Director, presented a Resolution by the Governing Board, recommending that Project #9801235 be approved as a Qualified Target Industry Business, pursuant to Florida Statutes. Highlands County is a Rural Economic Development Initiative (REDI) County and is eligible for the local financial support exemption option. Mr. Stanfill noted that the industry is a manufacturing business that will be using security devices and monitors and will be a cooperative headquarters location. This industry will create approximately 100 new jobs for the County. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution recommending the project be approved as a qualified target industry business. Louise England, Administrative Assistant, read the captions of the Resolution into the record. The Chair opened the floor to the public. Ray Napper presented questions regarding the rebate inducement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 156.

C. Board Attorney

1. Discussion of letter from G.F. Enterprises

Ross Macbeth reviewed a letter from Robert Choquette of G.F. Enterprises Unlimited, Inc. See SMB 34 Page 117. Mr. Choquette stated that he was no longer in a financial position to make payments on behalf of G.F. Enterprises of Central Florida, Inc. Mr. Macbeth related to the Commission the history of the fluff deliveries. He advised that the County may assert a transfer of liability from G.F. Enterprises into G.F. Unlimited. He expects that neither company has any assets. The likelihood that the County will receive any compensation from personal judgements against officers with money is not good. The reality is that the County may be spending good money after bad. Commissioner Flowers and Stokes agreed that the Board should not pursue the issue if we cannot collect anything.

Commissioner Maxcy suggested that filing a lawsuit as an information gathering exercise could put the County in a better position to find out if the company does have assets. Commissioner Bullard recommended that staff

sit down and negotiate a settlement and release for a probable \$10,000 cash payment from the Company. In return, the County will give them a full release and a waiver of any actions. When the \$10,000 is added to the \$70,000 that we have already received, we are close to getting the payments for the actual fluff deliveries. The only thing that the County will be out is the interest. The Board gave a consensus to the attorney to follow through with the negotiations and not to pursue any other avenue until these findings are complete. Commissioner Maxcy recommended that an executive session should be held to present the findings. The Board Attorney announced a legislative session to be held June 1, 1999 to discuss the G.F. Enterprises vs. Highlands County in cases CC 98-193. The Chair opened the floor to the public. Gabriel Read, Avon Park Lakes, commended Commissioner Maxcy and Bullard for the proposal. Ray Napper recommended discussions in a legislative session to prevent liability to the County. Jim Cash, Lake Placid Journal, asked the Commission to consider the environmental liability when negotiating for a release.

2. Sprint update

Ross Macbeth reported that he talked to Dick Durbin of the Public Service Commission, regarding discussion of an injunction by a city. There is no action pending at this time. He noted that there were changes in the regulatory authority as a result of the 95 Telecommunications Act. The Public Service Commission lost jurisdiction over rates, except for basic service and some narrow authority over rate increases. The Public Service Commission is checking to see if the rate exceeds six percent of that particular basket of services. If so they could have some regulatory authority. Mr. Durbin will follow up with this information. Commissioner Bullard urged the Commission to be pro active in bringing competition to Highlands County.

3. Update on the C&D Ordinance

Mr. Macbeth advised that he is continuing to review ordinances from other counties. At this point he is recommending the Orange County ordinance as it has been revised recently. We should be ready to go to workshop by June.

D. County Administrator

~~1. Request for agreement on Sun 'n Lake roads~~

2. Confirmation of General Services Director

The County Administrator presented Gerald Lee Secory, as the new General Services Director. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve confirmation as requested. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 118 for copy of resume.

3. Budget amendments 98-99-244 and 250

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 98-99-244 to cover insufficiency in the court reporter transcript appeals account and to move funds for the rest of the fiscal year, and budget amendment 98-99-250, to employ caretaker with associated equipment for the Edna Pearce Lockett Estate. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 126.

The Chair reminded the Commission that we have an option to purchase the Edna Pearce Lockett property for approximately one million dollars. The appraised value of that property at this point is two million. There are two more years before the option disappears. The County Administrator explained the lease option. Discussion ensued regarding an economic study of the property.

4. Professional Services Acquisition Committee

Motion by Commissioner Flowers, seconded by Commissioner Bullard to approve changes to the Professional Services Acquisition Committee as recommended by staff:

bring Ramon Gavarrete up from an alternate position to a regular member
appoint Jerry Leszkiewicz as an alternate member for the County.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 119.

E. Consent agenda:

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the consent agenda as listed excluding item number 10:

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

Law Library	1,661.49
General	390,103.86
County Transportation Trust	56,594.02
E911 Operations	16,095.13
Local Government Infrastructure	1,063,280.53
Affordable Housing Assistance	33,891.87
Special Law Enforcement	2,285.49
Solid Waste	61,713.97
Placid Utilities	7,377.18
Highway Park Utility	1,537.68
Risk Retention	974.78
Employee Benefit,	45,099.18
2. **Approval of minutes of 4-19-99, 4-27-99 and 5-4-99 meetings**
3. **Accept into record - April Monthly Report**
4. **Approval to trade in track hoe - RB 1251, Operations Department See SMB 34 Page 120.**
5. **Approval to execute resolution to declare a local emergency. See Res. Book 12 Page 157.**
6. **Approval to reject SHIP bid #99-67 from E.O. Koch Construction and permit the rebid in an amended form. See SMB 34 Page 121.**
7. **Approval of resolution and budget amendment 98-99-238 (revenue from ADAPT program). See Res. Book 12 Page 158.**
8. **Approval of budget amendments 98-99-239(Placid Utilities repairs to Hydro Tank) 9899-242 (Solid Waste unemployment compensation) 98-99-243(Public Defender) 9899- 246 (tower maintenance) 98989-247 (patch asphalt deficiency) 9899-248 (B& M unemployment claims) 9899-249 (Engineering Department phone and moving cost) 9899-254 (purchase of slide/video converter and laptop computer for use in the Boardroom).**
9. **Approval of Gates Library Initiative Grant Application Certification and purchase of public access computer and other equipment. See SMB 34 Page 122.**
- ~~10. Approval of Sun ‘n Lake Preserve Conceptual Approval Agreement, Addendum IX~~
11. **Approval of SCS Engineers Addendum no. 2 for C&D landfill closure plan. See SMB 34 Page 123.**

- 12. **Approval of terms for Recreation and Parks Committee members. See SMB 34 Page 124.**
- 13. **Approval to execute resolution on Pearce/Lockett grant. See Res. Book 12 Page 159.**

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

10. Approval of Sun ‘n Lake Preserve Conceptual Approval Agreement, Addendum IX

Hank Kowalski requested a clarification on the Sun’n Lake Preserve Conceptual Approval Agreement. Kirk Crane, representing the Planning Department, explained that this is the ninth extension making available the funds from the Florida Community Trust, to complete the purchase of the Sun’n Lake Preserve. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the agreement. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 34 Page 125.

5. CITIZENS NOT ON AGENDA

Hank Kowalski reported on a zoning issue that was heard by the Board of Adjustments. He suggested that the Board consider taking action to have special exceptions heard before them for the final determination.

6. COMMISSIONERS

- A. Commissioner Flowers reported on the Community Traffic Safety Team meeting. A request was made that the Department of Transportation perform a feasibility study on truck restrictions. Preliminary reports indicate that DOT is in favor of the study. A Resolution will be forthcoming to the Board of County Commissioners for their approval. Commissioner Flowers also voiced a concern with the committee on the 65 miles per hour speed zone implemented by DOT from south of the National Guard Armory in Avon park down to Fairmount Drive. He suggested that this be readdressed as well as from Fairmount south to Highlands Regional Hospital. Chairman Gose recommended that the Resolution be heard at the next public hearing. Commissioner Stokes also mentioned a curve on Highway 70 that should be addressed with the Community Traffic Safety Team. Commissioner Flowers acknowledged that this has been addressed and changes are forthcoming.
- B. Commissioner Maxcy inquired if a lawsuit has been filed with the County by B.A.Roberts. The attorney advised that no papers have been received.
- C. The Chair commented on the beginning construction for the Eucalyptus Parkway. The Board discussed the option of renaming the Parkway. The Chair asked that it be placed on the agenda for input from the City of Sebring, since it is a joint project.

7. ADJOURN

The meeting adjourned at 10:47 a.m.

Chairperson

Attest: _____
Clerk

SPECIAL MEETING OF THE BOARD, MAY 25, 1999

1. The meeting was called to order at 6:00 p.m. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

Also present was the City of Sebring City Council Members as listed:

John Clark	Mayor George Hensley
John Griffin	City Administrator Bob Hoffman
Margie Rhoades	
Jeff Carlson	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Chairman Gose.

Roll call for the City of Sebring was administered by the Deputy Clerk, Louise Graham. All members present, except Annette Daff.

The Proof of Publication was entered into the record by the County Administrator. See SMB 34 Page 131. The Chairman announced that Commissioner Flowers has an engagement later in the evening and will be leaving early.

Annette Daff arrived at the meeting at 6:15 p.m.

3. **Little Lake Jackson discussion**

Keith Kolasa presented the SWFWMD findings of Little Lake Jacksons' diagnostic feasibility study II. The project was started after funding was approved by the Peace River Basin Board. The study found much of the lake's problems are caused by the high nutrient levels surrounding the water table, and to a lesser degree, runoff from residential areas and the golf course. Part of the solution may be a chemical called alum. The chemical will bond with the five feet deep muck on the lake bottom and form a crusty layer reducing the amount of nutrients released into the water. Keith presented recommendations and options for the lake and retrofit options for future removal.

Discussion on the following:

- Whole Lake Treatment
- Injection System
- Rerouting water into the System

SWFWMD offered the Alum Injection System that will help reduce nutrients for the long term effect. The cost to the City and County was estimated at approximately \$25,000.00 for maintenance and chemicals for the first year. Clell Ford, Lakes Manager, spoke in favor of the system and asked that we move forward with the study. The

funding from the Peace River Basin Board, SWFWMD, City and County, should be enough to pay for the whole lake treatment and perhaps the siting of the injection pond. The Chair opened the floor to the public. Barbara Bauer, a resident of the Lake, reported that a high concentration of *runoff* not only comes from the Municipal Golf Course, but also from the Harder Hall Golf Course. Keith Kolasa reviewed a slide presentation on how the system process works and suggested a possible agreement with the County and SWFWMD for the equipment. The consensus of the City Council members and the Board members were to move forward to seek an agreement.

4. Relocation of flag pole

Carl Cool reported that he has spoken to Larry Hardy of Florida Power Corporation, and Mr. Hardy sees no reason why the lights cannot be turned on, and place the flag back up. Bob Hoffman advised that there are continuous problems with the location of the flagpole. He suggested moving to an inland peninsula. Commissioner Maxcy suggested building a cat walk. The Chair asked that Mr. Cool and Mr. Hoffman work out the details to get the flagpole back up.

5. Naming of proposed Eucalyptus Parkway

At the direction of Commissioner Flowers, the County Administrator asked for a discussion with the City and the County for the renaming of the Eucalyptus Parkway. Commissioner Stokes suggested that *Sebring Parkway* be considered. After discussion, the consensus was to name the highway the *Sebring Parkway*.

Mr. Cool gave an update on the Phase I construction. He expects the permitting to be completed from three to six months and the Parkway to be completed in one year. Ramon Gavarrete, County Engineer, updated the Board members on the *Southgate Road design*.

6. Consideration of offer to purchase fruit in right-of-way

The County Administrator reviewed a letter from Sebring Packing Company with an offer to purchase the remaining fruit that is on the land now part of the County and City right-of-way. The estimate was for 400 field boxes of White Grapefruit and 300 field boxes of Valencia oranges at \$1.00 on tree per FB for the Grapefruit and \$5.25 on tree per FB for the Valencia Oranges. Payment to be made within 21 days on actual boxes harvested. The consensus of Board Members were to accept the offer.

7. Announcement of 2nd Annual Bed Race on July 4, 1999.

8. ADJOURN

The meeting adjourned at 8:07 p. m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JUNE 1, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Mrs. Ruth Handley.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Chairman Gose presented a contract from Hardee County *for approval to house inmates* for Highlands County. Action to be taken under the County Administrator.

- B. **Clerk**

C. Michael Eastman, Accounting and Finance Director, presented an update on the RFP process for the External Auditors. Advertisements appeared in both local newspapers last Wednesday and will be repeated in this Wednesday's newspaper. RFP's were also mailed to twenty-four different CPA firms. Three firms will be selected by staff and presented to the Board on July 20, 1999 for their selection.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Budget presentations are scheduled to begin June 2, 1999. Ross Macbeth requested that Item 7 - *Executive Session* be postponed to a later date.

4. **ACTION**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda with changes as submitted:

- A. Addition of the CDBG Housing Application under the Asst. County Administrator
- B. Addition of a new Jail Contract to be heard under the County Administrator
- C. Remove Consent Agenda Items 9-10-11 for discussion under the County Administrator

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

- A. **John McClure: Interlocal Agreement for Sun 'n Lake Improvement District**

Attorney John McClure, representing the Sun 'n Lake Improvement District, requested that the County enter

into an Interlocal Agreement with the District to allow enforcement procedures outlined in the driveway connection permit and implement the following procedures:

- 1) no building permit will be issued until evidence is presented that the District driveway connection permit has first been obtained;
- 2) the County does not pass any slab pour inspection until evidence is presented that District elevation requirements have been met;
- 3) no Certificate of Occupancy is issued until the Improvement District has concurred that all requirements have been met

The District is requesting to assume more responsibility for the governance of matters relating to roads and drainage within the District. The County Administrator spoke in favor of the new driveway connection permit and advised that the District will be receiving the fees for the inspections. The Chair opened the floor to the public. No one spoke for or against the new proposal. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Interlocal Agreement between the County and the Sun'n Lake Improvement District. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 132.

B. Human Services Director: Domestic Violence Intervention Program

The County Administrator presented recommendation of Kevin Roberts, Human Services Director, on the Domestic Violence Intervention Program. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to allow any excess funds at the end of each fiscal year, to help fund the Director position for the Children's Advocacy Center. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 133.

C. Assistant County Administrator: Change order request for DeSoto City Fire Station

Tom Portz, Asst. County Administrator, presented request for a change order for the DeSoto City Fire Station. This request was generated due to a new requirement that went into effect January 1, 1999 by Florida Power Corporation. They will no longer run underground service for Commercial/Industrial. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve change order for Cobb Construction, Inc. and budget amendment for the construction of the DeSoto City Fire Station. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 134.

1. CDBG Housing Grant Application

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve Housing Grant Application Contract and Resolution with Government Funding Specialist, Inc. The applicant is the lowest bidder and has agreed to do the application for the County to be paid only if the funding is acceptable and funds are awarded to the County. See CDBG file for copy. See SMB 34 Page 135.

D. Board Attorney

Ross Macbeth advised that the C&D Landfill Ordinance will be discussed at a workshop next week. He will be distributing a draft ordinance from Orange County, as that is what he is working with to develop the

final product. It will be a good starting point for discussion.

E. County Administrator: Cooperative Funding Agreement with SW Fla. Water Mgmt. District

The County Administrator reviewed the proposed Cooperative Funding Agreement with SW Florida Water Management District for Lake Jackson’s Stormwater Survey. This is a survey of stormwater flowing into Lake Jackson and to review sources and ways to protect Lake Jackson. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the funding agreement. Upon roll call, all Commissioners voted aye. Motion carried.

1. Contract for Housing Inmates in Hardee County

Mr. Macbeth stated concerns with Section 11, Page 3, of the contract that deals with *Prior Occurrences*. He would like assurance that Hardee County is not getting out of a *known liability* by this language, as we are dealing with an ongoing contract. The Chair asked that the County Administrator contact the Sheriff for an answer to these concerns and reschedule as an action item for next weeks’ agenda.

2. Consent Agenda items 9-10-11-Hospital grants

Commissioner Bullard noted for the record the extremely *worthwhile programs* that the Highlands County Commissioners participate in:

- The Nursing Scholarships
- The Heartland Healthy Kids Council
- The Children’s Services Foundation

Mrs. Ruth Handley, Advisory Board Member of the Children’s Services Council, spoke for the programs, and requested clarification on approval by the Board of both agreements. Ross Macbeth advised that these agreements are in place. Clayton Womer spoke in favor of having the Consent Agenda read into the record. The Board gave a consensus to replace items 9-10 &11 on the Consent Agenda for approval.

F. 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	2,355.73
General	1,420,009.86
County Transportation Trust	46,983.61
E911 Operations	307.31
Intergovt Radio Communications	783.23
Law Enforcement Education	5,862.12
Local Government Infrastructure	8,480.20
Affordable Housing Assistance	48,119.13
Solid Waste	8,183.48
Placid Utilities	14,807.89

- Hiway Park Utility 33.41
- Employee Benefit 121,686.68
- 2. Approval of minutes of 5-11-99 and 5-18-99 meetings,
- 3. Approval of EMT Agreement with Polk Community College. See SMB 34 Page 136.
- 4. Approval to execute resolution declaring Local Emergency. See Res. Book 12 Page 162.
- 5. Approval to release escrow for Eckerd’s developer. See SMB 34 Page 136.
- 6. Approval to execute amended Interlocal Agreements for recreation funding
- 7. Approval of resolutions and budget amendments’ 98-99-257(Heartland Library reimbursement for new positions) 98-99-267 (6th year down payment program). See Res. Book 12 Page 163.
- 8. Approval of budget amendment 98-99-260 (Hazardous Materials Grant funding to be used for various projects). See SMB 34 Page 137.
- 9. Approval of Grant Agreement with South Florida Community College
- 10. Approval of Grant Agreement with Heartland Healthy Kids Council
- 11. Approval of Grant Agreement with Children’s Service Foundation
- 12. Approval to execute Mortgage Modification Agreement (James L. Snively and Christine J. Housman). See SMB 34 Page 138.
- 13. Approval of Addendum No. 1 to Chastain - Skillman Supplemental Agreement No. 26 for design of aerators for the Leachate Storage Basins. See SMB 34 Page 139.
- 14. Approval of contract with Habitat for Humanity. See SMB 34 Page 140.
- 15. Appointment of Hilary Swain to the Natural Resources Advisory Commission. See SMB 34 Page 141.
- 16. Approval of contract with Excavation Point for Arbuckle Landfill Fire Service Line and Hydrant installation. See SMB 34 Page 142.
- 17. Approval to release lien, case no. 9798-104 (Francis & Robert Wills). See SMB 34 Page 143.
- 18. Approval to waive fee for Bishop Park rental for Leisure Lakes Home Owners. See SMB 34 Page 144.

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

5. CITIZENS NOT ON AGENDA:

- A. Von Whitesides from Buttonwood Bay, spoke in opposition to holding a special election on the one cent sales tax referendum. He asked that the Commission reconsider this action for November. The Chair reported that a mail out is forthcoming with detailed information to the residents regarding the referendum and how they may obtain an absentee ballot.
- B. Mrs. Ruth Handley, speaking as a leader in the community, endorsed the referendum to be held in advance of its expiration to know the will of the people.

6. COMMISSIONERS

- Commissioner Stokes remarked about the Tampa Tribune article regarding the waters of Okeechobee. South Florida Water Management District’s map excluded Highlands County.
- Commissioner Maxcy thanked staff and the City of Sebring Administrator, Bob Hoffman for the fast action in *raising the flag on Highway 27*.
- Commissioner Flowers introduced two Resolutions from the Community Traffic Safety Team.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution asking DOT to reconsider their decision in setting the speed limit, and to restudy the 65 mph portion of U.S. 27 between Avon Park and Sebring, and hopefully lower the speed limit to 55 mph. Commissioner Bullard made an amendment to the Resolution, seconded by Commissioner Stokes, to strike the verbiage, *and it is a known fact that as we get older, our driving skills gradually diminish*. Commissioner Flowers agreed to the amendment. The Chairman placed the amendment as a part of the original motion. The Chair opened the floor to the public. Don Darling spoke in favor of reducing the speed limit to 45 miles per hour. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 164.

Commissioner Flowers explained that the second Resolution concerns restrictions on truck traffic and is an *information request only* from the Community Traffic Safety Team, requesting that DOT conduct a feasibility study on truck restrictions. Motion by Commissioner Flowers, to adopt Resolution requesting that DOT conduct a feasibility study on truck restrictions. No second was received. The motion died for lack of a second.

7. ~~11:00 a.m.: Executive Session regarding G. F. Enterprises Unlimited, Inc., a Florida Corporation v. Highlands County, Case No. CC-98-193~~

Item removed from the agenda at the request of the Board Attorney.

8. ADJOURN

The meeting adjourned at 10:00 a.m.

Chairperson

Attest: _____
Clerk



BUDGET WORKSHOP OF THE BOARD, JUNE 2, 1999

The Workshop was called to order at 8:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following staff present:

Rick Helms, Budget Officer
 Gilberto Rivera
 Tami Mansfield
 Louise Graham, Deputy Clerk

Also present was Commissioner Edger Stokes and Commissioner David Flowers.

Rick Helms, Budget Officer, and staff listened to the request of individual Board Departments and Elected Officials for their budget for fiscal year 1999-2000. A formal recommendation will be presented to the Board of County Commissioners on July 13, 1999. All agencies will be advised of this recommendation and allowed to register appeal with the Board on July 20, 1999. The budget schedule was heard as follows:

WEDNESDAY, JUNE 2, 1999			
AGENCY	PAGE NUMBERS	COST CENTER	LOCATION
Human Services (Children's Services Council)	E-212	5225	Government
Human Services Administration	E-190	5220	Center
Public Assistance Program	E-197	5221	Boardroom
State-County Assistance Program	E-199	5222	
Transportation Disadvantaged	E-216	5226	
Commodities	E-201	5223	
Health Care Responsibility Act	E-188	5108	
Children's Advocacy Center	E-76	3995	
Veterans	E-160	2991	
Nu-Hope	E-207	5224	
Personnel	D-35	2107	postponed
Employee Benefits	D-52	7993	
Insurance - General Claims	D-42	2556	
Insurance - Workers' Comp.	D-47	2557	
Work Study Program	D-93	5310	
County Extension	E-1	6302	

General Services	D-65	2558	
Health Department	H-8	5101	
Animal Control	E-96	5106	
Emergency Management	E-21	3991	
E911 Operations	E-33 & E-35	3997, 3998	
Building Department	F-171	3440	
Zoning Department	F-166	3439	
Nuisance Abatement	F-179	6306	
County Planning & Development	F-146	2700	
Conservation Trust	E-275	6307	
State Housing Initiatives Program (SHIP)	E-220	5342	
Libraries	E-106, E-108, E-111, E-113	6209-6212	
Pre-Trial Release	G-31	1014	
LUNCH BREAK			
Supervisor of Elections	G-118	2442	
Clerk of Courts	G-73 THRU G-106	2102, 2320, 1004, 1006, 1007, 1008, 1015, 1017, 1018, 1019, 1020, 1027, 1032, 1034, 1040, 1041, 1043, 1045	
Sheriff	E-42, G-107 THRU G-113	2339, 3101, 3322, 3323, 1029, 1030	

WEDNESDAY, JUNE 2, 1999			
AGENCY	PAGE NUMBERS	COST CENTER	LOCATION
Special Projects Director	D-99	7992	Government Center
Non-Ad Valorem Districts:			Boardroom
Highway Park	J-51	7965	
Lake Haven Estates	J-3	7970	
Orange Blossom Unit 12	J-5	7971	
Sebring Acres	J-7	7972	
Orange Blossom CCC	J-9	7973	
Sun 'n Lakes LP Recreational District	J-11	7974	
Orange Blossom Units 1-19	J-13	7975	
Orange Blossom Unit 6	J-15	7976	
Red Hill Farms	J-17	7977	
Sebring Hills	J-52	7978	
Orange Blossom Units 8 & 9	J-19	7979	
Lake Placid Sun 'n Lakes Sp District	J-21	7980	
Sebring Highlands	J-23	7983	
Orange Villa	J-25	7984	
Avon Park Lakes Road	J-27	7985	
Placid Lakes	J-29	7987	
Istokpoga Marsh	J-32	7989	
Avon Park Estates	J-34	7990	
Highlands Park Estates Spc Tax District	J-36	7995	
Hickory Hills	J-38	7996	
Sebring Country Estates	J-54	7998	
Road and Bridge	F-32	4102	
Maintenance Shop	F-61	4104	
Roadside Mowing	F-82	4106	
County Shell Pit	F-89	4108	
Operations Department	E-156	6104	
Carpentry Shop	F-53	4103	
Recreation	E-122	6101	
Parks Department	E-137	6102	
Weed Control	E-266 & E-273	6304,	

		6305	
Public Information	D-57	2109	
Circuit Court	G-3	1000	
Natural Resources	E-224	6303	
Emergency Medical Services	E-78	5105	
Building Operations & Maintenance	D-72	2672	
Courthouse Facilities	D-3	1031	
Economic Development	H-31	5300	
Convention Visitors Bureau	D-102	2111	
THURSDAY, JUNE 3, 1999			
AGENCY	PAGE NUMBERS	COST CENTER	LOCATION
Property Appraiser	G-116	2211	Government Center
Emergency Operations Director	E-51, E-46	3213, 3211	Boardroom
Special Tax Districts-Fire:			
Lake Placid Fire District	J-72	7966	
Lorida	J-61	7968	
Venus	J-70	7969	
Lake Placid Sun 'n Lakes Fire District	J-72	7981	
DeSoto City	J-79	7982	
Highlands Lakes	J-87	7988	
Leisure Lakes	J-95	7994	
Highlands Park	J-103	7997	

Board of County Commissioners Personnel	C-1	2101	
Central Services	D-102	2111	
Board Attorney	D-9	2103	
County Administrator	C-4	2104	
County Audits	D-11	2105	
Office of Management & Budget	D-13	2106	
Non-Ad Valorem Assessment	D-29	2108	
County Court	G-9	1001	
State Attorney	G-11 & G-13	1002, 1002A	
Public Defender	G-15 & G-17	1003, 1003A	
Law Library	G-50	1033	
Historic District Site Survey	D-97	6213	
Court Reporter	G-21, G-35, G-54, G-64	1009, 1021, 1035, 1042	
Appeals	G-19	1005	
Clinical Evaluation Circuit Criminal	G-23	1010	
Interpreters Circuit Criminal	G-25	1011	
Expert Witness Circuit Criminal	G-27	1012	
PD Conflicts Circuit Criminal	G-29	1013	
Clinical Evaluation Circuit Juvenile	G-37	1022	
Interpreters Circuit Juvenile	G-39	1023	
Expert Witness Circuit Juvenile	G-41	1024	
PD Conflicts Circuit Juvenile	G-43	1025	
Guardian Ad Litem Circuit Juvenile	G-45	1026	
Clinical Evaluation Circuit Probate	G-48	1028	
Clinical Evaluation County Criminal	G-56	1036	
Interpreters-County Criminal	G-58	1037	
Expert Witness-County Criminal	G-60	1038	
PD Conflicts County Criminal	G-62	1039	
Attorney Fee Circuit Probate	G-66	1044	

Legal Aid Program	G-68	1046	
Drug Enforcement Program	N/A	3104	
Community Traffic Safety	E-44	3105	
Municipalities	N/A	2992	
Florida Highway Patrol	G-70	3102	
Division of Forestry	E-68	3214	
Medical Examiner	H-2 & H-6	3990	
Armory	N/A	3992	
Mental Health	E-165	5103	
Tubercular Care	E-186	5104	
Highlands County Housing Authority	H-39	5343	
Community Redevelopment Agency-Sebring	H-42	5346	
Community Redevelopment Agency-Avon Park	H-44	5347	
Sebring Regional Airport/Industrial Park	H-46	5348	
Sebring Airport Authority	K-3	4300	
THURSDAY, JUNE 3, 1999			
AGENCY	PAGE NUMBERS	COST CENTER	LOCATION
Highlands Park Estate Improvement Trust Fund	J-40	7999	Government
Long Term Notes	I-1 - I-5	8110	Center
Revenue Certificates	J-42 - J48	8111	Boardroom
Certificates of Indebtedness	N/A	8120	
Interfund Transfer	N/A	9101	
Reserve for Contingency	D-132, D-134, F-94	9990	
County Engineer	F-2	4101	
Placid Utilities - Water	F-182	7102	
Placid Utilities - Sewer	F-220	7103	
Highway Park	F-206	7102A	
Highway Safety	F-70-	4105	
Landfill (Refuse Disposal System)	F-98	4210	
Recycling Operations/Recovery Facility	F-125	4211	
Solid Waste Administration	F-128	4212	
Waste Tire Processing Grant	F-135	4214	

Landfill Closure	F-137	4215	
Recycling Center (Grant)	F-143	4217	
Highlands County Beautification	E-277	6308	

WORKSHOP MEETING OF THE BOARD, JUNE 8, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Bob Jamison
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Sheriff Howard Godwin.

3. **ANNOUNCEMENTS**

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

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the action agenda as amended:

- A) Remove item number 4, Public Hearing to consider proposed changes to Chapter 12, from the agenda, due to an improper advertisement.
- B) Replace item number 4 with a brief discussion on the Natural Resources Advisory Council.
- C) Move item number 7, "Character First" presentation up as number 5.
- D) Resolution to declare a local emergency to be heard last.

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

4. **Public Hearing to consider proposed changes to Chapter 12, Zoning Code**

Postponed due to an improper advertisement.

- A. **NRAC discussion**

The Chairman advised that the County has lost four (4) good board members from NRAC due to a conflict of interest that arises out of the review of Environmental Regional Impacts. The County also funds two positions at the Natural Resources Department that are competent to perform these tasks. He asked that the County Administrator present the suggestion to NRAC that the Department take the responsibility of reviewing the ERI's and bring back their response. This will require a Comprehensive Plan amendment and to readdress the Board but it will avoid the conflict issue.

5. **"Character First" presentation**

Carl Cool presented a short video on the Character First Program. Sheriff Howard Godwin reported that he has instituted this program in his office and it is already a success. "Character training is really leadership training."

He thinks the program will work on a countywide basis and the benefits are great. Commissioner Flowers advised that a steering committee has been formed. It consists of four co-chairs, the three city mayors, along with Commissioner Flowers. On June 21, 1999 at 9:00 a.m. the City of Character Coalition will meet in the Government Center. The public is invited to attend. The goal is to make Highlands County a county of character. The premise of the program is to install character traits, such as honesty and loyalty, by using positive reinforcement. The Board directed the County Administrator to place the Resolution on the next week's agenda for adoption in support of the program. The Chair opened the floor to the public. Michael Jackson spoke in support, and asked that citizens of Washington Heights be involved in the leadership.

6. Discussion of ordinance on construction and demolition landfills

Ross Macbeth reviewed the Orange County ordinance, relating to the regulation of privately run construction and demolition landfills. The County Engineer's office will handle the primary supervision, with any appeal questions coming to the County Administrator. Definitions are adopted as stated in F.A.C. unless defined in that section, in which case, those defined governs. Commissioner Bullard asked that we delete definitions not needed and add additional definitions. Permit procedures were discussed. It was a consensus of the Board to have a one year permit with a renewal clause. The condition of the permit was not to take over a limited amount of out-of-county waste, determined by the need. The company would submit an annual report on the operation of the landfill, with the renewal process not detailed as the original application. The County Administrator was directed to contact Orange County to see why it changed from annual permits to issuing one every five years. Permits and Special Exceptions to be heard before the Board of County Commissioners after the Board of Adjustments has heard them.

Break 10:33 a.m. - 10:45 a.m.

Chairman Gose requested that a county employee be stationed at the C&D Landfill to monitor the materials and the hours of operations. Commissioners Bullard, Flowers, and Stokes, did not feel that this was necessary. The County Administrator spoke in opposition to a spotter, due to the liability issue. He felt that the county could be held responsible if a problem developed years down the road. The consensus was not to hire a full time employee, but the county to regularly inspect the facility. Highlands County materials must be accepted at the landfill, or the county will not allow the facility to remain open. Ross Macbeth advised that the county cannot prohibit out-of-county waste from being brought in. The County Administrator advised that if the landfill is going to be open more than 90 days, it must abut a paved, public road for easy access. The landfill must be at least 1,000 feet away from the nearest structure. The Commissioners discussed designated haul routes and also asked that Engineering look at waste handling and cover requirements. When closed, the landfill property must be restored to a condition "similar" to what it was. The Commission agreed to change the 90 days on the notification on Closure Permit Application to 180 days before the projected closure date. The landfill operator will be required to show it has the money needed to close the facility once it is full. Commissioners agreed 120% of the estimated cost would be sufficient, whether it was shown through a line of credit, insurance or bond. Staff was directed to speak with DEP regarding the requirement of closure costs and asked that all DEP reports and any notices of violations be copied to the county.

Commissioners Flowers left the meeting at 11:50 a.m.

Commissioners discussed if they should allow drywall to be deposited at a C&D landfill, because of potential problems with an odor. Jerry Leszkiewicz, Solid Waste Director, stated that a solution would be to require that drywall be dumped at a Class I landfill, which has a liner, and accepts most forms of garbage and debris. He stated that this is a growing concern and it probably will only be allowed in Class I landfills, where gas controls are in place.

The Commission directed the Board Attorney to write a draft ordinance for distribution at the June 22, 1999 Public Hearing for study only. Commissioners will discuss this ordinance at the July 13, 1999 workshop and set a public hearing.

Commissioner Stokes left the meeting at 1:04 p.m.

The Chair opened the floor for public input:

- Ray Napper agreed with Commissioners Gose and Maxcy that a county employee should be located at the landfill to see what is deposited there. He also stated that 90% of the problem of non-county materials being brought to a C&D landfill will be eliminated if depositing drywall is prohibited.
- Gabriel Read spoke in favor of requiring financial penalties when violations occur. He requested more concrete verbiage that addresses financial penalties.
- Attorney Wendell Whitehouse spoke to the Commission regarding staff's lack of information in regards to the Orange County ordinance. He also presented a lengthy list of questions regarding C&D landfills. See SMB 34 Page 147.

7. Resolution to declare a local emergency

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution extending the declaration of a local emergency in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 166.

8. Adjourn

The meeting adjourned at 1:34 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JUNE 15, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	IV "Buddy" McKenzie
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Audrey Vickers.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of inmate count for the period ending June 15, 1999. The Farm Report was also given.

- B. **Clerk:**

Chief Deputy IV "Buddy" McKenzie, sitting for the Clerk of Courts, Luke Brooker, stated that the Clerk was attending the Florida Association of Court Clerks Conference and conveyed good wishes to the Board members.

- C. **Upcoming meetings:**

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

4. **ACTION**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to set the Action Agenda with changes as amended:

Discussion on street lights for Lake Haven Estates under Special Tax Districts

Addition under the Board Attorney - Appointments to Boards

Discussion under the Attorney on moving public hearings due to the absence of Board members and Attorney.

Correction to item H. 2 - budget amendment 98-99-284.

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

- A. **Resolution to establish "Community of Character"**

Commissioner Flowers read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution to establish a “Community of Character” and pledging to promote character in our schools, businesses, homes, churches, city government, and community groups. The Chair opened the floor to the public. Lt. Benton from the Sheriff’s Department, spoke in support of the Resolution and suggested that the Board sign and seal adequate copies for distribution to participating agencies and businesses for display. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 167.

B. C.B. Shirey, City of Avon Park: Request for change in ISTEA project for mall beautification

C. B. Shirey, City Manager of Avon Park, presented a request that the Board approve a change in the scope of work for the four phases of the Avon Park Mall Beautification Project identified by the Florida Department of Transportation Financial Projects numbers 104508-1, 194495-1, 194516-1 and 404682-1, to include provisions of facilities for pedestrians and bicycles. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request from the City of Avon Park to include hardscaping in the ISTEA funding for the Avon Park Mall Beautification. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 147.

C. John McClure, Sun ‘n Lake Improvement District: Binding Letter of Vested Rights

Attorney John McClure, representing the Sun ‘n Lake Improvement District, presented a request to approve a Resolution asking that the Board of County Commissioners initiate a modification to the Improvement District’s binding letter of vested rights with the Department of Community Affairs, to facilitate clarification in zoning matters and increase density within the District. Jim Polatty, Development Director, advised that it will require staff time to administer, and the Board will need to authorize staff to proceed with the modification. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to authorize county staff to work with the District to initiate a modification to the Binding Letter of Vested Rights. Commissioner Bullard stated concerns regarding the transfer of density from the conservation lands to the remaining lands and creating a dense development potential. Attorney McClure advised that planners should look at the overall picture and come up with a realistic number that everyone agrees with. Jim Polatty stated that we will be asking DCA to release the one condition of the two units per lot and go with the overall density, and when the planners are finished with developing the plan, then the question of the total density and total traffic impacts will be addressed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 148.

D. Personnel Director: Employee assignments in Heartland Library Cooperative

Fred Carino, Personnel Director, presented a Letter of Agreement written to Ms. Diane Hunt, Director of the Hardee County Library, with request for execution by the Chair of the Board of County Commissioners, establishing the three employees’ assignments for the purpose of supporting the operations and activities of the Heartland Library Cooperative. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to authorize the Chairman to execute the letter. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 149.

E. Development Director

1. Administrative fee for nuisance abatement

Jim Polatty, Development Director, presented detailed information to support an increase in the administrative fee, as authorized by section 5.6-8 of the Code of Ordinances for nuisance abatement cases. The fee is now set at \$100.00. Commissioner Bullard recommended that staff survey the surrounding counties for a look at their fees. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to direct staff to work on an amendment to the ordinance that will allow the Commission to set the rates for nuisance abatement by Resolution from time to time, and also to set a rate that will more accurately reflect the actual administrative cost for nuisance abatement. Commissioner Flowers suggested that we waive steps one, two, and three, and after the third step to inform the violator that there will be a substantial charge on the nuisance abatement case. Commissioners Stokes and Gose also agreed that the average cost of \$845.00 is high. The Chair recommended that we revisit the fee structure. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 150 for copy of basic standards cost.

2. Inconsistency re-zone procedures

Jim Polatty, Development Services Director, presented procedures for inconsistency re-zones. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to exempt all parcels in the scheduled phases for consistency rezones initiated by the County from application fees and notification costs, and authorize staff to process, *ahead of schedule*, any inconsistent parcel that is not included in the phase currently being initiated by the County, *if requested by the property owner*, with the waiver of the application fee, but with notification costs borne by the property owner. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 151.

F. Asst. County Admin.: Appointment to Building Use Committee

Tom Portz, Asst. County Administrator, presented recommendations for appointment to the Building Use Committee. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to approve appointment of Mr. C. J. "Buddy" Wise to the Building Use Committee, to replace Mr. Hoz Compton, who resigned. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 152 for copy of resume.

G. Board Attorney

1. Appointments to Boards

Ross Macbeth reviewed various adopted codes for the County. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve that the Construction Licensing Board be appointed as the Appeals Board for the various other codes that the Board has adopted by reference, and should that code specify a number less than seven, the appropriate senior members be appointed. Upon roll call, all Commissioners voted aye. Motion carried

2. Discussion on deferring Public Hearings for adoption of ordinances

The Chair requested that the Commission defer specific public hearings *for adoption of ordinances* that

were scheduled to be heard on June 22, 1999, until July 13, 1999 for the benefit of having the Board Attorney present, as there maybe controversial issues that need to be addressed. It was a consensus of the Board that staff follow through with this directive.

H. County Administrator

1. Request to purchase equipment

Carl Cool presented request of Bruce Van Jaarsveld, Road and Bridge Superintendent, to approve purchase of six brush hog mowers at a cost of \$23,000.00, two generators for disaster preparedness at a cost of \$20,000.00 and a Topcon Total Station at a cost of \$5,924.98 with under run in the capital outlay account. Ramon Gavarrete, County Engineer, spoke in favor of the purchase. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the purchase of these items from the capital outlay account. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 34 Page 153.

2. Request for budget amendments 98-99-269 and 98-99-284

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 98-99-269 to cover insufficiency in the Court Transcripts account and budget amendment 98-99-284 to transfer funds to renovate the Avon Park Civic Center for the Tax Collector's new office. The County Administrator pointed out an error in the budget amendment, reducing the Contingency by \$10,000. Upon roll call, all Commissioners voted aye. Motion carried.

3. Contract with Hardee County for inmate housing

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve contract with Hardee County to house inmates for Highlands County. Upon roll call, all Commissioners voted aye. Motion carried.

4. Compliments to Al Bowles, Operations and Maintenance

Carl Cool complimented Al Bowles, Operations and Maintenance supervisor, for his work in reconstructing the podium to make it accessible to wheel chair participants.

I. 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	1,192.99
General	592,375.41
County Transportation Trust	43,960.52
E911 Operations	15,272.42
Fl Boating Improvement	6,616.55
Local Government Infrastructure	84,061.26
Affordable Housing Assistance	13,924.80
Solid Waste	42,685.90

- Placid Utilities 8,336.12
- Highway Park Utility 2,744.81
- Risk Retention 153,756.82
- Employee Benefit 131,057.06
- Tax Deed Surplus 1,908.66
- 2. Approval of minutes of 5-25-99, 5-25-99 joint meeting, 6-1-99, and 6-2-99 & 6-3-99 workshops
- 3. Accept into record - May Monthly Report
- 4. Approval of SHIP Satisfaction of Mortgage (Duane and Pamela Metzger). See SMB 34 Page 154.
- 5. Approval of Small County Solid Waste Grant application
- 6. Approval of Waste Tire Grant application. See Grant file for copy.
- 7. Approval of Litter Control Grant application. See Grant file for copy.
- 8. Approval of Recycling and Education Grant application. See Grant file for copy.
- 9. Approval of two Adopt-a-Highway agreements (US 27 & Josephine Creek and Archbold Biological Station, Old State Road 8). See Adopt -A-Highway Agreement file.
- 10. Approval of Insurance Committee recommendation (Women’s Health and Cancer Rights Act of 1998 recommendations). See SMB 34 Page 155.
- 11. Approval of SHIP mortgage and note form for emergency funding to prevent foreclosure on homes. See SMB 34 Page 156.
- 12. Approval of budget amendments 98-99-268 (Public Defender conflicts) 98-99-271(Lorida Fire Dept. expenditures) 98-99-276 (Engineering Dept., purchase of three computers) and 98-99-277 (Highway Safety to purchase generator).
- 13. Approval of addendum no. 3 to contract with SCS Engineers, Inc. to prepare a Construction Certification Report. See SMB 34 Page 157.
- 14. Approval to execute resolution declaring a local emergency. See Res. Book 12 Page 167.
- 15. Approval to accept drainage easement for Colony Pointe (Burgess L. Doan).

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

5. CITIZENS NOT ON AGENDA

- A. Cynthia Lewis spoke to the Commission regarding a neighbor’s dog barking continually in the area behind Harder Hall. Commissioner Maxcy suggested that the Board adopt a “barking dog” ordinance. Mr. Macbeth advised that an amendment can be made to the nuisance abatement ordinance with an inclusion violation for barking dogs. The problem is the enforcement issue. Lt. Benton representing the Sheriff’s Department, reported that she will follow up and see that the problem is corrected.
- B. Hank Kowalski spoke regarding the importance of preserving environmental sensitive lands and reported on a newspaper article in reference to the construction of the Sebring Parkway

and the destruction of Gopher Tortoises. He asked why a preliminary investigation wasn't made on the right of way. Carl Cool advised that an environmental study was performed by Mr. Jim Baker and Associates, and he will furnish a copy to Mr. Kowalski. See SMB 34 Page 158.

- C. Gabriel Read suggested that the Board form a committee to study local Sprint rates. Commissioner Bullard advised that a Resolution has been adopted and sent to the Legislative Delegation stating that it is *the will of this Commission that we have toll-free dialing countywide*. A meeting is also set with the delegation for next Tuesday, June 22, 1999 at 10:00 a.m. in the Commission Chambers. Tom Portz stated that he has spoken to a Commercial Account Representative from Sprint United and relayed the message that Highlands County is not happy with the rate increase. He advised that he will carry information to the upper chain of command. Mr. Read also asked that the County pursue the density factor with the Sun'n Lake Improvement District.
- D. Vaughan Whitesides reported on the results of the County paving Riverdale Road and the ongoing trash being dumped in the Carter Creek area.
- E. Herb Phillips thanked the Board and staff for the continuing project at Colony Pointe Mobile Home Park.

6. COMMISSIONERS

Commissioner Flowers invited everyone to attend the Community Character meeting on June 21, 1999 at 9:00 a.m.

7. ADJOURN

The meeting adjourned at 10:55 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JULY 6, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers, with special thoughts for county employees, David Heacock, Jim Benton, Nancy Lowe, and City of Sebring employee, Marty Roepstorff, in their illness. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Alex Whitbeck presented the Daily Jail Log of Inmate Count for the period ending July 6, 1999. The Farm Report was also given.

- B. Clerk**

No report presented.

- C. Upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool advised that the draft feasibility study has been received from Parsons Engineering Science, Inc. to determine if a Regional Water Supply Authority is feasible for Highlands, Hardee, and Polk Counties. Mr. Wendell Whitehouse will be receiving the report as he is the voting member, representing Highlands County.

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda as amended:

- A.** Revised budget amendment under item E-3.
- B.** Remove Consent Agenda item number 2 (minutes of 6-22-99 meeting) and Consent Agenda number 7 and 8 and place under the County Administrator.
- C.** Remove Consent Agenda item number 11 and place under the County Engineer.

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

A. Ayde Munoz-Ortiz: Request for zoning text amendment

Ayde Munoz-Ortiz presented a request for the Board to approve a zoning text amendment and authorize alcoholic beverage sales for a restaurant located in Peddlers Mall on US 27. The restaurant is located 940 feet from the Whispering Pines Baptist Church. Duane Neiderman, County Planner explained that the County Code requires at least 1500 foot separation from churches and schools. The Munoz-Ortiz's are requesting that the County either reduce the separation standards of the restaurant or reduce the size of the restaurant that is exempted. The Planning and Zoning Commission agreed that separation requirements should be retained but the size of an exempted restaurant could be reduced. The County could also define a restaurant by using the 51% food sale rule and requiring a normal restaurant menu. Ross Macbeth reported that a change could allow alcohol sales in smaller restaurants that are close to churches and schools. Commissioner Maxcy noted a problem with the change. Commissioner Flowers suggested a special exception on a case by case basis. Commissioner Bullard recommended that the Board take a look at revising the ordinance and lowering the size requirement, but adding the state requirement of 51% of gross revenue coming from food and non-alcoholic beverages.

Motion by Commissioner Flowers to issue a temporary use permit and direct staff to proceed with workshops to readdress the ordinance. No second was received. The motion died for lack of a second. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to authorize staff, at their discretion, to issue a temporary use permit for this establishment, and authorize staff to prepare revisions to the code and submit back to the Commission. Commissioner Maxcy spoke in opposition to allowing staff to change procedure. Commissioner Stokes supported a study but opposed a temporary use permit because it circumvented the distance requirement from churches and schools. The Chair advised that Mr. Polatty has the authority within the existing ordinance to grant a temporary use permit. Ross Macbeth recommended that Mr. Polatty not do that if there is no proposal to make a change, as it is a clear violation of the ordinance. The Chair opened the floor for public input. Gabriel Read spoke in opposition. Upon roll call, Commissioners Bullard, Flowers and Gose voted aye. Commissioners Stokes and Maxcy voted nay. Motion Carried. See SMB 35 Page 7.

B. Mary Carter, Friends of Lake Henry: Request for clearing canal

Mary Carter, representing the "Friends of Lake Henry", appeared before the Board of County Commission, with request for assistance in clearing the canal between Lake June and Lake Henry. She also presented a proposal from Spring Lake Services to clean out the channel for approximately \$4,500. The County Administrator presented a temporary solution that staff use hand labor and throw the sand up next to the sea walls. A permanent solution is very expensive and involves driving sheet piling out in the lake and a dredging operation. Ross Macbeth suggested establishing a special assessment district for funding the cost of improvements for the sheet piling and a permanent solution.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to take steps necessary to make the canal between Lake Henry and Lake June navigable for the summer and to enter into an ongoing dialogue with the Lakes Association and the Homeowners in trying to work out a permanent solution to keep the canal open. The Chair opened the floor to the public. Jim Hamilton of Tomoka Heights, spoke in favor of the temporary fix. Clayton Womer suggested piling to anchor the sea walls. Richard Murray, owner of the

property adjacent to the Lake, presented suggestions and offered to have the sand dumped on his property. Hank Kowalski questioned who the regulatory agency is in regulating sea walls. The County Administrator advised that the Department of Environmental Protection is the regulatory agency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 8.

C. Neil Bellinger, Horton’s Landing Property Owners: Request to waive fee for zoning application

Neil Bellinger, representing the Property Owners of Horton’s Landing, presented the request to waive application fee of \$250.00 for a hearing before the Board of Adjustment. The previous application fee was paid and this appeal is to resolve a detail to place a roof on the subject Dock. The Board Attorney advised that there will be a complete new set of hearings with advertisement costs. The petitioner agreed to pay for the advertisement cost.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve request to waive application fee for zoning application of Neil Bellinger of Horton’s Landing. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 9.

D. Marcellus Mason: Legal fees and trespass warning

Marcellus Mason, former Library employee, did not appear for this item. Commissioner Flowers reported for the record, that Mr. Mason has a history of setting meetings and not appearing. See SMB 35 Page 10 for copy of documentation.

E. County Engineer:

1. Transportation Enhancement and Streetscape Grant projects

Ramon Gavarrete, County Engineer, presented the three transportation enhancement projects and one application for Highway System Streetscape Grant District One Landscape Program for consideration to forward to the Florida Department of Transportation for the Department’s use in determining eligibility. The County Engineer will bring the projects back on July 20, 1999 for prioritization.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the three prioritized applications as listed below for TEA 21 and the one application for the Highway System Streetscape Grant District One Landscape Program, and direct engineering staff to forward the project applications to the FDOT for determination of eligibility.

Project Name	Project Sponsor	Local Funding Amount	Total Project Cost
Interlake Beautification Phase III - Devane Park	Town of Lake Placid	-0-	\$400,000
Washington Heights Pedestrian and Bicycle Paths	City of Sebring	-0-	\$220,000
**State Road 17 Streetscape Project	City of Sebring	-0-	\$265,000

**** The City of Sebring has submitted an application for the Highway System Streetscape Grant District One Landscape Program, for this project as well as TEA21.**

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 11.

2. 1999 candidates for FDOT 2004/2005 Work Program

Ramon Gavarrete, County Engineer, presented the 1999 candidates for FDOT 2004/2005 Work Program. See SMB 35 Page 12 for copy of list. The Chair discussed the replacement of the Vaughn Road Bridge, since the Board had previously approved to close Vaughn Road. The County Administrator advised that the Board approved to close the road, contingent upon two conditions being met. Mr. Macbeth advised that the final hearing for closing the road has not been held.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve the 1999 candidates for the FDOT 2004/2005 Work Program. The Chair opened the floor to the public. Hank Kowalski addressed the issue of Vaughn Road. He suggested that Vaughn Road Bridge not be replaced, as he remembered that the road was closed. Commissioner Bullard amended the motion to exclude Vaughn Road Bridge from the list. Commissioner Maxcy accepted the amendment. Upon roll call, all Commissioners voted aye. Motion carried.

3. Budget amendment 98-99-308

The County Engineer presented a detailed list of expenditures for the construction of SW Vista Drive Extension in Lake Placid. The total cost of \$30,300.00 does not include any mitigation that would be required for the project. The Board approved the construction on April 27, 1999.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve budget amendment 98-99-308 for the permitting, environmental impact report, and construction of SW Vista Drive in the amount of \$30,300.00 and waive the \$5,000 requirement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 13.

4. Consent Agenda Item 11-Change Orders 5-11 for Commerce Annex

Ramon Gavarrete, County Engineer, explained the change orders for a total of \$8,256.00, necessary for the continuation of the Commerce Avenue Annex construction. Commissioner Bullard, speaking for Richard Conover, presented questions regarding why we are paying the contractor a profit margin on freight and sales tax. The County Administrator advised that this building was a standard design build project, different in nature of the contract. The County does not have the provision on this project to direct purchase. Commissioner Bullard suggested in the future that we might back out the profit margin on sales tax as part of the negotiation process.

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve Change orders 5-11 for Commerce Avenue Annex as presented. Upon roll call, all Commissioners voted aye. The motion carried. See Commerce Avenue Annex file for copy.

F. Board Attorney

No Report

G. County Administrator

1. Consent Agenda Item 7-Approval of resolutions and budget amendments 98/99-297-298

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve revised budget amendments 98/99-297 for the FEMA Grant for Wildfire Reimbursement and 98/99-298 for donation for the Sebring Library Expansion. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 178 & 179.

2. Consent Agenda Item 8-Approval of budget amendment 98/99-274- 286 and 293

Rick Helms, Budget Officer, explained the revised balance on budget amendments for request by Richard Conover. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve budget amendment 98/99-274 (to transfer funds for the site development at the Commerce Avenue Annex) budget amendment 98/99-286 (for tree removal and environmental assessment) and budget amendment 98/99-293 (for payment of medicaid invoices). Upon roll call, all Commissioners voted aye. Motion carried.

3. Consent Agenda item 2-Approval of minutes of 6-8-99, 6-15-99 and 6-22-99 meetings

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve minutes of 6-8-99, 6-15-99 and 6-22-99 meetings as submitted and revised. Upon roll call, all Commissioners voted aye. Motion carried.

H. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda as listed:

1. Approval to pay all duly authorized bills as listed

Law Library	1,813.88
General	2,155,594.84
County Transportation Trust	91,693.84
E911 Operations	5,333.96
Conservation Trust	50,979.21
Intergovt Radio Communications	783.23
Local Government Infrastructure	119,212.30
Affordable Housing Assistance	45,940.50
Government Center	3,565.77
Solid Waste	194,386.99
Placid Utilities	5,708.22
Hiway Park Utility	1,843.19
Risk Retention	923.34

- Employee Benefit 186,888.78
2. ~~Approval of minutes of 6-8-99, 6-15-99 and 6-22-99 meetings~~
 3. ~~Approval to sell tax certificates (Robert F. Beasley & Wan Hong Sim-Gabriel Read-Sally A. Schultz-Arthur or Kathleen Brand-Leroy or Betty Turner). See SMB 35 Page 14.~~
 4. ~~Accept into record - County Health Department Annual Report for 1998~~
 5. ~~Approval of change in voting member for Recreation and Parks Committee with Margie Rhoades as primary voting member from the City of Sebring and John Griffin as the alternate voting member from the City of Sebring. See SMB 35 Page 15.~~
 6. ~~Approval of SHIP Housing Assistance Plan amendment. See Res. Book 12 Page 180.~~
 7. ~~Approval of resolutions and budget amendments 98-99-297 and 98-99-298~~
 8. ~~Approval of budget amendments 98-99-274, 98-99-286 and 98-99-293.~~
 9. ~~Approval to execute Cooperative Funding Agreement with SWFWMD for the Lake Jackson Stormwater Survey (K165). See SMB 35 Page 16.~~
 10. ~~Approval of Tax Collector's recapitulation. See SMB 35 Page 17.~~
 11. ~~Approval of Additive Change Orders - Chastain-Skillman for Annex.~~

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

5. CITIZENS NOT ON AGENDA:

- A. Richard Conover spoke to the Commissioners regarding approval of the Adopt-A-Highway agreements and Board appointments. No action was taken.
- B. Vaughan Whitesides spoke in opposition to the one cent sales tax referendum being held before the General Election.
- C. Don Darling spoke to the Commission regarding the street lights in Lake Haven Estates and apologized to Bill Stephenson, Special Projects Director. The Chair reported that a letter has been received from the Lake Haven Homeowners Association, authorizing the placement of the light as requested by Mr. Darling. Mr. Darling also asked that the Commission consider assessing the *lot owners* a \$20.00 assessment, along with the homeowners. The Chair advised Mr. Darling to have the homeowners present the request to the Commissioners.
- D. Chairman Gose called for Marcellus Mason to present his item before the Board. Mr. Mason was not in the audience.

6. COMMISSIONERS

- A. Commissioner Stokes reported on a drainage problem off Scrub Pens Road, and the erosion problems associated with the fill in that area. He asked that staff relieve this situation by cleaning an existing ditch, to divert the water away from the County road. The consensus of the Board was to get the permission from the homeowner and staff to complete the

- project.
- B. Commissioner Maxcy stated safety concerns for he and his family of retaliation by Marcellus Mason. Ross Macbeth advised that the course of action would be the Sheriff's Department.
 - C. Commissioner Bullard commended the County Administrator on his eighth year anniversary.

7. ADJOURN

The meeting adjourned at 11:27 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JULY 13, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. **Announcements:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Carl Cool presented a plaque received from the Federal Emergency Management Agency for Highlands County's participation in effective flood plain management.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the agenda as presented and amended:

- 1) Extend the Statute of limitations for the Superfund, at the request of the Board Attorney.
- 2) Add to our Personnel Manual, Equal Employment Opportunity Plan 1999-2004.

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

4. **Public hearing to consider proposed changes to Chapter 12, including flea markets**

Proof of Publication entered into the record by Jim Polatty, Development Services Director. See Proof of Pub Ord. Book 2 Page 53. Mr. Polatty read the captions of the ordinance into the record and reviewed the revisions to proposed amendments to the Zoning Code made at the first public hearing, by the County Commission.

1. The Sections renumbered to reflect the deletion of Sections 3, 7 and 8.

2. Section 1, Section 12-2. Definitions were proposed to be amended to add a definition of Flea Market, enclosed but that definition is now to be deleted.

~~Flea Market, enclosed: Retail sales within a building permanently enclosed by walls and roof in which floor space is rented to individual vendors to display and sell goods. An enclosed flea market use may have walls or partitions that separate individual rental spaces from each other.~~

3. Flea Market, indoor or Flea Market, enclosed are to be deleted from all sections of the code.

4. Flea Market, open was proposed as a special exception in B-3 but now is deleted from B-3 and those standards listed under the B-3 special exception are to be moved to the B-4 district. Those standards are now mandatory instead of being at the discretion of the Board of Adjustment.

Flea Market, open: **Approval ~~may~~ shall be subject to the following conditions:**

5. The standards for both the hours of operation and days of operation for flea markets have been amended to allow discretion of the Board of Adjustment.

(3) The hours *and days* of operation *shall be requested in the application for the special exception and shall be approved at the public hearing, based on evidence contained in the application not exceed sunrise to sunset (on Saturdays and Sundays and on Federal Holidays or limit the number of consecutive days).*

6. The required off-street parking is now to be based on the amount of rental space shown on the sketch plan.

(4) Required off-street parking is one parking space per 120 sq. ft. of gross floor area or fraction thereof of *the total area of the rental spaces, as shown on the sketch plan submitted with the application any buildings* located on the property.

7. Fire and emergency vehicle access lanes are to be determined in the sketch plan and maintained open during times of operation.

(11) *Both fire and emergency vehicle access lanes shall be shown of the sketch plan submitted with the application, shall provide access to all rental spaces and other public areas, and shall become one of the conditions for approval of the special exception, based on approval by both the County Engineer and County Fire Marshall that both meet the required standards contained the Highlands County Land Development regulations and other applicable regulations.*

(12) *Both fire and emergency vehicle access lanes shall remain unobstructed and open at all times of operation and public access, as established in paragraph # (3) above.*

8. Section 7, the parking requirement for Flea Markets of one space per 120 sq. ft. enclosed is deleted since Enclosed Flea Markets are not to be listed in the code.

9. Section 8, the new Section 12-102 COI. Community Organization and Institutions District is deleted.

The Chair opened the floor to the public. Richard Conover presented questions regarding ADA compliance. Mr. Polatty reported that these requirements are listed in the LDR's. Mr. Bill Speer, Lake Placid, spoke in opposition to flea Markets in B-3. The Chair advised that flea markets have been removed from B-3.

Commissioner Bullard presented suggested changes as listed:

1) Page 3, item 4, to read: Required off-street parking is one parking space per 120 sq. ft. of gross floor area or fraction thereof of the total rental space located on the property, as shown on the sketch plan submitted with the application.

2) Item 11 - on the fifth line add the word in.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt the ordinance, providing for changes to Chapter 12 of the Code of Ordinances with changes, as presented. Upon roll call, all Commissioners voted aye. Motion carried. See Ordinance file for copy of changes.

5. Public hearing to consider proposed changes to Chapter 12, including PW zone

6. Public hearing to consider Public Wellfield land use category and Comp Plan amendments

Proof of Publication entered into the record by Jim Polatty, Development Services Director. See Proof of Pub Ord. Book 2 Page 54 & 55. Mr. Polatty advised that this is the first public hearing to consider changes to Chapter 12. The Planning and Zoning Commission recommended approval. He requested that the Board approve the second public hearing be set for August 3, 1999 at 9:00 a.m.

Mr. Polatty presented the recommendations of the Planning and Zoning Commission pertaining to Wellfield amendments, including text amendments, a new Public Water Supply land use category, and amendments to the Comprehensive Plan's Future Land Use Map. (CPA-99-114LS). See SMB 35 Page 18. The P & Z recommended approval for transmission to the Florida Department of Community Affairs (DCA) the proposed Public Water Supply land use category (PW), and amending the following Comprehensive Plan policies: Future Land Use Element FLUE Policy 1.1.F (Section 9 of staff report); Future Land Use Element FLUE Policy 1.3.B. (Section 10 of staff report); Future Land Use Element FLUE Policy 1.3.E. (Section 11 of staff report that creates the PW FLUM land use category); Future Land Use Element FLUE Objective 6 (Section 12 of staff report); FLUE Policies 6.1 & 6.2 (Section 13 of staff report); Infrastructure Element INF Policy 6.11 (Section 14 of staff report); Natural Resources Element NRE Objective 7 (Section 15 of staff report); Natural Resources Element NRE Policy 7.1 (Section 16 of staff report); a new Natural Resources Element NRE Objective 9 and new NRE Policies 9.1, 9.2 and 9.3. The exception included recommended new NRE Policies 9.4, 9.5 and 9.6 which were denied recommendation for approval and deleted.

The Local Planning Agency also agreed to add two sites to the list of 25 sites that was advertised. Both are being developed by Howard Short, one serving Sylvan Shores and another serving the area south of Lake Josephine.

Mr. Polatty also presented the Water Advisory Committee's recommendation concerning the Zoning and Comprehensive Plan amendments for Wellfield protection. See SMB 35 Page 19.

The Water Advisory Committee, at their June 2, 1999 meeting, reviewed the amendments contained in Large Scale Plan Amendment No. CPA-99-114-LS and recommended deleting proposed Natural Resource Element (NRE) policies 9.2.1. (a), (b), (c), and (d), and NRE policies 9.3, 9.4, 9.4 (there are two NRE 9.4 policies), and 9.5. The Committee also proposed rewriting NRE policy 9.2.1. to allow "an applicant to obtain a Water

Use permit from a Water Management District prior to final approval.”

Mr. Polatty recommends that the County not delete NRE policies 9.3 or 9.5 and also recommended against deletion of both of the NRE 9.4 policies if the County wants an effective tool to use to try to prevent any major water user transporting water out of the County. These policies were part of the package reviewed by the outside legal Counsel, Hobby, Grey, and Reeves and these lawyers’ analysis is based on the inclusion of these policies. Hobby, Grey, and Reeves have stated that the proposed set of policies would be effective, if implemented. If these are deleted, then perhaps it is best that this entire set of amendments not be approved until at least we can have outside legal counsel review these amendments without those policies. The following show the Water Advisory Committee’s deletions/recommendations.

Proposed Water Advisory Committee Deletions/Recommendations:

**OBJECTIVE 9: WATER RESOURCE PROTECTION
MAINTAIN AND PROTECT THE NATURAL AND MAN-MADE ENVIRONMENT AND
RESOURCES IN A MANNER PROTECTIVE OF THE WATER SUPPLY.**

POLICY 9.1: PUBLIC WATER SUPPLY CLASSIFICATION: Allow the development of public wellfields and public water supply sources only within the Public Water Supply Land Use Classification, pursuant to the objectives and policies of this Comprehensive Plan.

POLICY 9.2: USE OF THE PUBLIC WATER SUPPLY CLASSIFICATION: Utilize the Public Water Supply land use classification to designate existing public water supply sources. Applications for amendment to the Public Water Supply classification must meet the following requirements:

1. The applicant must have received a ~~water use for the proposed site must have received a~~ Water Management District Water Use Permit ~~prior to final approval. which is based on:~~
 - ~~(a) a demonstration of need for the population intended to be served;~~
 - ~~(b) an evaluation of alternative sources of water to meet demonstrated need, locally available in the jurisdiction of the population to be served;~~
 - ~~(c) an assessment of potential environmental impacts to the proposed site and surrounding properties; and~~
 - ~~(d) an analysis to demonstrate that adequate potable water will be available for Highlands County’s future demands pursuant to Chapter 373.1961(1)c.~~
2. The application for amendment must contain the following information:
 - (a) an analysis of the compatibility of the proposed land use with existing and proposed land uses, adjacent to and/or proximate to the amendment area and likely to be impacted by the proposed use; and
 - (b) an analysis of the economic impacts likely to result if the proposed amendment is approved, including the impact to Highlands County as a whole and the impact on the development potential of adjacent properties and nearby areas; and
 - (c) demonstration that the proposed amendment is consistent with the data and analysis in the

Infrastructure Element and the Natural Resource Element in order to ensure that natural resources are protected and that adequate water sources are available to meet the projected demands of Highlands County pursuant to Chapter 163 and 9J-5.

~~**POLICY 9.3: PROTECT WATER RESOURCES:** Protect water resources by controlling surface and groundwater quality impacts of development by implementing land use regulations in accordance with the goals, objectives, and policies of this Comprehensive Plan.~~

~~**POLICY 9.4: PREVENT WATER CONTAMINATION:** Those developments which include septic tanks, buildings, and/or public utilities in or on soils which are unsuitable for such uses shall be designed in accordance with State and Federal regulations to prevent water contamination.~~

~~**POLICY 9.4: MONITOR WASTE DISPOSAL:** Monitor the environmental impacts of any legally permitted waste disposal or discharge, and take appropriate action when necessary.~~

~~**POLICY 9.5: MONITOR WATER USE:** Monitor the environmental impacts of any legally permitted public, industrial, or agricultural water use and take appropriate action when necessary.~~

The Chair opened the floor to the public. Hank Kowalski suggested a change to the location of a Wellfield. The correct location is Camp Florida, not the Woodlands.

Voting on the Public Hearing on changes to Chapter 12, including PW zone

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to hold the second public hearing at 9:00 a.m. on August 3, 1999. The Chair opened the floor for public input. No one spoke *for or against* the hearing date. Commissioner Bullard presented comments on the content and format. Section 6. (b) Public Water Supply district. He recommended that a restroom should be a permitted structure or limit to passive recreation. Ross Macbeth suggested that we go back to Comp. Plan language. Items (f) Special Use Permit, add correct reference number. (c) General Standards of Approval. Each standard to end with or, in place of and. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 20.

Voting on the Public Hearing to consider Wellfield land use category and Comp Plan amendments

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the transmittal of the Comprehensive Plan Wellfield protection text amendments and mapping of sites with the proposed PW FLUM category (CPA-99-114LS) for transmittal to DCA with changes as submitted by staff. Commissioner Bullard presented questions regarding assisted living facilities up to 30 dwelling units per acre. He stated concerns that this provision may be rejected. Other corrections - Page 8, Policy 6.2, add the word Map. Policy 9.2, Item 1- remove the word (an) and add (a). Correct the numbering to reflect the changes for Policy 9.3; 9.4; and 9.5. Commissioner Bullard also stated concerns that the County may be duplicating state regulations under policy 9.5. He suggested language - the County may monitor and take appropriate action on Policy 9.4 and 9.5. After discussion, Commissioner Maxcy withdrew his motion, Commissioner Flowers withdrew his second. Delete definitions - Recreation, Active and Recreation, Passive. Commission Maxcy agreed with Commissioner Bullard that we do not need to add to state regulations. Motion by Commissioner Maxcy,

seconded by Commissioner Flowers, to transmit the Comprehensive Plan Wellfield protection text amendments and mapping of sites as amended and presented. Upon roll call, all Commissioners voted aye. Motion carried See Comp. Plan Amendment file for copy of information.

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

8. Public hearing to consider amending Chapter 5.5, regarding specialty contractors and handymen

Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 56.

The Chair opened the floor for public participation:

- Gene Canevari, representing C&C Plumbing, spoke in opposition to the ordinance.
- Bryan Fassler, a local plumber, spoke in opposition.
- Maria Russo, owner of a plumbing company, spoke in opposition.
- Jed Berkey, licensed builder, addressed performing personal work on his commercial properties, and asked if he will still be allowed to continue this task.
- Carter Gordon, General Contractor, pointed out inconsistencies of the ordinance.
- Sam De Marino, of Lake Placid, spoke in favor of the handyman ordinance.
- Keith Renish, a member of the Licensing Board, discussed several issues of the ordinance, but stated that it is a step in the right direction.
- Alvin Wolcott, also a member of the Licensing Board, stated that the ordinance needs to be reworked but in favor of proceeding with the document.
- Ray Napper, a private citizen, spoke in favor, with required insurance.
- Kelly Noonan, handyman, spoke in favor of the ordinance.
- Lelon Young, Avon Park, spoke in favor of the handyman license and the insurance requirement.
- Ken Manager, Soil and Handyman Service, spoke in favor of the ordinance.

The Chair called a lunch break from 11:45 to 1:00 p.m.

The meeting was called back to order by Chairman Gose with a moment of silence *in honor of the passing of Jim Benton, Code Enforcement Officer.*

Commissioner Flowers stated specific concerns with some of the categories allowed for handymen. Ross Macbeth explained that the intent was to develop an ordinance that will require an occupational license with a registration, and an insurance requirement, that will bring handymen into regulations in the County. He stated that the categories were taken from an Okeechobee ordinance with some revisions.

Commissioner Stokes spoke in favor of the ordinance, with concerns for limiting the job to \$1,000. Commissioner Bullard stated that he is not in favor of a grandfather clause. He asked that the Board not limit the list, as anything major will require a permit. He asked for a provision in the ordinance for renewal and revocation, with guidelines. Ross Macbeth suggested a lead time to come into this operation. Carl Cool recommended an October 1, 1999 implementation date. S.Y. Moseley, Building Official, reported that there are approximately 200 handymen that will be affected by the ordinance. There are some people that only engage in home cleaning or lawn maintenance and are issued a handyman license. Commissioner Bullard

recommended that we address this issue on the license by designating a general license for those people who perform the duties. S.Y. Moseley suggested using a building trades category. Commissioner Bullard sees the ordinance as a compliant driven enforcement. Under the new provision we have the ability to revoke a license. Mr. Macbeth recommended a resolution with the adoption of the ordinance listing a fine schedule. The Board discussed the aggregate contract price. It was a consensus to leave the wording as is. Specific changes were discussed on the categories list. It was a consensus that Item 16. (Roof repairs) be deleted. Item 17 (Deck and dock repairs), add (Decking only, no substructure replacement). Add new item 17 - Drywall repair. Commissioner Bullard suggested that Paragraph 007- include the word County General Handyman. Also, change the categories of work listed from one year of experience to five years of experience. Ross Macbeth was directed to come up with correct language and rewrite the ordinance and workshop again on August 10, 1999, along with the other two related ordinances. Commissioner Bullard suggested that the Licensing Board also look at the ordinance since it will address revocation of speciality contractors. The Board gave a time line of September 28, 1999 for adoption and implementation in February or March.

Break 3:14 p.m. - 3:20 p.m.

7. Public hearing to consider an ordinance regarding expenditures for public relations

Proof of Publication entered into the record by the County Administrator. See Proof Pub Ord. Book 2 Page 57. The Chair read the captions of the ordinance into the record. Mr. Cool explained that the ordinance will fund certain activities associated with public relations to promote general county government. The Chair opened the floor to the public. Richard Conover corrected the adoption date to read July 13, 1999. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt ordinance regarding expenditures for public relations. Upon roll call, all Commissioners voted aye. Motion carried.

9. Equal Employment Opportunity Plan 1999-2004

The Asst. County Administrator advised that the plan will establish goals within the County to reflect a greater number of females in its composition of the workforce. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt the Equal Employment Opportunity Plan, as proposed by staff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 21.

10. Recommended budget for 1999-2000

Carl Cool presented the recommended budget for 1999-2000. The total recommended budget is \$70,568,674. This budget represents a total overall reduction of \$3,262,389 from the requested \$73,831,063. The budget recommendation is based on a millage of 8.500 mils and sets a record if approved, as the seventh year in a row with no millage increase by the Board. The constitutional officers are in agreement with the recommended budget. Rick Helms, Budget Officer, reviewed several points of information. The Commissioners will hear appeals from outside agencies, disagreeing with the recommended budget on August 3, 1999. See SMB 35 Page 22 for copy.

11. Workshop: Proposed C&D landfill ordinance

Carl Cool introduced a draft of the proposed ordinance. It was a consensus of the Board to set for workshop next Tuesday.

12. Danmark Super Fund - Statute of limitations

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Tolling Agreement statute of limitations until November 30, 1999, and authorize the Chairman to sign the Agreement.

13. ADJOURN

The meeting adjourned at 4:00 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JULY 20, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Richard Conover.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Bobby Lee presented the Daily Jail Log of Inmate Count for the period ending July 20, 1999.

- B. **Clerk**

No report presented.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. A press release was presented on the closing of a short portion of Albritton road, starting August 9, 1999.

- E. **Discussion on Sebring Landfill smell**

Mr. Cool spoke regarding the smell at the Sebring Landfill on Sheriff's Tower Road. A letter was entered into the record written by the County Administrator to Ms. Margaret F. Highsmith, Director of DEP, asking the Department to require the owner, Mr. Alec Rigby, to start the closure process. See SMB 35 Page 23. Ross Macbeth advised that the County does not control the landfill. DEP is the Authority. Commissioner Maxcy asked that residents write letters so that they can be forwarded to DEP for action. Jerry Leszkiewicz, Landfill Manager, asked that he be alerted when the smell is bad, and he will take a test to check the concentration levels of sulfide gas.

- F. **Audit Committee recommendations**

Commissioner Flowers advised that the audit review selection committee met and ranked the two top CPA firms. The two firms selected were Dorrell, Hancock, and Carter and Purvis Gray and Company. The audit selection committee ranked the firm of Dorrell, Hancock, and Carter higher than the other firm. The interviews will be held at 11:00 and 11:30 a.m.

4. ACTION:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as amended:

- Delete Action item B - Proposed C&D Landfill ordinance - due to the absence of Atty. Wendell Whitehouse. This item will be heard at the first workshop in September.
- Schedule CPA firms for 11:00 a.m. and 11:30 a.m. respectively.
- Danmark Superfund Site- second status report under the Board Attorney.

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

A. Resolution recognizing Kimble McKay

Margurite Stewart Skipper read a resolution into the record recognizing Kimble McKay for his dedicated untiring service in the field of Historic Preservation. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution honoring Kimble McKay. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 183.

B. Workshop: Proposed C&D Landfill ordinance

Postponed.

C. Public hearing to consider an ordinance regarding housing, Chapter 5.4 Code of Ordinances

Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 58. Jim Polatty, Development Services Director, presented recommendations to adopt ordinance, setting standards for changing the membership of the Affordable Housing Advisory Committee. The amendment will also include the merger of the Housing Initiative Plan into the SHIP Housing Assistance Plan and the FAC references as to chapter 37, now becoming 67, and references to the Corporation. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt ordinance as amended with a correction by Commissioner Bullard, to add the letter "a" to Florida. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 24.

D. County Engineer:

1. FDOT Transportation Equity Act project ranking

Ramon Gavarrate, County Engineer, advised that the three projects submitted for TEA-21 and the one project for Highway Systems Streetscape Grant District One Landscape Program funding, has been deemed eligible. Presentations were given by the sponsors, Bert Harris and Pete Pollard, in favor of their project. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to rank the projects in following order for transmittal to the Department

<u>Project Name</u>	<u>Project Sponsor</u>	<u>Funding Amount</u>	<u>Project Cost</u>
Interlake Beautification	Town of Lake Placid	-0-	\$300,000

Phase III - Devane Park

Washington Heights Pedestrian and Bicycle Paths	City of Sebring	-0-	\$220,000
**State Road 17	City of Sebring	-0-	\$265,000
Streetscape Project			

and to also rank the State Road 17 Streetscape Project number one under the Highway Systems Streetscape Program. The Chair opened the floor to the public. No one spoke for or against. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 25.

2. Florida Power distribution easement at DeSoto City Landfill

The County Engineer presented a request to approve a distribution easement submitted by Florida Power Corporation, to relocate power poles for the delivery of a modular office building at the DeSoto City Landfill Recycling facility. Proof of Publication entered into the record. See SMB 35 Page 26. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the distribution easement submitted by Florida Power Corporation. Upon roll call, all Commissioners voted aye. Motion carried.

E. Grants and Internal Audit Director: Strategic Business Telecommunications Plan

Bob Jamison, Director, Grants and Internal Audit, presented an update on the Strategic Business Telecommunications Project. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to accept the Computer Acquisition Committee's report as presented and the request to proceed with the Plan known as Com, as the basis for current and future policies and administration of all business telecommunications issues and plans, with it coming back to the Board for the purchase. Upon roll call, all Commissioners voted aye. Motion carried. See Telecommunication file for copy of all information.

F. Development Director:

2. Appointment of Natural Resources Advisory member

The Development Services Director presented the recommendations of the NRAC from the July 14, 1999 meeting. He also presented three resumes of qualified candidates on file for NRAC membership. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to reappoint Kurt Olsen to serve the remainder of the term expiring on December 31, 2002, as the Environmental Representative to NRAC. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 27.

1. Purchase of land for Sun 'n Lake Preserve

The Development Director presented a request to approve payment from the Conservation Trust Fund and sign a tax deed application cover sheet for the purchase of a 50-foot wide strip of land to be included with the Sun'n Lake Preserve. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to

approve the requesting of a tax deed sale for the purchase of the property through expenditure of Conservation Trust Funds, up to its tax value, not to exceed \$7,000 and include it in the area of the Sun'n Lake Preserve. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 28.

Break 10:45 - 11:00 a.m.

6. Interviews with CPA firms

Commissioner Flowers reported that the Audit Review Committee went through the process of selecting the firms to perform financial and compliance audit services for the County. Two firms were selected to be interviewed.

11:00 a.m. - Presentations were given by Robert O. Dale, representing the Purvis Gray & Company. Other members of the firm participating included Jerry Handley, Terry Kite, and Chris Portale.

11:30 a.m. - Presentations were given by Dan Dorrell, Mike Carter and Charles T. Nunez, representing Dorrell, Hancock & Carter, CPA's.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to accept the recommendations of staff, to rank Dorrell and Hancock as number one, and Purvis Gray & Company as number two. Upon roll call, all Commissioners voted aye. The motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to instruct staff to proceed with negotiations with Dorrell, Hancock, and Carter, CPA's, with request that the Clerks Office provide a staff member to help with the negotiations. If negotiations are not successful, then staff will proceed with negotiations with the firm of Purvis, Gray & Company. Ross Macbeth advised that the meeting should be held in the Sunshine. Upon roll call, all Commissioners voted aye. The motion carried.

3. Highlands County visioning and five-year strategy

Jim Polatty presented a request to create an objective to establish a Vision and Strategic Plan for Highlands County. The Commissioners discussed the problems associated with visioning in the past. Ross Macbeth spoke in favor of visioning for the future. Mr. Polatty advised that the plan will be to get a group of leaders together, with a facilitator in place, and create a document. Commissioner Bullard suggested that the visioning should be done prior to the EAR, with a common vision in mind. Another approach could be through the Chambers with the County paying the cost of the facilitator and the Commission not being a part of the visioning. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to instruct staff to research through the Florida League of Cities, Florida Association of Counties, and other professional organizations, to come up with a visioning process that has been successful and bring back to the Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 29.

7. Solid Waste Manager: Request for office renovation and budget amendment 98-99-319

Jerry Leszkiewicz, Solid Waste Manager, presented request for budget amendment approval, to facilitate

the project expenses to relocate and renovate the existing 12' X 60 foot mobile office used by the recycling department. The renovation will include a shower, bathroom and break room. The building will also house an office for the landfill operations manager. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to reallocate unused funds from Project 98056 (construction of 6" water line Cell 1A) to facilitate relocation and renovation of existing recycling building to the Arbuckle site for use as Landfill Field office. The Chair opened the floor to the public. Ray Napper presented questions regarding the location of the building, and in favor of the proposal. Richard Conover spoke in opposition. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 30.

H. Budget Officer: Millage certification

Rick Helms, Budget Officer, explained the certification of taxable value. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request of Rick Helms, Budget Officer, to certify the millage at 8.5 per \$1,000 with current year proposed rate as a Percent Change of Rolled-back Rate at 3.16%. Upon roll call, all Commissioners voted aye. Motion carried. The County Administrator advised that when the tax notices are sent out it will show a tax increase. See SMB 35 Page 31.

I. Board Attorney:

1. Agreement with Spofford Stage, Inc. and Todd Beal

Ross Macbeth advised that this agreement is a result of a Code Enforcement action caused by illegal dumping. The agreement is a resolution of this violation. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve and record agreement with Spofford Stage, Inc. and Todd Beal, for violations of County Code for all of Block 10, Highlands Park Estates Section L. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 32.

2. Invoice from Elgin Bayless, Jr.

Ross Macbeth presented a detailed statement of time and expenses charged by Elgin Bayless, Jr. as the appraisal expert, for Davis Enterprises, Inc. for the eminent domain proceedings. Mr. Macbeth advised that he has questioned the amount of additional expenses claimed and the total amount of the invoice. Mr. Bayless is willing to accept \$12,500.00 as payment in full in the eminent domain proceedings. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to accept the \$12,500.00 as payment in full for the expenditure. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 33.

3. Danmark Superfund Site - EPA demand for payment of past costs

The Board Attorney explained the settlement offer from EPA for the demand payment of past costs. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to authorize the Chairman to sign the letter approving the offer and payment, not to exceed \$14,508. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 34.

J. County Administrator:

1. Request for budget amendments 98-99-303 and 309

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve budget amendment 98-

99-303 to replenish overtime funds in Highway Safety, needed to produce signs for other cities, and budget amendment 98-99-309, to cover insufficiency in the appointed attorney account. Commissioner Maxcy commented on the overtime funds used for the placement of signs in the cities. Mr. Cool reported that he will look at the amount spent in labor costs. Upon roll call, all Commissioners voted aye. Motion carried.

2. Requests from City of Avon Park

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the request of City Manager, C.B. Shirey, to reallocate \$31,000 of the \$50,000 earmarked for the Drainage Study to the repair of Runway 4-22 at the Avon Park Municipal Airport. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 35.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the request of City Manager, C.B. Shirey, to provide assistance to repair the boat ramp at Lake Tulane. Ms. Vicki Pontius, Operations Manager, presented an estimate of \$1875.00 for the total cost of the repair. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 36.

3. Resolutions on Kenilworth Lodge and Pinecrest Hotel

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolutions in support of the nomination of the Kenilworth Lodge and the Pinecrest Hotel for listing in the National Register of Historic Places. Discussion followed regarding the designation by the Historic Preservation Commission. Mr. Macbeth advised that the Historic Preservation Commission will not be in opposition to the designations. The Chair opened the floor to the public. Ray Napper spoke in favor. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 183.

4. Consideration of White property

The County Administrator presented request to acquire property from Wendy and Charlie White for the future needs of the Eucalyptus Parkway Phase II roadway. He reviewed correspondence from Mr. & Mrs. White with stipulations of the agreement. The consensus of the Board was to proceed with the public hearing for the purchase of the 20 feet of Farm Lot 46, Section 33, TWP 34 S, Rge 29 E. The Chair opened the floor to the public. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 37.

5. Committee & Commission appointments

The County Administrator presented a handout of committee appointments that need to be dealt with in 1999. Mr. Cool asked the Board members to review for consideration. The Chair requested that appointments be placed on the agenda the first week of August.

Consent Agenda item number 12-Approval of Lead Worker position designations-Building Operations

Commissioner Bullard requested that this item be removed from the Consent Agenda for discussion. He also

recommended that any item that involves a pay increase should be listed as a separate item. Carl Cool and Fred Carino explained the request for two new teams of four personnel to travel to Lake Placid and Avon Park, to start the nightly task of cleaning buildings. The team concept will allow more work to be done and at the same time facilitate the loss of an individual for annual or sick leave. The Lead Workers will be responsible for providing the team a functional leadership position. The Commissioners discussed the concept and Commissioner Maxcy stated that he cannot support this concept. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the lead worker position designations in the Building Operations Department. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay. Motion carried. See SMB 35 Page 38.

8. Consent Agenda:

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the Consent Agenda as listed:

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

Law Library	647.30
General	740,183.57
County Transportation Trust	34,047.44
E911 Operations	15,129.93
Local Government Infrastructure	3,247.17
Affordable Housing Assistance	65,036.00
Solid Waste	30,508.15
Placid Utilities	2,705.45
Hiway Park Utility	368.14
Risk Retention	20,601.68
Employee Benefit	199,278.62
2. **Approval of minutes of 7-6-99**
3. **Accept into record - June Monthly Report**
4. **Approval to sell tax certificates. See SMB 35 Page 39.**
5. **Approval of job description change, Maintenance Shop. See SMB 35 Page 40.**
6. **Approval to remove stock from warehouse inventory. See SMB 35 Page 41.**
7. **Approval of budget amendments 98-99-301(replenish overtime funds in Engineering Dept.) 98-99-306(Public Defender insufficiency) 98-99- 313 (Clerks of Court, realign year to date expenditures) 98-99-317 (Personnel)**
8. **Approval of resolution and budget amendment 98-99-307 (Affordable Housing, additional funds received. See Res. Book 12 Page 184 and SMB 35 Page 44.**
9. **Approval of grant termination date for Courthouse. See Historic Preservation file for copy.**
10. **Approval of addendum no. 2 to Supplemental Agreement no. 25, Chastain-Skillman. Highlands County Courthouse renovation. See SMB 35 Page 42.**

- 11. **Approval of grant agreement SC016 for Courthouse renovations, Resolution and Budget Amendment 98-99-312. See Res. Book 12 Page 185 and SMB 35 Page 43.**
- 12. **Approval of Lead Worker position designations-Building Operations.**

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

5. CITIZENS NOT ON AGENDA:

Ray Napper presented questions regarding the smell at the landfill. The Chair reported that the Solid Waste Manager will measure the odor, once a request has been received, and results will be sent to DEP.

7. COMMISSIONERS

Commissioner Maxcy gave an update on the Insurance Committee meeting. The bids for the Health Insurance have been short listed with four firms, three self-funded third party administrators, and one fully funded insurance plan. The Committee will be discussing these plans in an insurance meeting next Friday.

8. ADJOURN

The meeting adjourned at 1:53 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, JULY 27, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	Carl Cool
Bob Bullard	J Ross Macbeth
Edgar E Stokes	Lisa McClelland
Mike Eastman	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

- A. Upcoming meetings:**

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

4. **RESOLUTION FOR RURAL ECONOMIC DEVELOPMENT**

Jim Stanfill, Executive Director of the Highlands County Industrial Development Authority and Economic Development Commission presented the REDI County Resolution to the Board and spoke of the advantages it would have on Highlands County. After Mr. Stanfill's presentation Commissioner Flowers read the resolution title into the record. Motion by Commissioner Bullard, seconded by Commissioner Stokes to approve the REDI County Resolution for Project #9801296. Upon roll call, all Commissioner voted aye. See Res. Book 12 Page 186.

5. **ZONING SUPERVISOR: REQUEST FOR RELEASE OF UNITY OF TITLE AGREEMENT:**

County Administrator Carl Cool read the request by Attorney Jim Livingston to release portions of the lots that are recorded in a Unity of Title Agreement by the Florida Hospital. Mr. Macbeth requested paragraph three of the Unity of Title Release Agreement be modified to state the specific lots being released. It should refer to the property describe in paragraph one. Mr. Macbeth requested Mr. Livingston make the change and the Board approve it with the change. Motion by Commissioner Stokes, seconded by Commissioner Bullard to approve the agreement with the changes requested by Mr. Macbeth. Upon roll call, all Commissioners voted aye. See SMB 35 Page 45.

6. REQUEST FOR LOCAL MATCH COMMITMENT FOR GRANT APPLICATION BY FLORIDA HEARTLAND HERITAGE FOUNDATION, INC.

Commissioner Bullard presented Florida Heartland Heritage Foundation, Inc. request for using county staff and equipment to put a road entrance into the property, so they can utilize this as a match for other grants. Commissioner Flowers stated this was a tremendous opportunity for the county and he had no problem with approving the in kind services of \$52,000.00. Motion by Commissioner Stokes, seconded by Commissioner Bullard to match the fund and do the in kind work requested. Upon roll call, all Commissioners voted aye. See SMB 35 Page 46.

7. ADJOURN

The meeting adjourned at 9:22 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, AUGUST 3, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Commissioner David Flowers.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Alex Whitbeck presented the Daily Jail Log of Inmate Count for the period ending August 3, 1999.

- B. Clerk**

No report presented.

- C. Upcoming meetings:**

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

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- Delete Item I- 2-a. Budget Appeals: Tenth Circuit: Nick Sudzina

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

- A. Public hearing to consider adoption of EAR-based amendments - DCA 99-1ER**

The Development Director read the captions of the ordinance, and presented the Proof of Publication into the record. See Proof of Pub Ordinance Book 2 Page 59. Mr. Polatty reviewed response to the Objections, Recommendations and Comments Report for DCA No. 99-1ER, First Round of EAR-Based Amendments, and preparation for adoption. The Chair asked for comments from the public. No one responded. See Comprehensive Plan file for copy. Commissioner Bullard pointed out several corrections:

- FLU-25 Policy 2.5:Conceptual Plan Line- (CPL) add verbiage County purchases.

- Correct date to read *during planning period*, instead of a specific date.
- HSG-1 -deferred (Objective 2: date).
- HSG-2 Policy 3.2 Joint Redevelopment Option - inconsistent with listing of redevelopment areas.

- HSG-2 Policy 3.3 - remove language.
- NRE-13- inconsistency - add verbiage *and preserve* natural resources. (Defer to Round 3).
- NRE-16- Policy 7.1 (e) should read *geology, as well as soil types, is an important element of mapping recharge areas.*
- NRE-17- Policy 7.3 - extend the date.
- NRE-20- Policy 7.19- Restoration Plan for Lake Istokpoga -*The County shall cooperate with the lead agency.*
- INF-5- Policy 4.1 - needs extension of date. (Defer to Round 3).
- INF-11- Policy 12.5 - Defer until Round 3.
- EDE-4 -Policy 2.3-D. Change to *five years*. (Defer to Round 3).
- EDE-6 -Policy 2.12-B. wrong reference, should be 2.12.
- GLS-10 -Potable Water Facilities - needs consistent definition.
- GLS-10 -Potable Water Wellfield - *delete definitions.*

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the response for Highlands County Comprehensive Plan Amendment 99-1ER and adopt by Ordinance Amendment 99-1ER with changes as presented and amended. Upon roll call, all Commissioners voted aye. Motion carried.

B. Public hearing to consider proposed small-scale plan amendment and zoning changes
OLD BUSINESS: HEARING #1487 - RICHARD W. BURKE, NAKY ENTERPRISE AND ROBERTO & YVETTE HEVIA

Approximately 43.29 acres located in Sec. 15, Twp. 35S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from R-1 (Residential district) and AU (Agricultural) to AU (Agricultural). The applicants desire to plant trees on the property for their commercial landscaping business and agricultural uses. The Development Director presented the petition and the Proof of Publication into the record. See SMB 35 Page 47. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve in accordance with the Planning and Zoning Commission recommendations and adopt by Resolution the AU (Agricultural) zoning district, including the mandatory findings. The Chair opened the floor to the public. Hank Kowalski commented on the impact to the lake caused by the agriculture operation. Commissioner Stokes reported that the Water Management District is very strict with the permits and agriculture is not exempt from regulations. See Res. Book 12 Page 186. Upon roll call, all Commissioners voted aye. Motion carried

HEARING # CPA - 99-107SS - LINDA DESMEULES

Approximately 5.01 acres located in Sec. 23, Twp. 39S, Rge. 29E, Highlands County, Florida.

Requesting a Small Scale Plan Amendment from “General Agriculture” to “High Density Residential.” Petition

and Proof of Publication entered into the record. See Proof of Pub Ordinance Book 2 Page 60. There was one letter received against and zero for the request at the Planning and Zoning hearing.

HEARING #1490 - LINDA DESMEULES

Approximately 5.01 acres located in Sec. 23, Twp. 39S, Rge. 29E, Highlands County, Florida. Requesting a zoning change from AU (Agricultural) to CG-1 (Campground district) or RV FUD (RV Park with a Flexible Unit Development). Applicant desires a campground. There was no one in the audience to speak for or against the request. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve and adopt by Ordinance the Small Scale Plan amendment to Medium Density Residential, and adopt Resolution approving the RV FUD zoning district, with limitation of 20 sites, contingent upon approval by DCA, after entering into the record the mandatory findings. Upon roll call, Commissioners Bullard, Maxcy, and Stokes voted aye. Commissioners Flowers and Gose voted nay. Motion carried. See Res. Book 12 Page187.

HEARING #1495 - AVON PARK ESTATES SPECIAL BENEFIT DISTRICT -CONSISTENCY REZONE

Approximately 25.33 acres located in Sec. 19, Twp. 33S, Rge. 28E, Highlands County, Florida. Requesting a zoning change from EU (Estate district) to PU (Public Lands district). The proposed use is a water retention area. The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1496 - RIVER GREENS SOUTH GOLF COURSE INC. - COUNTY INITIATED REZONE

An approximate .93 acres located in Sec. 04, Twp 33S, Rge. 28E, Highlands County, Florida. Requesting a zoning change from I-2 (Industrial district) to AU (Agricultural). The property is being used for the golf course and road.

HEARING #1501 - BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA - CONSISTENCY REZONE

Approximately .717 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida. Requesting a zoning change from R-1 (Residential district) to PU (Public Lands district). The proposed use being a park. The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1502 - SITE 2 - IRIS & NORMAN COOK - COUNTY INITIATED - Approximately 9.43 acres located in Sec. 10, Twp. 35S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) and R-3 (Multiple Dwelling district) to AU (Agricultural).

HEARING #1503 - SITE 2 - W. M. & LOUISE L. GREEN CO-TRS. COUNTY INITIATED

Approximately 1.16 and .055 acres located in Sec. 10, Twp 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-2 (Limited Business district) and AU (Agricultural) to AU (Agricultural). The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

Mr. Polatty presented the Proof of Publication and read the petitions into the record. See SMB 35 Page 48. The Chair opened the floor to the public. No one spoke for or against the zoning hearings.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, in accordance with the Planning and Zoning Commission, to approve and adopt Hearing Numbers 1495 and 1501 by Resolutions after entering into the record the mandatory findings, and to approve and adopt Hearing Numbers 1496, 1502, and 1503 - Site 2, contingent upon approval of CPA-99-116LS by DCA, after entering into the record the mandatory findings. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 187.

C. Public hearing to consider proposed changes to Chapter 12, Zoning Code

Proof of Publication entered into the record. See Proof of Pub Ordinance Book 2 Page 61. The Development Services Director advised that this is the second public hearing to consider changes to Chapter 12. The Development Services Director reported that at the last public hearing, the Board transmitted Plan amendments to DCA, that parallel these zoning amendments. The language implementing the permitted uses was amended, two definitions were deleted, and several typos were corrected. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt ordinance with changes to Chapter 12 (Zoning Code) with corrections as listed by Commissioner Bullard:

- Change of date of public hearings to read July 13, 1999 and August 3, 1999.
- Change of date at the end of the ordinance to read August 3, 1999.
- In future, identify the chapter, section numbers, and districts.
- Review Section 40.

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

Break 10:30 a. m.- 10:45 a.m.

D. Wendell Whitehouse: Report on Parsons Engineering feasibility study

Wendell Whitehouse presented a report on the Regional Water Supply Authority Feasibility Study performed by Parsons Engineering Science, Inc., together with Nabors, Giblin and Nickerson, P.A. and Water & Earth Science, Inc. He recommended that Highlands join forces with Polk and Hardee counties to form an alliance to set up a Regional Water Supply Authority. As a member of the Authority, our county will have a stronger voice in water management issues. Commissioner Bullard stated concerns that it adds another level of bureaucracy, and SWFWMD is supposed to protect rural counties like Highlands and Hardee. Commissioner Maxcy spoke in support, to protect our water resources. Commissioner Stokes suggested that staff talk to other Counties who have set up an authority, to gather information. All Board members agreed that any partnership should include an equal voice for Highlands County. The consensus of the Commission was to

set up a workshop with the consultants to gather information and identify costs. See SMB 35 Page 49.

E. Development Director:

1. Appointments to Affordable Housing Advisory Committee

Jim Polatty presented recommendations for reappointment of the new Affordable Housing Advisory Committee members. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to reappoint John Shoop, Alice Oldham, Jim Windsor, Bob Saffold, Kathy Main, as full members and appoint Mike Disler and Selvin McGahee to the Affordable Housing Committee as full members and Tom Emerson and Loretta Stephens as alternate members for two year terms or until August 3, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 50.

F. County Engineer: Release of funds to the City of Sebring for the Lakeview widening project

Ramon Gavarrete, County Engineer, presented request for the release of funds to the City of Sebring for the Lakeview Widening Project. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve release of funds not to exceed the amount of \$50,131.00 to the City of Sebring for the widening of SE Lakeview Drive. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 51.

G. Assistant County Administrator:

1. Contract with Chastain-Skillman for architectural services

Tom Portz, Asst. County Administrator, presented recommendations for the continuing Architectural Services Contract with Chastain-Skillman. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to enter into the three contracts for the continuing engineering services contract, per statutory requirements. Commissioner Bullard asked if the sales tax factor was considered in the negotiations. Mr. Portz advised that there are four deliverable fee structures in the contractual arrangement. Staff may ask that sales tax not be included in each particular fee structure. Upon roll call, all Commissioners voted aye. Motion carried.

2. Housing Assistance grant funds and adoption of resolution

The Florida Housing Finance Corporation notified the County that there is an increase in the collection of documentary stamp taxes in fiscal year 1997-1998. Highlands County's share of the funds are listed at \$185,805. These funds cannot be spent unless a Housing Assistance Plan Amendment is submitted indicating how these funds are to be spent. The majority of these funds are proposed to be placed in the Down Payment Program with additional funding going to Home Repair and Administration which is 10% of the amount of each year's grant. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution amending the SHIP Housing Assistance Plan. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 188.

H. Board Attorney

No report.

I. County Administrator:

1. Budget amendment 98-99-353 for Avon Park Airport Runway 4-22

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 98-99-353 to create project #98081 as approved by the Board on 7/20/99 and to create project #98082, approved in the CIP including the reduction of funds approved by the Board to fund the Runway 4-22 project for the City of Avon Park. The Chair opened the floor to the public. Clayton Womer spoke in opposition to the allocation change. Upon roll call, all Commissioners voted aye. Motion carried.
See SMB 35 Page 52.

2. Budget appeals:

a. Tenth Circuit: Nick Sudzina

Postponed.

b. Highlands Art League

Carl Cool explained the request from the Art League for \$18,000 to assist in their efforts to meet the demand of the community's interest in art education and exhibitions. He also mentioned the proceeds derived from the sale of Art License Plates. He asked that these monies be allocated to the Highlands Art League. Jackie Andrews, representing the Highlands Art League, presented an appeal to the Commission for funds to help with the new staff person. Motion by Commissioner Bullard that we grant a one time \$10,000 funding to the Highlands Art League. Commissioner Maxcy seconded the motion. The Chair opened the floor to the public. Clayton Womer spoke in opposition to the motion. Upon roll call, Commissioners Bullard and Maxcy voted aye. Commissioners Flowers, Stokes and Gose voted nay. Motion did not carry. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to fund the Highlands Art League \$2,000, along with the proceeds from the art license plates. The Chair opened the floor to the public. No one spoke for or against the motion. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. The motion carried. See SMB 35 Page 53.

J. Consent agenda:

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the Consent Agenda as listed:

1. Approval to pay all duly authorized bills

Law Library	925.75
General	1,461,577.78
County Transportation Trust	24,528.99
E911 Operations	5,046.26
Conservation Trust	110.00
Intergovt Radio Communication	2,858.23
Local Government Infrastructure	107,438.84
Affordable Housing Assistance	15,195.00
Solid Waste	82,704.24
Placid Utilities	9,861.71
Hiway Park Utility	400.57

- Employee Benefit 217,889.24
2. Approval of minutes of 7-13-99 and 7-20-99
 3. Approval to sell tax certificate #97-11486 (John or Judy Watson). See SMB 35 Page 54.
 4. Approval of Hospital District Board grant to Central Florida Health Care. See Hospital file for copy.
 5. Approval of reappointment of Audrey Vickers to Historic Preservation Commission. See SMB 35 Page 55.
 6. Approval of property exchange, Tax Collector's office. See SMB 35 Page 56.
 7. Approval of budget amendments 98-99-324 (Planning overtime) 98-99-325 (Weed Control overtime) 98-99- 328 (Sebring Library operating supplies) 98-99-331(Zoning Dept. overtime) 98-99- 332 (overtime expense) 98-99-338 (EMS unexpected expense) 98-99-341(Fire Coordinator) 98-99-345 (Planning Dept shortfall, purchase of side chairs) 98-99-347 (Animal Control) 98-99-352 (Purchasing, weekly generator testing) 98-99-354 (Transportation Trust) 98-99-358 (Public Defender conflicts).
 8. Approval of resolution and budget amendment 98-99-337 (OBTS Improvement Project). See Res. Book 12 Page 192.
 9. Approval of resolution supporting grant for Lockett Estate refurbishing. See Res. Book 12 Page 191.
 10. Approval to release Garret Road escrow for Wells Motors Company. See SMB 35 Page 57.
 11. Approval to execute FRDAP grant agreement for Lockett Estate. See SMB 35 Page 58.

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

2. Private Lands/Partners in Conserving America's Resources

The Commissioners viewed the video tape, *Private Lands, Partners in Conserving America's Resources* by the Florida Stewardship Foundation, at the request of the Natural Resources Advisory Council.

5. CITIZENS NOT ON AGENDA:

Richard Conover presented questions regarding Committee appointments. Carl Cool reported on the time line of appointments.

6. COMMISSIONERS

Commissioner Bullard asked that the Board look at a *committee sunset provision*.
Commissioner Flowers reported on the Community of Character project.
Commissioner Maxcy commended staff on the Lake Haven Estates water problem.

7. ADJOURN

The meeting adjourned at 1:05 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, AUGUST 10, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham

Commissioner Bob Bullard was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers, with special acknowledgment to the family of Mrs. Bullard, mother of Commissioner Bullard, in her passing. The Pledge of Allegiance was led by Joe Campbell, Supervisor of Elections.

3. **ANNOUNCEMENT**

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

Agenda

Motion by Commissioner Flowers, seconded by Maxcy, to set the Agenda as presented and amended:

4. **Workshop: Handyperson Ordinance**

- Postponed until August 17, 1999 (Tuesday) at 6:00 p.m. Public hearing to be held September 28, 1999 at 5:00 p.m. for adoption.
- Item #8 to be moved up and heard first, to allow participation by the Board Attorney, due to a court conflict.
- Item #6 Personnel Director to be heard next.
- Item #7 - Rescheduled for next Tuesday.

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

8. **Board Attorney: Community Development Block Grant for Sebring Airport**

Ross Macbeth presented request for approval of contracts, and related resolutions to authorize the CDBG grant funding for the public facility infrastructure for a hotel at the Sebring Airport Authority.

He reviewed the Participating Party Agreement, Project Agreement, Financial Security Agreement, and the contract to hire Fred Fox Enterprises, Inc. to implement the grant. The compensation for the contract with Fred Fox will be paid from the grant funds. The Project Agreement between the Board of County Commissioners, Sebring Airport Authority, and the Sebring International Raceway, provides for obligations on the part of SIR in connection with the project. In order not to repay the grant, SIR has to meet certain

employment training obligations for low or very low income employees. The Financial Security Agreement will ensure that the County incurs no financial liability through the implementation of the grant that would require the taxpayers to repay the \$750,000 and any cost overruns that might occur. In addition, the agreement will cover the repayment of the loan if SIR did not meet any of the many stipulations contained in the grant. The Participating Party Agreement spells out the respective duties and responsibilities of the three parties. Mr. Macbeth stated concerns that SIR could default and not pay the money that they have obligated to pay. The Board of County Commissioners will be held responsible. He had initially asked for a letter of credit or ready cash to insure the obligations, but they refused. They have offered in its place a mortgage and a promissary note. The promissary note is for one million dollars, which says if they default, they owe us the million dollars or the outstanding balance. The note is secured by a mortgage which includes their lease with the Airport Authority and additional lands and equipment. He was assured that the lease has a ready market and the improvements are of significantly greater value than the \$750,000.

Mr. Macbeth read into the record a letter from Dorrell, Hancock, Carter, CPA's regarding the financial strength of the raceway. It stated that the CPA's, representing the SIR, expects that SIR will have a net value in excess of one million dollars. Another letter received from J. Michael Swaine, Attorney for the Airport, stated that all improvements that are within the facility remain with the lease. A letter was also received from Mike Willingham, stating that Sebring International Raceway is not in default under its lease from the Authority at this time.

Mike Swaine, Attorney for the Sebring Airport Authority, advised that the agreements and resolutions will not become effective until next week when signatures can be secured from the Airport Authority and the International Raceway. The Chair advised that the Board may approve contingently upon receiving the proper signatures.

- CDBG Contract and Resolution

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Resolution, authorizing the CDBG grant contract with DCA. Upon roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

- Fred Fox Enterprises Contract

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve Resolution, authorizing the Fred Fox Enterprises contract. Upon roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

- Project Agreement

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Resolution authorizing the Project Agreement between Highlands County Board of County Commissioners, Sebring Airport Authority, and the Sebring International Raceway. Upon roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

- Participating Party Agreement

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Resolution authorizing the Participating Party Agreement. Upon roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

- Mortgage and Note

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Resolution authorizing the Mortgage and Note. Upon roll call, all Commissioners voted aye. Motion carried. See CDBG file for copy.

- Resolution Authorizing submission

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Resolution authorizing submission of the CDBG Environmental Review to the Department of Community Affairs. The Chair opened the floor to the public. Lake Placid resident, Mike Starcevic, expressed concern regarding the environment at the raceway, with pollution created by cars and the disposal of hazardous materials such as batteries. He further stated that he has visited one of the race car pits and found three batteries in a garbage can. Mike Swaine, Raceway Director, stated that he has a contract with a company that handles all waste in an environmentally sound way. Mike Willingham, Sebring Airport Authority, stated that several environmental inspections of the property have been performed, and they found nothing that would be a problem. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 59.

6. Personnel Director:

1. Public Risk Management renewal

Fred Carino, Personnel Director, introduced Ross Furry, Executive Director of Public Risk Management of Florida, Paul Erickson of Arthur J. Gallagher, and Ford Heacock, Agent of record. Mr. Erickson presented a contribution break down, for fiscal year 1998/1999 as compared to 1999/2000, with a 10.1% decrease in Property, Casualty, and Workers Compensation insurance. See SMB 35 Page 60.

Commissioner Maxcy reviewed the Insurance Committee recommendation to remain with PRM. He stated that our claims handling and premium experience with PRM shows that it was an excellent business decision for Highlands County. Despite increased exposures and much higher coverages, the County has consistently received reductions in premiums each year.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve that the County remain an active member of the Public Risk Management of Florida pool of governmental entities for Property, Casualty, Liability, and Workers Compensation insurance coverages. Upon roll call, all Commissioners voted aye. Motion carried.

2. Life insurance recommendation from Insurance Committee

Commissioner Maxcy presented recommendations from the Insurance Committee. Mr. Allan Waters, Consultant for Waters Risk Management, reported a savings of \$12,000 to the County with Sun Life of

Canada. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the committee recommendation to accept Sun Life of Canada, for Basic Life, Supplemental Life, and Dependent Life. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 61.

3. Recommendations on Health Insurance

The Commissioners discussed the Insurance Committee recommendations on the health insurance program. The committee recommends Highlands County Medical Benefits remain self-funded with Robey Barber as the third party administrator. Mr. Allan Waters of Waters Risk Management, presented a synopsis of the committee recommendations. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve that the County remain self-funded with Robey Barber, as the third party administrator for medical and dental benefits. The Chair opened the floor to the public. Col. Jones reported that the County is trying to live with a 15% rate increase by adjusting some of the benefits and possibly employee premium participation. Upon roll call, all Commissioners voted aye. Motion carried. See Employee benefit file for Robey Barber Proposed Renewal.

4. Workshop on health insurance program and RFP

Tom Portz, Asst. County Administrator, recommended that we set another workshop, allowing time for the Actuarial Review and Certification to be presented. The Insurance Committee will then workshop, and present recommendations back to the Board.

5. Workshop: Adoption of Standard Housing Code

Jim Polatt, Development Services Director, reviewed the proposed ordinance providing for adoption of Standard Housing Code, 1997 Edition. He advised that the SHIP Program and the Community Development Block Grant Programs require a minimum code as part of the county programs. The ordinance parallels the standard building code in most instances. Ross Macbeth stated that he will address the Board appointments and clarify all code information within a Resolution. David Heacock, Housing Coordinator, spoke in favor of the ordinance, and advised that the Code will provide an additional ten points for any CDBG application for funding. The Chair opened the floor to the public. Selvin McGahee, Executive Director of Florida Nonprofit Housing, spoke in favor of uniform codes. Mr. Heacock also introduced Jim Windsor, Chairman of the Affordable Housing Advisory Committee. The consensus of the Board was to set a public hearing for August 24, 1999 for adoption of the ordinance. See SMB 35 Page 62.

7. Operations Manager: DeSoto City Ballfield

Postponed until next week.

9. ADJOURN

The meeting adjourned at 10:24 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, AUGUST 17, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Clerk of Court, Luke Brooker. The Pledge of Allegiance was led by Arlene Tuck, Lake Placid, Town Clerk.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count and the Farm Report for the period ending August 17, 1999. Susan reported that the six-month report was received from the Department of Law Enforcement on crime events in Highlands County. Total crime index events in the unincorporated area was down by 21.1%. She also introduced Kari Martin, as the new Victim Advocate, who will be working through the Criminal Justice System at the Sheriff's Department.

- B. **Clerk**

L.E. "Luke" Brooker presented a brief report on Teen Court in Highlands County. This is a diversionary program for teens who commit crimes for the first time and admit their guilt. The teen has an opportunity to have their case heard before Teen Court, which is staffed by teen attorneys, teen bailiffs, and teen clerks. The adult judge presiding is the only official in the courtroom. The teens' punishment is decided by a jury of teens. Last year there were more than 100 participants in Teen Court from all three communities. The Clerk introduced Melissa Sowers, who heads up Teen Court in Highlands County. Melissa related experiences that she encountered in her work with the teens.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Carl Cool advised that Highlands County is the recipient of a special award from the Florida Sheriff's Association and the Florida Sheriff's Youth Ranches.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- 1) Add Public Hearing on DeSoto City Ball Field (FRDAP application) as C. 4.
- 2) Add Budget amendment #98-99-381 to be placed under the County Administrator.

- 3) Add Budget amendment #98-99-369 & 370 under the County Administrator.
- 4) EOC-CIP Plan under the County Administrator.
- 5) Resolution supporting Lake Okeechobee Segment of the Florida National Scenic Trail under the County Administrator.
- 6) SHIP Resolution under the County Administrator.
- 7) Add Superfund Site under the Board Attorney.
- 8) Sheriff's Office Trust Fund to be placed under the Asst. County Administrator.

A. Resolution designating "Dal Hall Boulevard"

Commissioner Bullard spoke in support and read the resolution into the record. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution designating Central Avenue in Lake Placid, *as Dal Hall Boulevard* in his memory, effective January 1, 2000. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 193.

B. County Engineer:

1. Appointments to Placid Utilities Advisory Committee

Ramon Gavarrete, County Engineer, presented recommendations for extending the terms of the present members of the Placid Utilities' Advisory Committee. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to extend the terms of Spence Lloyd, Joseph Durant, Harold Owen, and Alternate, Chester Gates to the Placid Utilities Water Advisory Committee from September 2, 1999 through September 2, 2000. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 63.

2. Approval of Florida Power Corp. Authorization/Agreement and Distribution Easement

The County Engineer presented request for approval of Florida Power Corporation's Agreement and Distribution Easement for the placement of power poles for the Commerce Avenue Annex Public Parking Lot Project. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve authorization/agreement and distribution easement as submitted by Florida Power Corporation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 64.

C. Assistant County Administrator:

1. Execution of contract with Post, Buckley, Shuh & Jernigan, Inc.

Tom Portz, Asst. County Administrator, presented request for execution of contract with Post, Buckley, Shuh & Jernigan, Inc., to perform various architectural services for the County's Solid Waste Operations. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve execution of the three contracts with Post, Buckley, Shuh & Jernigan, Inc. Commissioner Bullard presented questions regarding the method of computation for the hourly billing rate. Tom Portz advised that attachment "C" addresses the compensation factor. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 65.

2. Donation of surplus chairs and tables

Tom Portz presented memo from the Faith Temple Ministry of Avon Park, Inc., requesting any surplus chairs and tables that are no longer serviceable and are classified by the County as obsolete.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to donate approximately eighty chairs and ten tables that are beyond economical repair to the Faith Temple Ministry of Avon Park, Inc., as the agency conforms to the statutory definition of a nonprofit agency and is allowed to receive these items by donation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 66.

3. Adoption of Local Mitigation Strategy

Tom Portz explained the grant that was entered into by the Board one year ago and specific language in the document. The Chair expressed concerns for the funding and recommended replacement of the word "*shall*" instead of "*May*." Commissioner Bullard pointed out the disclaimer in the document. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve request of the Asst. County Administrator, to move adoption of the Local Mitigation Strategy document and Resolution to complete the fourth and final deliverable due by October 31, 1999. Upon roll call, all Commissioners voted aye. Motion carried. See Mitigation file for copy.

4. Operations Manager: DeSoto City Ballfield

Proof of Publication entered into the record. See SMB 35 Page 67. Vicki Pontius, Operations Manager, stated that the purpose of this public hearing is to receive public and inter-agency input on a grant application for the construction of a ballfield in DeSoto City. Ms. Pontius reported that the county owns 10 acres of land at the corner of Pioneer Road and C-17. It is designated as a *Park*. Concerns have been noted from residents regarding limited facilities for their use. The intent is to build the same ballfield as built in Lincoln Heights, utilizing FRDAP funding. The grant application being submitted will ask that the Department of Environmental Protection Agency provide 100% of the funding for the construction. If approved by DEP, the construction project will begin in the upcoming fiscal year. The Chair opened the floor for public input. No one spoke for or against. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the request of the Operations Manager, to pursue the application process. Upon roll call, all Commissioners voted aye. Motion carried.

5. Sheriffs' office: Law Enforcement Trust Fund

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request of the Sheriff's office to expend \$17,546.00 from the Special Law Enforcement Trust Fund on needed equipment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 73.

D. Board Attorney: Danmark Superfund Site

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the new terms of the good faith settlement offer as presented by Ross Macbeth, with the County agreeing to pay from the range of \$12,000 to \$14,500 in the case of the Danmark Superfund Site. Upon roll call, all Commissioners voted aye. Motion carried.

The Board Attorney advised that he will be bringing a group of properties to the Commission for approval as a part of our continued Comp Plan classifications, making them consistent with the existing zoning for the stipulated settlement agreement.

E. County Administrator:

1. Request from Spring Lake Improvement District

Carl Cool, County Administrator, reviewed the estimated cost of labor and materials required to meet minimum county road standards as presented by Bruce Van Jaarsveld, Road and Bridge Superintendent, for the construction of Duane Palmer Boulevard. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request from Spring Lake Improvement District to place on the estimation list for next year and reconstruction to take place in fiscal year 2001/2002. Robert Aquilina, Superintendent, thanked the Board for their assistance. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 68.

2. Budget amendment 98-99-363 for purchase order printer

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve budget amendment 98-99-363 to replace the purchase order printer. The current printer will be sent to the manufacturer for refurbishment and upon return will be used as a spare by Data Services. Jerald Secory, General Services Director, explained the request and warranty. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 69.

a. Budget amendment #98-99-381 for Property Appraiser to mail TRIM notices

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve budget amendment #98-99-381 for postage for the Property Appraiser to mail TRIM notices. Upon roll call, all Commissioners voted aye. Motion carried.

b. Budget amendment # 98-99-369 for the Clerks' office

Commissioner Bullard requested a further explanation of this budget amendment. Mike Eastman stated that the funds were being taken out of personal services and moved down to capital outlay to create and furnish a new office in the Government Center for the Director of Grants and Internal Audits, along with an office for the Internal Auditor, and additional space for a position to be created in the next budget year. Commissioner Bullard also requested a listing of the line item expenditures. Mike Eastman will present the additional information. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve budget amendment #98-99-369 for the Clerk's office. Upon roll call, all Commissioners voted aye. Motion carried.

c. Budget amendment 98-99-370 for the Clerks' office

Commissioner Bullard suggested that additional information be provided. Mike Eastman advised that the transfer of funds from reserve for contingency to an expenditure account will allow funds to be expended or presented back to the Board as excess fees. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve budget amendment 98-99-370 for the Clerk's office. The Chair opened the floor to the public. Clayton Womer spoke in opposition to items of this nature, being placed on the Consent Agenda. Commissioner Maxcy commended the Clerk on his budget procedure. Upon roll call, all Commissioners voted aye. Motion carried.

3. Appointments to Nuisance Abatement Board

The County Administrator explained the request for appointments to the Nuisance Abatement Board and read the Highlands County Code setting up the Board and the effect on other legislation. Article II. spells out the type of cases to be heard such as drug-related or prostitution-related, public nuisances and youth, and street gang

activity. The Chair advised that the Board will require strong members. A member appointment from each Commissioner is required by the Code to make up the Nuisance Abatement Board. The consensus of the Commission was to reschedule for appointment in two weeks with input from the sheriff. See SMB 35 Page 70.

4. Request to declare surplus property

The County Administrator presented request that buildings located at 500 Fernleaf and 525 Palmetto be declared surplus properties and be put out for bid, to be moved to utilize lots for parking. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve request to declare surplus property, and utilize the lots for parking. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 71.

5. Recommendation for Lockett Estate lease funds

Carl Cool, County Administrator, presented recommendations that profits made from the lease agreements be remitted to FHREDI to be used for the restoration efforts. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve request of the County Administrator to remit the net difference of \$9,737 to FHREDI for the restoration of match dollars. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 72.

6. Resolution supporting the Lake Okeechobee segment of Florida National Scenic Trail

The Chair read the Resolution into the record. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution supporting the Lake Okeechobee segment of the Florida National Scenic Trail. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 194.

7. Waiver of Housing Assistance Plan Requirement

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to waive Article III, Section A. subsection 3.2 of the Housing Assistance Plan for Mrs. Dorothy Rosselle in order that she may receive assistance through the SHIP program to replace an unrepairable air-conditioning unit. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 73.

8. County Vehicle #LF85

The County Administrator reported that an accident occurred with the Ford F-150-1997 Pickup Truck driven by a Solid Waste Management employee. The truck was totaled by the insurance company. The best salvage offer obtained is \$1,800. This amount plus the insurance settlement, less the deductible will give the Board \$18,125. for the vehicle. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the salvage offer in the amount of \$1,800. Upon roll call, all Commissioners voted aye. Motion carried.

9. EOC - Capital Improvement Plan

The County Administrator reviewed the Capital Improvement Plan for the Emergency Operations Center. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the portion of the CIP for the extended dollars for the Emergency Operations Center, with a budget amendment to transfer funds. Upon

roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 74.

G. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda as listed:

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

Law Library	405.00
General	571,515.02
County Transportation Trust	71,032.37
E911 Operations	15,255.66
Intergovt Radio Communication	350.00
Local Government Infrastructure	117,970.91
Affordable Housing Assistance	12,341.21
Solid Waste	15,277.34
Placid Utilities	12,261.07
Hiway Park Utility	1,179.09
Risk Retention	15.00
Employee Benefit	361,899.03
Highlands Hosp Pass Thru	42,000.00
2. **Approval of minutes of 7-27-99 and 8-3-99**
3. **Approval to issue and record Satisfaction of Mortgage for SHIP client, India Myers. See SMB 35 Page 75.**
4. **Accept into record - July Monthly Report**
5. **Approval of Interlocal Agreement with City of Sebring for Lake Jackson Native Plant project.**
6. **Approval of Resolution & Agreement for funding Habitat for Humanity. See SHIP file for copy.**
7. **Approval of budget amendments 98-99-362 (E911 Dispatch repair and maintenance) 98-99-366 (Planning, purchase of two computers) 98-99-368 (repair of well and install lights, H.L. Bishop Park, and repair pump at Lockett Estate) 98-99-369 (Create and furnish new office for the Grants & Internal Auditor) 98-99-370 (to cover unbudgeted items for the Clerk's office) 98-99-371 (Court System annual maintenance).**
8. **Approval of additive change orders 12 & 13 for Commerce Ave. Annex renovation. See SMB 35 Page 78.**

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

5. CITIZENS NOT ON AGENDA:

- Richard Conover spoke regarding the increased cost of cable prices in Highlands County. He reported that the price has increased by \$11.43 in the past four years and the cable bill for the month of August indicates a \$1.05 franchise fee. Mr. Portz advised that he will check with the Company for an explanation and report back at next week's meeting.

- Commissioner Maxcy introduced Tres Price, new administrative aide for Representative Joe Spratt. Tres will be working out of Rep. Spratt's office on South Commerce Ave. in Sebring.

6. COMMISSIONERS

- Commissioner Flowers urged all citizens in Avon Park to get out and vote.
- Commissioner Bullard thanked everyone for the concern and love shown in the passing of his mother.
- Chairman Gose commended Lisa Dobson for the nice letter received from the Citrus Growers Association.

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

7. 1:00 p.m. - A. Dorann Loehr, Division of Emergency Management: State of Florida Y2K preparations.

Ms. Loehr presented update.

B. Budget Officer: Status of Y2K Steering Committee

Rick Helms presented update. See Y2K file for copy of information.

I. Background

The Y2K Steering Committee(Committee) was appointed by the Board of County Commissioners (BCC). The Committee has conducted six meetings to accomplish the directives of the BCC. The Committee has developed a mission statement which is attached to this report.

II Meetings

The Committee has heard from various speakers about the readiness of their organization. Those speakers included:

- < Sprint
- < Florida Power Corporation
- < Glades Electric
- < City Government - Avon Park, Sebring, and Lake Placid
- < Hospitals - Florida Hospital and Highlands Regional
- < South Florida Community College
- < Florida National Guard
- < Sun'n Lake Improvement District

II Activities

A. Team Florida 2000 (TFY2K)

Highlands County was represented at the TFY2K Conference in Orlando on April 29 and 30, 1999 and the information was shared with the Committee.

B. County staff met with representatives from the Governor's Office regarding Y2K status of County systems.

C. County staff will be attending the TFY2K Symposium in Tampa on August 26, 1999. The Budget Officer and the Public Information Officer are currently registered.

D. Emergency Management has conducted two meetings with the Critical Infrastructure Component which includes utilities, health care, grocers, Red Cross, railroads, and elder care agencies.

IV Accomplishments

- A. Mission Statement
 - B. Status reporting by each Constitutional Officer and the BCC
 - C. Notification and survey of all vendors.
 - D. County Y2K web site and upgrade.
 - E. Preparation of Readiness Disclosure for response to inquiries.
- V. Activities Planned
- A. Y2K Exposition is being planned for later this year.
 - B. Continued status reporting.
 - C. Public information program to provide information to the citizens of Highlands County.
 - D. Finalization of the Contingency Plan.
 - E. Tabletop Exercise.
- VI. Next meeting
- Meetings are scheduled the third Thursday of each month which means the next meeting will be August 26, 1999.

8. RECESS at 1:42 p.m. until 6:00 p.m.

1. RECONVENE

The Chair reconvened the meeting at 6:00 p.m. with all members present.

2. WORKSHOP: Handyperson Ordinance

Carl Cool addressed the Board regarding letters received on the ordinance, and the misunderstanding of the contractors and the Handypersons. He advised that the Handyperson can go out and do up to \$1,000 worth of work without limitations. The state law allows this. The ordinance will put some restrictions on the Handyperson, such as buying insurance. The final public hearing will be held on September 28, 1999. Ross Macbeth outlined changes in the ordinance since the last workshop. Refer to tape for detail. Commissioner Flowers objected to the word replacement of plumbing. Commissioner Maxcy objected to item 10. He also would like to add in roof repair not to exceed \$200. Commissioner Stokes recommended that we add back roof repair. The Chair opened the floor to the public:

- 1) J. R. Doty spoke regarding the roofing. He suggested \$1000 limit on the roof repair. He also spoke on the hardship of obtaining the license.
- 2) Terry Webster spoke in opposition to the one year experience.
- 3) David Hutchinson spoke in favor of the Handyman license to be able to do small repairs.
- 4) David Mosser, Plumber from Avon Park, spoke in opposition to the ordinance.
- 5) Dale Bury, licensed contractor, felt that the \$1,000 is excessive.
- 6) Carl Canevari, Plumber, spoke in opposition to the ordinance.
- 7) Ted O. Shoemaker, Master plumber and electrician, spoke in opposition to the ordinance. He presented a handout. See SMB 35 Page 81.
- 8) Bert Cox, of C.A. Cox Plumbing, asked that the County be more restrictive with regulations. He also explained the legal recourse that residents have with the problems encountered from contractors.
- 9) Gene Canevari spoke in favor of a Handyperson ordinance.
- 10) Dennis Morel spoke in opposition to the ordinance.

- 11) Alice Wright, Consumer, asked the purpose of the ordinance. The Chair advised that it was a complaint driven ordinance.
- 12) Richard Conover spoke regarding enforcement.
- 13) Daphne Bruce stated that she has more problems with the professionals than with the Handyman.
- 14) Ken Main, spoke in favor of Handyman Service.
- 17) S.Y. Mosley read a letter from Brad Bowen of Bowen & Son Roofing, Inc. in opposition to the Handyman roofing repairs. See SMB 35 Page 82.

Board Discussion

Commissioner Flowers was in favor of removing item #10 (Plumbing). He was willing to set the job at \$600.00. Commissioner Gose was in favor of removing electrical and plumbing but has a problem with the \$1,000 job. He will not go more than \$150.00 and put roofing back in.

Commissioner Bullard spoke in favor of the ordinance but felt the \$150.00 was too low, will agree to \$600.00. (\$200.00 for roofing). He asked that additional language be inserted in paragraph 003, which is not prohibited by state law, regardless of who purchases the materials.

Commissioner Stokes believes that we should protect the consumer. Aggregate contract should be there.

The consensus of the Board was to remove plumbing, add roofing at a lower limit of \$200.00, and set the total job at \$500.00 including materials and labor regardless of who does the purchasing. Add language suggested by Commissioner Bullard for paragraph 003, and advertise all three ordinances for public hearing.

The chair recommended that the ordinance be placed on the web site for review.

County Administrator - announcements:

Carl Cool announced that Dana Davidson, EMS employee, was struck by lighting. He was on call when the accident happened, and was rushed to Highlands Regional. He is doing well and staff thinks that he will be fine.

Gulf Stream Pipe Line Company

Mr. Cool stated that notification was received from Gulf Stream Pipeline that changes are being made in the route. Letters will be sent out. The Chair advised that the route is basically going down the old Railroad Tracks.

3. ADJOURN

The meeting adjourned at 8:30 p.m.

Chairperson

Attest: _____

Clerk

REGULAR MEETING OF THE BOARD, SEPTEMBER 7, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Tom Portz
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Pete Anderson, Highlands Hammock Park Manager.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending September 7, 1999.

- B. **Clerk**

No report presented.

- C. **Upcoming meetings:**

The Asst. County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. He also reported on a hunting proposal that is being pushed through as a Kissimmee River Public Use Area. The Okeechobee County Commission has adopted a Resolution in opposition to this proposal, as high powered rifles are being used, and there is considerable opposition to this proposal. Mr. Portz also presented an agreement from the Lakes Manager for an alum injection stormwater treatment facility within the Little Lake Jackson Watershed. He suggested that this agreement be added to the agenda for approval.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- 1) Add Little Lake Jackson-Alum Injection under the Board Attorney for discussion.
- 2) Delete Consent Agenda item number three.
- 3) Remove Consent Agenda number nine and place under the Asst. County Administrator for discussion.
- 4) Remove Consent Agenda number 14 and place under the Asst. County Administrator for discussion.

- A. **Public hearing #1510 - R. Greg Harris c/o Clifford R. Rhoades, P.A.**

CPA - 99-113SS - R. GREG HARRIS C/O CLIFFORD R. RHOADES, P.A.

Chairman Gose opened the public hearing. This Hearing was continued from August 24, 1999. The following

motions were on the floor.

Motion Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution and Ordinance, contingent upon approval of CPA - 99-113SS by DCA, after entering into the record the *positive* mandatory findings. Commissioner Stokes amended the motion to include a 50-foot right of way if required, and all other accommodations as noted for the school children. Commissioner Bullard proposed an amendment to the motion to only rezone the site plan, Lot 14.3, which corners on Markland Road and State Road 66 *as B-3 zoning*, seconded by Commissioner Stokes. Cliff Rhoades stated that the petitioner wants all the property zoned B-3, but if the Board votes for this motion, he would request that the Board add 50 feet to the site plan, because of the road requirement. At this point, Commissioner Stokes asked Attorney Rhoades if the motion passed, would it affect the business coming to this area. Mr. Rhoades advised that he was not sure of the outcome. At that time, the Commission decided to continue the hearing for better clarification.

Continuing with Hearing 9/7/99

The Chair asked for a summation from Attorney Rhoades. Cliff Rhoades stated that he would like to leave the entire parcel for rezoning for future expansion. He agreed to commit to an easement that will restrict certain B-3 uses. The exclusions were listed as Commercial sports activities, such as bowling alley, golf driving range, or miniature golf course, skating rink, swimming pool archery range, pony ride. Commercial recreation activities, such as nightclub, tavern, bar or other establishment for consumption of alcoholic beverages on-premises, pool room, theater, aquarium, assembly hall, museum and exhibits, games of skill and chance, penny arcades. Water related uses, such as boat and marine motor service and repair while boats are in water, boat rental, charter boats, commercial wharves, piers, slips and anchorages. Wastewater treatment only restricted as it relates to the entire development, not to their individual development. They are also willing to give restrictive covenants for the sale and display of automobile secondhand parts. These restrictions will include the entire 8 ½ acres and will run perpetual with the land.

Voting on the amendment that includes 2.2 acres at B-3 zoning with no restrictions and the balance at B-2 zoning.

The chair opened the floor to public input. Ralph Metzger, Gabriel Read, Jerry Fritz, Harold Crenshaw, Pete Eveleth and Tom Weaver spoke in opposition. Commissioner Bullard spoke in opposition to the amendment as it does not provide any restrictions. Upon roll call, all Commissioners voted nay. The motion did not carry.

Discussion on the main motion, with the easement that has been offered. Commissioner Bullard amended the motion, seconded by Commissioner Stokes, to require the petitioner to provide adequate right of way on Markland Lane, to pave the parking lane up to and including the entrance way, provide a side walk, provide a bus shelter, with the restrictive covenants that will run perpetually with the land and will restrict the uses agreed upon. The Chair opened the floor to the public on the amendment. Mr. Jim Parker, Terry Wenzel, President of the Company, and Jim Stanfill, EDC Director, spoke in favor of the motion. Jerry Fritz and Pete Eveleth addressed the turning lane and the dangerous intersection. Ramon Gavarrete, County Engineer, advised that concerns regarding a deceleration lane off of SR 66, will be addressed during the traffic study with the Department of Transportation. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. The motion carried.

Voting on the original motion as amended, approving the rezoning, Resolution, Ordinance, and contingent of the Comp Plan approval by DCA, with all restrictions as noted:

Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. The motion carried. See Res. Book 13 Page 8.

Break 10:35 - 10:45 a.m.

Public Hearing CPA - 99-117SS - MARK BROWN AND PATRICIA ANN

BROWN C/O J. MICHAEL SWAINE

HEARING #1512 - MARK BROWN AND PATRICIA ANN BROWN C/O J. MICHAEL SWAINE

The Chair reopened the Public Hearing. At the last hearing, Commissioner Bullard had suggested a restrictive covenant running with the land, thirty feet set back from any abutting residential property, and a vegetative buffer to meet county specifications, with no trailers in the back.

The applicant was requested to bring back to the Board a proposal for restrictive covenants on the two outside lots with the center lots to have standard B-3 zoning and a buffer. Commissioner Bullard requested that the applicant's counsel confer with the Board attorney to work out the legality of the proposal.

Kimberley Sapp, representing the petitioner, stated that the proposal includes zoning the property to B-3 with a conditional use for the entire property except for the 30 feet from the southernmost property lines of lots 12867 and 12868, which would be a standard B-3 without any conditional use. The conditional use to be limited to access and employee parking. A unity of title agreement will be on lots 12866 through 12869 and tract 3.1 to be sure that the minimum lot sizes are met. See SMB 35 Page 74.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve zoning request, adopt Resolution and Ordinance for the small-scale amendment with a unity of title agreement, restricted covenant, and contingent upon the Board Attorney's review and approval. The Chair opened the floor to the public. Gabriel Read spoke in opposition. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 8 A.

C. Second public hearing to adopt amendments to Chapter 12

Proof of publication entered into the record. See Proof of Pub Ord. Book 2 Page 65. Jim Polatty, Development Director, read the captions of the ordinance into the record and reviewed changes as approved by the Commission. Commissioner Bullard related additional corrections. Refer to tape for detail. The Chair opened the floor to the Public. No one spoke for or against. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt ordinance as presented and amended. Upon roll call, all Commissioners voted aye. Motion carried.

D. Proclamation: Handicapped Awareness Day

Proclamation read into the record by Commissioner Flowers. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation designating Friday, September 17, 1999 as Handicapped Awareness Day in Highlands County, and to recognize the efforts of handicapped individuals. The Chair

opened the floor to the public. Beth Norman spoke in behalf of the handicapped individuals in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 1.

E. Personnel Director: Health plan revisions and Cafeteria plan RFP

Fred Carino, Personnel Director, presented revisions to the Health Insurance Plan as recommended by the Insurance Committee. Previously, the Committee had suggested that Waters Risk Management and Wakely & Associates, Consultants, come up with money saving changes to the current health plan in order to reduce expenses. The anticipated increase in the Health Plan for next year was estimated at \$402,500. The adjustments recommended by the Consultants should yield \$444,900. See SMB 35 Page 75 for copy. Commissioner Maxcy commended the Insurance Committee on the work involved in producing this product. Ford Heacock encouraged the employees to use the PPO doctors, to reduce the payout, allowing the Plan a 25% gain.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve revisions to the Health Plan as recommended by the Insurance Committee. Commissioner Bullard stated concerns for the elimination of the \$50.00 deductible credit for persons who have the wellness exam. He asked that staff be alert to this situation to prevent a drop of participation in the program. Another concern was the reduction of the 100% payment of all second surgical opinions. The Commissioners discussed the 10% premium contribution for dependent coverage. No action was taken. Upon roll call, all Commissioners voted aye. Motion carried.

Cafeteria Plan

The Personnel Director advised that the Insurance Committee recently solicited Requests for Proposals (RFP) for management of the Health Insurance Plan and the Cafeteria (Flex) Plan. The Committee's recommendation to remain self-insured with Robey-Barber continuing as Third Party Administrator of the Health Plan was endorsed by the Board last month. Subsequently, responses to the Cafeteria (Flex) Plan (RFP) has been received. After review by the consultant, Waters Risk Management, the Committee recommends that the Board remain in its current relationship with Robey-Barber administering this program, retaining Dorrell, Hancock, and Carter as local service providers.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve maintaining the Cafeteria (Flex) Plan with Robey-Barber, Inc., with Dorrell, Hancock & Carter as Local Service Providers. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 76.

F. County Engineer: Update on Vantage Point and Thunderbird Hills drainage project

Ramon Gavarrete, County Engineer, presented update. See SMB 35 Page 77.

- | | |
|-----------------------|---|
| February - March 1998 | El Nino Storms |
| April 8, 1998 | Notice to proceed gave to Chastain Skillman, Inc. for the design and permitting process for the drainage project. |
| July 21, 1998 | Submitted State Hazard Mitigation Grant Program application to the Department of Community Affairs (deadline of July 31, 1998). |
| February 23, 1999 | Executed Drainage Improvement Project Construction Agreement with SWFWMD. |
| March 3, 1999 | Department of Community Affairs request environmental clearance from the |

	US Corps of Army Engineer and the Florida Game and Fresh Water Fish Commission.
March 6, 1999	Met with utility companies regarding the construction of the project
April 9 - 14, 1999	Forwarded to the Department of Community Affairs the environmental clearance as per their request.
July 7, 1999	Department of Community Affairs submits FMGP application to FEMA.
July 14, 1999	Forwarded updated Benefit Cost Analysis and plans to FEMA
August 4, 1999	Forwarded updated Benefit Cost Analysis and plans to the Department of Community Affairs
August 26, 1999	Met with Jim Dewalt and Carl Cool to update them on the project status.

He reported that we are now waiting for an agreement from FEMA for execution to apply for the funds in the amount of \$140,000. The project cost is estimated at \$300,000 to \$350,000 for improvements and will be included in the CIP. Residents are asking that the project be completed. He has explained that we are waiting for the reimbursement from FEMA. Commissioner Maxcy asked for a letter of support from the Chairman to DCA. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to instruct the attorney to draft a letter for the Chairman's signature to send to DCA and the Governor's office requesting attention in this matter. Upon roll call, all Commissioners voted aye. The motion carried.

G. Board Attorney

1. Alum Injection for Little Lake Jackson

The Board Attorney explained the proposed funding agreement with SWFWMD, Highlands County, and the City of Sebring, for the Alum Injection for Little Lake Jackson. Bob Hoffman, City Administrator, expressed concerns regarding some of the verbiage. Ross Macbeth presented recommendation to change the verbiage on Page 3 and accept Option #3. Clell Ford spoke in favor of the project and advised that the cost will not go more than \$40,000.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to enter into the agreement with modifications to Section 3 on Page 3, to add the words *for Phase I and Phase II* as a clarification and approve option #3. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 78.

2. Agreement - improvements for Church-Sparta Road

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the easement dedication and improvement agreement for improvements at the Sparta Road Church, contingent upon Board Attorney approval. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who voted nay. Motion carried.

H. Assistant County Administrator:

1. Request for letter in support of pre-trial services

Tom Portz, Asst. County Administrator, presented request to the Board in support of a letter to our legislators to oppose any legislation that curtails the pre-trial program authority. He feels that this program has saved the County in excess of \$450,186.00 since its inception, based on the estimate of avoided incarceration days.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve request for letter of support from staff for pre-trial services. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 79.

2. Request approval to execute contract with Lodge Brothers Construction, Inc.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to execute contract with Lodge Brothers Construction, Inc. for the construction of the New Emergency Operations Center. Upon roll call, all Commissioners voted aye. Motion carried.

3. Budget amendment from reserve #98-99-383

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve budget amendment #98-99-383 out of the Boards' Contingency to cover insufficiencies in the Public Defender account. Commissioner Bullard presented questions regarding the Article V funding expenditure. Commissioner Flowers advised that he has seen no effort from the state to address this issue. Rick Helms reported that the Department of Banking and Finance has implemented a new schedule of account numbers to be able to tract cost associated with the Court System. Every year the cost is in excess of 2.5 million dollars. The Chair reminded the other Board members, when considering adoption of the budget, to keep in mind that our contingency is as low as he has ever seen. Upon roll call, all Commissioners voted aye. Motion carried.

4. Request approval for additional funding for Elections warehouse construction

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve budget amendment from the CIP reserve for additional funding for the Elections Warehouse Construction and accept bid from E.O. Koch Construction for the addition. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained and entered into the record a Memorandum of Voting Conflict, as E.O. Koch Construction is a client of his corporation. Motion carried. See SMB 35 Page 80.

5. Kissimmee River Public Use Area

Tom Portz reported that he attended a meeting in Bassinger where public input was being received for the Game Commission and the Water Management District to consider creating a Public Use Area Proposal. This proposal will have additional uses other than simply *hunting*. There will be a corridor along the Kissimmee River area from Okeechobee to Highway 60. The opposition to the proposal was allowing extended hunting seasons, not only migratory game birds or ducks but small game as well and on occasion deer and hog on the upper wetlands. At the moment it allows high-powered rifles. There was public concern that it should be *shotgun only*. Additional discussion was held from landowners regarding the extent of the regulations being appropriate for the use of the land.

Commissioner Stokes advised that the proposal is opening up the lands along the Kissimmee River to free hunting with high-powered rifles. The only limitation is *no one will be allowed within 300 yards of a construction site, in order to continue with the restoration efforts*. He stated that there is opposition due to the danger of the high-powered rifles. Okeechobee County is sending a letter in opposition. The Chair suggested that the Board send a representative to the Water Management District meeting along with a letter in opposition to *unlimited hunting, high-powered rifles, no check stations, improper management and poor planning*. The consensus of the Board was to ask staff to follow through with the directive. See SMB

35 Page 81.

6. Consent Agenda 9 - Approval of Addendum to Supplemental Agreement #23, Chastain-Skillman-Budget Amendment and Resolution

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve Addendum to Supplemental Agreement #23 - Chastain-Skillman and adopt Resolution and budget amendment 98-99-401, to perform engineering services for Istokpoga Park improvements. See Res. Book 13 Page 7.

7. Approval to purchase two 911 dispatch computers

Commissioner Bullard presented questions regarding the purchase of the two computers. Tim Eures, Emergency Operations Director, reported that he is upgrading the radio portion of the console in the dispatch office. The old computers are not Y2K compliant, and will not interface with the new system. The item was placed back on the Consent Agenda for approval.

I. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda as presented:

1. Approval to pay all duly authorized bills

Law Library	2,018.66
General	1,816,828.33
County Transportation Trust	44,251.85
E911 Operations	15,340.52
Intergovt Radio Communication	433.23
Local Government Infrastructure	112,647.71
Affordable Housing Assistance	54,608.00
Solid Waste	253,545.90
Placid Utilities	14,162.28
Hiway Park Utility	1,980.51
Risk Retention	3,863.58
Employee Benefit	203,705.86
Flexible Benefit Trust	273.66

2. Approval of minutes of 8-10-99, 8-17-99 and 8-24-99 meetings

3. ~~Approval to accept drainage easement from R.D. Butler and Julie Hinote for Horse Hammock and Arbuckle Branch Road to allow installation of pipe to centralize the flow of water for drainage.~~

4. Approval to execute EMS grant application for Enhancement of Emergency Medical Equipment and Resolution. See Res. Book 13 Page 2.

5. Approval to issue Satisfaction of Mortgage for Brod. See SMB 35 Page 82.

6. Approval to issue Satisfaction of Mortgage for Turner. See SMB 35 Page 83.

7. Approval to record Satisfaction of Mortgage for Roman. See SMB 35 Page 84.

8. **Approval to execute grants - Recycling and Education# RE00-26, Small County #SC00-16, Waste Tire WT00-28 and Litter Control LC00-26. See SMB 35 Page 85.**
9. **~~Approval of Addendum to Supplemental Agreement #23, Chastain-Skillman.~~**
10. **Approval of resolution to establish public hearing date as September 28, 1999 for consideration of road closing in Sylvan Shores Estates for Jesse Wilcox. See Res. Book 12 Page 3.**
11. **Approval to execute Interlocal Agreement for Lake Jackson stormwater survey (K165).**
12. **Approval to apply for State Aid to Libraries Grant and adopt Agreement. See SMB 35 Page 86.**
13. **Approval to transfer property from Board to Sheriff's Department. See Sheriff's file for copy.**
14. **Approval to purchase two 911 dispatch computers. See SMB 35 Page 87.**
15. **Approval of pollution liability insurance renewal with Arthur J. Gallagher. See Insurance file for copy.**
16. **Approval to execute Hazardous Materials Grant Agreement #98CP-3V-07-38-22-012. See SMB 35 Page 88.**
17. **Approval of final escrow release - Lake Park Village. See SMB 35 Page 89.**
18. **Approval of Solid Waste Assessment roll certification. See Res. Book 13 Page 4.**
4. **Approval of resolutions and budget amendments' 98-99-377 (CDBG grant for Sebring International Raceway) 98-99 392 (Gates Learning Foundation Grant) 98-99-400 (Network upgrades to the George Blvd. Complex). 98-99-402 (Revision of the CIP regarding construction of the new EOC). See Res. Book 13 Page 5.**
5. **Approval of additive change order #14, Commerce Ave. Annex Renovation. See SMB 35 Page 90.**
6. **Approval of amendment no. 6 to County Health Plan (diet control exclusion). See Employee Benefit file for copy.**
7. **Approval of resolution and budget amendment 98-99-389, Law Enforcement Block Grant to record interest earned. See Res. Book 13 Page 6.**
8. **Approval of budget amendments 98-99-378(Affordable Housing Asst. purchase of computer & printer) 98-99-379 (Placid Utilities Blower Replacement repair) 98-99-380 (Refuse Disposal System costs) 98-99-385 (Ag Center Kitchen replacement) 98-99-386 (Supervisor of Elections under budgeted items in operating) 98-99-387 (Supervisor of Elections under budgeted items in Machinery and Equipment) 98-99-390 (Work Study Program purchase of two computers) 98-99-395 (Buildings Maintenance purchase of various equipment) 98-99-398 (Law Enforcement Trust Fund - to cover requisitions) 98-99-399 (Human Services OPS). See SMB 35 Page 91.**

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

5. CITIZENS NOT ON AGENDA:

- A. Clayton Womer spoke in opposition to the DeSoto City Fire Department assessment.
- B. Richard Conover reminded everyone that Grandparents day is September 12, 1999.

6. COMMISSIONERS

Commissioner Maxcy requested information regarding the pipeline. Tom Portz advised that Mr. Cool has been following this project and there will be a tremendous amount of discussion forthcoming. The Chair suggested a workshop and set up a committee with Commissioner Maxcy as the Chair.

7. ADJOURN

The meeting adjourned at 1:06 p.m.

Chairperson

Attest: _____
Clerk

BUDGET HEARING OF THE BOARD, SEPTEMBER 7, 1999

1. The meeting was called to order at 5:30 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L. Gose
David Flowers
C Guy Maxcy
Edgar Stokes
Bob Bullard

C. Michael Eastman
Thomas Portz
J. Ross Macbeth
Lisa McClelland

County Administrator Carl Cool was not present.

The Chairman presented a Resolution into the record, proclaiming a request for a declaration of Local Emergency for the flooding in the Venus area. Motion by Commissioner Flowers, seconded by Commissioner Bullard to accept the agenda as amended and presented. Upon roll call, all Commissioners voted aye. Motion carried.

2. **Resolution to declare a Local Emergency**

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to declare a local state of emergency, effective as of September 7, 1999, for the boundaries of Holiday and Nicholas Acres. Tom Portz advised that the local emergency will allow the county to perform maintenance on one of the canals in the area, and hopefully abate the problem. The Water Management District will be helping with additional resources to determine if they can advise of a possible solution to the flooding. If a solution is not found, we will look to DCA to handle the problem through mitigation. This emergency resolution will allow us to use SHIP funding for emergency housing. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 10.

3. **Resolution & budget amendment 98-99-422 to authorize SHIP funding**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution and approve budget amendment authorizing SHIP funding for emergency housing assistance. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 11.

4. **Public Hearing statement read by Chairperson to identify the millage rate and the purpose of the Public Hearing.**

Tom Portz commended budget staff for their work in developing the budget.

5. **Budget presentation by staff**

Rick Helms, Budget Officer, presented a transparency outlining the proposed budget adoption with other specific highlights. Refer to tape for detail information. These figures will be included in the final budget adoption in two weeks.

6. Discussion of Leisure Lakes Special Fire District Assessments

Fred Myers, President of the Fire Department, spoke in favor of the new assessment, due to the loss of money from conservation acquisition, and the need for an adequate facility to house equipment. Commissioner Bullard spoke in favor of the increase in assessment to go back to the previously approved assessment of 1988.

7. Public Hearing open to public input discussion and comments.

No one spoke for or against the budget or the fire district assessment.

8. Board discussion

Commissioner Bullard commended staff for the balanced budget and requested explanation on increases in specific positions and cost centers. Staff presented justification for the upgrades. Refer to tape for detail. Commissioner Stokes presented questions regarding the shell pit allocation for this fiscal year. Gail Roebuck, Administrative Assistant, advised that last years' repair was needed for expensive equipment at the shell pit.

9. Motions for adoption of FY 1999-2000 Resolutions

A. Millage Resolution Adoption

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution, adopting the millage rate of 8.5 mills as presently contained in the proposed budget for the 1999-2000 fiscal year, exceeding the rolled back rate of 8.2394 mills by 3.16%. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 13 Page 14.

B. Tentative Budget Resolution

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Tentative Resolution, adopting the tentative budget for the fiscal year 1999-2000 in the sum of \$67,677,956 for all funds exclusive of service tax districts. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 15.

C. Adoption of Special Taxing Districts

1. Assessment adoption by district

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt FY 1999-2000 service assessment and budget for all service assessment districts in the total sum of \$4,236,089 which included \$2,590,579 in fund balance brought forward from the previous fiscal year. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 16.

10. Adjournment

The meeting adjourned at 6:45 p.m.

Chairman

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, SEPTEMBER 14, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L. Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham

Commissioner Bob Bullard was not present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by L.E. "Luke" Brooker, Clerk of Court. The Pledge of Allegiance was led by former Commissioner, Robert Skipper.

3. **ANNOUNCEMENTS**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool presented recommendations that County offices be closed at noon today and to continue through Wednesday, September 15, 1999 due to the hurricane.

Oscar Garner, Emergency Management Director presented an update on Hurricane Floyd. Refer to tape for detail. The County Administration presented information regarding shelters that will be open for safety to citizens. Tom Portz, Asst. County Administrator, presented an update on the Kissimmee River Public Use Area. He requested that this be placed as an agenda item for discussion.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, set the action agenda as amended and presented:

Add Public Use Area discussion after item seven.

Additional Emergency updates at the end of the agenda.

Postpone item eight - Solid Waste Ordinance to allow input from Commissioner Bullard.

Add additional request from Nick Sudzina, Courts Administrator.

Add discussion - Closing of County offices.

Add discussion of date for Public Hearings.

The Chair opened the floor to the public. Mrs. Strom requested information on the continuation of the Solid Waste Ordinance. Staff advised that the C & D Ordinance Public Hearing will be held October 26, 1999. Discussion on the proposed revisions to the Solid Waste Ordinance will be held October 12, 1999.

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

Discussion to close County Offices

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to officially close the County offices Tuesday at noon, and remain closed through Wednesday, and reopen on Thursday, September 16, 1999.

Luke Brooker, Clerk of Courts, stated that he has spoken to the judges and he is in agreement with the closure. Upon roll call, all Commissioners voted aye.

4. RESOLUTION: TAKE STOCK IN CHILDREN

Joyce Adams, Program Coordinator, presented an overview of the Scholarship Program for low income students. Commissioner Flowers read the Resolution into the record, and encouraged participation in the program. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution, declaring September 13 through September 17, 1999 as Take Stock in Children Mentor Week. Gabriel Read, Mentor for the program, spoke in favor of the Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 12 Page 17.

5. RESOLUTION: DECLARATION OF LOCAL EMERGENCY

Tom Portz presented recommendations to adopt a Countywide Declaration in lieu of the geographic specific location in the Venus area, adopted at last Tuesdays' meetings. Ramon Gavarrete, County Engineer, presented an update on the drainage problem in the Venus area. He stated that he has reviewed the area, and there are no workable solutions to the problem. Tom Portz advised that we may qualify for SBA low interest loans. His recommendation is to take the wait and see approach through the Hurricane Floyd. See SMB 35 Page 93 for copy of update.

Motion by Maxcy, seconded by Flowers, to adopt Resolution, declaring a local state of emergency for the legal boundaries of Highlands County. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 12 Page 18.

6. Discussion of the Three Public Hearings to be held at the Agriculture Center

Ross Macbeth read requirements from Florida Statutes regarding action on special assessments to be taken by September 15, 1999. Motion by Maxcy, seconded by Flowers, to adjourn the public hearings for the Highway Park Special District, DeSoto City Special Fire District, and the Lake Placid Special Fire District until Wednesday at 5:30, 6:00 and 6:30 p.m. The Commissioners stated for the record that due to the nearness of a major hurricane, they are acting in the best interests in the safety of the public. The Chair opened the floor to the public. Clayton Womer spoke in opposition to the assessment. Commissioner Maxcy spoke in favor of not holding the hearings. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay.

7. NICK SUDZINA, COURT ADMINISTRATOR: GRANT IN AID AGREEMENTS

Nick Sudzina, Court Administrator, presented request to the Board for the approval of the two grant-in-aid agreements in the amount of \$13,316 for Court Reporting Services and \$29,287 for Article V Trust Fund for a total amount of \$42,603 funding. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the two agreements. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 35 Page 94.

A. Article V Grant in Aid Trust Fund spending plan

Lisa Burley presented a request to Nick Sudzina to complete the project for replacement of windows in the Courthouse at this time and allocate the money as revenue over the next two years. Mr. Sudzina requested

that the spending plan be sent to the Chief Judge for his endorsement. He will then send a cover letter to Tallahassee. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the three-year spending plan as requested. Upon roll call, all Commissioners voted aye. Motion carried.

B. Budget Item request for Judicial Assistant position

Carl Cool presented a request for the Court Administrator, for a new budget item for a Judicial Assistant position, to assist in the office of a new Circuit Court Judge that will be moved to Highlands County by January 1, 2000. The Budget Office reviewed the request and did not recommend the position be funded. Mr. Sudzina spoke in favor of the position to accommodate family law issues for the citizens of Highlands County. The Commission discussed amending the ordinance adopted for legal aid to allow the use of funds for the legal assistant. Ross Macbeth advised that the funds may be used but we will need to modify the ordinance to have it designated for that purpose. Commissioner Flowers spoke in opposition as he felt that this is a Revision Seven issue. He felt that it is a state-funded issue that needs to be funded by the state. Chief Judge Curry spoke in favor for the level of service to the county and access to the court system. Ross Macbeth suggested that we amend the ordinance to provide for payment in aid of the court system as well as legal aid. Staff was directed to relook at service filing fees in other counties and to bring a plan back for funding the position.

Update on Storm Shelters

Tom Portz presented additional information regarding storm shelters in Highlands County. He advised that five shelters will be open by noon. There is not a mandatory evacuation for Highlands County.

10:40 break - 10:55 a.m.

8. CAPITAL IMPROVEMENT PLAN WORKSHOP

Carl Cool reviewed the additional changes of the Proposed FY 1999-2000 thru FY 2008-2009 Capital Improvement Plan. See SMB 35 Page 95. Commissioner Maxcy suggested that staff consider moving up Animal Control Kennel Replacement to use some of the funding from the Administrative Complex land acquisition. The proposed extension of County Road 635 from Hammock Road north to Western Boulevard was discussed. Carl Cool explained that the county will have to swap a road or two with the state in order to get right-of-way from Highlands Hammock State Park. One of the candidates for the swap is the county maintained road leading through the park and into Hardee County. The current route of the extension will carry it through wetlands, requiring the county to go through litigation with the state. If the park did not give the right of way, the other alternative will be to take private property in Golf Hammock, an option, that staff or the Board does not want to consider. Peter Anderson, Park Manager, spoke in favor of closing the road through the Park because of safety and environmental concerns. He also stated that the land swap has been discussed and the state division has been willing to look at the possibility. The Chair opened the floor to the public. Lesa Morey, resident of Golf Hammock, spoke in opposition to the extension. Commissioner Flowers also spoke in opposition to the extension and suggested that we take a portion for right of way acquisition, and remove the \$800,000 for the proposed corridor. Carl Cool stated that he believes that there is a need and this seems to be a logical corridor. He believes it is a better way to get to Hill-Gustat middle school and Wal-Mart. The consensus of the Board was to leave right of way acquisition in the CIP and move the \$800,000 into road construction. See SMB 35 Page 95 for copy of traffic projections.

Commissioner Maxcy discussed the problems with Hammock Road. He feels that we should give the road up to the Park or put more base on it. Chairman Gose suggested that the Board look at options. Peter Anderson reminded the Board that this is a State Park and they serve 100,000 people a year. Safety issues should be considered. Commissioner Stokes stated that he is not in favor of keeping the road through the Park or reconstructing it for more speeders.

Commissioner Flowers stated that he is not sure we should spend \$950,000 for the Lockett Estate property. Commissioner Gose explained the FHREDI program. He feels that we should exercise our option to purchase the property and if things don't come together, we can bail out of the project. Commissioner Stokes also stated concerns. See SMB 35 Page 96.

9. SOLID WASTE ORDINANCE WORKSHOP

Postponed

10. Kissimmee River Public Use Area

Pat Hogue, County Extension Director, presented a brief update. Concerns stated by the Commission were addressed in part. The hunting area will be limited to shotguns being used. Three or four officers underwritten by the Water Management District, will patrol the area and checkpoints will be established. Mr. Larry Campbell, Regional Wildlife Administrator, explained the revised draft proposal. See SMB 35 Page 97. Commissioner Stokes stated that he is not against the public use of the river, but the safety issues and the regulations should be addressed. Carl Cool addressed issues regarding hunting at the old school house on the Lockett Property. The Chairman suggested further consideration be given to this item.

Ben Henley presented a further update on the storm.

11. ADJOURN

The meeting adjourned at 12:30 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, SEPTEMBER 21, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L. Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

Commissioner Flowers announced that former Clerk of Courts, Earl Rich, passed away on September 20, 1999. He served as the Clerk of Courts for more than thirty years and worked in that office for 44 years. He requested special remembrance of Mr. Rich.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by L.E. "Luke" Brooker, Clerk of Court, with special recognition to the former Clerk, Earl Rich. The Pledge of Allegiance was led by former Commissioner Audrey Vickers.

3. **ANNOUNCEMENTS**

- A. **Sheriff**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 21, 1999. The Farm Report was also given. Susan reported that she is inputting information into the computer for the Local Block Grant Award application. When the award is received, it will be presented to the Board for acceptance.

- B. **Clerk**

L.E. "Luke Brooker" reported briefly on the Value Adjustment Board meeting to be held on September 22, 1999 in the State Attorney's building. There are 11 petitioners with 32 property listings. There are no petitions for residential properties. The meeting will be held to pick the Special Master. The make up of the committee consists of three board members and two school board members. The Hearings will be held by the Special Master on October 6 and 7, 1999.

- C. **Upcoming meetings**

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

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda with additions as follows:

- A. Victim Advocate Grant approval under the Asst. County Administrator.
- B. Courthouse Window Renovation Grant approval under the Asst. County Administrator.

- C. Library Renovation contract under the Asst. County Administrator.
- D. Declaration of Local Emergency under the Asst. County Administrator.
- E. Resolution-Florida Government Finance Commission Pooled Commercial Paper Loan Program - Sebring Airport Authority under the County Administrator.
- F. Addition of budget amendment 98-99- 416- 418- 419- 426- 429-433 under the County Administrator.
- G. Road improvements' recommendations under the County Administrator.
- H. Add to the Special Tax District-Titles of vehicles from the Lake Placid Volunteer Fire Department.

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

A. Marie Boley: Request for lighting and beautification in Lorida

Marie Boley made a presentation to the Commission regarding the offer of the Glades Electric Company to assist Lorida citizens in better lighting and beautification of their community. The total cost of the lights and two signs were listed at \$5,249.06. She asked that the Commission supplement the offer with \$2,624.50. The Community of Lorida will maintain the lights after installation. Commissioner Stokes stated concerns from the residents on the cost of the power bill, the maintenance cost, and other priorities. The Chair opened the floor to the public. William Zachman, Vice-president of the Community Club, suggested that this project should be more thoroughly discussed at a Community Club meeting, to give the residents more information, before a decision is made. He feels that roads are a higher priority. Mike Vincent, representing Glades Electric, advised that the Co-op has agreed to purchase the lights, install the lights and agreed to pay one-half of the cost of the lights and all the labor and wiring. He is in favor of the lights, for safety sake. Commissioner Stokes asked that this item be deferred until a meeting is held with the Lorida Community Center. Marie Boley was asked to come back before the Board in November after the members have discussed the item. See SMB 35 Page 108.

B. Dave Travers: Request for funds - Dixie Youth-Rick Whidden

Dave Travers, President of Youth Baseball of Sebring, presented a request to the Commissioners for a joint venture between youth baseball of Sebring, Highlands County Commission, and the City of Sebring for the construction of new restrooms, concession, storage room, and meeting room at the Max Long Complex. The estimated cost is \$100,000. Carl Cool presented recommendation to take the one-third amount out of the contingency fund for fiscal year 98-99. Commissioner Bullard spoke in favor of the project. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to enter into the agreement to fund the construction with funds to come out of the 98-99 contingency. Ray Napper spoke in favor, but asked for additional information. Rick Whidden presented an overview of the renovation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 109.

C. County Engineer: Consultant Service Authorization #2 for Sebring Parkway

The County Engineer presented the consultant service authorization #2 for Sebring Parkway for the consultant to make future traffic projections, prepare a traffic study, prepare signalization plans at the intersections of the proposed Sebring Parkway with Milakee Avenue and SR 17 for Phase I. Motion by

Commissioner Maxcy, seconded by Commissioner Flowers, to approve the agreement with Chastain-Skillman, Inc. for the Signalization of Sebring Parkway Intersections at SR 17 and Milakee Avenue. The Chair opened the floor to the public. Richard Conover presented questions. Charles Patrick asked if this was placed out for bid. Carl Cool explained the Chastain-Skillman Consulting Engineer contract with the County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 110.

D. Operations Manager: Aquatic Plant Control Contract

Carl Cool presented request for Vicki Pontius, Operations Manager, for approval of the Aquatic Plant Control Contract. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the DEP Contract AP 161 for Cooperative Aquatic Plant Control Program. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 111.

E. Board Attorney

No report presented.

F. Asst. County Administrator

1. Request for Victim Advocate Grant

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to accept the Victim Advocate Grant in the amount of \$48,138 for the Children's Advocacy Center. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request for Construction of Sebring Library

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to accept the bid contract from E.O. Koch Construction, Inc. in the amount of \$267,980 with a match from the State Library for every dollar expended locally, for the expansion and remodeling of the Sebring Public Library. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained, and entered into the record a memorandum of voting conflict to become a part of the minutes, as Koch Construction is a client of his corporation. Motion carried. See SMB 35 Page 113.

3. Courthouse Window Grant

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to enter into the contract with F.A. Detwiler and Associates in the amount of \$620,000 with phasing for the project to satisfy the bonding issue. The initial purchase order will be in the amount of \$158,000 for phase one and change order number one in the amount of \$96,000 (totaling \$254,000 as outlined in the letter of intent by the bonding company). Also, to approve the allocation of \$150,000 from the Local Discretionary Sales Tax proposed contingency fund. Upon roll call, all Commissioners voted aye. Motion carried. See Grant file for copy.

4. Approval of Resolution declaring a state of local emergency

Motion by Commissioner Flowers, seconded by Commissioner Bullard to adopt Resolution, extending the state of local emergency for all of Highlands County for a period of seven (7) days or until terminated by the Highlands County Emergency Management Director. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 18.

G. County Administrator: Recommendation on 10-year Capital Improvement Plan

Carl Cool presented the amended 10-year Capital Improvement Plan. The dollars designated for the CR-635 extension project have been moved into road constructions. The Chair advised that the Board approved at last week's meeting to move these funds, but to continue with the acquisition of right of way. The Chair opened the floor to the public discussion. Bob Herman, Christine Gregory, Bill Voss and Sally Pells, from Golf Hammock, spoke in opposition to the extension of CR-635. Ray Napper presented questions regarding the roadway. Loren Eby spoke in favor of closing the Hammock Road and opening up the Steve Roberts Special. Commissioner Maxcy discussed closing Hammock Road and providing an extension off of Schumacher. The Board directed Carl Cool to get aerials of both counties and perform an overall study, and get with Hardee County for a joint workshop to see what options are available. Commissioner Bullard spoke in opposition to constructing CR-635 and spending taxpayers dollars for acquisition of right of way. Gabriel Read spoke in favor of a policy of the County that requires dedication of right of way. The Board discussed the acquisition of right of way. It was a consensus that staff perform a complete study for future corridors and discuss with the board the second Tuesday in November. See SMB 35 Page 114.

1. SFCC Panther Field Light Project

Commissioner Maxcy presented a request for the Board to help pay for lights at the SFCC Panther baseball field to increase the recreational benefit for seniors and students. He felt that providing lights will increase opportunities for evening youth camps and special events. SFCC representative, Dr. Aubrey Gardner, stated that the college is willing to renovate an existing softball field on College Drive, for use by adults, and allow a new softball field to be built on land next to the baseball diamond. Coach Rick Hitt reported that he is planning to play all day games during the 1999-2000 season. Starting in August 2000, he is hoping to start playing games under the lights. He presented a short compilation of the county impact if lights are provided for the new field. The County Administrator suggested the county put up \$50,000 toward the lighting project for the next fiscal year with the state matching that amount. Commissioner Maxcy suggested that we commit \$100,000 with a match and build a softball field. Commissioner Bullard spoke in favor, but recommended that the College make the presentation to the Parks and Recreation Committee to see how it fits in with their plan and ask for their input. Commissioner Flowers agreed with the recommendation but he is not really comfortable with the amount of the expenditure for this project. The consensus of the Board was to wait for the recommendation of the Parks and Recreation Committee. See SMB 35 Page 115.

Voting on the CIP Plan

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the FY 1999-2000 thru FY 2008-20009 Capital Improvement Plan, with modification of the Courthouse windows. Upon roll call, all Commissioners voted aye. The motion carried.

2. Resolution - Airport Authority

Carl Cool presented Resolution approving the borrowing by the Sebring Airport Authority agreeing to budget and appropriate legal revenues to make payments of indebtedness of the Authority to the extent the Authority fails to make scheduled payments. Motion by commissioner Flowers, seconded by Commissioner Maxcy, to approve Resolution as presented. The Chair opened the floor to the public. Ray Napper asked

what type of collateral has been presented. Mike Willingham advised that grants have been secured for the new terminal building, commercial hangers, T- hangers and the access road. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page19.

3. Road Improvement List

The County Administrator explained the list of roads recommended for resurfacing, reconstruction, and, dirt road paving. The Chairman asked the Board to review the list and take action at next Tuesdays' meeting.

4. Budget amendments - Rick Helms, Budget Officer.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve budget amendments 98-99-416 (to cover insufficiency in the appointed attorney account and provide for year end). 98-99-418(reimburse City of Sebring, recreational funds) 98-99-419 (realign line items within the Clerk's cost centers) 98-99-426 (realign budgets for Circuit Court Criminal, Circuit Court Juvenile, Information Services and Clerk to the Board) 98-99-429 (Shell hauling account, repair and maintenance and to purchase materials and supplies needed when Engineering vacates the building) 98-99-433(Personnel Services, overtime and FICA). Upon roll call, all Commissioners voted aye. Motion carried.

H. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner stokes, to approve the Consent agenda as listed:

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

Law Library	86.12
General	375,271.19
County Transportation Trust	43,199.90
E911 Operations	168.14
Conservation Trust	100.00
Intergovt Radio Communication	433.23
Law Enforcement Education	8,435.20
Local Government Infrastructure	389,742.22
Affordable Housing Assistance	19,729.50
Government Center	3,732.00
Solid Waste	152,219.79
Placid Utilities	6,382.43
Hiway Park Utility	395.24
Employee Benefit	112,486.07
2. **Approval of minutes of 9-7-99 meeting and public hearing.**
3. **Accept into record - August Monthly Report**
4. **Approval of annual road improvements-**
5. **Appointment of Mr. Merritt O'Brien to the Recreation and Parks Committee. See SMB 35 Page 116.**
6. **Approval of two provisional Paramedic positions. See SMB 35 Page 117.**

7. **Reappointments to Health Facilities Authority (Christi Burrows and Gene Polk). See SMB 35 Page 118.**

8. **Approval of trade-in of Xerox Telecopier - Clerk's Office. See SMB 35 Page 119.**

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

5. CITIZENS NOT ON AGENDA:

Richard Conover spoke briefly regarding budget hearings, scheduled for 5:30 p.m.

Ray Napper stated safety concerns for the landfill located on Highway 70 and suggested a moratorium on any new landfills coming into the county, until an ordinance is developed. The Chair reported that this item will be discussed at next weeks' meeting.

6. COMMISSIONERS

- Commissioner Stokes suggested that the County Administrator follow up with the Water Management District on the hunting proposal for property at the Edna Pearce Lockett Estate.
- Commissioner Maxcy presented information regarding meetings that he will be attending in Orlando, representing the Board.
- Commissioner Flowers presented a report on the Character First meeting.

7. ADJOURN

The meeting adjourned at 11:40 a.m.

Chairperson

Attest:

Clerk

BUDGET HEARING OF THE BOARD, SEPTEMBER 21, 1999

1. The meeting was called to order at 5:30 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	C. Michael Eastman
C Guy Maxcy	Carl Cool
Edgar Stokes	J. Ross Macbeth
Bob Bullard	Louise Graham

Also present was Thomas Portz, Ricky Helms, Tammie Mansfield, Treasa Handley and all department heads.

2. **Public Hearing statement read by Chairperson to identify the millage rate and the purpose of the Public Hearing.**

3. **Budget presentation by staff**

Carl Cool, County Administrator, commended staff for their cooperation in providing a balanced budget. Rick Helms presented the proof of publication into the record. See Budget file for copy.

Rick also presented the revised budget with a modification of \$108,910, incorporating the assessment changes of the DeSoto City Fire and the Lake Placid Fire Departments. The 8.5 mills have not changed. Included in the budget is a fee increase for EMS services, and an increase in engineering plan review fees. These changes will be incorporated in the budget. Commissioner Maxcy asked for any *big ticket items* that may be forthcoming in the next ten years. Carl Cool advised that we are aware of some items, such as equipment replacement, Road and Bridge, roads, and the Jail. Most of the items have been budgeted. Staff has loaded additional funds in the contingency for potential Y2K problems. Rick Helms advised that the new Government Center building will be paid off next year. Commissioner Bullard commended staff on the good job in developing the budget.

4. **Public Hearing open to public input discussion and comments.**

No one spoke for or against the budget.

6. **Motions for adoption of FY 1999-2000 Resolutions**

- A. **Millage Resolution Adoption**

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution, adopting the millage rate of 8.5 mills as presently contained in the proposed budget for the 1999-2000 fiscal year, exceeding the rolled back rate of 8.2394 mills by 3.16%. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 13 Page 22.

- B. **Final Budget Resolution**

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to adopt Final Budget Resolution,

adopting the final budget for the fiscal year 1999-2000 in the sum of \$67,677,956 for all funds exclusive of service tax districts. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 23.

C. Adoption of Special Taxing Districts

1. Assessment adoption by district

Rick Helms read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt FY 1999-2000 service assessment and budget for all service assessment districts in the total sum of \$4,387,711 which included \$2,590,579 in fund balance brought forward from the previous fiscal year. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 24.

D. Resolution for adoption of budget changes

The County Administrator read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution adopting the budget changes.

Ross Macbeth review of Attorney budget

Mr. Macbeth reviewed with the Commission a proposed change to his budget. The Vice Chairman requested that the County Administrator get with Chairman Gose and schedule this item when a full board is present.

Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 25.

7. Adjournment

The meeting adjourned at 6:10 p.m.

Chairman

Attest: _____
Clerk

PUBLIC HEARING OF THE BOARD, SEPTEMBER 28, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L. Gose	Bob Jamison
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Commissioner Guy Maxcy.

3. **ANNOUNCEMENTS**

Carl Cool presented the *reported meetings* into the record. He also presented the Water Advisory Committee's final draft of the feasibility study, in regards to whether the County should form a Water Supply Authority with Highlands, Hardee, and Polk Counties. The information will be presented to the Commission.

ACTION:

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to set the Action Agenda as presented and amended:

- A. Elections Building construction contract under the Asst. County Administrator *as item 6 A.*
- B. Discussion of items in the C & D ordinance *as item number 11.*

4. **Public hearings to consider proposed consistency zoning changes:**

Petitions and Proof of Publications entered into the record by the Development Services Director. See Proof of Pub Ord. Book 2 Page 66.

HEARING #1494 - N. T. ESTRELLITA B. GENSOLIN - CONSISTENCY REZONE

Approximately 6.858 acres located in Sec. 05, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-3 CU (Multiple Dwelling district with a Conditional Use) to AU (Agricultural). The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1497 - NORMAN & ESTRELLITA GENSOLIN - CONSISTENCY REZONE

Approximately 1.56 acres located in Sec. 04, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to B-3 (Business district). The County initiated this request

to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1498 - CONSISTENCY REZONES (8 SITES)

SITE 1 - BEN HILL GRIFFIN INC. Approximately 4.30 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 2 - MINNIE SCHLACHTA ESTATE C/O KONSTANT SCHLACHTA - Approximately .109 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 3 - ADVENTIST HEALTH SYSTEM/SUNBELT HEALTH CARE CORP. Approximately 2.07 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 4 - OWEN LEE & ESTELEEE W. YOUNG C/O OWEN M. YOUNG

Approximately .043 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 5 - WAIT AND RELAX CORPORATION - Approximately .49 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 6 - WILLIAM R. & RUTH ANDERSON - Approximately .0218 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 7 - JESSE G. & JUDITH HENDERSON - Approximately .2846 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-3 (Business district).

SITE 8 - ALLIED TRADE CORP. - Approximately 1.172 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-4 (Business district) to B-3 (Business district).

The County initiated the above 8 sites to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1499 - HEALTH CARE PROPERTIES XIV - CONSISTENCY REZONE

Approximately 1.56 acres located in Sec. 09, Twp. 33S, Rge. 28E, Highlands County,

Florida.

Requesting a zoning change from I-2 (Industrial district) to B-3 (Business district). The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1503 - DAVID T. & GLORIA J. HOUBE - CONSISTENCY REZONE

SITE 1 - Approximately a 1.98 acre tract located in Sec. 10, Twp 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district). The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

HEARING #1504 - ROBERT L. FLETCHER & PERRY W. DOYLE - CONSISTENCY REZONE

Approximately 4 acre tract located in Sec. 10, Twp. 33S, Rge. 28E. Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district). The County initiated this request to be consistent with the Future Land Use Map as required by Florida Statutes.

The recommendation of the Planning and Zoning Commission was to approve Hearing Numbers 1494, 1497, 1498, 1499, 1503, and 1504 including the mandatory findings in the staff report. The Chair opened the floor to the public. Gabriel Read from Avon Park Lakes, spoke regarding the impact caused by B-3 zoning. Commissioner Maxcy agreed with Mr. Reads' statements, and suggested the Board consider restrictive covenants in the future. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, in accordance with the Planning and Zoning Commission move to approve and adopt Hearing Numbers 1494, 1497, 1498, 1499, 1503 - Site 1, and 1504 by Resolution after entering into the record the mandatory findings. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 26.

HEARING #1505 - CONSISTENCY REZONES

SITE 1 - CLINTON CHANDLER MINGUS - Approximately 1.45 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 2 - MARK D. & KATHLEEN M. CAPPO - Approximately 2.89 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 3 - ROY A. & MILDRED C. GENSON AND COLEEN P. DOREN - Approximately .23 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 4 - BARBARA R. CURTIS - Approximately .68 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 5 - HERBERT L. & LESLIE M. ISLEY - Approximately .30 acres located in Sec. 10, Twp. 33S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 6 - ANNA G. & DURWARD T. BYRAM JR. AND MOON JEAN BYRAM - Approximately .48 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

SITE 7 - RONDAE. MORONEY - Approximately .69 acres located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) or M-1-S (Mobile Home and Residential Subdivisions district).

The County initiated the above requests to be consistent with the Future Land Use Map as required by Florida Statutes.

The recommendation of the Planning and Zoning Commission was to recommend to the Board of County Commissioners approval of Hearing #1505 for M-1-S (Mobile Home and Residential Subdivisions district) zoning district. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission to adopt Resolution approving Hearing #1505, after entering into the record the mandatory findings. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 27.

5. Public hearing to consider Lee County 2000 Housing Bond program

David Heacock, Housing Coordinator, presented proof of publication into the record. See SMB 35 Page 120. He also presented request for the County to participate in the 2000 Lee County Single Family Bond Program. The program provides funding for low to moderate income clients to purchase existing homes, construct new homes and rehabilitate existing homes. The Chair opened the floor to the public. Craig Ferguson, representing Raymond James & Associates, presented an update on the success of the program. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution and approve Interlocal agreement between the Housing Finance Authority of Lee County and Highlands County to participate in the Lee County Housing Bond program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 28 and SMB 35 Page 121.

6. Public hearing to consider a towing ordinance

Proof of Publication entered into the record. See Proof of Pub ordinance Book 2 Page 67.

Tom Portz advised that in October 1998, a statutory change was made that moved the responsibility to regulate nonconsensual towing from the State of Florida to the County Commissioners. He reviewed an ordinance establishing maximum fees by tow truck operators for nonconsensual immobilization, towing, removal, and storage services. He also placed into the record a fax received from Ducks Body Shop with suggestion that we place insurance regulations in the ordinance. Other verbiage change - Page 3, item, (d) 5 to read per man hour, and continued safety inspection by the Highway patrol. See SMB 35 Page 122.

Captions of the ordinance were read into the record by Thomas Portz. The Chair opened the floor to the public. Donel Daff, representing Duck Body Shop, presented questions. Ross Macbeth was directed to place an insurance clause in the ordinance. Commissioner Bullard stated concerns for passing an ordinance that is incomplete. He also stated that we need to reconsider having the incorporated areas listed, as they have their own ordinance. Ross Macbeth advised that he was striving for a uniform towing ordinance. It was a consensus to ask the Highway Patrol to perform the inspection and if they cannot, the County Shop Supervisor can be designated that responsibility. Bob Jamison, Director of Audits & Grants, presented liability question regarding the county performing inspections. The Board Attorney does not feel that it will be a great risk to the county if the person is qualified and has the proper credentials to perform the inspections.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt ordinance as amended and presented, with language as stated by the Board Attorney, and a new section 103, 104 and the present 103 will be 105 and continue with listing. Delete language in section 107 and 108 and amending the words in (d) 5 to read per man hour and setting a maximum fee. The Chair opened the floor to the public. Donel Daff spoke in favor and agreed to fax insurance information to Mr. Portz. Upon roll call, all Commissioners voted aye. Motion carried.

Break - 9:55 a.m. - 10:05 a.m.

A. Elections building construction contract

Tom Portz presented contract with E.O. Koch. A change was noted for the record for interest to read 6% per annum in lieu of 1-1/2% per month. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the contract with E.O. Koch Construction for work on the Supervisor of Elections building in Avon Park. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained, and stated a conflict. E.O. Koch is a client of his Corporation. A Memorandum of Voting Conflict was entered into the record to be made a part of the minutes. Motion carried. See SMB 35 Page 123.

7. Public hearing to consider road closing - Sylvan Shores

Ramon Gavarrete, County Engineer, presented the petition and proof of publication into the record. See SMB 35 Page 124. As requested by Gary Lower, Zoning Supervisor, the owners of Lots 20 & 21 and Lots 1 & 2 have prepared and executed a Unity of Title for said lots. The Board Attorney has approved the Unity of Title. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to close that portion of a 66-foot right of way bordered on the east by Lots 1 & 2, Block 23, and on the west by Lots 20 & 21, Block 22, Sylvan Shores Estates, Section C, for Jesse and Dorothy Wilcox, as recorded in Plat Book 5 Page 87. Upon roll call, all Commissioners

voted aye. Motion carried. See Res. Book 13 Page 29.

8. Annual road improvement list

Carl Cool reviewed the annual road improvement list as determined by Road and Bridge staff for resurfacing, reconstruction and dirt road paving. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to accept the list. The Chair opened the floor to the public. Clayton Womer presented questions regarding certain roads in Sebring Manor. The County Administrator advised that he will verify which roads appear on the list. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 124.

9. Budget amendments 98-99-446, 448, 451, 452, 453 and Resolution

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve budget amendments 98-99-446 (to cover insufficiency in the transcript account) 98-99-448 (Max Long Complex renovation) 98-99-451 (repair of courthouse windows) 98-99-452 (Solid Waste, appropriate revenue from totaled vehicle to facilitate purchase of replacement vehicle and to reallocate funds to cover OPS personnel) 98-99-453 (to recognize revenue for the Commodities program). The Chair opened the floor to the public. Richard Conover spoke regarding the approval of budget amendments taking money from contingency. Carl Cool reported that this is a separate item, open for discussion. Commissioner Stokes asked if the Max Long Renovation will have any effect on the traffic problem in that area. Carl Cool advised that a relocation of the road will help with some of the traffic problems. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 30.

10. Proposed revision to Board Attorney contract

The Board Attorney reviewed the proposed revision to his contract. The County Administrator recommended that the Board compensate the attorney on an hourly basis at \$150.00 per hour. Commissioner Flowers requested the estimated amount of change to the budget. Ross Macbeth requested an increase of one-third which would increase the budget to \$12,000 per month and would equal to \$144,000 per year, and litigation. \$20,000 is budgeted for litigation and that amount is generally not used. His average hours per month is usually around 80 hours, and would equal to about the same. The total budget now is \$131,700, and his request was placed for \$166,000. Commissioner Flowers noted that he has a problem with this item being missed and asked if the Board has looked at using a staff attorney, and if he was interested in being on staff. Mr. Macbeth advised that it was looked at but there was not a good response. Commissioner Bullard stated concerns for the flat hourly rate and the hesitancy of staff to call the attorney if he is being paid by the hour. He will support only on a trial basis, with the understanding that an analysis of the benefit to the County of going to a full time in house legal counsel is performed. Commissioner Maxcy stated that he has no problems with the hourly rate but feels that we should solicit bids for the attorney every few years.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the new contract with the Board Attorney for compensation at an hourly rate with the understanding that after a full six months of operation, an assessment will be done by staff to determine the exact cost and effectiveness. At that time a survey of surrounding counties will be complete to determine the effectiveness of a full time counsel. The contract to become effective October 1, 1999. Upon roll call, all Commissioners voted aye. The motion carried.

11. Discussion on items regarding C & D Landfills

The Chair introduced discussion on C & D Landfills. In our present zoning, we allow construction and demolition landfills. He suggested that we consider placing a temporary moratorium on any new zoning for landfills and recycling centers coming before the Board of Adjustments, until the Commissioners have completed an ordinance. Mr. Macbeth recommended that we adopt an ordinance placing a moratorium on this type of zoning or ask the Board of adjustment to continue the hearings until the new ordinance takes effect. The County Administrator reported that the Hathaway Recycling has already been approved for vegetative material. Commissioner Bullard stated concerns with a moratorium. The Chair stated that his intent was to make sure that the zoning is heard by the Board of County Commission, rather than the Board of Adjustment. The consensus of the Commission was to ask the Board of adjustment to delay the hearing.

12. Commissioner Stokes - awning

Commissioner Stokes requested that the County Administrator look at the cost of purchasing an awning for the entrance to the Government Center, as complaints have been received, especially with the summer rains. The County Administrator reported that the design included an awning for the front and back entrance. He will proceed with a cost projection.

13. Patricia Greenier, of Holiday Acres in Venus, spoke to the Commission regarding the flooding in that area. Commissioner Bullard suggested that the Greeniers meet with him and the County Administrator after the meeting and discuss the problem.

14. Carl Cool gave a report on the closure of Sebring Landfill, Inc. The last conversation he had was with an attorney for the DEP. He said that a hearing is scheduled in the month of October with Circuit Court seeking an injunction and trying to get the Landfill closed. The Attorney for Sebring Landfill advised that they are willing to close the Landfill, but are requesting approval from the County to allow them to use onsite material to cover the Landfill with sand. He was interested in putting together an out of court settlement. Mr. Macbeth stated that problems continue to exist between him and the attorney for the Landfill. He has asked for three things:

a sketch showing where they intend to take the sand from the site, some type of drawing showing what that area would look like after they finished mining the sand, replacement of the vegetation that was taken when they mined outside the area and took down the tree buffer between that Landfill and the residential neighborhood. He also asked for someone to allow *the County access to the property.* Dan Taylor's response was that Mr. Macbeth could go on the property, but no one else was authorized. He is not happy with Mr. Taylor's response. He feels that we need a concrete proposal. DEP has filed a lawsuit and we will assist them in that effort.

15. Recess

The meeting recessed at 11:40 a.m.

5:00 p.m. - RECONVENE

The meeting was called back to order with all members present. The Chairman opened the public hearing at

5:00 p.m. Also present was S.Y. Mosley, Building Official.

1. Public hearing to consider an ordinance regarding contractors, specialty contractors and handypersons

Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 68. Captions of the ordinance was read into the record by the Chairman. Carl Cool reviewed the changes from the last workshop from August 17, 1999, and Mr. Macbeth incorporated the changes into the new document. The Board changed the aggregate amount to a maximum amount of \$500.00 per project and deleted the plumbing and electrical. Roof repairs were set at a specific amount of \$200.00, including labor and materials combined. A telephone concern was called in regarding a provision that it might prohibit employees of a firm that owns a building to do minor repair work. An employee of a business may continue to work under this ordinance. The Chair opened the floor to the public. The following persons spoke regarding the adoption of the ordinance. Vi Habel spoke in opposition to the \$500.00 limit.

George Ducharme spoke in opposition.

Bill Borgemeister, licensed contractor, spoke in favor of policing by permits.

Richard Conover spoke in opposition to the ordinance.

Charles Breeham spoke in opposition.

Lelon Young spoke in favor, but would like some changes to the ordinance.

Walt Mazei spoke in opposition.

Ken Mann spoke in opposition to the \$500.00 amount.

David Hutchinson spoke in opposition.

Kelly Noonan spoke in opposition to the \$500.00 amount.

William Herschel Pipkin spoke in opposition.

Loren Eby spoke in opposition.

Sandy from Jim's Carpenter Shop, spoke in opposition.

Donald George, Cabinet builder, spoke in opposition.

Dee Moran spoke in opposition.

Ray Napper suggested that we stay with the state statutes.

Louis Canteinieri, licensed plumber, spoke in favor.

Chip Boring, representing the Board of Relators, spoke in favor of some type of control.

Bill Borgemeister spoke in favor of a \$1,000 aggregate amount.

Carl Canteinieri of C&C Plumbing, spoke in favor.

Gene Canteinieri spoke in favor.

Dennis Forney, Plumber, spoke in favor.

A letter was read into the record by the Chairman from Gabriel Read. See SMB 35 Page 125. A letter was also entered into the record from Alice W. Wright in opposition to limiting the handyperson. See SMB 35 Page 126. The Chair asked the building official if a large amount of complaints have been received in his office. S.Y. Mosley advised that 65% of the complaints received are for licensed contractors regarding their workmanship. The non-licensed activity is usually a person who has accepted a down payment and never comes back to do the work. There are not a large number of complaints from either category. Commissioner Flowers stated that he would like to keep the aggregate amount at \$1,000, but limit roof repairs to \$200 and exclude plumbing altogether. Commissioner Bullard clarified that he was the person that asked the County Administrator to bring

the ordinance back up with a limitation on people that are not contractors. He would like the Board to take the state statutes and adopt by reference, place in the requirement that the handyman have insurance, competency and a license, and give us the power to control. Carl Cool suggested that we delete the word and in Paragraph 007 and add or other proof of competency acceptable to the Construction Licensing, Enforcement and Appeals Board, and delete the wording approved on a case by case basis. S.Y. Mosley presented a Building Maintenance exam form created by Block and Associates for review as a competency testing tool. See SMB 35 Page 126.

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

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt ordinance regarding contractors, specialty contractors and handypersons with exception that we adopt state statutes, with language change to Paragraph 003 to read: for purposes of this code, a handyperson may perform work of a casual, minor or inconsequential nature in the categories of work described in part I of Chapter 489 Fl. Statutes for which a building permit is not required, in which the aggregate price for labor, materials, and all other items is less than \$1,000 and the construction, repair remodeling, or improvement is not part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than \$1,000 for the purpose of evading this limitation or Part I of Chapter 489 Fl. Statutes. Except as allowed by this paragraph, a handyperson shall not perform any work in the categories listed in paragraphs 001 and 002 of this part. A person performing work as a handyperson pursuant to the exemption provided by Section 489.103(9) Fl. Statutes and this paragraph shall not advertise that he or she is a contractor or otherwise represent that he or she is qualified to engage in contracting as those terms are defined in Sec. 489.105 Fl. Statutes. After January 31, 2000, no person shall perform work for compensation in the categories of work described in part I of Chapter 489 Fl. Statutes except as an employee to the extent allowed by Chapter 489, Florida Statutes, unless issued a handyperson registration certificate by the county or a state contractor's license or certificate of competency issued by the County for the category of work performed. Paragraph (007) only changing a. Provide proof of qualifications and experience by means of a signed affidavit attesting to experience in five or more of the categories of work described in Part I of Chapter 489 Florida Statutes, including at least one (1) year of experience in at least one of those categories and other proof of competency acceptable to the Construction Licensing, Enforcement and Appeals Board. Adding to those requirements, a license, demonstrate competency as outlined in the ordinance, and requirement for insurance by resolution, effective March 31, 2000. The Chair opened the floor to the public. No one spoke for or against. Commissioner Maxcy spoke in favor of some type of restriction to plumbing. Upon roll call, Commissioners Bullard, Stokes, and Gose voted aye. Commissioners Maxcy and Flowers voted nay. Motion carried.

2. Public hearing to consider an ordinance providing for membership of the Construction Licensing, Enforcement and Appeals Board

Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 69. Captions of the ordinance read into the record. Mr. Macbeth reviewed the ordinance providing for membership of a handyperson to the Construction Licensing, Enforcement and Appeals Board. The Chair opened the floor to

the public. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to set the membership at nine, effective December 31, 1999. The Chair opened the floor to the public. Lelon Young spoke regarding the licensing. George Ducharme suggested that a form be created and given to customers for grading. Bryan Fassler suggested that we create an interim position. Ross Macbeth suggested that we delay the approval of this ordinance. Commissioner Bullard withdrew his motion. Commissioner Maxcy withdrew his second.

3. Public hearing to consider an ordinance regarding handyperson licenses

Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 70. Captions of the ordinance read into the record and explained by Ross Macbeth. The Chair opened the floor to the public. Kelly Noonan presented questions regarding driveway regulations. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt ordinance as amended by Ross Macbeth, adding a new section 6-25 and amending section 6-27, providing for contracting licenses. Upon roll call, all Commissioners voted aye. Motion carried.

4. ADJOURN

The meeting adjourned at 8:00 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD, OCTOBER 5, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Tom Portz
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

Rick Helms read a letter into the record from the Rich family, thanking employees for the show of love and respect shown for former Clerk of Court Earl Rich, during the time of his passing. See SMB 35 Page 127.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Hunter Holton of the 4-H Club of Highlands County. The Pledge of Allegiance was led by L.E. "Luke" Brooker, Clerk of Court.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 5, 1999. The Farm report was also given for September.

- B. **Clerk**

- L.E. "Luke" Brooker, Clerk reported on the Value Adjustment Board meeting. A special master was chosen, and the hearings will begin on October 6, 1999. There were 32 hearings scheduled and 18 of those have been settled with the Property Appraiser. There are 14 hearings left to be heard.
- C. Michael Eastman presented a request to authorize a short time advance of \$500,000 from Fund 151, Infrastructure Surtax, to Fund 401, Landfill Enterprise Account. There is a temporary negative cash flow, and will be paid back within two months. It will be an arms length transaction, and interest bearing. Staff will charge the Enterprise Fund at the same rate received from SBA. Commissioner Bullard questioned why this item was not placed on the agenda. After discussion, it was a consensus of the Board to place on the agenda for consideration on October 19, 1999.

- C. **Upcoming meetings:**

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

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda as presented and amended:

- a) Remove Item E-2 request from the agenda until October 19th. (BFI agreement to assignment of contract).

- b) Under Item E-5- add updated information.
- c) Item F-Consent Agenda -Item 11-revision to budget amendment 99-00-3

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

A. Perry Newport: Resolution on Interfaith vigil against hate violence

Perry Newport presented a request that the Board express its support to eliminate hate violence in Highlands County by adopting a Resolution. On October 7, 1999 at 7:00 p.m., the Heartland Interfaith Alliance and Peace of Highlands County will co-sponsor an interfaith vigil against hate violence. Chairman Gose read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution designating October 7, 1999 as Stop the Hate day in Highlands County, Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 31.

B. Missy Holmes, 4-H Council President: Proclamation of “4-H Week in Highlands County”

Missy Holmes, 4-H Council President, presented information regarding the history of 4-H and read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation, supporting the aims and objectives of 4-H and proclaiming the week of October 3-9, 1999 as 4-H week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 32.

C. Economic Development Director: REDI County Resolution for Project #98-01371

Jim Stanfill, EDC Director, presented an inducement Resolution needed to obtain support exemption option, available for Rural Economic Development Initiative Counties. Highlands County qualifies for this option as a member of the Florida’s Heartland REDI coalition. The option will reduce the tax rebate available to the company by 20 percent at no cost to the county. The company is a value added manufacturing company with the potential to create up to 30 above average wage jobs for the citizens. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to adopt Resolution finding that project #98-01371, is approved as a qualified applicant. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 33.

D. Board Attorney

The Board Attorney presented a brief update on the Danmark Superfund Site. They are continuing with the efforts to bring more money to the table to reduce the overall cost of the existing members. A request will come before the Board for another \$500 at next week’s meeting.

E. County Administrator

1. Budget amendments 99-00-5 and 98-99-459

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve budget amendment 99-00-5, to fund adjustment to the Property Appraiser’s budget based on revised information from the Department of Revenue, and to approve budget amendment 98-99-459, to transfer funds from the Contingency to pay for the Feasibility Study for the establishment of a Water Supply Authority per Interlocal Agreement dated June 20,

1998. Commissioner Bullard requested a redesign of the budget amendment forms, listing the titles and descriptions. Rick Helms advised that he will review and revise the form. Upon roll call, all Commissioners voted aye. Motion carried.

~~2. Request from BFI for agreement to assignment of contract~~

3. Appointments to Nuisance Abatement Board

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the following appointments to the Nuisance Abatement Board:

Commissioner Bullard	Joe Rey	1 year
Commissioner Flowers	David Lanier	2 years
Commissioner Stokes	Tom Nunnallee	1 year
Commissioner Maxcy	Jack White	2 years
Commissioner Gose	Steve Brown	2 years

It was a consensus of the Board that the *senior* Commission appointments be effective for a two year period and the two other Commission appointments last for one year. Thereafter, all appointments will be for a two year period. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 128.

4. Temporary office space for FHREDI

Commissioner Gose stated that the request from Doris Gentry for temporary space may become permanent space for FHREDI. He explained that several years ago the Water Management District bought the Edna Pearce Lockett Estate as part of the river restoration. The homestead property was a gift to the state. There was a 600 acre tract of improved pasture that the state bought from the Water Management District. The Water Management District then asked the County if it would be willing to take over the Lockett Estate and the grounds as a proposed park site and the southern site for the Ag Museum. The County did not want to take on this responsibility. There were other agencies interested in performing the work. The County signed an agreement to the Florida Heartland REDI, which is Glades, Henry, DeSoto, Hardee, Okeechobee and Highlands County to manage the plan. All six counties have planned not to put money in this project as county funds. He had hoped that there would be grant funds to carry the project until it was self sustaining. The grant funds have not been forthcoming as soon as expected. Presently, there are two rural staffing grants that Betty Neale has applied for from the State of Florida, for a total of \$70,000 to staff the Rural Economic Initiative. He expects that the FHREDI Board, at its next meeting, may take funds from the grant and hire a person for the Edna Pearce Lockett Estate, and let Betty Neale work on marketing the region. The decision today is, if the Board is willing to place this position under the Boards jurisdiction as a grant funded position and offer that space, similar to the Childrens Advocacy Center.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to grant temporary office space for

the REDI (Rural Economic Development Initiative) Program at the Operations Office, under Vicki Pontius, in a space to be designated by the County Administrator. Commissioner Bullard questioned if the county should enter into a lease that sets out the conditions under which they are utilizing the space. The Board Attorney advised that it could be done on an informal basis, as another governmental agency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 129.

5. Request from Transportation Disadvantaged Program

Carl Cool presented request for the Transportation Disadvantaged program to acquire an additional vehicle. The van is a 1996 Dodge with 5,000 miles and will be used exclusively for Highlands County. The FY 98-99 budget has funds left over for a capital grant match. In addition, Marcia Staszko, Senior Program Manager, advised that the capital grant match for FY99-00 will not be fully utilized. By using the combination of last years and this years funds, the vehicle may be purchased without any negative impact to the operating budget. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the request for the Transportation Disadvantaged Program budget amendment and resolution. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 130 and Res. Book 13 Page 34.

F. Consent agenda:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda with a revision on Item 11:

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

Law Library	6,693.03
General	1,748,019.75
County Transportation Trust	297,229.49
E911 Operations	10,774.80
Intergovt Radio Communication	831.25
Local Government Infrastructure	135,722.41
Affordable Housing Assistance	63,877.67
Special Law Enforcement	2,529.99
Solid Waste	234,263.27
Placid Utilities	20,655.09
Hiway Park Utility	7,901.55
Risk Retention Fund	440,307.11
Employee Benefit	301,475.04
2. **Approval of minutes of 9-14-99 and 9-21-99 meetings and 9-21-99 public hearing.**
3. **Approval to execute resolution on membership in Small County Coalition. See Res. Book 13 Page 35.**
4. **Approval of resolution to accept warranty deed - Ashley Oaks. See SMB 35 Page 131.**
5. **Approval to release escrow funds to Ruby Tuesday. See SMB 35 Page 132.**
6. **Approval to modify SHIP mortgage - Tillman and Jones. See SMB 35 Page 133.**
7. **Approval of resolution opposing changes in CDBG program. See Res. Book 13 Page 36.**

- 8. **Approval of Emergency Management Grant Agreement #00CP-05-07-38-01-028. See SMB 35 Page 134.**
- 9. **Approval of application from Lake Placid Moose for bull riding exhibit. See SMB 35 Page 135.**
- 10. **Approval of budget amendments 98-99-449 (Library- Sebring & Avon Park) 98-99- 456 (Elections Warehouse Avon Park) 99-00-2 (Courthouse windows) 99-00-4 (transfer of position from Refuse Disposal to Recycling).**
- 11. **Approval of resolutions and budget amendments 99-00-1(repair & replacement of Courthouse windows) and 99-00-3 (Advocate Services Grant). See Res. Book 13 Page 37.**
- 12. **Approval of core contract with Highlands County Health Department.**
- 13. **Approval of Commodity Food Contract. See SMB 35 Page 136.**
- 14. **Approval of Gary Nichols as Recreation and Parks Committee member. See SMB 35 Page 137.**
- 15. **Approval of Resolution declaring state of local emergency. See Res. Book 13 Page 38.**

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

5. CITIZENS NOT ON AGENDA:

Clayton Womer thanked Carl Cool for information received regarding the road paving list.

6. COMMISSIONERS

Commissioner Bullard remarked about the study published on traffic accidents and particularly fatalities as they relate to drivers over the age of 70. The latest statcal data has stated that drivers over 70 are in much higher percentage of accidents and suffer higher fatalities when they are in accidents. Some of the recommendations of the national study are being implemented, and the most important one found, is the need to make road signs larger and more easy to read, and the directional signs on the roadways larger and more easy to read. He recommended that our County be a leader and be pro active in this project. The County Administrator reported that the County has already moved in the direction of the larger signs.

7. ADJOURN

The meeting adjourned at 10:00 a.m.

Chairperson

Attest:

Clerk

WORKSHOP MEETING OF THE BOARD, OCTOBER 12, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	I. V. "Buddy" McKenzie
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Chief Deputy Clerk, I. V. "Buddy" Mackenzie.

3. **ANNOUNCEMENTS**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool reported that county crews completed work on a drainage ditch in Venus. Mr. Hendrie was commended for allowing a temporary ditch to be constructed on his property, to relieve the flooding problems in Holiday Acres. Mr. Cool presented a letter into the record thanking Mr. Hendrie for his cooperation. See SMB 35 Page138. Commissioner Bullard also thanked staff for their efforts. Mr. Cool reported to the Board that the pipe project for the Knoll Subdivision is complete and the flooding problem is permanently eliminated. Permission for a permanent solution to Vantage Pointe and Thunderbird Hills was received from the FEMA office in Atlanta. Staff will be securing bids for the project.

Ramon Gavarrete, County Engineer, reported on the following items:

a. Highway Park and Placid Utilities will be mailed a Consumer Confidence Report. This is a requirement by DEP and is basically to inform the customer of the safety procedures.

b. The portion of Lakeview Drive by Publix will be reopened tomorrow afternoon. The project is 12 days ahead of schedule.

c. The Engineering Department has moved into their new location at the Commerce Avenue Annex.

Gabriel Read and Loren Eby commented on the poor sound effects of the T.V. Broadcasting in Avon Park and Lake Placid. Richard Conover presented comments regarding the Juvenile Justice meeting.

4. **ACTION:**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to set the Agenda as presented. Upon roll call, all Commissioners voted aye. Motion carried.

5. **Workshop on proposed Solid Waste Ordinance**

Carl Cool gave an update of the history of the Solid Waste Garbage pick up in Highlands County. This is the first step toward obtaining a new contract to pick up garbage and yard trash, beginning October 1, 2000. The

contracts expire with Florida Recycling, formerly Browning-Ferris Industries, and Reliable Sanitation on September 30, 2000. Mr. Cool suggested that we have an ordinance in place by March 30, 2000. Commissioner Bullard, along with staff members, consisting of Carl Cool, County Administrator, Tom Portz, Asst. County Administrator, Jerry Leszkiewicz, Landfill Manager, Ross Macbeth, Board Attorney, Treasa Handley, Assessment Coordinator and Rick Helms, Budget Director, studied the original solid waste ordinance and came up with a series of recommendations for the Board to consider. Commissioner Bullard stated that the goal is to develop a new contract that provides a variety of service improvements at no increase to the annual cost of \$130. Commissioner Bullard reviewed proposed major changes to the ordinance. Some changes were made in the definitions. Gypsum Board and drywall will no longer be classified as construction and demolition waste. It will be classified as extraordinary waste and will have to be taken to a lined landfill. Debris may be placed at the curb in six foot long bundles, one foot longer than now allowed. Collection of horticultural trash and lawn debris was recommended at twice-a-month, instead of the current once-a-month. Additional verbiage was included to allow the Board to charge a franchise fee. The boundaries of each service area will be defined by resolution of the Board. Language was included to require that the business entity have experience for a minimum of two years and maintain an office in Highlands County for the duration of the contract period. Customers may use a 45-gallon container for garbage rather than the 30-gallon container currently specified. Ross Macbeth noted that this ordinance does not contain an automatic cost of living clause. The Commission also considered options of allowing companies other than those holding the garbage collection franchise to handle commercial accounts, allowing more competition. The downside of that is it would require more staff and would probably increase the residential collection charge because the haulers would be losing part of their customer base.

Break 10:05 a.m. - 10:15 a.m.

Commissioner Gose discussed *regulations of collectors*. He encouraged the Board to continue the way the county been doing and require the companies picking up residential garbage, to also handle commercial accounts. Commissioner Maxcy suggested that the Board place an RFI on the contract. He feels that we need to improve the yard trash pick up. Commissioner Flowers discussed the idea of clamshell trucks. Commissioner Bullard stated that the complaints were so small that it didn't seem right to make everybody pay more and have a less sufficient system. Commissioner Stokes discussed limiting the trash pick up to six months instead of 12 months of the year. He stated that we should look at what we have learned in the past ten years and go from there. Carl Cool noted that the demand is there all year long. Ross Macbeth advised that if we change and don't require bundling, there will be an increase in the waste stream. We don't have an indication of what that cost will be. We need to look at the City's cost and compare. The Chair opened the floor to public input. Ray Napper presented concerns as listed:

Asking truck drivers to keep the vehicles on their side of the road, liquid leaking out of dumpsters (leachate) the same as is contained at lined, Class I landfills. The issue of extraordinary waste. Service areas should be readdressed. Tarping the vehicles to keep things from spilling out. Certification requirements and enforcement by the Building Department. He suggested that the Solid Waste Committee get together and brainstorm the new ordinance with the franchisers present. Gary Puckett complemented staff for finally making changes to the solid waste ordinance. He noted a problem with being charged a fee at the dump. He also asked the Board to consider transfer stations to accommodate the public and the haulers. Mike Carr suggested that the Board consider *once a week pick up and recycling more*. Charles Wilson with Florida Recycling, stated that we have no definition on containers. He would prefer to stay with the 33-gallon container and commercial

remain the same. He also spoke in favor of extending the contract. Jeff Sabin, representing Waste Management, spoke in favor of participating with the Solid Waste process and an opportunity to serve Highlands County.

The Commissioners gave a consensus to continue to require the companies picking up residential garbage to also handle commercial accounts. Carl Cool recommended deletion of verbiage on Page 21-line 937 to address the bundling issue. The Container size was set at 35 gallons. The start time and the curbside time were stated at 7:00 a.m. A Public Hearing was set for 9:00 a.m. November 9, 1999 on the revised ordinance. A Public Hearing was also set for 10:00 a.m. on the same date for the proposed construction and demolition ordinance at the request of Ross Macbeth. The Commission directed staff to issue an RFQ and acquire a list of qualified companies. The list will then be short-listed and presented to the Board. Ross Macbeth discussed including a franchise fee with the contract. Commissioner Bullard was asked to continue to be the liaison for the Commission.

5. Adoption of Resolution to Declare State of Local Emergency

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution extending the State of Local Emergency. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 39.

6. Request to waive landfill fees for Dixie Youth

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request to waive landfill tipping fees for the Dixie Youth. Upon roll call, all Commissioners voted aye. Motion carried.

7. ADJOURN

The meeting adjourned at 12:10 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, OCTOBER 19, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	Mike Eastman
Edgar E Stokes	Carl Cool
Bob Bullard	J Ross Macbeth
	Louise Graham

Commissioner Chair James L. Gose and Commissioner Guy Maxcy were not present at the meeting. Vice-Chair David Flowers presided.

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 EMS Director, Rick Weigand.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending October 19, 1999.

- B. **Clerk**

No report presented.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record. Commissioner Bullard presented additional meetings and corrections for the benefit of the public.

4. **ACTION:**

The Vice-Chair requested that item *A. Presentation of "Dal Hall Boulevard"* be delayed for the arrival of Mrs. Hall.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- a) Recognition of EMS
- b) Revision to budget amendment 98-99-470 (Consent Agenda item number 17) to be placed under the County Administrator.
- c) Consent Agenda item number 20 to be placed under the County Administrator for discussion.
- d) Revision to minutes for meeting of September 28, 1999 under the Board Attorney.
- e) Readiness schools collation under the County Administrator.
- f) Item A. to be heard after item D.

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

- A.1. Rick Weigand, EMS Director, gave a short summation on the County Emergency Medical

Services. The State gave the County a *distinguished inspection award* for the criteria and protocol followed by our local EMS providers. The Board commended staff for the team effort.

B. Dave Bryant: Proclamation of “Florida Heartland Veterans’ Reunion”

Dave Bryant, Editor of the Highlands Today Newspaper, presented a proclamation into the record in recognition of the *Florida Heartland’s Veteran’s Reunion*. The Heartland Chapter of Nam Knights is organizing the veteran’s reunion that will take place November 19-21st at the National Guard Armory. The event is for all military veterans, not just those who served in the Vietnam War. The *Moving Wall*, a scaled down replica of the Vietnam War memorial on display in Washington, D.C., will come to Highlands County. Mr. Bryant, on behalf of the committee, asked the commission for a contribution of \$10,000 toward the effort. Commissioner Stokes stated that he believed the CVB was asked to make a donation to the event through the County. Mr. Bryant noted that the CVB gave \$2,000 to the committee. The Chair asked that a plan be presented and this item be placed on the agenda for next week when a full Board is present. Mike Eastman suggested that the county reimburse the expenses after proper documentation has been provided to create an audit trail.

The Proclamation was read into the record by Dave Bryant. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to adopt Proclamation, proclaiming the week of November 19, 1999 to November 25, 1999, as Florida Heartland’s Veterans week in Highlands County. Gabriel Read spoke in support of the recognition. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 40.

C. Assistant County Administrator:

1. Request from Highlands County Concert Band

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve request of the Highlands County Concert Band to use the Courthouse lawn for concert dates of January 9, 2000, February 13, 2000, and March 12, 2000. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 140.

2. Request to waive rabies tag fees

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the request of Jeff Saunders, D.V.M. to waive rabies tag fees for *a one day only Rabies vaccination clinic* to encourage more people to comply with the vaccination. Due to the increase in proven rabid animals and the recent rabies bite cases, the level of concern has risen. Commissioner Stokes reiterated that these services should be provided only by *local veterinaries*. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 141.

A. Presentation of “Dal Hall Boulevard” resolution

Commissioner Bullard presented a framed Resolution designating “Central Avenue in Lake Placid as “Dal Hall Boulevard” to Police Chief Jerry Pendarvis, Town Clerk Arlene Tuck, and Public Works Director Jim Fulton. He read the Resolution into the record, stating Dal Hall was a good mayor, bringing dignity, stability and wisdom to the town. He also presented the street sign that will be placed in memory of the late Dal Hall. Central Avenue will officially become Dal Hall Boulevard on January 1, 2000. Carl Cool said that the date

was appropriate because Hall started getting Highlands County concerned about the Y2K issue. Commissioner Bullard said that renaming the street was to honor, remember and memorialize Dall Hall for exemplary public service. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the Resolution, name change and designation. Upon roll call, all Commissioners voted aye. Motion carried.

D.1. Board Attorney: CDBG Economic Development Grant Project Agreement Amendment

Ross Macbeth explained the memo from Jim Polatty, regarding the use of a Personal Guarantee in lieu of a Mortgage and Note for the CDBG Infrastructure improvements at the Sebring International Raceway. Mr. Macbeth stated that Dr. Panoz has indicated that he was not in favor of paying the approximate \$3,000 recording fees as required with the mortgage and note. He also reviewed the recommended changes in the wording of the proposed Guarantee signed by Mr. Donald E. Panoz. Commissioner Stokes spoke in opposition to changing the document. Commissioner Bullard spoke in favor of the personal guarantee.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to accept the Personal Guarantee of Mr. Donald E. Panoz and the Project Agreement, paragraph 6 approved by the Commission on August 19, 1999 be amended by substitution of the Personal Guarantee for Mortgage and Promissory Note, conditioned upon the review and acceptance of a personal financial statement from Dr. Panoz. Ross Macbeth stated that he did not anticipate any problems with the Guarantee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 142.

D. 2. Correction of Minutes Book 18 Page 284-Discussion handyperson ordinance

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to correct the minutes on Book 18 Page 284 to read:

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt ordinance regarding contractors, specialty contractors and handypersons with exception that we adopt state statutes, with language change to Paragraph 003 to read: for purposes of this code, a handyperson may perform work of a casual, minor or inconsequential nature in the categories of work described in part I of Chapter 489 Fl. Statutes for which a building permit is not required, in which the aggregate price for labor, materials, and all other items is less than \$1,000 and the construction, repair remodeling, or improvement is not part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than \$1,000 for the purpose of evading this limitation or Part I of Chapter 489 Fl. Statutes. Except as allowed by this paragraph, a handyperson shall not perform any work in the categories listed in paragraphs 001 and 002 of this part. A person performing work as a handyperson pursuant to the exemption provided by Section 489.103(9) Fl. Statutes and this paragraph shall not advertise that he or she is a contractor or otherwise represent that he or she is qualified to engage in contracting as those terms are defined in Sec. 489.105 Fl. Statutes. After January 31, 2000, no person shall

March 31, 2000

perform work for compensation in the categories of work described in part I of Chapter 489 Fl. Statutes except as an employee to the extent allowed by Chapter 489, Florida Statutes, unless issued a handyperson registration certificate by the county or a state contractor's license or certificate of

competency issued by the County for the category of work performed. Paragraph (007) only changing a. *Provide proof of qualifications and experience by means of a signed affidavit attesting to experience in five or more of the categories of work described in Part I of Chapter 489 Florida Statutes, including at least one (1) year of experience in at least one of those categories and other proof of competency acceptable to the Construction Licensing, Enforcement and Appeals Board.*

Adding to those requirements, a license, demonstrate competency as outlined in the ordinance, and requirement for insurance by resolution. ~~effective March 31, 2000.~~ See SMB 35 Page 143 for copy.

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

E. County Administrator:

1. Appointment to Library Advisory Board

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to endorse the recommendation of the Library Advisory Board and approve the reappointment of Marilyn Jacobs to the Board for District #3, for the period of January 1, 2000 through December 31, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 144.

2. Budget amendment 98-99-460

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve budget amendment 98-99-460 to transfer funds from last year's Reserve for Contingency to cover an insufficiency in the contractual services account for the Detention Medical cost center. Upon roll call, all Commissioners voted aye. Motion carried.

3. Consent Agenda item number 17 - Budget amendment 98-99-470

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve budget amendment 98-99-470 to transfer funds to cover insufficiencies in the Court Appointed and Juvenile Attorney accounts. Upon roll call, all Commissioners voted aye. Motion carried.

4. Consent Agenda item number 20 - Supplement Agreement for Lockett Estate

Carl Cool reported that FHREDI has voted to ask that the Board of County Commissioners take over the responsibilities of the group, which means that the management agreement that we have with the Water Management District will be relinquished to the County. The sublease on the 600 acres of property will also come back to the County. Some of the grants that FHREDI has applied for will be completed by efforts of county staff. Restoration has started on the site and they are completing plans for the second annual Heartland Heritage Festival. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the supplemental agreement with Chastain-Skillman, Inc.# 5 for design of a picnic shelter at the Lockett Estate. Upon roll call, all Commissioners voted aye. The motion carried.

5. School Readiness Collocation requirements

The County Administrator presented an update on the School Readiness Collocation. He reported that the County has a new statutory obligation, due to new legislation that charges the County with the responsibility of helping children be ready to start to school. The Coalition requires a County Commissioner appointed position. The Chairman asked that Board members be thinking of an appointment for next weeks' meeting. Additional information will be provided in the agenda packet.

6. Sebring Landfill update

Mr. Cool advised that equipment is on site, and work has started for covering the Sebring Landfill.

F. Consent agenda:

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the Consent Agenda as listed:

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

Law Library	358.21
General	896,000.56
County Transportation Trust	34,268.91
E911 Operations	15,134.42
Local Government Infrastructure	80,070.50
Affordable Housing Assistance	33,047.00
Special Law Enforcement	850.00
Solid Waste	9,334.31
Placid Utilities	8,360.72
Hiway Park Utility	2,478.23
Risk Retention Fund	411.00
Employee Benefit	17,754.80
- 2. Approval of minutes of 9-28-99 and 10-5-99**
- 3. Approval of SHIP Modification of Rule - Billy Gillian. See SMB 35 Page 145.**
- 4. Approval of SHIP Modification of Rule - Anderson. See SMB 35 Page 146.**
- 5. Approval of SHIP mortgage modification - Ramirez. See SMB 35 Page 147.**
- 6. Approval of EMS revised billing method for Medicaid claims from Sky Management. See EMS file for copy.**
- 7. Approval to sell former Recycling office trailer(LF 1057, LF1063) as surplus property. See SMB 35 Page 148.**
- 8. Approval to sell tax certificates (William D. or Elna S. Johnson). See SMB 35 Page 149.**
- 9. Approval to execute Memorandum of Understanding with Highlands Park Special Benefit Fire District and with West Sebring Volunteer Fire Department. See SMB 35 Page 150.**
- 10. Appointment of Greg Karlson to Natural Resources Advisory Commission. See SMB 35 Page 151 for copy of resume.**
- 11. Approval of Task Authorization no. 1 to PBS&J, to assist the county procurement of new franchise refuse contracts. See SMB 35 Page 152.**
- 12. Approval of agreement no. 4 with Chastain-Skillman for leachate design. See SMB 35 Page 153.**
- 13. Approval to execute resolution to declare local state of emergency. See Res. Book 13 Page 41.**
- 14. Accept into record - Southwest Florida Water Management District Annual**

Budget

- 15. Approval to dispose of surplus signal equipment. See SMB 35 Page 154.
- 16. Approval to execute Recreation Interlocal Agreement with Town of Lake Placid. See Town of Lake Placid file.
- 17. Approval of budget amendments 98-99-464 (Central Florida Health Care, Convention and Visitors Bureau and the J. Loren Cogburn, housing of inmates) 98-99-468 (Insufficiency in the E-911 Contractual Services account) ~~98-99-470 (insufficiency in the appointed attorney account)~~ 99-00-8 (Fire Coordinator position upgrade) and 99-00-13 (Remodeling of Ag center auditorium).
- 18. Approval of resolutions and budget amendments 99-00-6 (Gates Library initiative) 99-00-7 (Sebring Branch Library expansion) 99-00-10 (Solid Waste projects) 99-00-12 (Courthouse Window project) 99-00-15 (CDBG Sebring Raceway) 99-00-16 (Down payment Program) 99-00-17 (State Housing Initiative) 99-00-18 (Affordable Housing Asst.) 99-00-20 (Awnings for Govt. Center). See Res. Book 13 Page 42.
- 19. Approval of melaleuca contract
- 20. ~~Approval of supplemental agreement with Chastain-Skillman for Lockett Estate~~

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

5. CITIZENS NOT ON AGENDA:

No citizen participating.

6. COMMISSIONERS

Commissioner Flowers commended county staff for their participation during the hurricane threat. Carl Cool updated the Board on the event and the performance by staff.

7. ADJOURN

The meeting adjourned at 10:30 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, NOVEMBER 2, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Tom Portz
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

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 former Commissioner, Audrey Vickers.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 2, 1999.

- B. **Clerk**

- L.E. "Luke" Brooker, Clerk, reported on the *final* Value Adjustment Board meeting. Approximately 35 petitions were filed. Only six petitions were heard by the Special Master. Recommendations were presented by the Special Master on the six petitions in favor of the Property Appraiser. Five of the petitions were on the matter of valuation and one was on the matter of exemption. The Value Adjustment Board Hearings are completed for this year.
- C. Michael Eastman, Director of Accounting and Finance, reported that all year end financial statements for the elected officials have been filed with the Board in a timely manner. Commissioner Maxcy asked for a statement on return fees from each elected official. Mr. Eastman read into the record as follows:

Clerk of Courts - \$88,647

Sheriffs - \$187,959

Supervisor of Elections - \$22,729

Tax Collector - \$52,978

Property Appraiser - \$75,702 (not returned-an advance toward this years' budget).

See SMB 35 Page 165 for copy of reports.

Commissioner Bullard commended the Constitutional Officers for doing such a great job of managing the resources for the citizens of Highlands County.

- C. **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 updated the Board on the Sebring Parkway. A set of plans have been made available for review in three locations.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- a) Interlocal Agreement with the City of Sebring to be placed as item J-4.

- b) Remove budget amendment 98-99-473 from the Consent Agenda for discussion.
- c) Consent Agenda item number 8 regarding the Childrens Museum contract - letter of support added by the Chair.
- d) The Chair reported that Gulfstream Natural Gas System will present an update. A full workshop will be held on December 14, 1999. He asked that citizens meet with the representatives in the hallway for questions.

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

A. Proclamation: Adoption Awareness Month

The County Administrator read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to adopt Proclamation, proclaiming the month of November 1999 as Adoption Awareness Month in Highlands County in honor of families that grow through adoption. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 47.

B. Mike Swaine: Request from Health Facilities Authority

Attorney Mike Swaine explained the Resolution on the reissued bonds. A compensation agreement exists between the County and the Facility and if the bonds impact the cap on the County's borrowing capabilities, that will be addressed in the agreement. Indications are that it will not impact the County this year. He stated that they are specifically not a debt or liability of the County. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution approving the proposed deemed issuance by the Highlands County Health Facilities Authority of its tax-exempt obligations in an aggregate principal amount not to exceed \$4,000,000 for the benefit of the Adventist Health System/Sunbelt, Inc. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 166 and Res. Book 13 Page 48.

C. Marie Boley: Request funds for lighting project in Lorida

Marie Boley made a presentation to the Commission regarding the offer of the Glades Electric Company to assist Lorida citizens in better lighting and beautification of their community. The total cost of the lights and two entrance signs were listed at \$5,249.06. She asked that the Commission supplement the offer with \$2,624.50. (One half of the installation and the cost of the light bill of \$134.34 per month). The Community Club has agreed that they are not financially able to pay the cost of the light bill on a year round basis. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 167.

D. Director of Finance and Accounting: Landfill Enterprise Fund

C. Michael Eastman presented a request to authorize a short time advance of \$500,000 from Fund 151, Infrastructure Surtax, to Fund 401, Landfill Enterprise Account. It will correct a temporary negative cash flow and will be an arms length transaction, and interest bearing at 5.17 %. The advance will be paid back within one month. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 168.

E. Solid Waste Director: Extension of water quality testing program

Jerry Leszkiewicz, Solid Waste Director, presented request for a temporary extension of the existing contract 95-96 with Short Environmental Laboratories, Inc. for Water Quality Sampling and Analyses per DEP Landfill Permit requirement.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve a one-time extension of the existing contract with Short Environmental laboratories to cover the December 1, 1999 quarterly sampling

event for the Solid Waste Management Center, and the closed DeSoto City and Avon Park Landfills. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 169.

F. County Engineer: Recommendation on Feasibility Study for Lake Placid structures

Ramon Gavarrate, County Engineer, advised that per Board instruction, he and Ron Cauthen of Chastain Skillman met with Southwest Florida Water Management District to discuss how to get structures permitted. The requirements were very extensive. In order to get permitted, we must perform a study on the impact to the lakes. The proposal from Chastain Skillman, Inc., for the Feasibility Study was estimated at \$61,440.00. He recommends that the Board not approve the proposal as it seems unreasonable to spend that amount of money for \$5,000.00 worth of construction.

Commissioner Bullard recommended that staff pursue a cooperative effort with the Water Management District to perform the study and then make our permit application through DEP and substantially reduce the cost to the County in the permitting process. Ramon presented a letter from Clay Richardson of the Water Management District, recommending that another meeting be held with the surface water permitting supervisor in attendance. He also reviewed the Predicted Lake Placid Hydrographs. The Chair opened the floor to the public. Mary Carter asked that the Board not kill the project and approach the subject with the same opinion as the Sebring Structures.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, not to approve the proposal from Chastain Skillman, Inc., and instruct staff to continue negotiations with the Water Management District to reduce the cost of providing a study to see if a structure is necessary and perhaps follow the model that we used for Lake Sebring Structures. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 35 Page 170.

G. Development Director: Central Sewer Study Committee

Jim Polatty, Development Service Director, advised that pursuant to the Stipulated Settlement Agreement for the Comprehensive Plan, the County Commissioners should approve a mission statement, list of tasks and appoint a Central Sewer Study Committee. This will be a County created advisory committee and will address issues mandated by the State for the *Central Sewer Study Committee*. A study should be conducted by a reputable body or consultant. The study should be completed by June 1, 2000 and adopted within six months completion. Mr. Polatty identified task lists from DCA, Lakes Manager, and combined task lists for the Central Sewer Study Committee. He also presented a suggested membership categories list. Commissioner Bullard recommended that the June 1, 2000 completion date on the study be extended. Commissioner Stokes presented questions regarding the makeup of the committee and suggested that experts be involved. Clell Ford spoke regarding the water samples and existing data. The County Administrator recommended that staff not become voting members on the committee. Commissioner Maxcy suggested that we contact Citrus County for information as they have performed a Central Sewer Study. The consensus of the Board was to direct Jim Polatty to proceed with the makeup of the committee and the Board will discuss in depth in two weeks and make a decision. See SMB 35 Page 171 for copy of information.

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

H. Assistant County Administrator:

1. Request for 911 data recorder

The Asst. County Administrator reported that the 911 Committee met on October 7, 1999, due to the ongoing problems with the current EYRETEL data recorder/loggers for 911 telephone and radio calls. After research by our General Services Director, Sheriffs Office, Communications personnel, and EOC personnel,

they found it necessary to have three vendors of a more reliable recording means to do a live presentation of their product. The presentations showed the committee that there is a better means of recording this critical information and that some associated costs could be eliminated. Staff suggested that the County go to a full maintenance agreement with a five-year term, coverage 24 hours a day, seven days a week. The total cost to stay with EYRETEL for these services would be \$137,283.00. A quote has been received from the *staff-suggested vendor*, Milner Business Systems, who was under a State of Florida Snaps (State Negotiate Agreement Price Schedule). Milner Business Systems represents the TEAC magneto optical recorder. Their proposal came in at \$123,854.80. Their proposal for the first year 24/7 maintenance coverage came in @ \$ 4516.26. The grant total for equipment and maintenance listed at \$128,371.06. The SNAPS agreement was canceled last week and Milner Business Systems is protesting that cancellation. The County may need a waiver of the bid process if this dispute cannot be settled in time. The firm is unacceptable. He will bring back a more acceptable offer next week. Carl Cool updated the Board on the 911 systems and the problems encountered when the system went out.

2. Adoption of resolution for insurance recommendation and towing inspections

Tom Portz reviewed resolutions for insurance requirements and towing inspections as a follow-up to allow for enforcement of the towing ordinance. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution that provides for insurance requirements and Resolution that provides for the inspection of vehicles used to provide immobilization, towing, removal or storage services. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 49.

3. Request from FHREDI regarding Lockett Estate

Tom Portz responded to the FHREDI letter advising that the County is not currently staffed to handle this project. He recommends that if the County intends to move forward and accept responsibilities, they need to staff appropriately. Vicki Pontius, Operations Manager, reported that this position should include the duties of a grant's administrator, to assure that each project is effectively carried out. She also recommended that the part-time caretaker be upgraded to a full time position and a county vehicle be provided at the estate for these tasks. The Chair reported that FHREDI has put in \$ 15,000 for this part time position. The position will be *a FHREDI position* for this year, in the county office under Vicki Pontius, not so much for supervision but to go into the transition period that will happen next year. This person will be grant funded under the rural staffing grant, which is only eligible as a multi county group. Existing staff will be supervising, but there will not be any additional county staff until further determinations are made. Commissioner Maxcy stated for the record, that this is a grant-funded position and if it is not funded the position will go away. Tom Portz requested that Betty Neale place in writing exactly what she expects county staff to be doing during this transition, so that things do not fall through the cracks. Mr. Macbeth asked that a detailed scope of the transition be drawn up and brought back to the Board for their approval. The consensus was to move forward.

See SMB 35 Page 172.

4. Multi-jurisdiction Task Force Grant award

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to execute the Multi-jurisdiction Task Force Grant II award, and approve a budget amendment from the Reserve from Contingency to provide the local match. Upon roll call, all Commissioners voted aye. Motion carried.

I. Board Attorney:

1. Proposal for Settlement with Landmark Enterprises, Inc.

Ross Macbeth presented a proposal from Neal O'Toole, attorney on behalf of Defendant Lee Woods for settlement in the case No.: GC 98-40 Highlands County v. Landmark Enterprises, Inc. This case was filed

by the county to recover on a personal guarantee for subdivision improvements that were not completed. One of the defendants has given the Board an offer to settle as to that defendant. The question is whether the Board wishes to discuss the settlement in public or to hold a legislative session. The consensus of the Board was to hold a litigation session in two weeks at 11:00 a.m. Ross Macbeth announced the session. See SMB 35 Page 173.

2. Second amended Danmark Superfund Site Tolling Agreement

Ross Macbeth reviewed the second amended Danmark Superfund Site Tolling Agreement. This Agreement will expire on April 15, 2000. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve execution of the Agreement, extending the statute of limitation. Upon roll call, all Commissioners voted aye. Motion carried.

J. County Administrator:

1&2. Highlands Avenue overlay estimate & Request to resurface roads at Lockett Estate

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request of the Road and Bridge Superintendent to overlay that portion of Highlands Avenue from Youth Care Lane to Highway 27, when the widening project is complete at a cost of \$37,494.42, and to resurface the entrance of Edna Pearce Lockett Estate and Boondock Road to preserve the road and eliminate the need for reconstruction. The cost for Boondock Road is listed at \$9,910.00 and the entrance road cost is \$2,890.00. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 35 Page 174.

3. Budget amendment 98-99-476 for City of Avon Park

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve budget amendment 98-99-476 to transfer from reserve into recreation, and reimburse the City of Avon Park for their recreational expenditures. Upon roll call, all Commissioners voted aye. Motion carried.

D. Interlocal Agreement with City of Sebring for Max Long Complex

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve an Interlocal Agreement with the City of Sebring for the new Concession Stand at Max Long Complex. Upon roll call, all Commissioners voted aye. The motion carried.

K. Consent agenda:

Discussion on budget amendment 98-99-473

It was a consensus of the Board to leave on the Consent Agenda for approval.

Discussion on Consent Agenda item three

Commissioner Maxcy requested that item number three be removed from the Consent Agenda for further consideration of the appointment of Sheila Scott to the Historic Preservation Commission.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda with the removal of item number three.

E. Approval to pay all duly authorized bills

Law Library	109.00
General	1,760,971.59
County Transportation Trust	118,231.73

E911 Operations	5,109.51
Intergovt Radio Communication	433.23
Florida Boating Improvement	8,216.00
Local Government Infrastructure	87,265.94
Affordable Housing Assistance	49,578.35
Special Law Enforcement	623.26
Solid Waste	63,117.42
Placid Utilities	11,029.90
Hiway Park Utility	3,530.26
Risk Retention Fund	6,312.90
Employee Benefit	52,127.18
Tax Deed Surplus	1,699.48

2. Approval of minutes of 10-12-99 and 10-19-99 meetings
3. ~~Appointment of Harold A. Brown to the Historic Preservation Commission.~~
4. Reappointment of Kevin Roberts to Polk County Opportunity Council. See SMB 35 Page 175.
5. Approval of amendment to CDBG procurement manual to include all the factors and relative weights of each factor that will be used to rank proposals. See SMB 35 Page 176.
6. Approval of amendment to SHIP '98-01 Housing Assistance Plan to include the income limitation for the program to be expanded to include low and moderate income families that otherwise qualify, to meet the current demand. See SHIP file for copy.
7. Approval of drainage improvement project agreement with The Bluffs of Sebring. See SMB 35 Page 177.
8. Approval of grant contracts with NuHope, Children's Museum & Big Brothers/Big Sisters, and a letter of support from the Chair to the Division of Cultural Affairs for the Children's Museum. See County Grants file.
9. Approval of resolutions and budget amendments 98-99-473(recognize revenue for Summers & Larson grazing lease and expenditures to FHREDI for the restoration of Lockett Estate) 99-00-23(Highway Park Utilities) 99-00-24 (Vantage Pointe/Thunderbird Hills project) 99-00-25(Placid Utilities, Master Lift Station) 99-00-26 (Tomoka Heights 10' well and repairs) 99-00- 27 (Placid Utilities, Blower replacement) 99-00-29 (CIP Plan funding to complete projects) 99-00-30 (Rehabilitation of the kitchen area at the Ag center). See Res. Book 13 Page 50.
10. Approval of budget amendments 98-99-472(realign the Clerk's cost centers on the Board's financial records) 98-99-475(to transfer funds to cover insufficiency in Public Defender, Circuit Juvenile, expert witness)98-99-477(Central Services) 98-99-478 (Sheriff, Detention & Correction)99-00-28 (County Jail-install A/C unit).
11. Approval of changes in Emergency Management Plan. See Emergency Management file for copy.
12. Approval of resolution declaring a state of local emergency. See Res. Book 13 Page 51.
13. Accept into record - Tax Collector's annual report. See SMB 35 Page 178.

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

Discussion of appointment to the Historic Preservation Commission

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to appoint Sheila Scott to the Historic Preservation Commission. Under discussion, Commissioner Flowers questioned the appointment since the Historic Preservation Commission had recommended Harold Brown as the appointee. Jim Polatty, Development Services Director, asked that the Commission table this item for two weeks, to allow staff to clear up the matter. Motion by Commissioner Flowers, seconded by Commissioner Stokes to table this item. Upon roll call, all Commissioners voted aye. Motion carried.

Ross Macbeth presented a statement into the record, stating that Marcellus Mason has asked to be on the agenda to speak. The attorney asked the Board to bear in mind that Mr. Mason has initiated a number of lawsuits against the county, and while he has an opportunity to speak to the Board on whatever he wishes, he would encourage the Board not to respond in dialogue. If there are matters that need to be referred to staff or counsel, please refer to them for an appropriate response, and do not get into a debate with Mr. Mason.

L. Marcellus Mason: Equal employment opportunity

Marcellus Mason passed out information regarding library positions that were hired after his termination. See SMB 35 Page 179. He also elaborated on the problems with the EEO in Highlands County.

M. Gulfstream Natural Gas System: Update on pipeline project

Dick Leehr, Vice President of the Gulfstream Natural Gas System, updated the Commission on the Pipeline Project and presented detailed information on environmental, safety, and economic issues.

John Shafer, Executive Director, addressed the calendar for the federal permitting process and appraised the Board of what that involves and how to participate in the process. David E. Hairston, Project Director, spoke to the safety and the construction of the project. They agreed to be available on December 14, 1999 at the Boards workshop for detailed questions regarding the workshop. Commissioner Maxcy encouraged Gulfstream to consider alternatives other than taking of residents' property. He also suggested that they consider installing the pipeline along a highway such as State Road 66-U.S. 98 or State Road 70. See Gulfstream file for copy.

5. CITIZENS NOT ON AGENDA:

Ray Napper spoke to the Board regarding the \$36,000 mileage payment from BFI. He stated a problem with the commingling as the disposal charges are not accurate and that would affect the 12% profit. He feels that Highlands County is still due the \$36,000. Mr. Cool clarified a statement regarding the commingling of trash. Mike Eastman advised that because there is commingling going on, it does not mean that cost is not being allocated to commercial. Commissioner Bullard asked Mr. Eastman, based on the audits and information supplied, does BFI or any other vendor owe us any money. Mr. Eastman stated that he did not believe so. If you question that method, the majority of their costs are based on the allocation method. It is allocated to residential commercial, based on the revenue percentage.

6. COMMISSIONERS

Commissioner Flowers advised that we now have new monitors for the sound system to enable the Board members to hear better.

Commissioner Stokes requested information regarding the awnings for the Government Center. Mr. Cool advised that he has instructed the County Engineer to proceed with an acceptable design and go out for bids to install the awnings.

7. ADJOURN

The meeting adjourned at 12:09 p.m.

Chairperson

Attest:

Clerk

WORKSHOP MEETING OF THE BOARD, NOVEMBER 9, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose
David Flowers
C Guy Maxcy
Bob Bullard

Mike Eastman
Tom Portz
J Ross Macbeth
Louise Graham

Commissioner Edgar Stokes was not present for the meeting.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Commissioner David Flowers.

3. **ANNOUNCEMENTS**

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool reported that Highlands County's per capita spending went from \$706 down to \$705 for the year. The new data received showed that our county ranking went from 54th to 56th out of 67 counties, in terms of per capita spending for county government.

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to set the Action Agenda as presented. Upon roll call, all Commissioners voted aye. The motion carried.

- A. **Assistant County Administrator:**

1. **Request for 911 data recorder**

The Asst. County Administrator reported that staff has been working to bring a recommendation to the Board to acquire 911 data recorders. There were some vendors protest, and the vendor that the county had hoped to utilize has been removed from the SNAPS Agreement. Unfortunately that protest has not been brought to resolution. It is staff's prospective that we need to move forward with these recorders. Staff suggested that the County go to a full maintenance agreement with a five-year term, coverage 24 hours a day, seven days a week. A quote has been received from the *staff-suggested vendor*, Milner Business Systems, who was under a State of Florida Snaps (State Negotiate Agreement Price Schedule). Milner Business Systems represents the TEAC magneto optical recorder. It is committee's consensus and staff's recommendation to purchase the TEAC system.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve purchase of the TEAC system to upgrade the 911 recorders/loggers, allow trade in of existing equipment, and waive the bid process. The Chair opened the floor to the public. Ray Napper presented questions regarding the maintenance quotes. Jed Secory explained that the new system will include everything including any repairs completely for five years. Richard Conover presented questions regarding the travel and cost time involved. Tom Portz

noted that they have a response time of four (4) hours to be on site and the travel is covered. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 1.

2. Approval of resolution declaring a state of local emergency

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to extend the State of Local Emergency Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 52.

5. Public hearing to consider an ordinance pertaining to Solid Waste

Carl Cool presented the Proof of Publication entered into the record. See Proof of Pub Ord. Book 2 Page 73. Ross Macbeth read the captions of the ordinance into the record and explained the earlier drafts. Commissioner Gose stated that this ordinance regulates the garbage pickup. The Chair opened the floor to the public. Don Greenhalgh, owner of Spring Lake Services presented questions as to how the ordinance may affect his business. He would like to go on record that he objects to recycling being lumped into a landfill. Commissioner Bullard stated that the ordinance gives the option *to recycle* or dispose at a landfill.

Ray Napper presented concerns as listed:

- A. leachate leaking into the ground from rusty dumpsters
- B. suggested language that would put teeth in the ordinance
- C. requested that the Board open up to competition
- D. addressed the franchise routes
- E. issues regarding certification cards

Ross Macbeth addressed the issue of the Certification Card. He explained that the State of Florida maintains a debarred list and he doesn't think that the county should do less. Commissioner Bullard recommended that the Commission give reasonable discretion to the issuance of the card. Carl Cool responded to Ray Napper's comments regarding the routes. The franchisers do file a map showing the areas and dates of pickup. County staff did an audit of the routes in summer and winter to obtain information toward the negotiations. Commissioner Bullard presented corrections to the ordinance. Carl Cool recommended that residential be coupled with commercial to obtain a better package, when placing out to bid. Commissioner Maxcy did not agree with that assumption. Jerry Leszkiewicz reminded the Board that we have to create a mechanism that allows for the \$130 per household rate. Ross Macbeth asked the Board to include the Class I, II, and III waste definitions from the other ordinance. Also, include correction to the definitions for construction, demolition and debris.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt ordinance amending Articles I, II, and III of Chapter 8.5 of the Code of ordinances with definitions of Class I, II and III moved from Article IV to Article I and other corrections as listed:

Page 6, line 216, the word received, drop the "d" and yard waste will become horticultural trash

On page 11, line 431, the word municipal will become domestic.

On page 15, line 607, add language, *The Board may in its discretion refuse to issue a Certification Card*, and continue with the language.

Page 18, line 739, to read: *No person shall serve on the board of directors or as an officer, or own more than 5% interest in two or more franchisees*, and continue with the present language.

The Chair opened the floor to the public. Ray Napper spoke in opposition to the motion. Loren Eby recommended an agreement with the City to combine the garbage pickup. Attorney Wendell Whitehouse, representing the Stroms, spoke in opposition. Jeff Sabin, Waste Management Company, spoke in favor. Jim Penrod, Lake Placid, spoke in favor. Upon roll call, all Commissioners voted aye. Motion carried.

Break 10:30 - 1045 a.m.

6. Public hearing to consider an ordinance pertaining to C&D landfills

Proof of Publication entered into the record by the County Administrator. See Proof of Pub Ordinance Book 2 Page 74. Ross Macbeth read the captions of the ordinance into the record and explained that we are adding a new article four to Chapter 8.5 and the text is entirely within Section 1 of the ordinance. The County Administrator reviewed with the Commission the different types of landfills in the county. The Chair opened the floor to the public.

- A) Don Greenhalgh, Spring Lake Services, presented questions regarding recycling. Ross Macbeth advised that this ordinance does not prohibit recycling.
- B) Gail Strom, owner of Sebring Airport Landfill, objected to a *one year period* for the permit. She asked that the responsibility of *clean up of litter* also be addressed.
- C) Bert Harris, representing, four different businesses, spoke against *over regulating*. He asked that we reconsider the 180-day limit on composting and mulching, and also consider running the permit for 5 to 10 years. Mr. Harris highlighted several suggested changes to the proposed ordinance.
- D) Attorney Wendell Whitehouse, representing John and Gail Strom, stated that the proposed ordinance has major problems. The ordinance will result in no one applying for a private landfill. Mr. Whitehouse presented several concerns in the proposed ordinance.
- E) Larry Kelly, from Lake Placid, spoke in favor of free enterprise.
- F) Ray Napper spoke in favor of regulations.
- G) Gabriel Read, Avon Park Lakes, spoke in favor of the ordinance.
- H) Woody Howard spoke in opposition to the Board requiring a credit deposit for dumping at the landfill.
- I) Mike Carr spoke in opposition to the proposed ordinance.
- J) Jim Penrod, Lake Placid, representing about 800 residents, encouraged the Board to own and operate all the county landfills to provide protection to the citizens.

The Chair closed the floor for public input and brought the question back to the Commission. Ross Macbeth reviewed proposed changes to the ordinance. Refer to tape for detail. Commissioner Flowers asked if the County may use current existing county owned land to lease for the operation of a franchise for recycling of yard waste and horticultural waste. Commissioner Maxcy liked that idea. Commissioner Flowers asked if we need to pass this ordinance today. Commissioner Gose requested that the Board at least pass the portion of the ordinance that brings the decisions back to the Board. He does not feel that we are pricing them out of the business. Commissioner Bullard stated concerns that the ordinance is more stringent than the Orange County ordinance and it does not provide a grandfather clause. He feels that the ordinance will require the county to hire additional staff to perform the analysis. He also has a problem with the one year permitting clause, when DEP has a five year permitting cycle. He is in favor of the five-year permit. Ross Macbeth stated that the restrictions were placed in the ordinance to keep our county from becoming a dumping ground

for Palm Beach County. The Solid Waste Director and the County Administrator spoke in opposition to a five-year permit. Commissioner Bullard reviewed other language changes to the ordinance. Refer to tape for detail. Ross Macbeth stated that the ordinance has an oversight ability and an ability to recapture the costs of making sure that they are complying with regulations. The Chair asked the Attorney what measures do we need to pass the recommendation that the Planning and Zoning Board will only recommend, and the decision will come to the Board of County Commissioners. Mr. Macbeth advised that the whole thing is that they approve the special exception and the Board has to have a permit in place for that operation. Otherwise the last thing that they have to do locally is to get their special exception. Until we get the permit requirement in place, we do not have that regulation.

The Chair asked for a motion to pass the ordinance. No motion was made. Commissioners Flowers suggested that all the questions and concerns have to be answered before we are comfortable to adopt the ordinance. Commissioner Maxcy also agreed that he is not comfortable, siting accountability. Commissioner Bullard asked for another workshop. Ross Macbeth asked for information from the Board in terms of addressing specific terms. Commissioner Maxcy asked for information on franchise fees. The Chair asked that each Board member sit down with the attorney. The Chair also asked that the zoning code for special exceptions be addressed. The workshop was tentatively set for the second Tuesday in January.

The Chair opened the floor to the public. Jim Penrod stated disappointment and asked that the Board take control of the landfills in Highlands County. Gabriel Read presented questions regarding the Planning and Zoning decision. See SMB 36 Page 2.

7. Public hearing to consider changes to Chapter 12 Zoning Code

Jim Polatty presented the Proof of Publication into the record. See Proof of Pub Ordinance Book 2 Page 74. He read the captions of the ordinance into the record and stated that the Board is adding standards for special exceptions regulating how flea markets will be developed. The Chair opened the floor to the public. Bill Spear of Lake Placid, spoke in opposition, due to having flea markets in a residential neighborhood. Ken Wright of Lake Placid, also spoke in opposition, because of the impact of the flea market located within one hundred feet of his home.

Commissioner Maxcy asked if moving the flea market to 200 feet would have an impact to the vendors. Mr. Polatty advised that it could impact the Moose Lodge in Lake Placid, but he does not know the countywide impact. Commissioner Bullard stated that he would like to see it increased to two hundred feet.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt ordinance, increasing the 100 feet for residential property to 200 feet and increase the buffer zone from 200 feet to 300 feet for changes to Chapter 12 of the Code of Ordinances. The Chair called for input on the motion. Bill Spear presented questions regarding vacant lots. Ross Macbeth advised that if the flea market is up and operating and they have their permits, it will not protect the homeowner, as we are looking at the time we issue the permit. Commissioner Bullard stated that his primary concern is to protect the existing homeowner. Mr. Spear asked that the Board to also consider the lot owners. Upon roll call, all Commissioners voted aye. Motion carried.

8. ADJOURN

The meeting adjourned at 2:15 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, NOVEMBER 16, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

James L Gose	Mike Eastman
David Flowers	Carl Cool
C Guy Maxcy	J Ross Macbeth
Edgar E Stokes	Louise Graham
Bob Bullard	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Jean Mosier.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the Daily Jail Log of Inmate Count for the period ending November 16, 1999. The Farm Report for the month of October was also given.

B. Clerk

No report given.

C. Upcoming meetings:

The County Administrator read the reported meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool announced that he and Ramon Gavarrete, County Engineer, will be meeting with the City of Sebring City Council to give them an update on the design and permitting efforts of the Sebring Parkway.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action Agenda as presented and amended:

- < Delete Item I-2 under the County Administrator
- < Delete Consent Agenda Item number 9.
- < Consent Agenda item 8, to approve Resolution as amended
- < Eminent Domain Resolution did not include a map as suggested. A map has been presented to the Deputy Clerk for the record.

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

A. Election of Chair and Vice Chair

The out going Chair, James Gose, opened the floor for nominations of the Chair. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to elect Commissioner Flowers, as Chairman to the Board of County Commissioners. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, that *nominations for the Chair cease*. The Chair opened the floor to the public on the motion. Richard Conover spoke in favor of the motion. Upon roll call, on the *second* motion, all Commissioners voted aye. Motion carried. Upon roll call on the *first* motion, all Commissioners voted aye. The motion carried. The outgoing Chair passed the gavel to the new Chair.

The new Chair presented an award to the outgoing Chairman with appreciation for his services and leadership. Commissioner Gose commended the Board for the support received during his tenure.

Election of Vice-Chair

Motion by Commissioner Stokes, seconded by Commissioner Gose, to elect Commissioner Maxcy, as the Vice-Chair to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

The Chair presented proposed committee appointments for the new year to each Commissioner with instructions that they review and bring back for his appointment.

B. Resolution recognizing Airboat Association & Boys and Girls Clubs

Mike Eisenhart, Coordinator for Keep Highlands County Beautiful, presented request and read the resolution into the record. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution officially recognizing individuals and organizations for their volunteer service. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 52.

C. Resolution on Florida's State Parks

Robert Yero, Asst. Manager for Highlands Hammock State Park, presented request for adoption of Resolution in recognition of the Park being voted America's Best. Resolution read into the record by the Chair. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution proclaiming the entire month of November 1999, the State of Florida's celebration of Florida's State Parks, Voted America's Best. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 53.

D. Marcellus Mason

The Chair called for Marcellus Mason. It was noted for the record that Mr. Mason was not present at the meeting for input.

E. District Sec. David Twiddy, FDOT: Work Program 99/00-03/04

Secretary Twiddy introduced Debbie Hunt, Director of Funding and Public Transportation. Debbie reviewed the FDOT Work Program for 99/00 through 03/04, and requested that the Commission endorse the program. See FDOT for copy. Commissioner Stokes presented concerns for Hwy. 98 and 621, Kissimmee River project. He thought that this project was in the budget for 2001. Secretary Twiddy advised that he will have the maintenance staff get with Commissioner Stokes to address specific maintenance concerns before the resurfacing. Carl Cool noted a concern for the absence of funding to finish the widening of U.S. 27 to six lanes, from Avon Park north to the Polk County line. He stated that we need to finish up this project. He asked that the Board not endorse the project yet, but allow staff to work with DOT.

Commissioner Gose asked about delaying the weigh station and using that money to finish widening U.S. 27. Secretary Twiddy said the weigh station money will come out of the state pot, not the district account. Mr. Cool preferred to see the weigh station in Glades County, so it wouldn't take up valuable highway frontage. Sec. Twiddy advised that he will defer this suggestion to the department as to the best location but will ask DOT officials to work closely with the county on the location. All Commission members agreed with the need for the weigh station, as trucks will be weighed without stopping. The consensus of the Board was not to endorse the program at this time and allow staff to work with DOT on priority issues.

Chairperson Flowers requested that FDOT readdress the speed limit issue on Highway 27 from Fairmount Drive north to Avon Park. Secretary Twiddy advised that preliminary data from a recent study indicate that the highway may be safer since the speed limit was raised to 65 miles per hour. The Community Traffic Safety

Team has asked the state to reevaluate its decision. One of the team's main arguments has been that the higher speed limit is unsafe due to the high number of elderly drivers in Highlands County. The Chair also stated that the lack of turnarounds along the widened sections of U.S. 27 has made it impossible for police to enforce speed laws. Secretary Twiddy insisted that FDOT staff believes accidents will increase if we lower the speed limit to 55 miles per hour. He stated that the department will continue to monitor the area, particularly now that winter residents are beginning to return to Highlands County for the first time since the speed limit was raised

F. Solid Waste Manager: Agreement with Highlands Radio Control Club, Inc.

Jerry Leszkiewicz, Solid Waste Manager, presented request of Mr. Jim Welborn to the Board for a right of entry agreement to provide the Highlands Radio Control club members access at the Solid Waste Management Center on Arbuckle Creek Road. Mr. Jim Welborn explained the sport and presented information regarding the club.

Motion by Commissioner Gose, seconded by Commissioner Bullard, to approve the execution of a 10-year term Right of Entry Agreement with the Highlands Radio Control Club for access to a 50-acre portion of the Solid Waste Management Center site on Arbuckle Creed Road for the purpose of flying model airplanes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 3.

G. County Engineer:

1. Tomoka Heights well project - budget amendment and contract

Ramon Gavarrete explained the project and noted a deficiency in funds to complete the project. He stated that there is a real need for this project because there is a DEP requirement to have a backup well. At the present time we are running on one well. The committee has discussed a rate structure in the future. Carl Cool concurred that we do need the well. Commissioner Bullard stated concerns that the enterprise fund is not self sustaining.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve contract documents with LaGrow Systems, Inc. and budget amendment 99-00-44 to transfer funds out of the Contingency in the Infrastructure fund for the construction of the Tomoka Heights ten inch well project. The Chair opened the floor to the public. Richard Conover stated concerns on why the County is in the water business. Jim Cash stated that the County should realize that this water system is not working. Commissioner Bullard asked if the Commission would consider making this a loan with the hope that the enterprise fund may one day be able to repay the loan. Mike Eastman asked that staff review this proposal as there are existing bond payments in Placid Utilities. Commissioner Bullard noted that the motion is that it be made in the form of a loan, and interest bearing, unless further investigation by the Clerk's office deems that it may comprise our Bond position in which case, it will be a grant. Commissioner Stokes seconded the amendment.

Commissioner Bullard presented questions regarding the bid on the pump. He suggested that staff negotiate with LaGrow for the cost of the pump. Gabriel Read also spoke regarding the cost of the pump. Rick Helms, Budget Officer, spoke in favor of the loan or an increase in rate structure. Commissioner Maxcy spoke in favor of the enterprise fund being self supporting. Commissioner Bullard removed the grant issue from the motion and made it a straight loan, with terms to be negotiated. Commissioner Stokes seconded the amendment. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Gose, seconded by Commissioner Stokes, to enter into contract with LaGrow Systems for the well and give staff the latitude to look at individual prices and negotiate the pump. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 4

2. Contract with E.O. Koch for improvements - Sebring Regional Airport hotel project

Commissioner Maxcy noted a conflict, as E. O. Koch is a client of his corporation and could be perceived to inure to his special gain. A memorandum of voting conflict entered into the record to become a part of the minutes. See SMB 36 Page 4.

Ramon Gavarrete explained the infrastructure improvements at the Sebring Regional Airport for the Raceway Hotel project. The contract has been reviewed by both the OMB office, Board Attorney, and Fred Fox Enterprises for CDBG requirements. A notification was received from DCA with a contingency that the Board send a letter authorizing the release of funds.

Motion by Commissioner Bullard, seconded by Commissioner Gose, to approve the contract documents with E.O. Koch Construction for the construction of the Airport Hotel Project with contingencies as noted:

- < letter from the Board authorizing the release of funds from DCA
- < revisions as recommended by the Board Attorney. See SMB 36 Page 5.

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

The time now being 11:00 a.m. the Chair recessed the meeting of the Board of County Commissioners to meet pursuant to Section 286.011 (8), Florida Statutes, with its County Administrator and Attorney on November 16, 1999, in the Commissioners' Meeting Room at 600 South Commerce Avenue, Sebring, Florida, to discuss settlement negotiations or strategy related to litigation expenditures pertaining to the pending litigation. The persons attending this session were Commissioners Bob Bullard, David W. Flowers, James L. Gose, C. Guy Maxcy, Edgar Stokes, County Administrator Carl Cool, County Attorney J. Ross Macbeth, and a certified court reporter. See SMB 36 Page 6.

Highlands County, a political subdivision of the State of Florida,

v. Case No.:

GC 98-40

LANDMARK ENTERPRISES, INC., a Florida Corporation, f/k/a PLANK & WOODS PROPERTIES, INC., a Florida Corporation, and LEE WOODS and SETH B. PLANK, individually

The regular meeting resumed at 11:45 a.m. with all members present.

H. Board Attorney:

1. Driggers transfer of development rights

Ross Macbeth explained the Agreement for the transfer of development rights. The Driggers had previously transferred Development Rights to Buddy Rogers for a project called the Cove in Lake Placid, and placed an agricultural easement on that property. They obtained a contract from someone interested in buying the property, who wanted to use the property for something different than agricultural use. They needed the development rights back. They have another 160 acres that have been described as pasture and would like to transfer the development rights off of the 160 acres to the property previously transferred. They will put an agricultural use on Exhibit A, just as currently exists on Exhibit B. This will enable them to sell parcel B and the people that buy it will be able to develop it without the restrictions that were previously imposed as the result of the transfer of development rights.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to execute agreement for the transfer of

development rights with contingencies as stated by the Board Attorney that we have title work to show that we will have private interest by joinder and that proper parties are signing the agreement. Commissioner Gose stated concerns for switching development rights. Ross Macbeth stated that the parcel that they are proposing is for agricultural use and there is no shortage of that use. Upon roll call, all Commissioners voted aye. Motion carried.

Break 12:00 p.m. - 12:05 p.m.

I. County Administrator:

1. Distinguished Budget Presentation Award

The Chair presented a certificate of recognition from the Government Finance Officer Association, for budget preparation to Tammy Mansfield, former Budget Technician, He also presented the Distinguished Budget Presentation award to Rick Helms, Budget Officer, Kimberly Middleton, and Treasa Handley of the Budget office for budget reporting. The Chair noted that this award represents a significant achievement by the entity. See SMB 35 Page 7.

2. Consideration of Eminent Domain proceedings

Ramon Gavarrete gave a small presentation explaining the need for the Eminent Domain proceedings to continue the Central Avenue project.

3. Resolution on Central Avenue

Motion by Commissioner Gose, seconded by Commissioner Stokes, to approve a Resolution determining the necessity for the reconstruction and improvement of Central Avenue in the Town of Lake Placid, and directing the condemnation of specified interests in property owned by Frederick S. Holmes, Elaine A. Holmes, and Daniel Mark Holmes. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 55.

4. Resolutions on Sebring Parkway

Ross Macbeth stated that this is the last parcel needed to complete Phase I of the Sebring Parkway project. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolution determining the necessity to construct Sebring Parkway Phase I from Gardenvue Road to Ridgewood Drive, and directing the condemnation of specified interests in property owned by CSX Transportation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 56.

Sebring Parkway Phase III

Bill Stephenson presented two parcels owned by CSX and one parcel owned by William D. and Norma Wiggins needed to complete the right of way. Ross Macbeth spoke in favor of the proceedings. Motion by Commissioner Gose, seconded by Commissioner Maxcy, to adopt Resolutions authorizing eminent domain proceedings and determining the necessity to construct Sebring Parkway Phase III. See Res. Book 13 Page 57.

~~**2. Consideration of new years' holiday**~~

D. Marcellus Mason

The Chair asked that the record reflect that Mr. Mason has been called upon twice and he was not available for comment. See SMB 35 Page 8 for copy of agenda request.

J. Consent agenda:

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

amended with corrections to item number 8 and deletion of item number 9.

1. **Approval to pay all duly authorized bills**
 - Law Library 2,028.03
 - General 1,002,085.80
 - County Transportation Trust 126,313.55
 - E911 Operations 14,984.41
 - Local Government Infrastructure 1,034,017.90
 - Affordable Housing Assistance 68,609.96
 - Solid Waste 24,787.38
 - Placid Utilities 8,106.71
 - Hiway Park Utility 1,523.62
 - Risk Retention Fund 1,118.30
 - Employee Benefit 98,853.17
2. **Approval of minutes of 10-26-99 and 11-2-99 meetings**
3. **Accept into record - October Monthly Report**
4. **Approval of sale of tax certificate # 96-8956. See SMB 35 Page 9.**
5. **Appointment of Linda Rodriguez-Torrent to Law Library Committee. See SMB 35 Page 10.**
6. **Approval of PBS & J Task Authorization no. 2, scale house improvement design. See SMB 35 Page 11.**
7. **Adoption of resolution to declare state of local emergency. See Res. Book 13 Page 53A.**
8. **Adoption of resolution on proposal to Division of Emergency Management. See Res. Book 13 Page 52.**
9. ~~**Approval of Interlocal Agreement with City of Sebring for Max Long project.**~~
10. **Adoption of fee schedule and resolution on handyperson insurance. See Res. Book 13 Page 53.**
11. **Approval of Interlocal Agreement with City of Sebring for recreation funding.**
12. **Approval of Interlocal Agreement with City of Avon Park for recreation funding.**
13. **Approval of budget amendments 99-00-39 (SHIP Down Payment funds), and 99-00-41(Facility Management machinery and equipment) 99-00-42 (CR-635 Extension)**
14. **Approval of resolutions and budget amendments 99-00-31(Max Long Complex) 99-00-35 (run off containment system) 99-00-36 (rehabilitation of VFD Bldg.) 99-00-37 (Agri-Civic Center rehabilitation) 99-00-38 (Public Law Library) 99-00-40 (Emergency Disaster-Hurricane Georges) 99-00-43 (to relocate Avon Park scales and upgrade). See Res. Book 13 Page 54.**

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

5. CITIZENS NOT ON AGENDA:

Richard Conover spoke regarding various items.

6. COMMISSIONERS

Commissioner Bullard requested that the Board join him in an effort to count the census in Highlands County. He stated that each person that goes uncounted in the county cost approximately \$1,000 and the funding

comes from needy programs. The Board gave a consensus to support the project, and approve working with the Public Information Officer to put together a proposal.

Commissioner Maxcy reported that he will be representing Highlands County in Tallahassee at the FACC meeting.

7. ADJOURN

The meeting adjourned at 12:34 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, DECEMBER 7, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	Mike Eastman
C. Guy Maxcy	Carl Cool
Edgar E Stokes	J Ross Macbeth
Bob Bullard	Louise Graham

Commissioner James Gose was not present for the meeting.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Bob Bullard in special remembrance of Pearl Harbor Day. The Pledge of Allegiance was led by the Chair.

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton made a public request that citizens of the County take a moment and respond to people that are alone and needy, since we are a community of character and of heart to remember the people that are suffering. Lt. Benton presented the Daily Jail Inmate Count for the period ending December 7, 1999. The Farm report was also given. Commissioner Stokes commended the Sheriff's Department for following through with the Character recognition program.

B. Clerk

No report presented.

C. Upcoming meetings:

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

D. Rev. Robert Hutson: Millennium March for Peace - January 1, 2000

The Chair presented information for the Rev. Robert Hutson, regarding the Millennium March for Peace on January 1, 2000. Faith Communities are encouraged to march with a banner for their church or denomination leading their processional. See SMB 36 Page 16 for information.

1. Central Florida Health Care: Award

The Chair reported that Clark McCray, Veteran Service Officer, attended a Health Care banquet, on behalf of the Board of County Commissioners, and was presented an award in recognition of support to the Central Florida Health Care.

4. ACTION:

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to set the Action Agenda with additions as follows:

- < Delete item E. Chatterpaul property.
- < Consent Agenda item 10 and 13 to be placed under the County Administrator for discussion.

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

A. C.B. Shirey: Funding request from City of Avon Park

Tom Macklin, Avon Park City Mayor, addressed the Board with funding request for the City of Avon Park. He stated that Avon Park has recently completed a project to cover 22 shuffleboard courts at the city's shuffleboard facility. The completion of this project allows shuffleboard activities in all types of weather. The facility serves all residents of Highlands County. He asked that the Board participate in the funding for the project at the current 35% level. The total cost of the project was \$32,115.00. Thirty five percent of this cost will be \$11,240.25 and the participation will be over and above the amount currently funded by the interlocal agreement for the operations and maintenance of this facility.

Commissioner Bullard noted concerns in expanding the recreational budget to include capital items, particularly if it is after the fact. He also felt that the Board could be setting a precedent with other cities. Commissioner Maxcy spoke in favor of the project, to work in a cooperative effort with the city. Commissioner Stokes spoke in favor due to the effort expended to improve the downtown area. Commissioner Flowers also spoke in favor of the project funding. Carl Cool advised that the funding will come from the Infrastructure Trust Fund and will require a budget amendment to transfer the funds.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the request with a budget amendment and funds to come from the infrastructure contingency. The Chair opened the floor to the public. Clayton Womer and Richard Conover spoke in opposition. Upon roll call, all Commissioners voted aye, except Commissioner Bullard, who voted nay. Motion carried. See SMB 36 Page 17.

B. Emergency Management Director: Y2K presentation

Ben Henley presented a transparency detailing the Y2K Action Plan for Highlands County. See Y2K file for copy. The Chair commended Commissioner Bullard and county staff for their work with the Y2 K project. Carl Cool reported that our traffic team will be observing all the traffic signals to make sure they are operating properly.

C. Zoning Supervisor: Appointments to Planning & Zoning Commission

Carl Cool presented recommendation of Gary Lower, Zoning Supervisor, for appointment to the Planning & Zoning Board, Board of Adjustments and Local Planning Agency.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to accept the resignation of James L. Osborn, and appoint Mr. Doug Walz as a regular member, and appoint Mr. James H. Baer as an alternate on the Planning and Zoning Commission, Local Planning Agency, and the Board of Adjustment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 18.

D. Solid Waste Manager: Transfer of franchise contract from BFI to FRS

Jerome Leszkiewicz, Solid Waste Director, advised that the preliminary year end report for the Landfill Enterprise fund is better in almost every category. After the report is final, he will schedule a discussion item with the Board. See SMB 36 Page 19 for copy.

The Solid Waste Manager presented a recommendation for the transfer of assignment of the Solid Waste Franchise Collection contract. He introduced Mr. Joe Briarton, General Manager of Florida Recycling Services. Mr. Briarton presented information regarding the purchase. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the transfer of assignment of the Solid Waste Franchise Collection Contract from Browning-Ferris, Inc., to Florida Recycling Services, Inc. for the remaining term of the contract, with stipulation that a performance bond of \$1,500,000 remains in place through the termination date of the contract on September 30, 2000. Upon roll call, all Commissioners voted aye. Motion carried. See Florida Recycling file for information.

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

E. Board Attorney: Chatterpaul property

Item deleted.

F. County Administrator

1. Request from City of Sebring to waive landfill fee

Carl Cool presented request from the City of Sebring to waive landfill fees for the disposal of the old Masonic Lodge building waste. The debris has been hauled to the Landfill by Woody's Trucking and the City paid for the hauling. If the Board takes no action, the City will be billed for the fees. The Solid Waste Manager was not in favor of waiving the \$4,704.60 charge. He is currently looking for some type of "quid pro quo" arrangement with the City so that it does not have to pay for the disposal of the sludge. He cannot justify a waiver as the landfill will probably need the cash revenue to meet its operational expense during the current fiscal year. Commissioner Maxcy discussed protocol procedures for waiving of landfill fees. Commissioner Bullard spoke in opposition, unless there is some type of interlocal agreement with the City providing some other service to the County. The Board took no action on this request. See SMB 36 Page 20 for information.

2. Recommendation on direct deposit of payroll

Carl Cool presented recommendation for the implementation of Electronic Direct Deposit for county employees. Fred Carino, Personnel Director, presented a memo explaining the details and procedure. See SMB 36 Page 21. The change over will begin the third payroll period in March of 2000. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the pay changes and implementation of Electronic Direct Deposit as recommended by staff with the granting of an additional leave day. Gabriel Read spoke in favor of the Electronic Direct Deposit. Jerry Leszkiewicz, Solid Waste Manager, also spoke in favor. Upon roll call, all Commissioners voted aye. Motion carried.

3. Asst. County Administrator Consent Agenda item number 6

Tom Portz reviewed a letter from Col. Jones of the Sheriff’s Department, requesting utilization of the Special Law Enforcement Trust Fund as match funds in the amount of \$9,793, and further authorize the budget amendments to allocate the funds to the Sheriff for the Multi-Jurisdictional Task Force II grant, increasing operating expenses by \$11,884, and machinery and equipment by \$27,288. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve request of the Sheriff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 22.

4. Consent Agenda item number 10 & 13 - Remodeling of Road & Bridge Building

Commissioner Bullard presented questions from a citizen regarding the cost of the remodeling and why the County utilized the outside engineering firm of Chastain-Skillman, to perform the design work. Why could that not be done by in-house staff? The second question was regarding the quarter of a million dollars that the County will be spending for this building, and how will the citizens be better served by this building. Carl Cool advised that the project requires an *architect* rather than a civil engineer, due to the ADA standards and air control inside the building. Chastain-Skillman has the continuing contract with the County. The reason staff chose to move ahead with the modification, was to make the design more user friendly for the public. Some of the walls will need to be moved and the conference room should be relocated to the first floor for bid openings. It is not staff’s intention to spend all of the \$250,000, but there is some internal design that is necessary, and he feels that the proposal before the Board is justified, as the building should contain adequate space for the next 15 years. Commissioner Maxcy suggested that staff should consider a 20-year need when redesigning buildings. It was a consensus to place this item back on the Consent Agenda.

G. Commissioner Maxcy: Appointment to Historic Preservation Commission

Richard Conover reminded the Board that this item has to be removed from the table. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to remove this item from the table. Upon roll call, all Commissioners voted aye. The motion carried.

Commissioner Maxcy presented recommendation for appointment to the Historic Preservation Commission. Motion by Commissioner Maxcy, seconded by Commissioner Bullard, to appoint Harold A. Brown to the Historic Preservation Commission for a four-year term. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 23 for copy of resume.

H. Consent agenda:

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the Consent Agenda as listed:

- 1. Approval to pay all duly authorized bills**
- Law Library 1,405.05
- General 1,739,676.78
- County Transportation Trust 58,761.91
- E911 Operations 1,778.02
- Intergovt Radio Communications 433.23

- Fl Boating Improvement 3,755.33
 - Local Government Infrastructure 95,805.19
 - Community Development Block 2,250.00
 - Affordable Housing Assistance 76,902.47
 - Special Law Enforcement 727.57
 - Solid Waste 222,343.48
 - Placid Utilities 12,011.51
 - Highway Park Utility 239.15
 - Risk Retention Fund 161.45
 - Employee Benefit 265,855.27
 - Highlands Hosp Pass Thru 46,664.60
2. Approval of minutes of 11-9-99, 11-16-99 and 11-23-99
 3. Adoption of resolution to extend the local state of emergency. See Res. Book 13 Page 63.
 4. Approval of holidays for 2000. See SMB 36 Page 24.
 5. Appointments of Lt. Mike Brown, Mike Kirouac, and Patsy Jarrett to Children’s Services Council. See SMB 36 Page 25 for copy of resumes.
 6. ~~Approval of agreement with DCA for drug control grant 2000-157.~~
 7. Approval of Authorization No. 10 with Chastain-Skillman, Inc. for design of lift station. See SMB 36 Page 26.
 8. Approval of grant agreement with Highlands Staywell Clinic. See Highlands Hospital file.
 9. Approval of CDBG Satisfaction of Mortgage - Ward property. See SMB 36 Page 27.
 10. Approval of budget amendments 98-99-479 (Criminal Justice Fund) 99-00-47(Sebring Library) 99-00-54 (Vantage Point Drainage improvements) and 99-00-56 (Renovation of Road & Bridge Complex).
 11. Approval of resolutions and budget amendments 99-00-45 (4-H Horse Arena project) 99-00-49 (SHOCAP Grant) 99-00-51 (Local Law Enforcement Grant) 99-00-52 (SW Vista Dr. Extension project). See Res. Book 13 Page 64.
 12. Approval of Disaster Relief Funding Agreement. See SMB 36 Page 28.
 13. Approval of Chastain-Skillman, Inc. Authorization no. 8 for remodeling Road & Bridge Complex.

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

5. CITIZENS NOT ON AGENDA:

Richard Conover presented questions regarding the following issues:

- < Central Sewer Study Committee
- < Landfill Enterprise loan
- < Committee Appointments
- < Pearl Harbor Day announcement

Mr. Conover's questions were answered by the Chairman.

6. COMMISSIONERS

Commissioners Bullard thanked the Community for the support received for the Y2K Expo. There were thirty different agencies that participated in the event.

Commissioner Flowers noted a concern that was brought to him regarding the tragic deaths of two people that were attempting to cross at Highway 27 at Northwood Road by Colony Point. The residents of Colony Point had approached the Community Traffic Safety Team less than a month ago asking for support for placement of street lights in that area. The Traffic Safety Team endorsed the concept. The residents have been asking DOT for lights for a year and haven't received any satisfaction. The final word from DOT is that they will issue a permit if Highlands County will construct the lights. The standard answer was it does not meet the criteria as established. An estimate for installation of the lights was listed at \$80,000 to \$100,000 for 10 lights.

The Commissioners discussed the safety needs in that area and asked that the County Administrator broach the subject of an interlocal agreement with the Sebring City Council, and to also discuss lighting needs at the Community Traffic Safety Team meeting on December 8, 1999.

The Chair opened the floor to the public. Gabriel Read and Richard Conover asked for more enforcement on Highway 27, and questioned why more tickets were not issued. Susan Benton, representing the Sheriffs's Department, suggested that the Chair request through the Community Traffic Safety Team, a coordinator to research for grants with federal agencies to fund roadway projects. Commissioner Maxcy asked that staff look at surplus funds within the state budget to fund transportation needs.

7. ADJOURN

The meeting adjourned at 12:20 p.m.

Chairperson

Attest: _____
Clerk

WORKSHOP MEETING OF THE BOARD, DECEMBER 14, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	Mike Eastman
C Guy Maxcy	Carl Cool
Edgar E Stokes	J Ross Macbeth
Bob Bullard	Louise Graham
James L Gose	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by the Chair.

3. **ANNOUNCEMENTS**

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

4. **GULFSTREAM PIPELINE WORKSHOP:**

- A. Carl Cool: Introduction**

Mr. Cool advised that the purpose of the meeting is to present the facts on the Gulfstream Pipeline and the issues that will be facing local government. Gulfstream filed its Federal Energy Regulatory Commission application on October 5, 1999. He reviewed a map showing that the natural gas pipelines are located in Alabama, Mississippi, Louisiana, and the Texas Gulf Coast area. Two other competing transmission gasoline companies would also like to market their natural gas in Central Florida. The other two gas pipelines are not proposed to come through Highlands County. There is no certainty that Gulfstream will be building a pipeline here. Public Safety is the number one issue. Three percent of all pipeline failures that occurred between 1971 and 1986 resulted in a total of 178 deaths and 770 injuries in the United States. The Natural Gas pipeline is the safest mode of transmitting power. There is an average of 20 casualties per year from pipeline failures. The proposed pipeline will be 36 inches in diameter as it comes across the Gulf of Mexico. When it gets across Highlands County it will have an inside diameter of approximately 30 inches. It's a steel pipe and will have an internal operating pressure of 1,000 to 1200 P.S.I. Mr. Cool stated that if the Federal Energy Regulatory Commission grants to the pipeline company the right to place the pipeline, along with it gives them the right to condemn property and acquire easements through eminent domain. They must follow state laws. Mr. Cool also reviewed the proposed route.

- B. Ross Macbeth: Legal overview**

Ross Macbeth reported that Natural Gas Pipelines are federally regulated, and with federal regulation, often comes preemption from state and local regulation. The pipeline standards are uniform nationwide. There is also a Federal Act on safety issues and a National Environmental Policy Act that the pipeline construction has to comply within the permitting process. There is a comprehensive set of rule making procedures in the rate area, where they consider broadly the financial aspects of a company's ability to perform the project,

and maintain the project with reasonable rates of return both on debt and equity. The Board may achieve more influence with the decision on the pipeline if they have direct communication with representatives of the company to make sure that concerns are known as they are making their proposal. In the permit case, they have filed for a certificate of public convenience and necessity. If that isn't granted, they cannot build a pipeline. If the Board cannot influence the company, they may convince the permitting agency where the change should be. If it gets beyond that, we are probably out of luck. The specific route will be decided by the time the certificate process is concluded and the opportunity to change it will have ended. It is very important to participate in the process if there are problems that cannot be resolved with the company. The County Commission is an intervener in the proceedings and will continue to receive all the pleading and kept apprised of what is going on. Beyond that there are concerns as to the continued operations of the pipeline once it is constructed. If the line comes through Highlands County, the company will be negotiating with property owners for the right of way, and if not successful, they will be instituting eminent domain proceedings to take the property and compensate the property owner for the taking.

C. Tim Eures: Public safety

Tim Eures, Emergency Operations Director, stated that any potential hazardous situation coming into the county, will be reviewed with an approach called the *hazardous analysis*. The response plan formulated by the county is three-pronged. First is evacuation, second is crowd control and third is to contain secondary fires. County personnel will not be involved in attempting to stop the leak, repair the pipeline or put out any gas fires. The response team fielded by the pipeline itself would face those events. The team is supposed to respond within one hour of an incident. Any leak will travel straight up because natural gas is lighter than air. He said he would like to establish a 1000-foot radius around any break to give emergency and pipeline personnel room to work without fear of endangering citizens. Fire Departments will not try to put out a fire or repair the leak. This will be Gulfstream's responsibility. Gulfstream has assured Mr. Eures that they will help develop an emergency response plan including traffic rerouting. Also, the pipeline will have automatic shut-off valves every three miles in urban areas, and every seven miles in rural areas.

D. Ramon Gavarrete: Transportation

Ramon Gavarrete, County Engineer, presented proposed regulations for high risk underground facilities in Highlands County. See Gulfstream file for copy. He recommends burying the pipeline 72 inches underground - 36 inches lower than Gulfstream's proposal, because of the sandy soil. He wants to see this added to regulations before the pipeline comes up for a commission utility permit. Ramon was designated as the lead person to be Highlands County's representative to issue the use permit at the state level.

E. Jim Polatty: Planning / permitting

Jim Polatty, Development Services Director, discussed implementing provisions for the location of natural gas transmission lines and substation facilities. See Gulfstream file for copy.

F. Jim Stanfill: Economic development issues

The Chair read a memo into the record from Jim Stanfill, Economic Development Director, advising that he was unable to attend the December 14, 1999-workshop concerning the pipeline. He advised that power plants that will provide electricity to the transmission lines are seeking sites in Okeechobee and St. Lucie

Counties. These companies require 50 to 75 acres near major transmission lines and use approximately 13 million gallons of water per day. These plants will result in approximately a two million dollar investment and will hire approximately 200 personnel. At the present time there are no active searches for such a facility in Highlands County. Carl Cool presented some of the advantages to the county. Foremost, it will provide approximately \$340,000 additional tax payments to the county every year. It will also provide additional jobs and the route will be located very close to the Industrial Park at the Airport. While they have not identified any large industries for Highlands County, if it is in the ground, it will provide that possibility. The disadvantages are number one, the additional public safety concerns for the residents, and the landowners who are impacted, and require the County to be more diligent in assuring that no one ever attains a building permit on these easements.

G. Val Seifert: Previous pipeline experience

Val Seifert, Chemical Engineer, related information regarding experiences that he encountered when he designed a gas pipeline.

Break 10:20 a.m. - 10:30 a.m.

Public input was received from the following:

- 1) Richard Conover presented question regarding reduction in tax payments to the County.
- 2) Chris Miller spoke regarding the impact to the Baptist Church Camp.
- 3) Gabriel Read spoke regarding the proposed route, landowner rights and the fifty-foot easement.
- 4) Andrew Brigham, speaking on behalf of the Ashton and Williamson families asked that the landowners be allowed to intervene before the Certificate of Need is approved. Carl Cool advised that the next step in the permitting process is an environmental impact scope meeting to be held at 7:00 p.m. on January 13, 2000 at Sebring High School. The FERC requested that comments should be received no later than January 21, 2000, addressed to the secretary. Mr. Brigham also asked that landowners be allowed to approach the Commission or staff with concerns before the January 13th meeting, and also be allowed to review public documents.
He also encouraged forethought by staff in the planning and land use issues, and suggested that regulations be in place before the first permit is issued.
- 5) Robert Crews spoke regarding the danger to the county and encouraged the Board to suggest that FERC consider rerouting the pipeline to the east side of Highlands County, so that it will not impact commercial and residential properties. He also requested that the Engineering Department remain firm with the 72 inch depth of the pipeline.
- 6) Jim Brooks spoke in favor of changing the route for less impact to his property.
- 7) Jim Cash asked if they will share existing easements. Carl Cool reported that the company will share existing easements, and they will have the deepest line to discourage any digging underneath their line.
- 8) John Barben of Avon Park agreed with Mr. Brooks and Mr. Crews, that we need to look at an alternate route and reconsider the benefit of the pipeline to our County.

Commissioner Bullard presented questions regarding above ground facilities and compression of gas in Highlands County to Dick Leehr, Vice President of Gulfstream. Mr. Leehr advised that all the compression

is located in Alabama and will occur there and be discharged there, to come across the Gulf. There will be regulation stations once the gas reaches shore, east of Port Manatee. There are 16 distribution sales taps in the State of Florida, one at the Sebring Airport Authority. David Hairston, Project Developer, addressed questions from Commissioner Bullard regarding above ground facilities, distribution, and safety issues.

Commissioner Flowers asked if there is a prohibition on going through state or federal lands. Mr. Hairston stated that there is no prohibition, but when considering the Certificate of Need the idea is the least adverse impact. The preference is to get on existing corridors with large landowners. Commissioner Maxcy stated that he is not at all satisfied with the route and commended the pipeline representatives for their willingness to work with residents to modify the route. Dick Leehr advised that they are open to revisions, if we can present alternatives to include in the filing of February 1, 2000. Commissioner Stokes presented concerns regarding the route and the impact to the landowner. He also suggested using state lands. Commissioner Gose recommended placing the pipe 72 inches deep, rerouting, and placing a bright yellow warning tape over the pipeline. Mr. Gose placed into the record support for the pipeline from the Sebring Airport Authority. A letter from Homer L. Cross and Alice Oxford in support. See pipeline file for copy. Commissioner Bullard was comfortable with the route. Commissioner Maxcy reminded the Board that this is a business venture on the part of Gulfstream and the local distribution center. He suggested that we work with them to come up with a route not going through residential areas.

The consensus of the Board was to have staff report back to the Board at our regular meeting on January 18th regarding concerns from the scope meeting of January 13, 2000, and then formulate written comments to be presented January 21, 1999 at the Federal meeting. The Chair requested that staff attend the Federal Environmental meeting, and also the January 11th meeting in Winter Haven.

5. ACTION: Adopt resolution to declare local state of emergency

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to adopt Resolution, extending the state of local emergency. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 13 Page 65.

6. ADJOURN

The meeting adjourned at 12:18 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD, DECEMBER 21, 1999

1. The meeting was called to order at 9:00 A.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

David Flowers	Mike Eastman
C. Guy Maxcy	Carl Cool
Edgar E Stokes	J Ross Macbeth
Bob Bullard	Louise Graham
James L. Gose	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by the Chair.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Benton presented the Daily Jail Inmate Count for the period ending December 21, 1999.

- B. **Clerk**

No report presented.

- C. **Upcoming meetings:**

The County Administrator read the reported meetings into the record.

- D. ***Arrival of Santa Claus***

Debbie Hunt - Florida Department of Transportation

Debbie Hunt, representing DOT, stated that her Department has been able to shorten the segment of US 27, and add into the program, from State Road 64 up to Lake Isis. This will allow them to continue working within the curb section and resurface and restripe it. It will add about two million dollars to the program. She also reported that County Road 621 will not be submitted with the program but will be added to the Small County Assistance Program. If it does not get funded in that program, they will go back and take a look at it next year. Carl Cool requested that DOT change the \$200,000 designation in the fifth year, reduce by one half, and this amount go toward street lights on US 27. The County will agree to advance the funds to DOT, and allow them to move ahead with the lights. The Department will reimburse the County in the fifth year.

Motion by Commissioner Gose, seconded by Commissioner Stokes, to endorse the program as presented and amended. The Commission requested that Mr. Cool attend the Sebring City Council meeting and request one half of the advance. Upon roll call, all Commissioners voted aye. The motion carried.

DOT- Director of Operations - Speed Limits on Highway 27

The Director of Operations advised that his Department is implementing a one year pilot program to lower the speed limit to 60 miles per hour in the 65 miles per hour zone on Highway 27. It will be implemented in approximately two weeks. Sheriff Howard Godwin spoke in support of the new speed limit. Herb Phillips of Colony Point thanked the Commission for their help.

4. ACTION:

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

- 1) Memorandum of Agreement with USDA under the County Administrator
- 2) Discussion of Budget amendment 98-99-480 & 483 under the County Administrator.

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

A. Jane Breylinger, Habitat for Humanity: Request to waive tipping fee

Jane Breylinger, President of Habitat for Humanity, presented request to waive tipping fees charged for refuse disposal. Habitat for Humanity is undertaking their first “Blitz Build” in celebration of their first ten years of service in Highlands County, and will build a house from a concrete slab to moving the appliances in. She estimated that the tipping fees will not run more than \$40.00. Carl Cool recommended that the Board not waive the fees as the landfill is set up as an Enterprise Fund, and they disallowed the City of Sebring any waiver. The Board members agreed to pay the fees out of their pocket. See SMB 36 Page 29.

B. Lakes Manager: Proposed change in large mouth bass regulations for Lake Istokpoga

Dr. Jennifer Brunty presented a proposed change in large mouth bass regulations for Clell Ford, Lakes Manager of Highlands County, as requested by the Lake Istokpoga Management Committee. Tom Champeau, Fish and Wildlife Association, explained the recommendations. The Division of Fisheries’ proposed change is to place a protective slot limit on large mouth bass in the lake. Current regulations prohibit the harvest of large mouth bass smaller than 14 inches, limit harvest to one fish 22 inches or longer per angler per day and allow a total bag limit of five fish per angler per day. The Division of Fisheries has proposed the following changes: *Harvest of large mouth bass be restricted to fish smaller than 15 inches or larger than 24 inches, with a total bag limit of three fish per angler per day.*

Motion by Commissioner Gose, seconded by Commissioner Maxcy, to support the letter from Clell Ford on change in large mouth bass regulations for Lake Istokpoga. The Chair opened the floor to the public. Dr. Richard Carlson showed off his son’s 22 inch fish and spoke in favor of the motion. Bill Dwinell, Jim Cash, and Loren Eby spoke in favor of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 30 for copy of letter.

C. Development Director: NRAC recommendation to acquire Fewell property and Winding Waters

Carl Cool presented the recommendations for Jim Polatty, Development Services Director, of the NRAC to pursue applying for grants from the Nature Conservancy using matching county funds to acquire both the Fewell Property and Winding Waters property. Mr. Cool advised that staff is working toward acquiring these properties. See SMB 36 Page 31.

D. Solid Waste Director:

1. Addendum to agreement with Post, Buckley, Schuh & Jernigan

Jerry Leszkiewicz, Solid Waste Director, presented request for approval of addendum No. 1 to assist the county with procurement of franchise residential refuse collection contracts and raise the amount of the

Task Authorization amount from \$20,000 to \$50,000, thereby increasing the involvement of PBS&J and their specialized subconsultant, TIA. The consultant will be paid on a time and material basis for actual work performed. The Company will produce the draft invitation to bid document and the refuse collection contracts. The Board discussed the increase and spoke against spending \$50,000 for consultants.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve Addendum No.1-A to PBS&J Task Authorization No. 1 and increase the not-to-exceed amount of the Task Authorization from \$20,000 to \$35,000. The Chair opened the floor to the public. Richard Conover, Clayton Womer, and Loren Eby spoke in opposition to the motion. Von Whitesides spoke in favor. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 32 for copy of request. Refer to tape for detail.

2. Request for improvements to Landfill Office and employee facilities and budget amendment 99-00-65

Jerry Leszkiewicz, Solid Waste Manager, presented request for improvements to the Landfill office and employee facilities and budget amendment. Commissioner Maxcy stated concerns for the estimated cost of the expenditure. Mr. Leszkiewicz advised that it will be placed out to bid and costs could be reduced.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the expenditure of \$112,000 to install a new modular trailer for the landfill office and to remodel the existing shop building to provide employee lunch and locker rooms and a parts storage room with a correction to \$4,000 on the office furniture and the budget amendment. The Board approves the use of the FY 99/00 Small County Solid Waste Grant for this purpose and the reallocation of budgeted funding within cost center 4210 to Project No. 98053 and budget amendment 99-00-65 to realign funds into project accounts to cover expenditures associated with new Landfill Administration Building and renovation of existing landfill office. The Chair opened the floor to the public. Richard Conover spoke in opposition. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 33. Refer to tape for detail.

3. Request for new position for Landfill and budget amendment 99-00-66

Jerry Leszkiewicz, Director, Department of Solid Waste Management, presented request for a new position for the Landfill at a Pay Grade 12 to serve as the Landfill Operations Assistant. Commissioner Maxcy stated concerns for a new position to be hired out of the budget cycle sequence. Jerry advised that the addition of this position will allow the hours of operation of the C&D landfill to increase from 7:30 a.m. to 5:30 p.m., Monday through Saturday. Commissioner Gose spoke regarding the increase of waste to the landfill and spoke in favor of the increase of hours. Commissioner Bullard also spoke in opposition to the position being approved out of the budget process. However, he will support the motion, due to an extraordinary emergency situation. The Chair also opposed the request due to it being requested out of the budget cycle.

Motion by Commissioner Gose, seconded by Commissioner Stokes, to approve the request for a new Landfill Operations Assistant position at a paygrade 12 for the Landfill, and budget amendment 99-00-66 to reallocate funds to cover the new position. Clayton Womer and Richard Conover spoke in opposition. Upon roll call, Commissioners Gose, Stokes, and Bullard voted aye. Commissioners Maxcy and Flowers voted nay. Motion carried. See SMB 36 Page 34.

4. Budget Amendment 98-99-483

Commissioner Gose stated concerns for the increase in moving money from one cost center to the other in the Landfill budget. Jerry Leszkiewicz advised that the Solid Waste budget is set up as an Enterprise Fund and operations are dynamic and changes take place. The budget was actually set approximately six months ago and demands are different from that time. Carl Cool explained that the budget amendment is closing out last years cost centers and moving into the next years cost centers.

D. County Engineer: Request approval of easement for SW Vista Drive extension

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve request of the County Engineer and approve the easement prepared by the Department of Environmental Protection for the SW Vista Drive Extension construction. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 35.

F. Personnel Director: Requests for reclassification and new position

Freddie Carino, Personnel Director, presented request to reclassify the position of Personnel Office Manager from Pay Grade 14, to Assistant Personnel Director Pay Grade 20, and to establish a new position for an Administrative Secretary, Pay Grade 11, under the Safety and Risk Management Office. The Board stated concerns again for adding a position out of the budget process. Rick Helms, Budget Officer, stated that the upgrade will be funded in the existing budget and the position for the Administrative Secretary will be funded through our internal service fund for insurance and risk management. Carl Cool spoke in support of the new position and the upgrade. Tom Portz spoke in favor of the new position. Commissioner Stokes spoke in favor. Motion by Commissioner Stokes, seconded by Commissioner Gose, to approve the personnel request as recommended by staff. The Chair opened the floor to the public. Richard Conover and Clayton Womer spoke in opposition. Susan Benton, Sheriff's Department, stated concerns that the position will be funded from the Insurance Fund, and employees have already taken a hit with an increase in premiums. Commissioner Bullard and Commissioner Maxcy spoke in opposition to the position request. After Board discussion, it was a consensus that Commissioner Maxcy present the position request to the Insurance Committee for their input.

Motion by Commissioner Bullard, seconded by Commissioner Gose to separate the issues in the motion. Upon roll call, all Commissioners voted aye. The motion carried.

Voting on the issue for the position upgrade

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

Voting on the new position

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to table that portion of the motion for the new position. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 36.

G. Assistant County Administrator: Contract for legal services

Tom Portz, Asst. County Administrator, presented request to approve the contract for legal services between Highlands County and Heart of Florida Legal Aid Society, Inc. He advised that the contract sets the initial contract period for one year with an annual cost of \$33,500. This will provide 14 hours of attorney services and 14 hours of paralegal services per week. The contract has been approved by Mr. Macbeth and the Professional Services Acquisition Committee. Mr. Macbeth reviewed the new contract

that provides for a start up program that guarantees a minimum of attorney hours and a minimum of paralegal support hours with an 800 number for scheduling services. The court appearances will be scheduled for specific days, so they are aware of this time.

Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve the legal aid contract with Heart of Florida Legal Aid Society, Inc. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 37.

H. Board Attorney

No report.

I. County Administrator: Budget amendment 99-00-73

Motion by Commissioner Maxcy, seconded by Commissioner Gose, to approve budget amendment 99-00-73 to fund the remodeling of the Courthouse Law Library for the use of Judge’s Chambers. Upon roll call, all Commissioners voted aye. Motion carried.

1. Jim Stanfill-Memorandum of Agreement

Jim Stanfill presented request for approval of the agreement to receive additional points when making federal grant applications and better access to USDA grant, technical, and financial assistance programs. Carl Cool spoke in support of the Memorandum of Agreement. Commissioner Gose asked if the county is committed for any type of funding. Louise England, Economic Development Commission, stated that the agreement is not binding on the part of the Board.

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve memorandum of Agreement with USDA. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 36 Page 38.

2. Budget amendment 98-99-480

Carl Cool explained questions presented by Commissioner Gose on budget amendment 98-99-480. He advised that it is a clean up to last year’s contingency. Commissioner Bullard asked that any funds coming from reserve not be placed on the consent agenda.

J. Consent agenda:

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

1. Approval to pay all duly authorized bills

Law Library	1,043.50
General	426,622.83
County Transportation Trust	32,783.46
E911 Operations	449.77
Local Government Infrastructure	126,576.06
Community Development Block	5,160.00
Affordable Housing Assistance	36,313.75
Sold Waste	27,340.03
Placid Utilities	4,877.51
Highway Park Utility	1,693.42

Risk Retention Fund	153,720.30
Employee Benefit	187,483.99

Approval of minutes of 12-7-99

- 3. Accept into record - November Monthly Report**
- 4. Accept into record - Lakeshore Mall Annual Status Report. See Lakeshore Mall DRI file.**
- 5. Accept into record - Country Club of Sebring DRI annual monitoring report. See file for copy.**
- 6. Approval to sell tax certificates - Tax Collector. See SMB 36 Page 39.**
- 7. Approval of budget amendments 98-99-480 (to cover negative balances in various cost centers) 98-99-481(County Engineer-Mowing) 98-99-482 (Long Term notes) 98-99-483 (Recycling) 99-00-57 (Conservation Trust) 99-00-61 (Central Services new software) 99-00-64 (County Engineer) 99-00-71 (State Housing Initiatives down payment program).**
- 8. Approval of resolutions and budget amendments 98-99-484 (FEMA reimbursement) 98-99- 485 (Close out fund CDBG Sebring Raceway) 99-00-68 (Courthouse windows and Sprinklers) 99-00-69 (Down payment Program) 99-00-70 (6th Year Ship). See Res. Book 13 Page 66.**
- 9. Approval of Addendum to Fla. Communities Trust Grant No.FCT94-042-P4A. See SMB 36 Page 40.**
- 10. Approval to adopt resolution extending the local state of emergency. See Res. Book 13 Page 67.**

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

Break - 12:00 a.m. - 12:10 a.m.

5. 12:10 a.m. - Michael Sweet, Parsons Engineering: Water Supply Authority Feasibility Study

Michael Sweet, Parsons Engineering, in association with Nabors, Giblin, and Nickerson, PA Water and Earth Sciences, Inc. presented a summary of the report on the feasibility of development of a Regional Water Supply Authority for Polk, Hardee, and Highlands County. Virginia Delegal, representing Nabors, Giblin and Nickerson, discussed the legal aspects. Susan Ginder from Parsons Engineering, and Robert Kirchner, from Water and Earth Sciences, Inc., Lake Wales discussed water supply.

Commissioner Bullard summarized objections to creating the Water Supply Authority. He quoted conclusions from the report that a regional WSA does not provide Hardee, Highlands, and Polk counties with any enhanced, direct, regulatory or protective control of water supplies within the geographic area, greater than the individual counties currently possess. He does not think that it will be of any direct benefit to this county. Commissioner Maxcy suggested that we take a wait and see approach to see how other counties feel. Commissioner Gose suggested that we talk to Polk County for their input. Jeff Spence, Director of Natural Resources for Polk County, stated that the issue was to protect their water from leaving the county. Polk County officials will be glad to sit down and talk with our county representatives. Virginia Delegal advised that a statute protects the county from an authority taking their water. There is statutory protection for the water use that we need to serve the citizens in Highlands County. The consensus of the Board was to direct staff to set up a meeting with all counties and dialogue.

6. CITIZENS NOT ON AGENDA:

Richard Conover presented questions to Mike Eastman regarding the payback of the loan from the Landfill Enterprise Fund. Mr. Eastman advised that the loan has been paid back. Other questions presented were regarding gun control, produce stands, swimming lakes in the unincorporated areas, and Committee appointments. The Chair advised that Committee appointments have been received back and the other questions should be addressed with more information.

7. Sebring Recreation Club

Dorothy Spillman, representing the Sebring Recreation Club, presented a request to the Board to provide \$13,000 to match the amount the members of the Club donated to cover shuffleboard courts. The Board discussed the request and suggested that the request should come from the owner of the facility, the City of Sebring. The Board asked that Carl Cool bring this matter before the Sebring City Council and report back. See SMB 36 Page 41 for copy of request.

7. COMMISSIONERS

The Chair reported that all committee appointments will remain the same as last year.

8. ADJOURN

The meeting adjourned at 1:45 p.m.

Chairperson

Attest: _____
Clerk
