

**REGULAR MEETING OF THE BOARD, JANUARY 2, 2001**

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:

<b>C Guy Maxcy</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator, Carl Cool, followed by the Pledge of Allegiance by Bob Balgemann.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 2, 2001. She advised the Commission that the Sheriff's Department has qualified for the Bureau of Justice State Criminal Alien Assistance Program. This is a reimbursement of \$29,405.00. Lt. Benton requested approval of a budget amendment to place the funds into the Jail Contingency to be used for the overcrowding at the jail. The consensus of Board was to instruct staff to prepare a budget amendment and place on the Action agenda.

- B. Clerk:**

No report presented.

- C. Upcoming County meetings:**

County Administrator Carl Cool presented the upcoming meetings into the record. Commissioner Bullard asked for input from other Commissioners on the Central Florida Regional Planning Council meeting regarding growth management. He also requested that the proposed ordinance on water restrictions be reviewed by the Water Advisory Board. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: Second Public Hearing on Chapter 12 - Zoning Code**

Jim Polatty, Development Services Director, presented the Proof of Publication and Petition into the record. See Proof of Pub Ord. Book 2 Page 119. Mr. Polatty read the captions into the record and reviewed the changes in the ordinance as directed by the County Commission and staff. Staff retains its recommendation that the Commission delete the exemption for public safety towers.

Commissioner Bullard suggested the following changes to the ordinance:

Page 3, Section 3, Article 9, define Marine railway marina

Page 4, Section 4, insert the word residential

Page 12, Item D, number (6) change the language to read including utility companies, railroad or airport facilities, related administrative headquarters, storage and repair yards

Page 13 Item (5) add the word zoning

Page 15 & 16 Limitations on uses, correct typos

Page 18, Sec. 31 - Keeping and maintaining animals including exotic and wild animals, (b) add B-3 & B-4 with special exception

Page 19, Section 34, Item (5) All government owned towers shall be exempt from the requirements of this code.

Page 20, Sec. 36 - (p) strike the word on and capitalize Existing.

**9:55 RECESS FOR SWEARING IN CEREMONY OF CONSTITUTIONAL OFFICERS  
RECONVENE at 10:40 a.m.**

The Board discussed modification of Existing Transmission Towers for Co-Location. Commissioner Bullard questioned why we allow modification on existing towers that we do not allow on the new towers. Jim Mallness, representing Crown Towers, explained the proposed language that will allow existing towers to be used, because that is Co-location and at the same time provide control. Ross Macbeth stated that these modifications are fairly minimal and probably would have been accounted for in the application. Mr. Mallness asked for a change on Page 21 (4) remove the word replacement. Remove (4) and incorporate into (1) b and not to exceed 10 feet over the height of the existing tower, unless the additional height is approved by a special exception and in no case should be any higher than allowed in the zoning district.

The Chair opened the floor to the public. Mike Howe, representing American Tower, thanked staff for their hard work. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt the ordinance with modifications as discussed. Upon roll call, all Commissioners voted aye. Motion carried. See Zoning file for information. The Chair closed the public hearing.

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda as listed.

- Remove Consent agenda Item number 11 and place under the County Administrator as Item number 8.
- Replace budget amendment for the Sheriff as Consent agenda item number 11.

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

**A. Commissioner Flowers: Proclamation - "Stop Red Light Running"**

Commissioner Flowers spoke in support and read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to adopt Proclamation, proclaiming the week of January 7-13, 2001 as "Stop! Red Light Running" week and urge all residents to recognize this event pledging to approach intersections with due caution and to stop for red light signals. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 9 Page 115.

**D. County Administrator**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to waive the agenda to hear item 7-D at this time. Upon roll call, all Commissioners voted aye. Motion carried.

**7. Recreation and Parks Advisory Committee recommendation on BMX track**

County Administrator, Carl Cool, presented recommendations that the Board give consideration to allow the YMCA to have a lease on the North Eastern ten acres of the old Avon Park clay pit for a BMX track. Dan Andrews, owner of D & S Cycling and Dee Macdonald, Executive Director of the YMCA, presented the proposal for a long term lease. The YMCA will run the program with liability coverage available. The

NBL will be the governing body for this sport and they will set the rules and also provide insurance. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct staff and the Board Attorney to work with the YMCA to develop an agreement, allowing the YMCA to use an approximate ten acre portion of the old Avon Park landfill. Ross Macbeth requested that a clause be in the lease that allows the termination of the lease, in the event some other use is intended. The Chair asked that staff take a trip over and observe the Charlotte County BMX Track and report back to the Commission. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 67 for copy of request.

**B. County Engineer:**

**1. Request approval of Change Order #three for Sebring International Raceway Infrastructure improvements project, CDBG No. 00DB-6B-07-38-01-E4**

Chairperson Maxcy noted for the record that he will abstain from voting on this issue as E.O. Koch is a client of his corporation. He entered into the record a memorandum of voting conflict to become a part of the minutes. See SMB 38 Page 68.

County Engineer, Ramon Gavarrete, presented explanation for the change order in the amount of \$47,885.80 for the Infrastructure improvements at the Sebring International Raceway. Commissioner Jackson questioned the increased fuel cost in the amount of \$13,280 *per attached*. There was not an attachment for that amount. He also questioned why there are 10% overhead and profit on increased fuel cost. Commissioner Bullard asked for documentation on the difference between the \$9,000 and the \$13,280. It was a consensus of the Board to hold off on approval until proper documentation is provided.

**2. Request approval of the Standard Operating Procedure for manufacturing of signs for outside agencies**

County Engineer, Ramon Gavarrete, presented an attachment with sample invoices, one with the current charges and one with the proposed charges for Standard Operating Procedures for manufacturing of signs for outside agencies. The County does not currently perform installations for outside agencies, the clause was added into the SOP if needed in the future. The procedure was reviewed and approved by the Finance Department, the Assistant County Administrator and the Board Attorney. The Chair opened the floor to the public. No one spoke for or against. Commissioner Bullard questioned if the cities have been informed of the price increase. Ramon advised that he has faxed a copy to the City of Sebring and Mr. Hoffman has responded in a positive manner. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Standard Operating Procedure for manufacturing of signs for outside agencies with a correction to add language, *Clerk's* Finance Department, effective immediately. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 69.

**C. Board Attorney**

No report presented.

**D. County Administrator:**

**1. Update to the Board on Lake Istokpoga drawdown and tussock removal**

County Administrator, Carl Cool, presented an update to the Board on Lake Istokpoga drawdown and tussock removal. He stated that tussock removal is scheduled in 2003. However, this year's drought has lowered lake levels to drawdown stage. Clell Ford said that the lake level is already going down from overall evaporation and from water supply needs. Tom Champeau, Fish and Wildlife Association, stated that the bottom line is the funding for the project. They need three million dollars. His agency has

approximately \$150,000 toward the project. He is requesting assistance from the Commission and the legislative delegation to see if funds can be found from an existing budget. The other issue is the permitting. Some of the concerns have been worked out with the appropriate agencies and he thinks the permits can be acquired. They are preparing the bids, and will put the bids out, contingent upon the money being available hoping that the money will be ready by mid January, with a contract to be let by the first of March to start the work. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve a letter be sent out over the Chairman's signature expressing strong support for the tussock removal to occur during the natural drawdown, due to the drought, and copies to go to all affected agencies, as well as our entire legislative delegation and the governor. See SMB 38 Page 70 for copy.

**2. Request for Library Advisory Board appointments**

County Administrator, Carl Cool, presented recommendations for Library Advisory Board appointments. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the appointments of Lucy Derkman, District #1, Robert Talbott, District #2, and Sue Rood, District #5 to the Highlands County Library Advisory Board, and waive the Board policy requiring two candidates be submitted for each appointment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 71.

**3. Request approval of an Interlocal Agreement with the City of Sebring, and the CRA for City Pier Beach Playground**

County Administrator, Carl Cool, reviewed the Interlocal Agreement to provide cooperative funding for the construction of a playground at the City Pier Beach. The Chair opened the floor to the public. Preston Colby spoke regarding a potential problem of runoff that goes through the Park. He shared that there is no barrier that separates the water channel from the playground. The levels of pollution and contamination are a concern. He urged the Board not to place any equipment until the source of contamination has been determined. Ross Macbeth advised that the agreement is specific that the Commissioners are providing funds. Passing along the check with concerns is adequate at least as far as the risk exposure. Commissioner Jackson agreed with that statement. Preston Colby disagreed as the County was a partner in altering the land. The consensus of the Board was to instruct staff to contact Bob Hoffman of the City of Sebring for input before making a final decision. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to table the item until a response has been received. Upon roll call, all Commissioners voted aye. Motion carried. Clayton Womer spoke in opposition to giving the City of Sebring funds.

**4. Request approval of an Interlocal Agreement with the City of Sebring for improvements to Max Long Field**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve an Interlocal Agreement with the City of Sebring for improvements to Max Long Field in the amount of \$112,000. Upon roll call, all Commissioners voted aye. Motion carried. See City of Sebring file.

**5. Recommendation on CR 64 maintenance**

County Administrator, Carl Cool, reviewed Bruce Van Jaarsveld's estimate on his cost to maintain the portion of CR 64 in Polk County. He recommended that we offer to maintain the Polk County portion of CR 64 (not including the bridge) for a flat rate of \$2,000 per year. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve that the Board Attorney draw up a proposed Interlocal Agreement for the Board of County Commissioners of Highlands and Polk Counties to consider regarding the maintenance on an annual renewal basis. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 72.

**6. Whitehouse Road recommendation**

County Administrator, Carl Cool, presented recommendations to pave Whitehouse Road from Powerline Road North to the entrance of Highlands Ridge, provided the developer of Highlands Ridge Subdivision pays for all of the material costs which is estimated to be \$10,985.00. Commissioner Flowers spoke in favor of the road paving but he wanted the Commissioners to know that it is not a *through* road, as the gate is closed at night. Commissioner Jackson questioned what percent is the materials cost. Carl Cool advised that it will probably involve approximately 50%. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the recommendation as presented. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained and entered into the record a memorandum of voting conflict, as Highlands Ridge is a client of his corporation. Motion carried. See SMB 38 Page 73.

**8. Consent agenda item number 11-Request approval of FDOT Joint Project Agreement, Memorandum of Agreement and Resolution for Sebring Parkway Phase II from US 27 to North Ridgewood Drive (SR 17).**

Carl Cool explained the JPA Agreement with the FDOT for the Sebring Parkway Phase II from US 27 to North Ridgewood Drive (SR 17). Commissioner Jackson shared that most of the people he has talked to are concerned about Phase II. He thinks we should give the public one more chance to voice their concerns regarding the route. Commissioner Maxcy agreed with Commissioner Jackson on the concerns. Carl Cool stated that he and his staff have been to Bartow to get the project into the FDOT five-year plan. There is no money in their plan for right-of-way for the next five years. They are estimating that it will take three years to buy the right-of-way. We disagree with the cost they have projected. He said FDOT is estimating right-of-way costs at \$16 million

Our staff has done preliminary engineering and environmental studies and FDOT has forwarded them to the Federal Highway Administration. Mr. Cool shared that they will pay \$764,062 to purchase right of way and the Agency participation is \$127,344. He estimated that we could be looking at another eight or nine years down the road for construction. Commissioner Bullard wondered if design plans only have a four-year shelf life, why was FDOT already looking at engineering plans. Mr. Cool explained that the plans never got pulled from the five-year plan list but also never got funded. It is possible that the county may have to redo plans for drainage and retention issues.

Commissioner Maxcy said he would like to hear from people along the route who would be directly affected by the design. He favors a central turn lane over a median near the hospital to allow easy access in and out of businesses. Commissioner Stokes stated that he doesn't have a problem with letting the public hear it again to satisfy the public. However, it will not satisfy the public. Commissioner Bullard reiterated that there has to be a point in the process when you say *it's done*. Commissioner Flowers agreed with Commissioner Bullard but would like to discuss funding. After continued discussion it was a consensus of the Board to hold a workshop at 9:00 A.M. January 9, 2001 on the design and route. On February 13, 2001, the Commission will discuss how to ensure that FDOT will have the funding in place to begin purchasing right-of-way before the design plans go out of date.

**A. Consent agenda**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the Consent agenda as listed:

- 1. Approval to pay all duly authorized bills and employee benefits for December 27, 2000 and January 2, 2001**

Law Library .....	1,566.91
General .....	900,046.45
County Transportation Trust .....	39,037.44
E911 Operations .....	45,837.43
Conservation Trust .....	2,670.00
InterGovt Radio Communication .....	501.23
Local Govt Infra Surtax .....	476,306.54
Affordable Housing Assistance .....	8,015.00
Solid Waste .....	53,392.48
Placid Utilities .....	31,363.34
Highway Park Utility .....	451.36
Risk Retention Fund .....	34.94
Employee Benefit .....	159,589.99
2. Approval of minutes of board meeting of December 12, 2000, and December 19, 2000	
3. Accept into the record the transcripts of litigation sessions for October 3, 2000, concerning Highlands County v. William D. Wiggins, Jr. and Norma T. Wiggins. See SMB 38 Page 74.	
4. Approval of resolutions and budget amendments 00-01-90(EMS bad debt collection charges) 00-01-93 (SHIP Phase 8). See Res. Book 14 Page 116.	
5. Request to approve budget amendment 00-01-89 (Sebring Countywide library) 00-01-91 ( SWFWMD design modifications, Solid Waste) 00-01-92 (SHIP Phase 9) 00-01-95 (Avon Park CRA-Tax Increments for the year 2000.	
6. Request to approve release of escrow for Eckerd at Lake Placid - CR 621 East at US 27 project. See SMB 38 Page 75.	
7. Request to approve revision of Transportation Advisory Task Force membership. See SMB 38 Page 76.	
8. Request to approve sale of tax certificate #95-6153 - Conyer. See SMB 38 Page 77.	
9. Request to approve sale of tax certificate #94-7263 - Sparks. See SMB 38 Page 78.	
10. Request approval of agreement with South Florida Community College for classroom space. (Tax Collector's office).	
11. Approval of budget amendment 00-01-100 for revenue from the Federal Bureau of Justice Assistance for the State Criminal Alien Assistance Program to be appropriated for the Sheriff's Department. See Res. Book 14 Page 117.	

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

**6. CITIZENS NOT ON AGENDA:**

Jim Cash, of Lake Placid, spoke to the Board regarding the water levels on Lake Clay. He pointed out that the boats are sitting in the sand along the east shore canal going into Tropical Harbor Mobile Home Park. The east boat ramp dock is unusable, and the sand is above the surface of the water. The west boat ramp also needs attention. He recommended that the Board hire an assistant for Clell Ford to have someone to go out and check the lakes. Lake Clay is lower than any other lake in Lake Placid. He asked that the Board consider the possibility that a lake can be over pumped, as there are some very large irrigation lines going into the lake. Commissioner Bullard asked staff to get a reading on all our lakes to see

how they have dropped, particularly Lake Clay. Staff to also check and see what permits are issued for pumping out of Lake Clay. Also, staff to work with Fish and Game for repair to our boat ramps.

John Williams, spoke to the Board in favor of the adoption of a land clearing ordinance. The Chair advised that the Board will take the request under advisement.

**7. COMMISSIONERS**

Commissioner Maxcy read a letter from Commissioner Malloy of Leon County requesting an endorsement by the Highlands County Commission of a law suit in Leon County, allowing convicted felons who have completed their sentences the right to vote. No action was taken by the Board.

**8. ADJOURN**

The meeting adjourned at 1:45 p.m.

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**Chairperson**

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

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**REGULAR MEETING OF THE BOARD, JANUARY 9, 2001**

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:

<b>C Guy Maxcy</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Flowers, followed by the Pledge of Allegiance by Floyd Yarbrough.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 9, 2001. The farm report was also given.

- B. **Clerk:**

C. Michael Eastman, Clerk's Director of Accounting and Finance, reported on *Fire Equipment financing* at the request of Commissioner Flowers. He presented both bank-qualified and non-bank qualified rates. The bank-qualified rate is 5.75% and the non-bank qualified rate is 8.75%. See SMB 38 Page 84 for a copy of chart depicting the results.

- C. **Upcoming County meetings:**

County Administrator Carl Cool presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Commissioner Flowers reported on the Fire Services Task Force meeting.

4. **PUBLIC HEARING: Public Hearing on Water Conservation Ordinance**

Petition and Proof of Publication entered into the record by County Administrator, Carl Cool. Captions of the Ordinance were read into the record. See Proof of Pub Ord Book 2 Page 120. The Water advisory Committee is in favor of the ordinance. The provisions of this ordinance will apply to all persons within the unincorporated Highlands County using water resources. Commissioner Jackson stated concerns on two of the definitions. He suggested that language be added to indicate that if the water districts declare an emergency, the defacto is a *water shortage*. Under Sec. 7-21, he suggested adding *probable cause language* in the paragraph regarding someone going on private property. Board Attorney Ross Macbeth explained that SWFWMD regulations allow counties to adopt ordinances with fines and that Florida Statutes delegates authority for local governments to find remedies. He believes the county is appropriate in making civil fines for a misdemeanor offense. In reply to Commissioner Jackson's request for the article that gives immunity to enforcement officer from trespassing on private property, Mr. Macbeth shared that putting probable cause language in the section on trespassing would cause difficulty for the county.

Commissioner Flowers questioned why the county will need to adopt an ordinance to enforce something that is already enforced by the Sheriff's office. Commissioner Bullard shared that the enforcement doesn't work well. Since Florida Statutes has made violating a restriction by a water management district a



second degree misdemeanor, the deputy is only likely to warn a homeowner a second time rather than make an arrest and give the homeowner a criminal record for watering a lawn. With a civil fine system, the county could enforce the rules without having to arrest anyone. The measure would remain a county code but would only be enacted if a water management district imposes restrictions. The Chair opened the floor to the public.

Gary McGahee shared concerns with adopting an ordinance. Hank Kowalski spoke in favor of an ordinance, but said that agriculture should bare part of the burden of conservation. Bob Bendyl from Lake Placid, spoke in opposition. Richard Abner spoke in favor of the ordinance, and including the municipalities. Bill Dwinell spoke in support of conserving water, and including the cities. Clayton Womer spoke in opposition to the ordinance. Gabriel Read stated that the ordinance would help close the loopholes that people use to get around the law. Preston Colby wondered why the county was watering shrubs on the east side of the Government Center on the wrong day.

Commissioner Flowers wanted to know if the water management districts would provide some of the funding to help the Sheriff hire part-time employees and to help the county's code enforcement department. Joanne McClelland, South West Florida Water Management District, stated that funds may be available through the Peace River Basin Board, but she said it had never been done before. She said the county could apply to the board for the assistance. Commissioner Maxcy was concerned about the lack of funding from the water management districts. Commission Flowers wondered about the additional stress this effort would put on the Code Enforcement Department.

Commissioner Stokes thought it was the county's responsibility to respond to the districts' call for help. He said the drought conditions are the worst he has ever seen. He thinks the cities should give their cooperation. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to adopt Ordinance. The Chair opened the floor to the public. Charles Swank, Gabriel Read, Bill Dwinell, Gary McGahee, and Hank Kowalski spoke in favor. Clayton Womer and Bob Bendyl spoke in opposition. Preston Colby suggested amendments to the ordinance and asked that we defer the ordinance to a workshop to enhance its palpability. Upon roll call, Commissioners Stokes, Bullard, and Jackson voted aye. Commissioners Flowers and Maxcy voted nay. Motion carried.

Break 10:55 A.M. - 11:09 A.M.

## **5. WORKSHOP:**

### **A. Discussion on Sebring Parkway Phase II, Route and Design**

Carl Cool introduced the discussion on the Sebring Parkway Phase II, Route, and Design. County Engineer, Ramon Gavarrete, presented a power point presentation outlining the project development, location, projected traffic along Highlands Avenue, project segments, contamination involvement, cost and schedule. The Plan is to alleviate traffic that is estimated to double by 2020. The Chair opened the floor to the public. Ronald G. Geer commented on the importance of erosion control and sound abatement. He recommended a sound berm. Mrs. Ruth Handley stated concerns for the safety of the school children. Floyd Yarbrough, a business owner, was upset about losing frontage on Highlands Avenue, and no schedule for the construction. Dr. Frederick H. Keiber shared that his patients have vision problems and doesn't need to make a U-turn on a divided highway. Don Maddox, representing Central Florida Glass and Mirror, stated the same concerns about traffic, school children, and no designated plan. Charles Swank, Property owner, concurred with the other property owners that they

need answers in order to develop their business. Commissioner Flowers presented a question for Preston Colby regarding Hazardous site identification. Roy Chapman, Consultant, representing Reynolds, Smith & Hills, advised that they have considered the impact of the schools, and the safety of the children and have had numerous meetings with the School Board to work out these problems. A.J. “Bucky” Kahn presented an alternate route using Old DeSoto City Road that would provide relief for traffic congestion. Mr. Kahn shared that the Hospital Administrator from Highlands Regional and the Hospital Board Chairman had to leave the meeting but asked that design concerns be mentioned, as they have no access to the parking lot. John Griffin, Sebring City Council, agreed that the City and County could probably build this road cheaper than DOT could, and a lot faster. He suggested that we look for possible grants to help with the funding. Scott McCall, Project Manager for DOT, presented a schedule on the project. He stated that they are completing the PD&E studies and will be submitting it to the Federal Highway for approval within the next two or three weeks. Federal funds are in the program for the design. A selection process is in place for design consultants. Once the County goes with the JPA, DOT will final select the design consultant and final design plans will begin. As of right now, they are anticipating 24 months for the design sketch. Once that is done, the right of way negotiations is considered. There is no money in the five-year work plan for right of way costs. It could be a long wait for funds. Commissioner Maxcy shared that Highlands Regional has not fully bought into this project and are asking that the Board hold off until their engineers have completed an impact study. Roy Chapman reported on the DeSoto City Road alignment. He shared that there are numerous impacts to be considered with the DeSoto alignment and it’s likely to be more costly and not as safe. Ruth Handley proposed a comprise to keep the alignment but make it a five-lane road instead of a divided highway with a median, then open up the other connectors, so that the traffic can be diverted. She also proposed that the Board complete the road now and not wait on the DOT for funding. The Chair recommended that the Board place this item on the agenda for action. It was a consensus of the Commission to meet with the Sebring City Council to discuss taking over the parkway from the DOT to gain local control over the design, time line, and costs. Ross Macbeth was directed to schedule with the City of Sebring for January 30th at 6:30 p.m. in the Commission Chambers. The Alum injection to also be discussed. The School Board will be invited to participate. The Chair closed the workshop at 1:15 p.m.

#### **B. Discussion on Code changes concerning campground zoning**

The Chair advised that he has scheduled this discussion to allow someone who has an existing structure to replace their canvas roof with a hard roof. Herman Gonlag owns a park model in a CG-1 zoning and wants to improve the structure. Commissioner Bullard has no problem with the request, but recommended that if this zoning is changed, he would like it changed in all the districts, provided it meets the setback requirements, and does not create inconsistencies within the zoning districts. Ross Macbeth advised that we are creating inconsistencies with these changes and explained the distinction between the CG-1 and CG-3 zoning. The Chair asked that Mr. Lower send the request to Planning & Zoning for their recommendations. Commissioner Bullard also asked for a review of the limitations of *off site sign* language. Gary Lower, Zoning Supervisor, shared that the Zoning Department is prepared to enforce any requirement that the Board should adopt. However, it might be difficult to explain to the number of Campground owners that have rezoned to CG-3 and RV Park FUD and decreased their allowable density to give their guest the right to have such uses.

A request was received from George Nicholas Konst, Esq. to the Commission to consider redrafting the proposed amendment to Section 3 (25) of the zoning code to include cabins, as follows:

- (25) Camping grounds for temporary camping with cabins, and tent camping; and RV's developed at a gross density of less than two per acre, with the maximum stay per occupant set at the public hearing but less than two months per any one year;**

Also consider redrafting the proposed amendment to Section 12.92, CG-1 campground district of the zoning code to include cabins, as follows:

**(B) (1) Campsites for cabins, tents, travel trailers, and recreational units.**

Ross Macbeth recommended that the Board send to P&Z for discussion. See SMB 38 Page 85. The Chair closed the workshop 2:00 p.m.

**C. Discussion on additional employee for Lakes Management program**

County Administrator Carl Cool, presented recommendation of the Water Advisory Committee to approve a job description for a Natural Resources Conservation Specialist I Position and to have Clell Ford, Lakes Manager, attend meetings regarding relevant water resource issues pertaining to Highlands County. Mr. Cool explained the hardship for midyear funding for a new position. Chair Maxcy spoke in favor of the position. The Chair opened the floor to the public. Don Bates, representing Highlands Soil and Water Conservation District, stated that the budget process starts in three months. At that time they will come to the Board with full justification for the position to assist Clell Ford. The view of the Soil and Water Conservation District is that they want a full time scientific person and not a shared position. Paul Orth, retired research agricultural scientist, spoke of the benefits received from the Lakes Management Program and in favor of the position. Commissioner Bullard stated that this position would be ranked as top priority for next year funding. He would like to see it come back in the normal budget process. Commissioner Jackson and Commissioner Flowers echoed the same sentiments with it going through the normal process. The Board gave a consensus to Carl Cool to bring some ideas to the Commission on a position to attend meetings. See SMB 38 Page 86. The workshop closed at 2:25 p.m.

**6. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Approval to pay all duly authorized employee benefits January 9, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of employee benefits in the amount of \$115,514.32. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Request approval of additional appointments to the Central Sewer Study Committee**

Mariah Hutchins, representing the Planning Department, advised that these are additional appointments with completed resumes for the Central Sewer Study Committee. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve appointments to the Central Sewer Study Committee. Commissioner Jackson questioned if all potential appointments were considered. Staff advised that all persons wishing to serve were appointed. Upon roll call, all Commissioners voted aye. Motion carried. See Central Sewer Study file.

**7. ADJOURN**

The meeting adjourned at 2:28 p.m.

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**Chairperson**

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

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**REGULAR MEETING OF THE BOARD, JANUARY 16, 2001**

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:

<b>C Guy Maxcy</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts, followed by the Pledge of Allegiance by Mike Willingham, Director of the Sebring Airport Authority.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 16, 2001.

- B. **Clerk:**

No report presented.

- C. **Upcoming County meetings:**

County Administrator Carl Cool, presented the upcoming meetings into the record. Mr. Cool noted for the record that employee participation has increased in the United Way Program by 48%. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to set the Action agenda with the addition of a request for the City of Avon Park as item number 3 under the County Administrator.

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

- A. **Approval of a resolution in recognition of planning councils**

Ross Macbeth read the Resolution into the record. Commissioner Bullard, as Chairman of the Central Florida Regional Planning Council, explained that the Resolution is asking that the Legislature of the State of Florida recognize the essential role of Florida's regional planning councils in the growth management process. The Chair opened the floor to the public. Vaughn Whitesides, representing the Audubon Society, stated support for the Resolution. Gabriel Read, a resident of Avon Park Lakes, spoke in favor of the Resolution. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Resolution supporting the role of the councils in Florida's growth management and statewide planning system. Commissioner Bullard asked that staff distribute copies of the Resolution to the Legislative Delegation and a copy to the Regional Planning Council. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 119.

- B. **Human Services Director: Approval to hire Dr. Paula Silverman as Health Department Director**

Kevin Roberts, Director of Human Services, presented a request to the Commission for approval to hire Dr. Paula Silverman, MD as the new County Health Department Director. He shared that the interview committee consisting of former Commissioner Jim Gose, George Gant M.D., Dr. Richard Hunter and himself screened approximately 40 applicants for the position. The Interview Committee, consisting of both County and State officials, conducted interviews with six of the most highly qualified candidates. It was the Interview Committee's unanimous recommendation that Dr. Paula Silverman be hired as the Highlands County Health Department Director. Dr. Rick Hunter, Deputy State Health Officer, spoke in support of Dr. Silverman as the new County Health Director. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the appointment of Paula Silverman MD as the new Highlands County Health Department Director. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 87.

**C. Mike Willingham: Request adoption of a resolution in support of Sebring Airport Authority's Enabling Legislation**

Mike Willingham, Executive Director, of the Sebring Airport Authority, presented a request for adoption of a Resolution in support of the Authority's amendment to its enabling legislation to increase its threshold for requiring bids for purchase of property and to include certain additional acquired lands to its territory. Also, to authorize the Authority to maintain certain records confidential, and to act upon the affirmative vote of the majority of members present where there is a quorum.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to adopt Resolution in support of legislation proposed. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 120.

**D. Zoning Supervisor: Request approval of Release of Unity of Title Agreement for Andrew M. and Diane B. Mish**

Gary Lower, Zoning Supervisor, presented a request of Andrew M. and Diane B. Mish to release the east twenty feet of Lot 55, Block 3, Erin Park as recorded in Plat Book 5 Page 77 of the Public Records of Highlands County in order to sell said portion to the owner of Lot 56, so he may build a garage. The Zoning Supervisor advised that this action by the Board will not create any nonconformities on the remaining property. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the request for release of unity of title agreement as submitted. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 98.

**E. Assistant County Administrator:**

**1. Request for security door replacement**

Tom Portz, Asst. County Administrator updated the Board of County Commissioners regarding the jail construction. He advised that we have issued a purchase order in the amount of \$59,510.00 to Post, Buckley, Schuh & Jernigan, Inc. to provide a master plan update to forecast our long term needs at the jail. The funding for this utilized the \$168,000.00 architect fees set aside in fiscal year 1999/2000 (which was rolled into fiscal year 2000/2001). Fiscal year 2001-2002 capital budget contains \$4,932,000.00 for construction purposes.

Mr. Portz advised that a serious security issue exists with the cell doors at the jail section. Michael Root, Project Management Vice President of Car Willo, Inc., of Decatur, Alabama submitted a bid to redo doors and remove all of the outdated parts. The bid was in the amount of \$66,750.00. The Consultants have reviewed the proposal. They have advised that the Company is reliable, the price is excellent, and the correction will not

impact the future design.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the expenditure as an emergency purchase and that \$81,387.00 of the remaining \$108,490.00 in cost center 3322A 56200Z project number 99067 be allocated for this repair. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 88.

**2. Request for recommendations for Building Use Committee appointment**

Tom Portz, Asst. County Administrator, advised that Mr. Richard Conover has indicated that he will not be able to serve on the Building Use Committee at this time and needs to be replaced. The Board requested that staff present applicants to the Commission for appointment.

**3. 911/Communications Committee radio upgrade recommendation**

Tom Portz, Asst. County Administrator reminded the Commissioners of the discussion regarding the Phase II recommendations of consultant du Trell, Lundin and Rackley, Inc. concerning radio communications upgrade. The Board of County Commissioners directed that this be reagendaed for further discussion with the 911 committee and a recommendation be given to the B.C.C.

The 911 communications committee met on January 10, 2001 and provided information and recommendations concerning the 800 M.H. system. See SMB 38 Page 89 for copy. The committee recommended that the B.C.C. enter into a vendor of choice letter with Motorola. The suggested letter format was the same as utilized by the Monroe County Sheriff's Office and signed by their general council. The letter of intent provides that when funds are available we seek a mutually agreeable contract with Motorola.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Committee recommendation and approve the vendor of choice letter, and waive formal bid requirements. Upon roll call, all Commissioners voted aye. Motion carried. Col. Bill Jones thanked the board for their participation.

**4. Request to honor transfer of Comcast franchise**

Tom Portz, Asst. County Administrator, advised that Storer Communication currently holds the franchise to provide cable television service to Highlands County. As a part of an internal reorganization of Storer's parent company, the Franchise will be assigned to Comcast Cablevision of West Florida, Inc. Both Storer and Comcast are indirect, wholly owned subsidiaries of Comcast Cable Communication, Inc. Comcast agrees that, upon closing of the transaction, it will accept the Franchise and will be bound by all of the terms and conditions.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the transfer of Comcast Franchise. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 90.

**F. Board Attorney**

No report presented.

**G. County Administrator:**

**1. Discussion on upcoming Legislative Delegation meeting**

The Commission discussed the upcoming Legislative Delegation meeting and memo from Representative Joe Spratt. The hearing will be held on February 1, 2001 at 9:30 a.m. in the Highlands County Commissioner Chambers. All proposals for appropriation and local bills are to be presented at the hearing and must be drafted

in bill form, accompanied by a resolution from the local government supporting the proposed legislation. This information must be submitted to Rep. Joe Spratt's office no later than noon on Thursday, January 25, 2001. The Board discussed the following items for consideration:

Commissioner Flowers representing the Community Traffic Safety Team, spoke in favor of the primary seat belt legislation. He asked for a consensus of the Board to represent this item. Commissioner Bullard supported the item. Commissioners Jackson, Maxcy, and Stokes were not in favor of primary seat belt legislation. Gabriel Read spoke in favor of the seat belt law. Commissioner Flowers noted that he will represent the Community Traffic Safety Team with this issue.

Commissioner Bullard will present items as follows:

- Four Laning of Highway 70
- Tussock Removal and drawdown of Lake Istokpoga, and in conjunction, to dig out the mouth of Arbuckle Creek and perform work on boat ramps and canals.
- Outdoor Drama Florida be designated as the official drama and that funding be allocated to support the project which will have millions of dollars impact to Florida.
- Legislation that will support funding, without requiring a local match, to provide hurricane shelters and allow reasonable shelter facilities in the retrofit program, or either take Highlands County off the list as a host county.
- Support for citizens to be given another opportunity to express their will on the bullet train, with more information provided.

The Board gave a consensus on the above items.

The Commission also gave a consensus to Tom Portz, Asst. County Administrator, to contact the School Board and request that they pursue grant funding for retrofitting school buildings for hurricane shelters.

See SMB 38 Page 91.

## **2. Request approval of budget amendments 00-01-101 and 102 transferring funds from Reserve for Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-101, transferring funds out of the Reserve for Contingency to cover insufficient accounts for Expert Witness Fees, and budget amendment 00-01-102 to move funding for the Lake Jackson Storm water project into the proper account. Upon roll call, all Commissioners voted aye. Motion carried.

## **3. Request from the City of Avon Park**

C.B. Shirey, City Manager of Avon Park, presented a request for Highlands County to budget \$125,000 in fiscal year 2000-01 and \$125,000 in fiscal year 2001-02 from the Recreation Capital Improvement Program budget for the Memorial Field Recreation Complex. The Complex will include a recreation center that will house the administrative offices for the Recreation Department as well as a full-court basketball court, shower and restroom facilities and activity rooms. The facility will serve the residents of the unincorporated area of Highlands County as well as county residents who live in Avon Park. The center will also be designed and constructed to serve as a shelter during natural disasters. Avon Park city officials attended the RPAC meeting on November 30 to ask for funding from the Recreation Committee. The city has a state grant for \$250,000 to help with the project, estimated to cost \$750,000. They are requesting the additional \$250,000 from the county. Mr. Shirey shared that funds have been allocated to Sebring and Lake Placid this year, while Avon Park has not received any. Commissioner Bullard, liaison to RPAC, stated that most comments at the last



meeting were that there isn't a pressing need for recreation in Avon Park. He said that the committee tries not to get into the act of just distributing funds but instead tries to identify needs for recreation facilities in the county. He suggested that the Avon Park City Council develop its recreation arguments and go back to RPAC, as well as looking at it from a shelter standpoint. Commissioner Flowers shared that he was not sold on the complex idea for recreation or shelters. He doesn't believe it is the best use of tax dollars. The direction from the Commission was to take the project back to RPAC. Carl Cool spoke in favor of retrofitting other buildings and working with the School Board. See SMB 38 Page 92 for copy of request.

**H. Consent agenda:**

Carl Cool explained Consent agenda item number 12, Approval to declare five houses and one garage apartment surplus property for demolition and or removal, at the request of Richard Conover. The intent is to see if someone is interested in purchasing the five houses, so the Board will not have to pay for the demolition. This item was placed back on the Consent for approval. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed. Bill Stephenson, Special Project Director, noted a liability problem with the houses. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval to pay all duly authorized bills and employee benefits**

Law Library .....	165.00
General .....	1,803,890.43
County Transportation Trust .....	69,377.65
E911 Operations .....	16,558.78
Local Government Infrastructure .....	425,000.30
Community Development Block .....	2,250.00
Affordable Housing Assistance .....	22,196.00
Solid Waste .....	57,850.76
Placid Utilities .....	5,575.38
Highway Park Utility .....	1,773.18
Risk Retention Fund .....	1,043.56
Employee Benefit .....	75,283.86
2. **Approval of minutes of the meetings of January 2, 2001**
3. **Approval of records destruction form. See SMB 38 Page 93.**
4. **Approval of Transfer or Sale of Tax Certificates #99-13493 and 00-13568 Coombs #1107. See SMB 38 Page 94.**
5. **Approval of budget amendment 00-01-103 (Leachate Recirculation) and Addendum No. 2 to Chastain-Skillman, Inc. CSA No. 24 for design change to cell 1B leachate recirculation force main. See SMB 38 Page 95-A.**
6. **Approval of declaration of nuisance case #0003-0092. See SMB 38 Page 95.**
7. **Approval of Satisfaction of Mortgage - Yohe. See SMB 38 Page 96.**
8. **Approval of budget amendment 00-01-105 (Intergovernmental Radio Communication).**
9. **Approval of resolutions & budget amendments 00-01-73(Realignment of Infrastructure Fund to reflect the CIP projects) and 00-01-108 (Sale of fruit on right-of-way purchased for Sebring Parkway Phase I). See Res. Book 14 Page 121.**
10. **Approval of Satisfaction of Mortgage - Hart**
11. **Approval of Satisfaction of Mortgage - Siver**

- 12. **Approval to declare five houses and one garage apartment surplus property for demolition and or removal. See SMB 38 Page 96.**
- 13. **Accept into the record - December 2000 Monthly Report**
- 14. **Approval of an agreement with South Florida Community College as the Administrative entity for the Heartland Workforce Investment Board.**
- 15. **Approval of Confidentiality Agreement for the Winding Waters Project. See SMB 38 Page 97.**

**5. CITIZENS NOT ON AGENDA:**

Charles S. Esposito, reviewed a letter that was received from the Highlands County Code Enforcement regarding a code violation. He requested that the County give him six months to clean up the property and he will remove the mobile home as soon as possible. The Chair asked that the County Administrator work with Mr. Esposito and the Code Enforcement for a solution and give the Board an update next week. Commissioner Flowers shared that he has no problem with the solution as long as the health and safety issues are addressed.

**6. COMMISSIONERS**

Commissioner Flowers congratulated Lisa Burley, Public Information Officer, and Allie Carr, Clerical Assistant for their work with the production of the new county calendar. Commissioner Stokes reminded everyone of the Heritage Festival next Saturday (January 20, 2001).

**7. ADJOURN**

The meeting adjourned at 10:42 a.m.

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

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

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**REGULAR MEETING OF THE BOARD, JANUARY 23, 2001**

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

<b>Bob Bullard</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Andrew B Jackson</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>

Chair Guy Maxcy was not present as he was attending a meeting in Tallahassee.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers, followed by the Pledge of Allegiance led by Hank Kowalski.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 23, 2001.

- B. Clerk:**

No report presented.

- C. Upcoming County meetings:**

County Administrator Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **Public Hearing to consider purchasing a lot for boat ramp parking**

Bill Stephenson, Special Projects Director, presented the Petition and Proof of Publication into the record. See SMB 38 Page 100. The request is to purchase a lot to be used for parking at the boat ramp located on Placid View Drive and Washington Blvd. on Placid Lake. There is very little parking at this boat ramp and the purchase will alleviate the problem. Vicki Pontius, Parks and Recreation Director, identified the monies for this purchase to come from the current capital improvement plan.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve purchase of Lot 63 Block A of Lakeshore Subdivision for \$20,000 for boat ramp parking on Lake Placid. The Chair opened the floor to the public. Jim Cash of Lake Placid spoke in favor of the purchase and mentioned other possible boat ramp locations. The Chair asked that the County Administrator speak with Mr. Cash regarding boat ramp questions. Upon roll call, all Commissioners voted aye. Motion carried.

5. **Public Hearing to consider vacation of plat - West Sebring Estates**

Item postponed as the advertisement was not properly stated.

**6. Public Hearing to consider adopting the uniform method of collecting a Non-Ad Valorem assessment for Countywide fire protection**

Proof of Publication entered into the record by Treasa Handley, Assessment Coordinator. See SMB 38 Page 101. Tim Eures presented Petition and Resolution authorizing the Board of County Commissioners to use the uniform ad valorem method of collecting non-ad valorem assessments levied by the Board of County Commissioners for fire protection, excepting only the incorporated areas of the Cities of Sebring and Avon Park. Tim presented a conservative plan for consolidating and upgrading fire service over the next several years. He shared that consolidating all of the 12 fire districts under one countywide district could help make the system more efficient. The goals are to standardize equipment, stop duplication of services, standardize the operating guidelines and personnel regulations, have a single source of revenue, have a centralized administration and improve the county's ability to keep volunteers. During the last year, Eures, staff from Emergency Operations Center, and volunteer chiefs from the 12 fire districts have met as the Fire Services Task Force. The committee has discussed various ways of improving the fire services organization to make it operate smoothly. They propose to get all of the apparatus up to date, to purchase one new fire engine, brush truck, tanker and command vehicle per year. The Task Force suggests getting rid of two stations that are not fully operational and not building any new stations, aside from those already under construction. No other stations will be closed or relocated. The Task Force proposes adding prevention, operations and training supervisors to the administration. These people could devote full attention to specific jobs. Mr. Eures wants to keep fire chiefs at their stations because they have rapport with their communities. He also wants to keep the task force as an advisory body to the EOC Director. The total budget is estimated at \$2.367 million. Ross Macbeth explained the assessment procedure and documents.

The Chair opened the floor to the public. John Payne stated concerns that business, agriculture and the general public have not been represented at the task force meetings. Jerry Leszkiewicz, speaking as a citizen, asked the Board to look at the growth in the county and especially the new businesses like the Home Depot, to consider ways where they pay their fair share. Jim Brooks of Avon Park, stated concerns for the future cost ten years down the road. Richard Henline stated support for the non-ad valorem assessment, but suggested that we need to protect the fire districts and the moral of the volunteers. Hank Kowalski stated concerns for the cost and liability issues. Commissioner Flowers noted that Highlands County carries 100% of the liability at this point and only ten percent of the control. John Bock, who resides in the outlying area, spoke in favor of the assessment. Charles Andrews, chairman of the Fire Services Task Force, stated that the Countywide Fire Services will save money on lower insurance rates. James Hill, Fire Chief of Venus, spoke in favor of the assessment. He feels that the Task Force and its recommendations are well represented.

Commissioner Flowers shared that he supports the Countywide Fire District, and the non-ad valorem assessment. He said an assessment is becoming the only way to ensure adequate improvements to the system. He also supports bringing more people from the community into the task force. Commissioners Bullard and Stokes also supported the District. Commissioner Jackson could not support the measure, stating that his primary concern was the cost, especially the future cost.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution, adopting the uniform method of collecting a non-ad valorem assessment for Countywide fire protection and to approve

agreements with the Tax Collector and Property Appraiser for administration. John Payne, Clayton Womer, and Jim Brooks spoke in opposition to the motion. Jerry Leszkiewicz spoke regarding the benefit of equipment exchange. John Bock, Spring Lake, and Charles Andrews, Chairman of the Chief's Committee, spoke in support. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See Res. Book 14 Page 123.

**7. Public Hearing to consider proposed zoning changes and small-scale plan amendments**

Petitions and Proof of Publication entered into the record by Gary Lower, Zoning Supervisor. See Proof of Pub Ord Book 2 Page 121.

**HEARING # CPA - 00-148SS - JULIAN G. SAPP - C/O RICK WHIDDEN**

Lots 14, 15, 16, and the East 5 feet Lot 17, Block 59, Lake Groves Subdivision, as recorded in P.B. 1, Pg. 31 of the Public Records of Highlands County, Florida.

Requesting a small-scale plan amendment from (Agriculture) to (Commercial).

**HEARING # 1572 - JULIAN G. SAPP - C/O RICK WHIDDEN**

Lots 14, 15, 16, and the East 5 feet Lot 17, Block 59, Lake Groves Subdivision, as recorded in P.B. 1, Pg. 31 of the Public Records of Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to B-4 (Business district). Applicant desires to increase existing use of the property for cleaning, sorting, and packing of caladiums. Letter entered into the record by Arlene Tuck, Town Clerk, advising that the Town is in agreement with the B-4 Conditional Use, subject to all drainage approval. See SMB 38 Page 102. Rick Whidden, representing the petitioner, spoke in favor. The Chair opened the floor to the public. No one spoke for or against.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve and to adopt by Ordinance, the small-scale plan FLUM amendment CPA - 00-148SS from "Agriculture" to "Commercial" and by Resolution the rezone Hearing #1572 from AU (Agricultural) to B-4 CU (Business district with a Conditional Use district) the Conditional Use being crating, packing, and shipping of agricultural products, to be effective at the time the future land use map amendment is approved by DCA, after entering into the record the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 124.

**NEW BUSINESS: HEARING #CPA - 01-149SS - PAUL E. & DONNA THOMPSON - C/O RICK WHIDDEN**

Approximately 9.418 acres located in Sec. 5, Twp. 39S, Rge. 30E, Highlands County, Florida.

Requesting a small-scale plan amendment from AU (Agriculture) to I-2 (Industrial). See below Hearing #1573 for details.

**HEARING #1573 - PAUL E. & DONNA THOMPSON - C/O RICK WHIDDEN (OLE SOUTH AUTO SALVAGE**

Approximately 9.418 acres located in Sec. 5, Twp. 39S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to I-2 (Industrial district). Applicant desires to expand existing auto salvage yard. Mr. Rick Whidden, representing the petitioner, presented the request. There were no letters received and no one spoke for or against the request at the Zoning Hearing. The Chair opened

the floor to the public. Hank Kowalski spoke regarding the environmental issues and inspections. Paul Thompson, Petitioner, noted that he is required to keep a record of all the tires and batteries, and all of these items are recycled. The Environmental Protection Agency is the agency responsible for inspections. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Hearing #1573, and adopt Resolution, and Ordinance, contingent upon approval of CPA - 01-149SS and including the mandatory findings in the staff report and the zoning change to be contingent upon approval from DCA of the small-scale Plan Amendment. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 125.

Break 11:00 - 11:15 a.m.

**8. Public Hearing to consider Future Land Use Map & text amendments of the Comprehensive Plan as Hearing #CPA-01-150LS**

**TRANSMITTAL PUBLIC HEARING: TEXT & FLUM COMPREHENSIVE PLAN AMENDMENTS TO THE FUTURE LAND USE ELEMENT, NATURAL RESOURCES ELEMENT, AND THE TRANSPORTATION ELEMENT:**

Proof of Publication and Petition entered into the record by Duane Neiderman. See Proof of Pub Ord. Book 2 Page 122. This is the first of the Large Scale submissions to the DCA. Planning & Zoning recommended that the Board transmit to DCA for their review. There are five areas that are listed that is recommended for the FLUM amendment. These properties have been acquired by public agencies for conservation and are to be shown on the FLUM as Conservation/Management Lands. Buck Island Ranch is being recommended to be shown on the FLUM as Agriculture because it is a working ranch. Staff recommended that the Bombing Range remain Conservation/Management.

Duane Neiderman, and Mariah Hutchins, Planning staff, briefly explained the changes to the policies within the Natural Resources Element. The Planning & Zoning Board recommended to the Board of County Commissioners approval with the changes in the attachments. The Commission discussed the changes to Policy 4.2 regarding a letter requesting an exemption from environmental clearance from an approved environmental consultant before a County land clearing permit, building permit or final development order can be issued. The County Administrator stated his position is to make the state enforce their own rules and allow the county to go ahead and issue a building permit. Ross Macbeth said that the issue is whether the County is going to do any kind of environmental clearance at all or if we have any interest in doing any wetlands review. Carl Cool suggested that we delete Policy 4.2. Mariah Hutchins stated that the concept is already addressed in Policy 3.3. The Transportation Element was also discussed. No changes were made at this time.

The Chair opened the floor to the public. Hank Kowalski presented a letter into the record from Dr. Bancroft, dated in 1996, stating that he disagrees that the Bombing Range should be listed as Conservation/Management lands and recommended that it be considered as quasi-public. No action was taken on the request. The new Transportation Element was addressed and approved to be transmitted to DCA for their review.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the Local Planning Agency, to approve and transmit to the State of Florida Department of Community Affairs for review and consistency with the Florida Statutes, including the mandatory findings into the record. Upon roll call, all

Commissioners voted aye. Motion carried.

**9. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the Action agenda with an additional item as Item A-3 regarding a voting issue for the Sun'n Lakes of Sebring Improvement District. Upon roll call, all Commissioners voted aye. Motion carried.

**A. County Engineer:**

**1. Request approval of FDOT Highway Lighting Maintenance Agreement & Resolution for US 27 - Lake Glenada to Hal McRae**

Carl Cool, County Administrator reviewed the agreement with the Commission for the Highway Lighting Maintenance Agreement and Resolution. It was his recommendation to approve the FDOT agreement.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the FDOT Highway Lighting Maintenance Agreement and Resolution for US 27 - Lake Glenada to Hal McRae Blvd.

Commissioner Jackson questioned if the attorney's question has been answered. Ross Macbeth advised that the indemnity questions have not been answered. It would require a change in Tallahassee, and at this point it is not a significant issue in terms of this agreement. Upon roll call, all Commissioners voted aye. Motion carried. See FDOT file for copy.

**2. Request approval of Change Order #3 - Sebring International Raceway infrastructure improvements project - CDBG No.-00DB-6B-07-38-01-E4**

Ramon Gavarrete, County Engineer, reviewed response from E.O. Koch regarding Commissioners Jackson and Bullard's question on the fuel increase for \$13,280.00 and the 10% overhead and profit increase on fuel cost. Upon discussion with the contractor and Kevin Callahan, Vice President of PBS&J, a 10% overhead and profit markup is not out of the ordinary in construction practices. It is his recommendation to approve Change Order #3 with the explanation. Commissioner Jackson asked the Board Attorney if the contract was silent on this issue. Ross Macbeth stated that he has not reviewed the contract on this one, but he did review one recently on a CDBG project. It said that the increases would be agreed upon between the parties. He doesn't know if the Board is compelled to pay a percentage increase. The idea that a change in fuel cost is going to result in additional overhead and profit is not supportable because they are not doing anything more as a result of a change in fuel price.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve Sebring International Raceway infrastructure improvements project, Change Order #3 absent the 10% increase in overhead and profit on asphalt and fuel adjustment index cost. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. The acting Chair asked that a letter be sent explaining the action. See CDBG file for copy.

**3. Sun'n Lakes of Sebring Improvement District - voting procedures**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to take no action on request for the Board to vote their lots at Sun'n Lakes of Sebring Improvement District, until such time the Commission makes a decision to take action. The County Administration may answer the question if anyone requests the Boards' proxy. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained as he has represented the District in other matters. A memorandum of voting conflict was entered into the record

to become a part of the minutes. See SMB 38 Page103. Motion carried.

**B. Consent Agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed.

- 1. **Approval to pay all duly authorized employee benefits 1/23/01 and 1/30/01  
Employee Benefits - 1/23/01 ..... 86,458.26**
- 2. **Request to approve Change Order No. 1 to Lagrow Systems, Inc. - Contract  
to install leachate recirculation force main to Cell 1. See Solid Waste file for  
copy.**

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

**10. ADJOURN**

The meeting adjourned at 1:10 p.m.

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

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

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**JOINT WORKSHOP MEETING OF THE BOARD, SCHOOL BOARD  
AND THE CITY OF SEBRING, JANUARY 30, 2001**

1. The meeting was called to order at 6:30 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Ramon Gavarrete</b>
<b>Andrew B Jackson</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>

Commissioner Edgar Stokes was absent from the meeting due to illness. Also, present were City Council members, Mayor George Hensley, John Clark, Jeff Carlson, Annette Daff, John Griffin and Margie Rhoades, School Board superintendent, Wally Cox, members Wally Randall, Donna Howerton, Dr. Fitzgerald and Ned Hancock.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Chester Downing, followed by the Pledge of Allegiance.

County Administrator Carl Cool presented the notice of the advertised meeting into the record. See SMB 38 Page 104.

3. **WORKSHOP ON THE PROPOSED SEBRING PARKWAY PHASE II**

County Administrator Carl Cool introduced the discussion. At this point there is an interlocal agreement in place between Highlands County School Board and the Board of County Commissioners spelling out the proposal for Fred Wild Elementary School and Sebring High School. Other concerns have been voiced to the Commissioners, and alternatives will be presented.

Ramon Gavarrete, County Engineer, presented a power point presentation on the Sebring Parkway Phase II construction, time line and cost projection.

**Proposed DeSoto City Road Alternative**

The Sebring Parkway was designed to meet the projected traffic demand on the new roadway which would require a four-lane facility. The proposed Sebring Parkway is to provide a four-lane divided roadway with an 8-foot wide sidewalk on the east side of the road that would run continuously throughout the project limits. A 5-ft wide sidewalk located on the west side of the road would serve developed properties on that side of the road, but would not be constructed adjacent to the South Central Florida Express Railroad. The facility would be designed to both increase capacity and safety for the new roadway. A number of significant traffic generators are located along the portion of Highlands Avenue to be converted into Sebring Parkway. These include: the Highlands Regional Medical Center, a number of doctors' offices located on the west side of Highlands Avenue, Fred Wild Elementary School, Sebring High School, Firemen's Field, and Highlands County Fairgrounds. These land uses would be served by increasing roadway capacity with the construction of Sebring Parkway (Phase II). Relocating Sebring Parkway to DeSoto City Road would not improve traffic

flow or safety for the existing development along the portion of Highlands Avenue that would need to be deleted from the alignment should DeSoto City Road be used.

An alignment using DeSoto City Road would increase the length of Sebring Parkway (Phase II) from approximately 2.7 to approximately 4.7 miles. This change in length would increase construction costs from approximately \$8.3 million to \$14.4 million. Costs for design and construction engineering inspection would have a corresponding increase. The amount of private property to be acquired would be substantially more than is required for the current proposed build alternative. This would include residential relocations, impacts to businesses, and acquisition of farmlands.

If the DeSoto City Road alignment were to be used, Highlands Avenue would remain a two-lane road. As traffic volumes increase in the future on Highlands Avenue, the potential for accidents, especially at the school entrances, would increase. For the above reasons, he believes the most prudent decision is to use the proposed alignment along Highlands Avenue and Eucalyptus Street. Ramon said that there would be a concrete separation at the end of Phase II, at Highlands and US. 27, as required by the state. The entrance to Highlands Regional would have to be moved north, to a point across the road from the surgery center. He stated that this is not a bypass. Its purpose is to divert local trips, not through trips. Commissioner Maxcy said that the state planned to look at the possibility of a bypass further east of Sebring, in 2020.

Commissioner Bullard spoke in favor of the County working toward acquiring the funding to continue the project in order to get the road constructed seven years sooner.

The Chair opened the floor to the public. Floyd Yarbrough spoke in favor of moving the traffic off of Highlands Ave. Dr. Fred Keiber thanked the Engineering Department for their presentation and spoke in favor of the project and the five lane access from 27 to DeSoto. Elizabeth Johnson spoke in favor of a bypass for the truck traffic and not in favor of Phase II. Chester Downing, spoke in opposition to a Phase III and better options to Phase II. Jan Groves stated concerns for the amount of money being spent for the project. Mrs. Ruth Handley spoke in favor of the five lane road and getting people off of Highlands Avenue. Mike Callahan, Executive Director of Highlands Regional, spoke regarding the effect of the road on the hospital. A.J. "Bucky" Kahn, spoke in opposition to the Parkway. Don Maddox, owner of Central Florida Glass, stated concern for his business and the traffic problem.

John Griffin asked that the County Engineer explain the 35% funding from DOT. He explained that it is a grant that would require that DOT standards be met. An application must be prepared with an analysis of the road and a traffic count. There is no guarantee that the grant will be acquired.

Ned Hancock, representing the School Board stated that he would like to put this issue to rest. Wally Cox, Superintendent, discussed the option to reduce the school traffic. Commissioner Bullard asked that we consider redirecting traffic to some of the other roads. Margie Rhoades, speaking as a parent, encouraged the School Board to take any opportunity that they can to alleviate traffic at the High School. Annette Daff suggested that the buses be routed behind the Advocacy Center and dropped into Highlands Avenue and down toward Center Street.

County Administrator Carl Cool said the Department of Transportation is willing to spend \$1.166 million on preliminary design and engineering of Phase II, and they need to be told by mid-February if it should not move ahead. The county's share of that will be \$127,000, with no-cost being assumed by the City. However, if the design and engineering work is done and not used by the County, it likely will have to reimburse that amount, which is actually coming from the Federal Highway Administration. If FDOT completes Phase II of the parkway, it will cost \$23.087 million, with the county's share at \$4.280 million and no expense assumed by the city. The road probably would not be built until 2011-13. If the county does the work assuming it's a five-lane road, the cost will be \$12.904 million, with the city and county contributing \$6.452 million each. Councilman John Clark said the city's share represents about 50 percent of its annual budget. Council President Margie Rhoades stated that she feels at a disadvantage, since this is the first time she has heard the city's cost presented. Councilwoman Annette Daff said the city taxpayers, who also pay county taxes, would be upset if they have to pay twice for the parkway. Councilman John Griffin asked if the School Board could pay any of the required funding. Superintendent Wally Cox stated that funding for roads is not a school board function. Commissioner Flowers agreed with the superintendent's statement, further he didn't feel the city should share the cost, as it is an unfair burden on them. The consensus of all entities was that Highlands Avenue needs to be improved and they agreed with the five-lane concept. They also agreed to work together the next couple of weeks to see what kind of funding can be generated. Carl Cool and staff to come back with numbers. Mayor George Hensley questioned if constructing the five lanes will facilitate moving the Advocacy Center. Carl Cool advised that no modification will be made to the building. Additional parking is anticipated north of the building. Mayor George Hensley commended staff for their presentation.

Recess 8:37 p.m. - 8:45 p.m.

#### **4. WORKSHOP ON THE LITTLE LAKE JACKSON ALUM INJECTION SYSTEM STUDY**

Clell Ford, Lakes Manager introduced Keith Kolasa, SWFWMD, and Jeffrey Herr, Vice President-Engineering from Environmental Research and Design, Inc. He advised that the result of the first study indicated that there are problems with the inflows going into Little Lake Jackson. They tested high in phosphorus. The Board approved a study for a second investigation to treat the inflow. Consultant Jeffrey Herr gave a slide presentation depicting the process. He stated that alum has been used to treat storm water since 1986. It removes pollutants that serve as food for algae and they ultimately fall to the bottom of the lake. A 10-x-12 foot building will be brought from Pinellas County to serve as a treatment plant. There are two methods of treatment. The in-line method allows the storm water and aluminum sulfate, known as alum, to mix in an existing canal and later be discharged directly into the lake. An off-line treatment is the more expensive option. This procedure diverts storm water to a holding pond, where the alum is added. The end product is removed periodically and may be applied to vacant land, depending on what is in the storm water.

Commissioner Bullard stated that he was impressed with the way a small lake at Tallahassee improved after being treated with alum, but that was a whole lake treatment, something that won't happen here. Jeff was not sure when we could see any noticeable changes in the quality of Little Lake Jackson. Commissioner Bullard said that his concern is that we will put in the system and in five years there won't be any changes. Jeff said his company will only be treating one-third of the watershed that drains into the lake, so he couldn't provide an answer. Treating the entire lake will cost approximately \$75,000. The \$51,810 cost will be split three

ways, with the Peace River Basin Board providing \$25,905, and the city and county sharing the balance. Jeff said that there would be an ongoing cost of about \$15,444 a year for operations and maintenance. The city and county would split that cost as well. Commissioner Bullard questioned the impact to the lakes that are used for boating and water-skiing purposes.

The Chair opened the floor to the public. Mark Gose wondered if the detergent dumped into the lake from the Harder Hall laundry room years ago could cause the phosphorus build up. Keith Kolasa advised that the study did show some cultural changes from septic tanks, golf course and other factors.

The Board of County Commissioners and the Sebring City Council concurred to use the inline system and staff to work out the cost details in diverting the other area. Consensus for staff to come back with two options for recommendation.

**5. ADJOURN**

The meeting adjourned at 9:40 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, FEBRUARY 6, 2001**

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:

<b>C Guy Maxcy</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Board Attorney Ross Macbeth, followed by the Pledge of Allegiance by Commissioner Edgar Stokes.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending February 6, 2001.

- B. **Clerk:**

No report presented.

- C. **Upcoming County meetings:**

County Administrator Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool also entered into the record the final Environmental Impact Statement on the Gulfstream Pipeline project that was submitted to the Department of Interior.

4. **PUBLIC HEARING: Vacation of Plat - West Sebring Estates - Worldwide Investment Group**

Petition and Proof of Publication entered into the record by Ramon Gavarrete, County Engineer. See SMB 38 Page 105. The petition is to vacate a portion of West Sebring Estates contingent and effective upon the closing of the pending sale and transfer of title to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. Ross Macbeth raised the question as to the ownership of one lot that was not owned by Worldwide Investment Group. Ramon related that the one lot is not included in the vacation of the plat. Commissioner Jackson questioned the note stating that the vacation is contingent upon effective closing of the sale. Ross Macbeth stated that a Resolution will be included adding a new paragraph with language, contingent and effective upon closing of the pending sale and transfer of title to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

Motion by Commissioner Jackson, seconded by Commissioner Bullard, to adopt Resolution with added language, vacating a portion of West Sebring Estates subject to recording the easements and effective upon the closing of the pending sale and transfer of title of the property to the Board of Trustees of the Internal Improvement Trust Fund, described as a portion of West Sebring Estates, Lots 14 to 35 inclusive, Block 1;

Lots 1, 2, 3, 4, 13, to 20 inclusive, Block 14; Lots 4 to 27, inclusive, Block 15; Lots 1 to 30, inclusive, Block 16, Lots 1 to 30, inclusive, Block 17 West Sebring Estates, Section A. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 126 and West Sebring Estates file.

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to set the Action agenda with changes as follows:

Add items under the County Administrator- Item G.

Item 11- Reappointment of Richard Conover to the Building Use Committee.

Item 12 - Accept into the record the annual Financial Statement of the Florida Recycling Services, Inc.

Item 9 - A change in the item to read *request approval of Interlocal Agreement with the Town of Lake Placid for Lake June Park*

**A. Commissioner Bullard: Proclamation in recognition of Library Appreciation Month**

Commissioner Bullard read the Proclamation into the record and explained the many educational functions of the library system. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Proclamation recognizing the month of February 2001, as "Library Appreciation Month" in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 127.

**B. Selin Santos: Request Zoning change**

April Hartseil, Code Enforcement Officer, reported that on April 29, 2000, Code Enforcement received a complaint on excessive goats and emu's at 420 Moon Ranch Road. The complaint was investigated and there were six adult goats, several kids, and two emu's found. A notice of violation for raising more than three goats was given on January 2, 2001. Mr. Santos requested an extension until he could meet with the Boards to try and rectify the situation. Mr. Santos was granted an extension until February 20, 2001.

Mr. Selin Santos presented a request to the Commission for a zoning change to Sec. 12-82. AU Agricultural. He requested that the Board make a change to the zoning code to allow more animals in the district. Commissioner Bullard shared that there is a provision in the agricultural zoning that allows for a special exception with the permission of the Planning and Zoning Board and the Board of Adjustments that allows the keeping of more animals. He may apply for a special exception. Commissioner Bullard does not support changing the language in the Agricultural District to allow an unlimited number of these animals on small parcels. The Board took no action to change the zoning code. See SMB 38 Page 106 for copy of request.

**C. Thomas Wenner: Request paving of Self Avenue and Hal McRae Boulevard**

Mr. Thomas Wenner, president of the Homeowners Association presented a petition to the Commission requesting the paving of Self Avenue and Hal McRae Boulevard. See Petition file for copy. Carl Cool stated that these roads have been placed on the list and they are two years away before they are scheduled to be paved. This year, Old Bombing Range Road has been scheduled for paving. If the Board wants to accelerate this road, they will need to push back the Old Bombing Range Road. He advised that the maintenance problem is worse on the Old Bombing Range Road than these two roads. Commissioner Flowers clarified that the construction on Highway 27 will be happening between the Wild Turkey and Hal McRae Blvd. and this will place a heavy traffic load on Hal McRae and Self Avenue as it goes west. The total length on the Old

Bombing Range Road is three miles and this is only one-half mile that needs paving. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct staff to pave the road as expeditiously as possible. Commissioner Jackson stated that he will support the motion based totally on the recommendation from Commissioner Flowers. Commissioner Stokes asked that the Board proceed with caution when changing the schedule for road paving. The Chair opened the floor to the public. Gabriel Read presented comments regarding road maintenance and scheduling. Upon roll call, all Commissioners voted aye. Motion carried.

**D. Solid Waste Management Director: Request approval of Budget Amendment No. 00-01-122 and PBS&J, Inc. Task Authorization No. 5 to complete a minor permit modification of the design of Cell 3 at the HCSWMC**

Jerry Leszkiewicz, Director, presented a concept for modification of the design of Cell 3 at the HCSWMC and request for approval of a budget amendment and PBS&J, Inc. Task Authorization No. 5 to proceed with the work necessary to submit a minor permit modification to FDEP and to extend the period of the existing construction permit to October 2003. The new design will carry the county for the next 25 to 30 years. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve budget amendment #00-01-122 and PBS&J Task Authorization No. 5 in the amount of \$57,000 for the preparation of an application to FDEP for a minor modification to the permitted design of Cell 3. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 107 for back up documentation.

**E. County Engineer:**

**1. Request approval of contract documents for the remodeling of the Road & Bridge Building - Project #99057 - E.O. Koch Construction Co.**

County Engineer Ramon Gavarrete presented a request for approval of documents for the remodeling of the Road and Bridge Building. Commissioner Jackson asked that we look at the problems that we have experienced before on cost increases as far as overhead and profits. Ramon stated that this is a lump sum contract and there will be no allowance for price indexes. However, change orders will be included with overhead profit. He does not expect them to be substantial. Other questions were presented regarding the budget for asphalt and resurfacing. Carl Cool advised that all roads scheduled for resurfacing will be completed this year.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the contract with E.O. Koch Construction Co. in the amount of \$310,047.00 for the Road and Bridge renovation. 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 E.O. Koch Construction is a client of his corporation. Motion carried. See SMB 38 Page 108.

**2. Request approval of Fairmount Drive Widening Project #98031 - JPA between Highlands County and City of Sebring - Chastain Skillman, Inc. Addendum No. 1 to CSA No. 20**

County Engineer Ramon Gavarrete presented a request for approval of Fairmount Drive Widening Project #98031 - JPA between Highlands County and City of Sebring - Chastain Skillman, Inc. Addendum No. 1 to CSA No. 20 in the amount of \$14,500.00. The Board Attorney and the OMB Director have both reviewed the documents. The JPA proposes that the City of Sebring will reimburse approximately \$190,000.00 to

Highlands County for engineering, design, permitting, survey, construction and inspection for the relocation of the City of Sebring Utilities water main and providing for the adjustment to the City of Sebring Utilities sanitary manhole rims within the project limits of the widening of Fairmount Drive from Memorial Drive to the Sebring Parkway Phase I and Lakeview Drive. Ramon presented an amendment to the original JPA. The Board Attorney has approved the amendment.

Motion by Commissioner Jackson, seconded by Commissioner Bullard, to approve the JPA with amendment, between Highlands County and the City of Sebring, upon execution by the City of Sebring and Addendum No. 1 to C.S.A. No 20 for Chastain Skillman, Inc. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 109.

**Recess 10:38- 10:45 a.m.**

**F. Board Attorney: Request approval of Substitution of Beneficiary Stipulation and Agreement - Lake Sebring Ridge, Inc. & Sebring Ridge Subdivision**

Attorney Ross Macbeth explained a Substitution of Beneficiary Stipulation and Agreement for Lake Sebring Ridge, Inc. & Sebring Ridge Subdivision for review. The document will come back with changes. The Sebring Ridge Subdivision is under construction and as it develops, they have a sewer plant that requires expansion. It was not built to its full capacity, and as it develops, the plant expands. Because of that, the Department of Business and Professional Regulations had financial requirements for the subdivision so they will be assured that the sewer plant would be constructed as provided. This is in the form of an annuity, and is not a bond security. The life annuitant has been collecting the income from time to time as there is more than enough to complete the plant. Tommie Ferrel, Real Estate Development Specialist, informed Mr. Macbeth that they are in the closing down mode, and they are looking for others that will take their position in assuring completion of subdivision improvements. The Department would like Highlands County to substitute their presence for them under at least part of the agreement. What this means is that the Board will become the beneficiary of the annuity and assure that the subdivision improvement and the sewer plant is actually constructed. If it is constructed, Highlands County will release the annuity and that will be the end of it. He will bring back documents, further explaining the subdivision improvements. Mr. Macbeth is also exploring release of funds for the Sun'n Lakes of Lake Placid District. See SMB 38 Page 110 for copy.

**G. County Administrator:**

**9. Request approval of Interlocal Agreement with Town of Lake Placid for Lake June Park Renovation**

County Administrator Carl Cool presented an Interlocal Agreement with the Town of Lake Placid for renovations and improvements to Lake June Park. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve the Interlocal Agreement with the Town of Lake Placid for the County to provide \$112,000.00 funding for renovations. Commissioner Bullard reported that the Recreation Committee has approved this request and he spoke in favor of the project. Upon roll call, all Commissioners voted aye. Motion carried.

**1. Request for appointments to the Industrial Development Authority**

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve reappointment of Cliff



Rhoades and Ed Vowels to the Industrial Development Authority Board. Commissioner Jackson asked that in the near future he would like the policy on appointment to Boards clarified by the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 111 for copy of resumes.

**2. Request for appointments to the Nuisance Abatement Board**

Item withdrawn. See SMB 38 Page 112.

**3. Request to remove from the table discussion on Interlocal Agreement with the City of Sebring for City Pier Beach Playground**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to remove from the table the City of Sebring City Pier Beach Playground motion for discussion. County Administrator Carl Cool reviewed a letter from the City of Sebring informing the Board that the City Council considered public health issues raised by Mr. Preston Colby at the January 9, 2001 Board of County Commission meeting. The Council members reviewed a videotape of the meeting and received an update from the Lakes Manager, Clell Ford and Highlands County Environmental Health Director, Roger Christopher. The motion was passed by Council to place signs around the retention pond area and approve that the playground committee go forward with the project. Following passage of the motion the Council approved the interlocal agreement. The City is requesting that the Board approve the agreement for funding in the amount of \$8,500.00.

The Chair opened the floor to the public. Preston Colby spoke regarding safety issues. He suggested that signs are inadequate to protect the public and in particular the young, who will be drawn to the playground equipment. He recommended a barrier be placed around the obvious hazard, the retention pond. Commissioner Jackson stated concerns and asked that Ross Macbeth comment on the safety issues. The Attorney advised that the possibility that the Board may be pulled in secondarily on the liability is certainly there. Highlands County is not primarily responsible for operating the facilities. The City is clearly the responsible party for the operations. Highlands County is already responsible for the liability as the County designed the retention pond. Commissioner Maxcy presented a suggestion that the City and County share the cost of the fencing of the retention pond. Commissioner Flowers noted that the City Council has rejected that option. Commissioner Stokes said that the City has answered the County's safety concerns and he didn't want to approve the agreement, while telling the City what it had to do.

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve execution of the Interlocal Agreement with Highlands County, the City of Sebring and the Community Redevelopment Agency for the City Pier Beach Playground. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay. Motion carried. See SMB 38 Page 113.

**4. Request approval of Budget Amendment and Resolution 00-01-110 & 111 transferring funds from Fund 151 & Fund 005 Reserve for grant award**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-110, to realign funds for proper accounting for the *Keep Highlands Beautiful grant award* that was received, and to approve budget amendment 00-01-111, for a Project Agreement between the Adventist Health System/Sunbelt, Inc. and Highlands County for funds in the amount of \$25,200.00 for the right of way contributed for the construction of SW Vista Drive. Upon roll call, all Commissioners voted aye. Motion

carried. See Res. Book 14 Page 130.

**5. Request approval of Budget Amendment 00-01-112 for renovations at Road & Bridge, Purchasing and Operations Building - gas pumps and steel deck canopy**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-112 for renovations at Road and Bridge, Purchasing and Operations Building (Gas Pumps Steel Deck Canopy Project No. 00084), to go out for bids. Commissioner Bullard suggested that we consider reasonable lighting protection for the steel canopy. He also wanted to know if we have load-bearing capacity ratings for the second floor. Jed Secory, General Services Director, stated that the load limit designed is for 2,000 pounds, and they will make sure they don't exceed that limit. 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 is a client of his corporation. See SMB 38 Page 108 Motion carried.

**6. Request approval to start County surplus process procedures**

Carl Cool presented request for the Board of County Commissioners to start an expedited disposal process for Highlands County surplus property. The General Services Department is creating a list of surplus items for an auction. This list will be sent to Departments of the Board and Elected Officials and other governmental agencies with a stipulation that the Board and Elected Officials have first choice. The process will allow surplus items to be reviewed by all parties described at one time. This is a consolidation of the disposal process found on page 5.2 and the two-step process found on page 5.3 of the Boards adopted purchasing manual.

The General Services Director requested the Board allow any items not sold at Public Auction to be disposed of by donation to a Not-for-Profit organization. By donating these items, the county will save the cost of transport to the landfill, the disposal fees normally charged by the landfill department, and the avoidance of landfill space.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to grant permission for the General Services Director to start the disposal process for County surplus process procedures and waive the procedure process. 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 38 Page 113.

**7. Request approval to participate in a joint project with the City of Sebring to repair the Veterans Beach boat ramp**

County Administrator Carl Cool presented a request for participation in a joint project with the City of Sebring for the repair of the Veterans Beach boat ramp. Mr. Cool advised that the cost for materials to repair the ramp will be approximately \$500.00 and the labor cost will be \$2,400.00 with the County and the City sharing this cost through using staff. Commissioner Flowers suggested that in an effort to reduce labor cost that we ask the Sheriff if this might fall within the guidelines of the work release program.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to participate in the joint project for the repair of this boat ramp. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 114.

**8. Review of proposed budget priority forms**

County Administrator Carl Cool handed out proposed budget priority forms. These forms will provide budget policy and funding priorities for the FY2001-2002 budget development. He asked that the Commission complete the form and bring back next week. They will be reviewed and discussed at the workshop. See SMB 38 Page 115.

**10. Request approval of agreement with MGT, Inc.**

County Administrator Carl Cool presented a proposal from MGT to assist Highlands County with required items for the Board to consider regarding the County Wide Fire Assessment. He spoke in favor of the proposal to ensure that everything is in proper order should they decide to move forward with a Countywide assessment. The proposal cost is \$47,950.00, and could come in a little less than that amount. Approval of the agreement will not mean the Board is committed to a Countywide assessment. Commissioner Flowers advised that he didn't have a problem moving ahead with MGT because of the excellent job it did in preparing the recent study, which recommended that the county move ahead with the consolidation. Commissioner Jackson was concerned that the company was being hired without having direction from the Commission. He didn't see how a rate could be established when a level of service has not been determined. He said that we have a lot of expertise within the county and that staff could develop the study. He was also concerned that the proposal that he had in the agenda packet was different from the one being asked to vote on. Commissioner Bullard was unhappy that MGT did not show in the proposal that it has done this kind of study before. The Chair opened the floor to the public. Clayton Womer spoke in opposition to paying for a consultant. Jim Cash of Lake Placid recommended that staff do the work. Ross Macbeth said that the study could be done either way, but there is a benefit that the Board should consider in having firms that are experienced and have done this study before. They have the computer program, and know what questions should be asked. Tim Eures, Emergency Operations Director, advised that the cost to organize and to unify fire service is approximately \$2.1 million. If you cut the pie up, that's putting the administrative staff together, any additional cost on top of that, depends on how many paid firefighters that you want to augment in the system and how you want to accelerate your capital improvement plan. This does not include the administrative cost for the Tax Collector or Property Appraiser's fees. Carl Cool asked that they bear in mind that does not mean funding at \$2.1 million. An assessment is partially in place now.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve to hire the consultant, MGT Services Group, Inc. Commissioner Bullard proposed an amendment to the motion, that the motion be contingent upon MGT supplying proof of other areas where they have done this type of work and successfully completed it under similar circumstances. Attorney Ross Macbeth advised that with a motion like this, he will have to advise staff to bring it back to the Board again, because the Board is the ultimate arbitrator as to whether the performance is satisfactory. Staff could not make the determination as to sufficiency of performance. Commissioner Bullard withdrew his amendment. Upon roll call, Commissioners Flowers, Stokes and Bullard voted aye. Commissioners Jackson and Maxcy voted nay. Motion carried.

**11. Appointment of Richard Conover to the Building Use Committee**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to add Richard Conover back to the Building Use Committee. Upon roll call, all Commissioners voted aye. Motion carried.

**12. Florida Recycling Services, Inc. Financial Statement 09/30/00**

County Administrator Carl Cool reported that the Financial Statement was received in on February 1, 2001, and the company is in violation of the contract. The statement deadline is January 31, 2000. This is the second year in a row that they did not comply with the rules of the contract. The Board asked that Ross Macbeth write a letter informing the company that they are in violation of the contract. The Attorney stated that he will take a look at the latitude in the ordinance and the contract to see if there is a sanction listed. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to accept into the record the Financial Statement. Upon roll call, all Commissioners voted aye, except Commissioner Stokes who left the room at 12:48 p.m. Motion carried.

**13. Consent agenda item number 3. - Villages of Highlands Ridge, Phase VI-A Plat Recording**

Ross Macbeth advised that there is an easement and a joinder agreement that has not arrived from the bank, along with adequate funds for the recording fee. The Plat cannot be recorded until these documents have been received. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Plat, contingent upon proper documentation being received. Upon roll call, all Commissioners voted aye, except Commissioner Stokes who was not available for the vote. Motion carried.

**H. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the Consent agenda as listed. Upon roll call, all Commissioners voted aye, except Commissioner Stokes, who was not available for the vote. Motion carried.

**A. Approval to pay all duly authorized bills and employee benefits**

Law Library .....	1,374.53
General .....	2,364,495.20
County Transportation Trust .....	59,484.47
E911 Operations .....	13,540.01
Intergovt Radio Communications .....	54,443.23
Law Enforcement Education .....	1,500.30
Legal Aid .....	2,791.63
Local Government Infrastructure .....	320,771.44
Community Development Block .....	2,250.00
Affordable Housing Assistance .....	55,199.00
Solid Waste .....	173,186.95
Placid Utilities .....	5,147.73
Highway Park Utility .....	376.26
Risk Retention Fund .....	22,956.52
Employee Benefit .....	115,488.62
Highlands Hosp Pass Thur .....	22,398.50

**2. Approval of minutes of board meetings of January 9, 2001, January 16, 2001 and January 23, 2001**

3. ~~Request to approve final plat recording - Villages of Highlands Ridge, Phase VI-A. See Highlands Ridge file.~~
4. Request approval of resolution and budget amendment 99-00-447 (Local Criminal Justice - to realign budget to reflect unanticipated revenue). See Res. Book 14 Page 128.
5. Request to approve resolution and budget amendments 00-01-109( Recycling Operations - to realign funds to properly account for grant revenue) 00-01- 113 (Parks and Recreation Lakeside Dr./Rutledge Road - to pay for a tax proration per South Ridge Title and Abstract Company), 00-01-116 (Revision to the appropriation for Sebring Parkway Phase I due to the changes approved by the BCC 10/3/00) and 00-01-123( to set up Housing Grant #01DB-79-07-38-01-H09). See Res. Book 14 Page 129.
6. Request to approve budget amendments 00-01-114 (Realignment of contractual services for large scale hydrilla treatment on Lake Istokpoga), 00-01-117( CR 731 from Graham Rd to Highlands County line and changes in Courthouse Prk) 00-01-118 (To move position of Receptionist/Secretary, effective 1/1/2001, into Human Resources Department to allow one dept to supervise front desk/reception responsibilities) and 00-01-119 (Annual maintenance agreement for the Budget Preparation software).
7. Request to approve recording of County Maintained Road Map
8. Request to approve FEMA Emergency Food and Shelter Grant for the Highlands County Human Services Department. See SMB 38 Page 116.
9. Request to approve timber sales contract for The Preserve of Sun 'n Lakes. See Sun 'n Lake District file.
10. Request to approve Commodity Contract Amendment. See SMB 38 Page 117.
11. Request approval of Satisfaction of Mortgage - Warrick. See SMB 38 Page 118.
12. Request approval of Chastain-Skillman, Inc., CSA No. 35 for miscellaneous consultations, drafting services and reproduction for Solid Waste Management Center. See SMB 38 Page 119.
13. Request approval of Budget Amendment No. 00-01-125, and Addendum No. 1 to CSA No. 18 with Chastain-Skillman, Inc. for providing a potable water supply to the Landfill. See SMB 38 Page 120.
14. Accept into the record the audited financial statement for Reliable Sanitation See Garbage Franchise file for copy.

Commissioner Stokes joined the meeting at 12:55 a.m.

**6. CITIZENS NOT ON AGENDA:**

Preston Colby filled out a slip to speak, but was not available to participate.

**7. COMMISSIONERS**

Commissioner Bullard spoke in favor of an interconnection between our water system at Tomoka Heights and the Town of Lake Placid's water system for the safety of the citizens. Staff was directed to pursue this idea.

The County Administrator was also in favor of the proposal.

Commissioner Maxcy informed the Board that he will be meeting with the Governor on Thursday. He will try to talk to him regarding the Istokpoga drawdown. Also, the Florida Association of Counties has requested that Commissioner Maxcy be a lobbyist for that group. It will require one week in March and the County Administrator will join him. The FAC will lobby the legislators on our issues.

**8. ADJOURN**

The meeting adjourned at 1:00 p.m.

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

**Attest:**

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

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**WORKSHOP MEETING OF THE BOARD, FEBRUARY 13, 2001**

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:

<b>C Guy Maxcy</b>	<b>Mike Eastman</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the County Administrator Carl Cool, followed by the Pledge of Allegiance by Bob Baglemann, the Highlands Today reporter.

3. **ANNOUNCEMENTS**

**A. Sheriff:**

No report presented.

**B. Clerk:**

No report presented.

**C. Upcoming County meetings:**

County Administrator Carl Cool, presented the upcoming meetings into the record. Mr. Cool also presented an update on the Istokpoga drawdown. Additional meetings were announced for the benefit of the public.

4. **WORKSHOP:**

**A. Discussion on Sebring Parkway Phase II Interlocal with the City of Sebring**

County Administrator Carl Cool presented recommendations from county and city staff as follows:

- First, officially notify DOT that the county will no longer proceed with them and all right of way acquisition will be acquired locally.
- Second, the county will seek an interlocal agreement with the City of Sebring, signifying the percentage of payment, outlining the lead role, and the individual steps of approval, such as the design concept and the right of way acquisition.
- Third, begin the engineering plans in order to find out what costs are involved.
- Fourth, to remain flexible when seeking right of way acquisition, and work with local businesses as opportunities arise.
- Fifth, to have feeder roads such as DeSoto Road and Youth Care Lane considered in this year review of the Capital Improvement Plan as separate roads.

**Board discussion -**

Commissioner Stokes stated concern that other scheduled projects may be eliminated. Commissioner Maxcy also questioned if some long term projects would get eliminated with the county constructing the Parkway. Carl Cool stated that it wouldn't cut projects but it could move them out into the future. He does not recommend raising other revenues. Staff should look from within the current revenue stream. He does not recommend any change to the five-year road plan. Commissioner Jackson questioned the amount of funding within the Interlocal Agreement with participation from the City of Sebring. Carl Cool has recommended to the City Administrator a percentage of 25% by the City and 75% by the County. Commissioner Bullard spoke in favor of the County doing the project, and in favor of the five lane design. He is in favor of the 75 - 25% split. Commissioner Maxcy wondered what projects are at risk. Mr. Cool said some capital improvement items could be at risk, such as County Road 635 extension proposal. The county may in the future also have to pave only three miles per year instead of five miles per year. The county could also reduce some of the reconstruction and resurfacing. Commissioner Flowers spoke in favor of the 75 - 25% split with the City.

The Chair opened the floor to the public. Loren Eby spoke in favor of the five lanes. Don Maddox, Central Florida Glass, spoke regarding the impact to his business on expansion plans. The Board will meet with him regarding the future plans. Carl Cool to work with Ross Macbeth and City Attorney Mike Swaine on an Interlocal Agreement for the City to consider on February 20<sup>th</sup> and have back before the Board on February 27<sup>th</sup>. Floyd Yarbrough spoke in favor of the five lanes. He also asked if staff will look into extending Youth Care Lane and DeSoto Road to help open up the other roads. Commissioner Maxcy asked that staff look at extending the roads. Mr. Cool stated that staff has already started the planning process. He recommended that we add Youth Care Lane and Kenilworth Blvd. to the Interlocal Agreement. The Board gave a consensus to proceed with the Interlocal Agreement.

**A. Discussion on Board policy on committee appointments**

County Administrator Carl Cool presented a proposed amendment to the committee appointment policy as updated by Commissioner Jackson and Mr. Cool. He recommended the draft for adoption by the Board of County Commissioners. Commissioner Bullard spoke in favor of the new policy and presented changes.

- He recommended that in item one we change from one month to two months.
- In the first sentence add staff liaison.
- Add back item number two from the old policy as item number 14 with the heading the county shall
- Add into item number 5 the code of conduct

The Chair opened the floor to the public. Richard Conover suggested that the Commission be sure candidates are willing to commit to going to as many meetings as possible. The Commission asked that department heads follow through on attendance issues. Richard Aber suggested better notification of appointments. Commissioner Bullard recommended that a date be added on the application with the language additional Boards that you might be interested in serving on and also let the applicant know when the date expires for consideration of appointment. Commissioner Flowers recommended that staff keep the application active for two years and then have staff send a notification of expiration. Gabriel Read



recommended appointment of alternates. Hank Kowalski stated opposition to item number 14. He said that the names should go directly to the Board of County Commissioners and not to the particular committee for a recommendation. Commissioner Flowers said that the final call is already with the Commission. Commissioner Stokes said he believed the advisory committees needed a say in the process. The consensus of the Board was to direct staff to make changes and bring back with a diversity statement as recommended by Commissioner Bullard. Clayton Womer endorsed the amendments. See SMB 38 Page 122.

**Recess 10:20 a.m. - 10:30 a.m.**

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda with the addition of three items as listed as C. D. E. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Approval to pay all duly authorized employee benefits February 13, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of all duly authorized employee benefits in the amount of \$ 141,812.03. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Development Services Director: Request for Zoning Code Amendment - Ditthardt & DeYoung**

Jim Polatty, Development Services Director, presented request for the Zoning Code Amendment. Brian & Valerie Ditthardt and Gerhard and Carol Powell own the two lots that were formerly trust property. To make lot 15A buildable, approximately 40 feet was conveyed from lot 15 (the Ditthardt's property) to lot 15A (the Powell's property), thereby giving both lots approximately 60 feet of frontage along Sunset Drive. An administrative decision made in early December 2000 by Gary Lower and Ross Macbeth that allowed the creation of these two buildable lots by allowing the creation of "road" easements and cross easements along the side across each of the newly created, adjacent 60 foot lots, thereby meeting the 80-foot frontage requirement. Attorney Macbeth later rescinded this administrative decision and he rescinded the zoning approval for those two lots. In January, the Powells and Ditthardts then created the mutual ingress/egress easement of 37.5 feet. Attorney Macbeth then sent the January 25, 2001-memo with an interpretation of the code that stated this could be achieved by allowing the creation of "road" easements and cross easements along the side across each of the newly created, adjacent 60 foot lots that would allow someone to meet the 80-foot frontage requirement.

Letters from Curtis DeYoung speak to a proposal to create two buildable lots on Sunset Drive in Lake Placid Shores subdivision. The properties in question are zoned R-1A, which requires a minimum size of 10,000 square feet and 80 feet of frontage. The lots were platted in 1952, lot 15 with 100-foot of frontage and lot 15A with 20 feet of frontage. The zoning code's nonconformity section allows the construction on any lot of record (those created before zoning) as long as the front, rear, and side setbacks are met. Lot 15 A was originally platted as an irrigation easement or an easement for access to the lake and not platted as a buildable lot.

The Chair opened the floor to the public:

The owner of Lot 15, Brian Ditthardt, said that he did all the necessary “due diligence” to be sure homes could be built on these properties. He was told that they could do this, and he did all that they were instructed to do. Cliff Ables, Attorney, recommended that the policy be continued because there are numerous lots such as these around the county. Real Estate Agent Bill Brantley, spoke in favor of the easement conveyance. Loren Eby spoke in favor as staff has already approved the easement conveyance. Curtis DeYoung spoke in opposition. He said if we allow this to continue, we will be setting a precedent. Andy Tully also spoke in opposition as he feels it is nonconforming.

Commissioner Bullard stated that use of an easement to satisfy a frontage agreement is circumventing the existing code put there to protect adjacent property owners. If it is applied this way throughout the county, we will open Pandora’s Box. We are talking about one lot and a platted irrigation easement, not two lots. We are expanding a non-conforming lot, if you can call it a lot. We have taken footage from a conforming lot, given it to an easement to create two non-conforming lots with 60 feet of frontage. He thinks that staff has misapplied the code. Commissioner Jackson agreed with Commissioner Bullard’s interpretation of the code as far as the future is concerned, but not in favor of making a sudden change to anyone’s detriment when they have relied on staff.

Ross Macbeth stated that technically, it’s a buildable lot. It does not happen that often, but it does once in a while. It is consistent with the way the code has been interpreted for the past 30 years. If the Board considers this to be a problem, we need to send this to Planning and Zoning Commission for further study. Jim Polatty advised that the Board Attorney has issued his ruling and the owners should be allowed to build homes on their property, because they are in the pipeline.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to instruct the Planning and Zoning Department to research the code and based on the input they have received to develop amended language for the codes to correct the problems encountered and bring back to the Commission for final action. Upon roll call, all Commissioners voted aye. Motion carried.

**C. Request to waive bidding procedures**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a waiver of the bidding procedures to issue a purchase order for payment to AMP Check Electric in the amount of \$14,300.00 for electric connection to the Annex Building. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 123.

**D. Reconsider MGT Contract**

Motion by Commissioner Flowers, seconded by Commissioner Bullard to approve a waiver to the bidding and allow MGT to withdraw their contract, and award the proposal to GSG, with conditions to reduce their price to \$52,000 with approval of a budget amendment that will be needed. Commissioner Jackson spoke in opposition to the proposal. Upon roll call, Commissioners Flowers, Bullard, and Stokes voted aye. Commissioners Jackson and Maxcy voted nay. Motion carried.

**E. Participation of County involvement in the Lake Istokpoga drawdown**

The Board gave a consensus to County Administrator Carl Cool to approve the county staff participation in the Lake Istokpoga drawdown by spreading the material with the landowner's permission in approximately two years to help restore the lake. Mr. Cool will bring back a form for consideration at next Tuesday's meeting.

**5. Citizens not on agenda**

Junior Wilfong of Lark Avenue, presented a petition into the record from residents of Sebring Hills, requesting the Board require the owners of 216 Lark Avenue to clean up the property, as it is being used as a hangout for teenagers. At times the road is blocked with their cars and they have become unruly. A Sheriff's Deputy informed the neighbors that there was nothing he could do with the problem. Commissioner Flowers requested that Mr. Wilfong direct his concerns to the Code Enforcement Department. See SMB 38 Page 124.

**7. Adjourn**

The meeting adjourned at 12:30 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, FEBRUARY 20, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard, followed by the Pledge of Allegiance by the Highlands Today Reporter, Bob Bagelmann.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Benton presented the Daily Jail Inmate population for the period ending February 20, 2001. The Farm Report was also given for January.

- B. Clerk:**

Bob Jamison, representing the Clerk of Courts, briefed the Board on the status of the Comprehensive Annual Financial Report. The CAFR is in the final stage, and is on schedule for completion in late March. The CAFR is being prepared by the external auditor of record, The NCT Group. After completion of the document, the NCT Group will make its annual presentation to the Board of County Commissioners, probably in late April.

- C. Upcoming County meetings:**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Tom Portz, Asst. County Administrator, briefed the Board on the fire in the area of Airport Road and DeSoto City. Mr. Cool announced that the County Booth won a ribbon at the County Fair and the County also won a blue ribbon at the State Fair. He thanked the Lake Placid Chamber for putting the booth together.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to set the Action agenda as listed:

- Remove Consent agenda item number 8 and item number 13 and place under the County Administrator at the request of Commissioner Bullard.

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

- A. Approval of a resolution in recognition of Charlotte Lee's years of service to the County**

Chair Guy Maxcy recognized Larry Sharpe, Don Bates, and Charlotte Lee, of the Natural Resources/Soil and Water Conservation office. He read a resolution into the record in recognition of Charlotte Lee's dedication and continued service to the County for more than 36 years. Mrs. Lee served as Office Manager. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution commending her for faithful service to the County from July 27, 1964 to February 28, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 132.

**B. Human Resources Director:**

**1. Request to carry over annual leave**

Fred Carino, Human Resources Director, presented a request that authority be granted for Mr. Tim Timko to carry over 14.0 of annual leave into calendar year 2001. Mr. Timko was unable to expend annual leave hours due to high operational demands as verified by the department head. County Administrator, Carl Cool, explained the request and spoke in favor. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve request as stated. Commissioner Flowers advised that caution should be taken for future requests. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 124.

**2. Request approval of revisions to the Personnel rules and regulations**

Human Resources Director, Fred Carino presented revisions of the Personnel rules and regulations for review. Mr. Carino requested that the Board approve the revisions to Appendixes One, Two, and Ten.

**Appendix One - Assigns all Board positions to one of eight classification categories**

**Appendix Two - Lists all Board positions by Pay Grade and the automated Job Code used in the Human Resources database.**

**Appendix Ten - Contains the job descriptions for all currently authorized positions under the Board of County Commissioners.**

The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt the revised appendixes One, Two and Ten. Upon roll call, all Commissioners voted aye. Motion carried. See Personnel File for copy.

**C. Zoning Supervisor: Request reappointment or replacement of four members of Planning & Zoning Commission, Local Planning Agency, & the Zoning Board of Adjustment**

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve request of Gary Lower, Zoning Supervisor, to reappoint as regular members Mr. John Tallent, Mr. David Travers, Mrs. Margo Tully, and Mr. Douglas Walz for a four-year term to the Board of Adjustment, Planning and Zoning Commission and the Local Planning Agency. Carl Cool spoke in favor of the future appointment of Mr. John T. Bock. The Zoning Supervisor advised that the members have been contacted and they wish to continue to serve on the Board. Commissioner Flowers questioned the attendance record of the appointees. Gary stated that all members have a good attendance record. Upon roll call, all Commissioners voted aye. Motion carried. See Planning and Zoning for copy of resumes.

**D. Facility Manager: Request to change use authorization for FY 2001 budget issue**

Tom Portz presented request for Al Bowles, Facility Manager, to change budget issue and purchase a ½ ton heavy duty, pickup truck, as all his departments three pickup trucks exceed 225,000 miles and the newest is a 1980 model. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve modifying Facilities Managements' budget issue to purchase a ½ ton, heavy duty pickup truck. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 125.

**E. Board Attorney**

The Board gave a consensus to Ross Macbeth to set an Executive Session at 9:10 a.m. on February 27, 2001 to discuss settlement negotiations or strategy related to litigation expenditures in Case # GC 99-239, B.A. Roberts, Inc. v. Highlands County with a court reporter recording the session.

**F. County Administrator:**

**1. Request approval of renovation to Tax Collector's Lake Placid office**

County Administrator Carl Cool presented a memo from Vicki Pontius, Parks and Recreation Director, for the final analysis as estimated by Ron McClure for renovations to the Lake Placid Tax Collector's office. The total cost for the work is estimated to be \$46,638.36. Mr. Cool spoke in favor of the renovation to be done by County staff on the existing building, with the budget amendment to come out of the General Fund Reserve. Commissioner Flowers spoke regarding the good effect, including the moral and the perception from the public that came from the renovations done to the Avon Park Tax Collector's office. Tax Collector, Charles Bryan asked that the Board authorize the work and approve the necessary funds for the repairs to the county building. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the request and authorize the carpentry crew to begin demolition with the approval of the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 126.

**2. Request approval to recover losses from Sky Asset Management**

County Administrator, Carl Cool reviewed memo from Rick Weigand regarding the losses Highlands County has received from Sky Management. The losses were due to a lack of performance by the former billing and collection's contractor, Sky Management. He requested that the Board authorize the attorney to file the necessary legal actions against Sky Asset Management in Circuit Court.

Bob Jamison, speaking for the Clerk of Courts, concurred with the action. Commissioner Bullard asked if Sky Asset Management is still an operating entity and if we have done an asset search to determine if we should prevail, there would be a means to collect. Ross Macbeth advised that they are still in existence, but this is not the only county that has the problem and others have claims that far exceed ours. He cannot give any assurance on collectability. It depends on where our judgement might be in line with the others and what assets they have at the time.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to authorize Mr. Macbeth to file the necessary legal petitions against Sky Asset Management to attempt to recover the documented losses because of their failure to adequately perform their contracted obligations to Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 127.

**3. Request approval of a procedural recommendation made by the Planning and Zoning Commission**

County Administrator, Carl Cool presented a recommendation for the Board to approve a motion as made by a member of the Planning and Zoning Commission. The motion was made due to the tabling of a hearing as the Board received from a Department a recommendation to disapprove a petition without sufficient facts or findings to disapprove. See SMB 38 Page 128 for copy of request. Commissioner Bullard stated discomfort at directing staff members to attend staff meetings when they work under the County Administrator. Carl Cool advised that he is in agreement that County staff should attend Planning and Zoning Commission or Board of Adjustment meetings if there is an adverse situation, and if the Board is in agreement, he will follow through with the mandate.

**4. Request approval of revisions to the policy on committee appointments**

Commissioner Jackson spoke regarding paragraph 15 *as to who should make recommendations*. His opinion is that the committee should have the opportunity to make recommendations, but they are not required to do so. There is no intent on his part for staff to make recommendations. His main concern is clarity. Commissioner Stokes clarified that the committee recommended reorganizing and presented the candidate's names for appointment and asked that staff bring to the Board of County Commissioners for appointment. Commissioner Flowers has no problem with staff giving their recommendations. Commissioner Bullard suggested staff recommendations be added to the last sentence in paragraph 15.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the proposed policy on Board Appointments as updated in the resume' form and amended. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 129.

**5. Review of budget priorities**

County Administrator, Carl Cool presented Commissioners response to the Budget Funding Priorities for FY 01-02. Commissioner Bullard stated concerns that Grants to outside agencies scored at the bottom of the list. He is hoping that we don't make any cuts and hurt the efficiency that has been built up over the years and not head in a totally different direction than the Federal Government is in, administering aid to citizens. He was in favor of the form. Commissioner Jackson asked that we look at the numbers and not take a direct turn either way. Commissioner Maxcy reminded the Board that Juvenile Justice may financially impact the County of around \$226,000 if the issue goes through. The Florida Association of Counties is lobbying against this legislation. Also, the election reform may cause a hit to the County. The approach he has is to maintain the current funding level. He would like to send a message to the state by not funding the Health Department. The Chair opened the floor to the public. Gabriel Read spoke regarding unfunded mandates. See SMB 38 Page 130 for copy of budget priorities list.

**6. Request approval of Landowners Agreement concerning Lake Istokpoga**

County Administrator, Carl Cool reviewed the Landowners Agreement concerning Lake Istokpoga tussock removal. During the period of time from October 1, 2003 and ending no later than September 30, 2004, the BOCC shall spread the tussock and or muck deposited on the Landowners's property by the Florida Fish and Wildlife Conservation Commission to a thickness of eighteen (18) inches or less within the specific portions of the landowners's property designated for that spreading as identified on the aerial map identified as Exhibit "B." The landowner shall allow convenient access upon the property by the employees, agents and contractors of the BOCC and their equipment for the purpose of spreading the tussock and/or mulch and

inspection and supervision of that activity. Commissioner Jackson questioned if the actual spreading of the material could cause property damage. Ross Macbeth did not think so, as the property owners are asking us to spread the material. He is comfortable with the level of service that we are providing.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Landowners Agreement concerning Lake Istokpoga as they come in. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 131 for copy.

### **7. Discussion on proposed 635 right of way**

County Administrator, Carl Cool and Commission Chairman, Guy Maxcy met with Mr. Michael K. Murphy, District Bureau Chief, Department of Environmental Protection, Ken Alvarez, Environmental Specialist, Pete Anderson, Highlands Hammock Park Manager and other State officials to discuss working with the State on the following items:

- Discussion of Mark Glisson's letter dated November 27, 2000, to Lesa Morey, and its application to a possible land swap with Highlands County for a future CR 635 extension.
- The Department's position on the closing of the two county maintained roads running through Highlands Hammock State Park.
- Pending the answer to question number one, a possible discussion would need to take place regarding the best route of a northern CR 635 extension including the route on the far eastern side of the Park and another route some what west of the eastern edge of the Park.

A discussion was held regarding a swap of the land. Carl Cool didn't think there was much hope of a land swap with the State Park Service to allow the first part of the norther extension of County Road 635. Commission Chair, Guy Maxcy wasn't hopeful either. They asked if the County would join hands with the Southwest Florida Water Management District to acquire the Sandy Gully Dairy, and that could make the deal better. Mr. Cool related that the County did not own a dairy and did not have money to buy a dairy. Commissioner Maxcy was not encouraged with the results of the meeting.

Carl Cool shared that the county has money in this year's capital improvement plan for a preliminary design and engineering of the project. The study has not been started because we do not have a corridor. He did talk to the State about a corridor going side of the park and curve to the west and come out into the Park some ways and be further from Golf Hammock. They were not interested at all in this option. The only possible route they were interested to talk about was the piece on the far eastern edge of Highlands Hammock State Park. They inferred that we could make the proposal and send it up and they will comment on it. Commissioner Flowers spoke in opposition to the eastern route as it will impact Golf Hammock and he thinks that should be a dead issue. Mr. Cool shared that between Shoemaker and State Road 66, there is a seven-mile stretch of land. In that seven-mile stretch, five miles of it are paved county maintained roads. Two miles are not. He sees that as a need. The new planners from Sun'n Lakes are recommending a corridor all the way to Highway 64 and hopefully all the way to State Road 66. Ross Macbeth stated that we might want to pave one mile and leave the other mile for a connection to move traffic out of the subdivided areas. The Commissioners agreed to continue discussing the project at a workshop April 10, 2001. They will also talk about what to do with Vaughn Road, which runs west off CR 635 and goes into Hardee County. Discussion



will continue on how to improve the county-maintained road that runs through Highlands Hammock State Park.

The Chair opened the floor to the public. Lesa Morey thanked Commissioners for respecting the will of people living in that area and the will of the Park Service.

Commissioner Bullard suggested that the Board might want to consider a workshop to discuss the increasing percentage of Highlands County’s lands that are being purchased for conservation lands. He shared that we need to start some long range planning as it relates to the Board’s position on the acquisition of lands and our cooperation at the time of acquisition and the possibility of reserving at that time, easements for the purpose of meeting the needs to provide infrastructure. It was a consensus that the Board also workshop this item on April 10, 2001.

Motion by Commissioner Flowers, seconded by Commissioner Jackson to direct staff to bring back alternate plans that specifically eliminates the Golf Hammock area from the CR 635 project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 132.

**8. Consent agenda item number eight -Budget Amendment 00-01-128 and 00-01-129**

Carl Cool explained that this budget amendment is to pay for an OPS worker. This item to be placed back on Consent agenda.

**9. Consent Agenda number 13 Approval of agreement with SWFWMD for the Lake Persimmon Water Quality Project and resolution and budget amendment 00-01-159.**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the agreement with SWFWMD for the Lake Persimmon Water Quality Project and resolution and budget amendment 00-01-159. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 133.

**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 and employee benefits**

Law Library .....	2,467.60
General .....	233,609.19
County Transportation Trust .....	43,439.39
E911 Operations .....	12,471.11
Local Govt Infra Surtax .....	176,292.59
Community Development Block .....	128,725.27
Affordable Housing Assistance .....	17,700.00
Special Law Enforcement .....	1,219.80
Sold Waste .....	45,277.37
Placid Utilities .....	9,317.30

- |  |                            |           |
|--|----------------------------|-----------|
|  | Highway Park Utility ..... | 2,036.88  |
|  | Risk Retention Fund .....  | 2,247.71  |
|  | Employee Benefit .....     | 54,749.73 |
2. Approval of minutes of the meetings of January 30, 2001 and February 6, 2001
  3. Accept into the record - January 2001 Monthly Report
  4. Approval to sell tax certificate #99-9595. See SMB 38 Page 133.
  5. Approval of request to declare nuisance - Case #CE 00060050. See SMB 38 Page 134.
  6. Approval of request to declare nuisance - Case #0101-0094. See SMB 38 Page 135.
  7. Approval of Satisfaction of Mortgage - Zeno. See SMB 38 Page 136.
  8. Approval of budget amendments 00-01-128( E911 Program) 00-01-129 (E911Program) 00-01-133(Emergency Management Base Grant) 00-01-134 (To complete repairs to railroad crossings per 100 year agreement) 00-01-135 (correct deficiency in Road & Bridge) 00-01-138 (County Transportation Trust, Traffic Paint, Striping, and signs for no wake zones) 0-01-139 (Traffic Operations overtime) 00-01-140(Public Information OPS) 00- 01-146 (Reallocate Small County Grant funding for storage sheds) 00-01-148 Local Emergency Agency, unemployment compensation for Laura Eidenberger) 00-01-151(County Engineer, unemployment compensation for Mark R. Allen) 00-01-152(to cover repairs for towers and radios - Inspection contract) 00-01-153 (Facilities Management Lawn Mower).
  9. Approval of resolutions & budget amendments 00-01-126(HazMat Plan Grant) 00-01-149 (Vantage Pointe Drainage Improvement) 00-01-155(Facilities Management, Clerk’s Technology Upgrade) 00-01-156 (Lake Placid Library to purchase books) 00-01-158 (Widening of Fairmount Drive). See Res. Book 13 Page 134.
  10. Approval of a revision to the Highlands County Health Department contract reflecting an awarded increase in funding. See Health Department for copy.
  11. Approval to execute Highlands Art League, Inc. grant contract for FY 2000-01.
  12. Approval of Town of Lake Placid’s Interlocal Agreement for recreation funding for FY 2000-01. See Town of Lake Placid file
  13. ~~Approval of agreement with SWFWMD for the Lake Persimmon Water Quality Project and resolution and budget amendment 00-01-159.~~
  14. Approval of agreement with SWFWMD (Contract #99CON000161)for the Lake Jackson Storm water Survey (K165)

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

**5. CITIZENS NOT ON AGENDA:**

Richard Conover remarked about the water index in Highlands County as listed on the monthly reports and the amount of acres that was mowed in comparison. County Administrator, Carl Cool advised that the mowing crew is out mowing the back side of the right of ways this time of the year. They are unable to cut that portion during the summer as the grass grows so fast. Mr. Conover asked that the mowing crew also consider cutting around signs while they are out mowing.

**6. COMMISSIONERS**

Commissioner Bullard asked the County Administrator to check with Polk County on emergency measures, possibly a resolution for stricter protection from wild fires. Commissioner Maxcy reminded the Board that Legislative day is March 28, 2001. He will be taking Carl Cool with him and they will be lobbying on Tuesday through Thursday. Commissioner Flowers will be unable to attend.

**7. ADJOURN**

The meeting adjourned at 11:02 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, MARCH 6, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>Andrew B Jackson</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Rev. Eugene Bengtson, followed by the Pledge of Allegiance.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending March 6, 2001.

- B. **Clerk:**

Bob Jamison, Deputy Clerk, advised that the Clerk's office established a web site on the Internet one year ago. The concept was to provide more information, including official public records available to the public and to gain efficiency for the Clerk's office. The web site has information on all the Clerk's various functions, from Jury Management to Traffic Services and from Automated Services to Juvenile Services. Also included are the Board Meeting Minutes and records from the Recording office and Civil and Probate records. When the web site began in February one year ago, the information was accessed 4,000 times in that month. Now, one year later in February, records were accessed 144,000 times. Mr. Jamison was pleased to present the report on the availability of public records to the public through the accessibility of the Clerk's Web site, which would otherwise require phone calls, letters and walk in's.

- C. **Upcoming County meetings:**

County Administrator Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to set the Action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Mike Eisenhart: Resolution on the Great American Cleanup**

Mike Eisenhart, "Keep Highlands Beautiful" Coordinator, gave a small presentation on the Great American Cleanup and read the Resolution into the record. He requested adoption by the Board. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution proclaiming the months of

March and April as the "Great American Cleanup in Florida" and urge all citizens, civic groups and governmental agencies to participate throughout the year. Commissioner Jackson encouraged all Commissioners and staff to participate in this program. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 138.

**B. Tampa General Hospital representative: Request to approve renewal of TGH/AeroMed certificate of necessity**

David Duke, representing, Tampa General Hospital, appeared before the Board with request that the Certificate of Public Convenience and Necessity be renewed to operate AeroMed within Highlands County. The certificate will cover a two-year term. The Chair read the Certificate of necessity into the record and opened the floor to the public. Rick Weigand, EMS Director, spoke in support of the renewal. Bob Jamison, Deputy Clerk, advised that Rick was instrumental in helping to bring this service to the County seven years ago. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve execution of Certificate of Public Convenience and Necessity with Highlands County for the AeroMed services. Upon roll call, all Commissioners voted aye. Motion carried. See EMS file for copy.

**C. General Services Director: Update of final County surplus list for auction**

Jed Secory, General Services Director, presented the updated final county surplus list of items that will be taken to auction on March 10, 2001. These items have been taken through the two-step disposal process as provided by the adopted purchasing manual. The Chair opened the floor for public input. Jim Cash of Lake Placid requested direction to be able to view the surplus items. Jed advised that he will supply a phone number with directions. Commissioner Bullard questioned if the additional items have gone through the two-step disposal process. He suggested that the General Services Director fax or e-mail a list of the additional surplus items in order to comply with the two-step process. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the disposal of the scrap list of County surplus items. Upon roll call, all Commissioners voted aye. Motion carried. See General Services Disposal list for copy.

**D. Assistant County Administrator:**

**1. Request approval to waive Personnel rules**

Tom Portz, Assistant County Administrator, advised that Mr. Oscar Garner, Emergency Management Director, will retire on July 31, 2001. Mr. Garner has been employed since 1996 and has led the County through multiple emergency situations. As this is a key management position, and associated with public safety, he is requesting to begin recruitment immediately. Salary overlap can be paid for with the emergency management base grant funds and not affect the general fund. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to waive personnel rules 30 day vacancy recruitment policy and begin recruitment immediately for the Emergency management Director position. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 143.

**2. Request approval of radio purchase for Code Enforcement and budget amendment #00-01-173 decreasing Reserve for Contingency**

Mr. Portz requested permission to purchase two additional radios for Code Enforcement to improve overall communications between county agencies. This purchase will allow Code Enforcement to communicate

with Road and Bridge, Zoning, EOC and Engineering and will allow added flexibility for response during the upcoming hurricane season. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve radio purchase and budget amendment 00-01-173 with funds to come from the reserve for contingency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 144.

**3. Request execution of Mitigation Grant document and resolution and budget amendment #00-01-176**

Mr. Portz presented a modified mitigation grant for review. The original grant was reviewed last year and was removed as staff was uncomfortable with being able to adhere to the requirement of the contract. He recommended that the Board remove this item and bring it back on March 20<sup>th</sup> for approval as he has a meeting with the School Board and the Architect and if there are any revised language, it will be submitted along with the Chastain Skillman agreement. Commissioner Jackson suggested that the Board give some indication if this is the way they want to proceed, before we spend any more money on the grant. Commissioner Bullard shared that there is a need to continue to try to upgrade and to increase our shelter capacity. He stated that we do not have sufficient shelters that meet state standards, and to be able to receive these funds, the vast amount from the state and a smaller portion from the county is a much better way of paying, than trying to pay for the shelters one hundred percent. He is in favor of moving ahead with the grant. The consensus of the Board was to remove the item from the agenda and bring back on March 20, 2001 for consideration.

**E. Board Attorney: Request approval of lease agreement with YMCA for BMX track**

Ross Macbeth presented a Lease Agreement for review with the YMCA, Inc. for the lease of 12.93 acres of land used by the Board as a clay soil borrow pit. The property is for construction and operation of a bicycle motocross (BMX) racing facility. Access to the leased property shall be by a 0.35 acre easement from the paved main entrance to the former Avon Park landfill on CR 17 A to the northwest portion of the leased property. Ross Macbeth reviewed language to be added to the document. Commissioner Flowers suggested that paragraph number 6 contain a termination clause and paragraph number 24 include language that the YMCA shall have a trained staff person on the leased property during the hours of operation. The Chair opened the floor to the public. Dee McDonald, representing the YMCA, Dan Andrews and Jackie Andrews of D&S Cycle Shop, spoke in support of the project. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve lease agreement with YMCA for the BMX track with new language as recommended. Upon roll call, all Commissioners voted aye. Motion carried.

**1. B. A. Roberts Lawsuit discussion**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to waive the agenda to discuss the Lawsuit with BA Roberts, Inc. Upon roll call, all Commissioners voted aye. Motion carried.

Ross Macbeth explained that trucks leased by Roberts were overweight when they came into the Highlands County Landfill. Once notified of the problem it stopped immediately and Roberts made an effort to get correct truck weights. Relating to the problem, the county sent out a notice to all trucking companies saying it would not pay for overweight loads. Roberts did not sign the agreement. Later the county was in need of more shell so staff advertised for bids. Roberts and Tu-Co Peat came in first and second place, respectively.

The contract was awarded to Tu-Co Peat, which had signed the agreement, concerning overweight loads. This job was a \$200,000 job and Roberts amended the original suit, filed against the county over unpaid bills from previous jobs, stating that his company would have made 10 percent from that contract. Ross Macbeth said that he believed Roberts would prevail on the lost profits' issue. The county did not remove him from the list of bidders for that reason. He corrected the problem and business renewed. Then the Clerk's audit came out and everything stopped. The original audit by the Clerk of Courts office estimated the county overpaid Roberts by \$35,000. Roberts estimated it at \$1,500. The Clerk's office conducted a follow up audit in which all delivery tickets were examined, and determined the overpayment was \$1,700. Ross Macbeth said the county should keep that amount and pay the \$15,000 settlement. He felt that it was a reasonable settlement. Each side will pay its legal fees, which he estimated at \$5,000.

Commissioner Bullard presented several concerns relating to the settlement. Commissioner Flowers made a motion to approve the settlement offer and to encourage Mr. Roberts to continue doing business with the County. Commissioner Stokes seconded the motion. Upon roll call, all Commissioners voted aye. The motion carried. Commissioner Bullard asked that the County Administrator and Board Attorney make revisions in future bid documents to assure that this does not happen again. Ross Macbeth stated that this has already been done. Bob Jamison, Director of Internal Audits, advised that within two months from the initial audit based on projections of the \$35,000 the Clerk's office did examine every ticket and revised that audit to \$1,700.

Break 10:30 a.m. - 10:45 a.m.

**F. County Administrator:**

**1. Notification of upcoming vacancies on the Recreation and Parks Advisory Committee**

Carl Cool, County Administrator, presented the recommendations of Vicki Pontius, Parks and Recreation Director. She advised that there will be three terms of office expiring on April 20, 2001 in the Recreation and Parks Advisory Committee. Two of the members are James Shader and Joe DeCerbo. She has spoken to both of these members. James Shader, representing Sun n' Lakes of Sebring, is not interested in serving another term. Joe DeCerbo, representing the Spring Lake Improvement District, would like to be reappointed to the Committee. Carl Cool will bring the resumes to you for review and appointment in an upcoming meeting. No action was taken. See SMB 38 Page 145.

**2. Notification of vacancy on the Kissimmee River Accessibility Committee**

Carl Cool, County Administrator, presented the recommendations of Vicki Pontius, Parks and Recreation Director. She advised that Mr. William Van Duzer has resigned from the Kissimmee River Accessibility Committee, due to scheduling difficulties. The Board appointed eleven members who submitted resumes to the committee. There are no resumes currently on file. She recommended that we do not fill this vacancy, since there is currently a well-rounded group of representatives, and the committee's mission is of temporary nature. No action was taken. See SMB 38 Page 146.

**G. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed. Commissioner Jackson requested a report on the recycling program as far as revenue and expenditures. Carl Cool advised that he will be provide the report.

1. **Approval to pay all duly authorized bills and employee benefits**

Law Library .....	1,442.84
General .....	1,966,109.17
County Transportation Trust .....	54,294.88
E911 Operations .....	2,549.79
Intergovt Radio Communication .....	501.23
Legal Aid .....	2,886.10
Local Govt Infra Surtax .....	65,030.41
Community Development Block .....	196,585.57
Affordable Housing Assistance .....	15,575.00
Special Law Enforcement .....	2,530.00
Sold Waste .....	161,722.70
Placid Utilities .....	3,839.39
Highway Park Utility .....	1,344.10
Risk Retention Fund .....	263,726.97
Employee Benefit .....	200,764.00
Highlands Hosp Pass Thru .....	22,452.50
2. **Approval of minutes of board meetings of February 13, 2001, and February 20, 2001**
3. **Request to approve budget amendments 00-01-161(transfer funds to Recycling for purchase of bins for expansion of commercial cardboard recycling program) 00-01-172 (purchase of three computers).**
4. **Request approval of resolution and budget amendment 00-01-163 (Revenue from Florida Arts License Plate revenue). See Res. Book 14 Page 139.**
5. **Request for approval of resolution and budget amendment 00-01-169( waiving of bidding procedures-Placid Utilities well repair). See Res. Book 14 Page 140.**
6. **Request to approve execution of an Interlocal Agreement with City of Avon Park for recreation. See City of Avon Park file.**
7. **Request lateral transfer of surplus items to other governmental agencies and approval to dispose of scrap County surplus. See General Services file.**
8. **Request to waive disposal fees for the DeSoto City ballfield. See SMB 38 Page 146.**
9. **Request to approve payment without Purchase Order for completion of CDBG 00DB-6B-07-38-01-E04. See SMB 38 Page 147.**
10. **Request to approve resolution and budget amendment 00-01-177 for CDBG to reappropriate funds from prior year that was not brought forward. See Res. Book 14 Page 141.**



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

**5. CITIZENS NOT ON AGENDA:**

No participants

**6. COMMISSIONERS**

Commissioner Bullard reported on the NACo meeting in Washington. Commissioner Maxcy announced that the selection committee for the Heartland Workforce Board has met and chosen former Commissioner Jim Gose as the Heartland Workforce Director. His name will be taken to the full board March 14, 2001 for final approval.

**7. ADJOURN**

The meeting adjourned at 10:53 a.m.

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

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

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**REGULAR MEETING OF THE BOARD, MARCH 13, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>

Commissioner Jackson was not present at the meeting, due to an unexpected accident.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard with special prayers for Commissioner Andy Jackson, Ned Hancock and the family of Jim Penrod. The Pledge of Allegiance followed, led by Sebring Airport Director, Mike Willingham.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending March 13, 2001.

- B. Clerk:**

Bob Jamison, Deputy Clerk, presented the regular monthly report for March on Jury Trial Week in Highlands County. The Clerk's office was able to cut the jury list by one half again this month.

- C. Upcoming meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **WORKSHOP:**

- A. Discussion on Pearce Homestead**

County Administrator, Carl Cool, presented into the record the following agreements and explained their purpose:

- Memorandum of Agreement with the Water Management District
- Memorandum of Agreement with FHREDI
- Grants Summary
- Copy of the Option that the Board has on the 600-acre grazing lease
- Proposed copy of the Master Plan

Mr. Cool introduced Mr. Fred Davis, Engineer, representing the South Florida Water Management District. Board Attorney, Ross Macbeth and County Administrator, Carl Cool met with Mr. Fred Davis regarding a deed on the 395 acre parcel. The issue at present is how much of the 395 acre parcel will SWFWMD deed to the County. The Board has the option to buy the 600 acre parcel and the money is in the adopted CIP to purchase the acreage. The Board can exercise that option. Betty Neale, Executive Director of FHREDI, said

that the \$25,000 Grant for the Daughters of the American Revolution project is almost certainly gone, and that creates an uncertain future because it served to satisfy part of the local match required for the \$268,434 grant received to continue restoration of the Lockett residence. Nothing has been done to secure release of either grant, which FHREDI received July 1. The deadline for spending the \$268,434 is March 31, 2002, not June 30, 2002, as was previously thought. The Chair opened the floor to the public:

- Doris Gentry, FHREDI Project Chairman, presented questions regarding access to the 395 acres. Mr. Davis stated that the district proposes to move the school house near the homestead, and if funding is lost from the grant, the district could help with the restoration. Doris stated concern that the project will not be sustainable without some type of revenue stream. They have always wanted to put some type of camping facility on the other side of the road that will help with the funding. Mr. Davis advised that a canoe launch will not be possible in that location as part of that property will become a part of the Kissimmee River restoration. Mr. Davis agreed that the district should give title to the land that we need to run the house and then look at the other parcels and if it makes sense for the county to have a long term lease, then replace the existing management agreement with a long term lease.
- James Gose, Director of FHREDI, presented a portion of the transcript of the court records where Judge David Langford presided, in which he stated that he would like to see a commitment in writing from the South Florida Water Management District, their commitment to preserve and make this transferred over to the state of Florida, to the Department of Natural Resources or some other appropriate agency, to make it a state park. He stated concern because the Water Management changes their mind, and they change leadership, and they change boards. Mr. Gose stated that the Board has been misled, and he believes that they should go before the Water Management District Board. Butch Jones, Chair of FHREDI, has volunteered to go before the Board. Mr. Gose agreed to go with him and take the Highlands County Board Chair. He spoke in opposition to the 25 acres.

Commissioner Stokes said that we cannot hold another festival without sufficient land. He does not feel comfortable moving on with this management plan with only 25 acres, when we are looking at other projects that will be more beneficial to the people of Highlands County. Commissioner Bullard agreed with Commissioner Stokes saying that the Water Management District is trying to wiggle out of adhering to Lockett's wishes. He feels that they should live up to the agreement. That is the reason the 395 acres was donated to them. Commissioner Flowers and Chair Maxcy also agreed with Commissioner Bullard and Stokes. The Court documents show that the district agreed to accommodate Lockett's wish for preservation of the 395 acres.

Betty Neale, speaking for FHREDI, Chairman, L.S. "Butch" Jones expressed concerns to Chairman Guy Maxcy. It does not support accepting title to 25 acres of the homestead because the restoration project covers 395 acres. He said that proposed changes by the Water Management District for reduced acreage will prohibit future project development and it appears to be contrary to commitments made by SWFWMD, which have directed the actions and commitments by FHREDI and the county to this project. All funding has been awarded based on presentations for planned project development encompassing 395 acres as reflected in legal documentation between the district and the estate and Highlands County.

Board Attorney, Ross Macbeth advised that he is not in agreement with the Commissioners. He does not see any obligations in the documents that he has seen that was a commitment on the district's part to convey all of the property to the County for preservation and management. He shared that he saw a commitment by the district to preserve and maintain all the property. Part of that 395 acres is going to be flooded as part of the Kissimmee River restoration. Other parts of the parcel is going to be managed by them. They have staff to accomplish these efforts. This area is to the south and east of the home itself, beyond the dividing line. Some of the people will not be able to stay in this area. They will be relocated. On the other side of the highway, a large part of that property may become marsh or flooded, other areas are upland and the district has committed to preserving and protecting that area in its natural state. The district is willing to have some of the area turned over for management if the county wants to be in the camping business and its feasible. The 25 acres for some purposes may be self sustainable by itself. Mr. Cool has mentioned the possibility of a bed and breakfast type of idea if the caretakers cottage is restored. He has not heard the district retreating from the obligation to manage the entire property, but he heard that they would like to commit some of their resources to that, something in partnership with the county where we would be actively managing part of it and they would be actively managing other parts according to our staffing skills.

Commissioner Stokes suggested that we continue our option on the 600 acre parcel. Ross Macbeth advised that they would like to sell this parcel and get the funding for restoration. He is recommending that we exercise the option in full or not at all. Commissioner Bullard asked that we sit down with the Water Management District, and come up with some written agreements that will expand the amount of land beyond the 25 acres, solidify the use of the additional lands and conditions of the use of those lands, to give the same benefit as ownership and the third thing would be an extension of the option on the 600 acre parcel. Commissioner Flowers asked that the Water Management District get a copy of the Court document, attach an addendum, reduce to writing and execute by the appropriate persons, as the whole sale was based on these stipulations

The Chair opened the floor to the public:

Allon Fish spoke in opposition to the 25 acre parcel and requested that a County Commissioner be present at the Water Management discussion. Clayton Womer spoke in opposition to the project.

The Chair asked that Mr. Davis put together a proposal for his Board and bring back to the Commissioners within two weeks. The Chair designated Commissioner Bullard to attend the Water Management District in April.

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

**A. Discussion on the Sebring Airport Authority long range plans.**

Mike Willingham called the roll for the Sebring Airport Authority members. Members present were Ellene Fields, John Haviland, Pete McDevitt, Will Randall, Haywood Taylor. Members absent were John Martz.

Pete McDevitt opened the presentation with a newspaper article regarding a perception of an award received by the Board of County Commissioners and the Sebring City Council for their support of the Sebring Regional Airport and Industrial Park long range plans. See Sebring Airport Authority file. Sebring Airport

Director, Mike Willingham provided to the Board a briefing, relating to the past, present and future. He advised that the past working relationship with the County has resulted in a successful partnership, providing the opportunity to move forward to the next project. See SMB 38 Page 149. Mr. Willingham shared a plan for developing the airport as a world-class inland port. He outlined some of the plans that would make that happen:

- A flagship industrial park on the southeast side of the airport, which will require a substantial public-private partnership. Willingham said that he and the airport authority want to work with the more than 200 real estate agents in the county to help them market the park. There will be a strict set of standards and development criteria for the property. The airport will be able to sell property there, which it currently cannot do on its other land.
- Possible purchase of 1,000 acres on the northeast side of the airport, which will accommodate a new 8,500 foot long runway away from residential areas. He also envisions development in this area, possible hangar homes. Willingham briefly touched on the NASA project, focused on having people using small jet planes for trips 200-1,000 miles as an option to the family vehicle. Sebring Airport has been short-listed to be a demonstration site in 2003. Mike mentioned that there are some issues with the landfill that will require some discussion. Commissioner Bullard stated that he is opposed to any measures that would extend the runway to cause more bird strikes. Mike noted that these issues will be addressed as they move along. The Chair asked that the Sebring Airport Authority prioritize and bring back at a workshop.

Mike Willingham responded to the issue of contract firefighters at the Airport. He shared that they are private contractors and are operating for a profit. The problem is the liability for the Airport should they have a spill. Staff asked for proof of insurance or the State or Federal Government to indemnify the Airport, should there be a spill and they would not provide this information. John Haviland stated support for Mike Willingham in his decision. This was a Board policy and he was just implementing the Board policy. Carl Cool stated that he spoke with Mr. Raphord Farrington regarding the fire fighting abilities in Highlands County. They in turn called Mr. Peterson and he confirmed that if any fires should start in Highlands County, the helicopters will be available. Will Randall stated that the Airport is not set up to handle any heavy aircraft. A new runway is of critical importance for the Airport to continue to grow.

**11:45 - 11:50 a.m.**

**C. Discussion on the Avon Park Municipal Airport long range plans.**

Mr. C. B. Shirey introduced the Airport Committee, Jack Heiring, Chairman. John Barben, Airport member, David Greenslade, Executive Director of the Avon Park Chamber of Commerce and Terry Downing of Wilbert, Smith and Associates, Consultants.

C.B. Shirey, City Manager of Avon Park, discussed the long range plans for the future development of the Avon Park Airport. The Airport Committee's job is to examine the operation and make recommendations to the City Council on the ways that we need to proceed with the Avon Park Airport. The City Council makes all the decisions as far as projects and visions. The Airport has a problem with water run-off. The Avon

Park vision is to not be a UPS hub or to bring in a lot of industry. Mr. Shirey related that he just wants it to be the best general aviation airport in Central Florida. He wants to provide facilities that the recreational pilot would have a good time to go out flying. Mr. Shirey briefed the Board on the airport's capital improvement plan. We have just completed a project about three years ago where we extended Runway 4-22 to 5,300 feet. The current project is to take the rest of the runway and rehabilitate it. We are also looking at improving access to the Bell Street side of the Airport and improving the security. The total project is estimated at a little over 1.2 million dollars. The FAA has committed to \$888,300. We are looking to select a contractor to proceed with the project. Building new T-hangars, 14 of them in 2002, is another priority of Avon Park. We now have 38 T-hangars, and they are always full. We usually have 25 on a waiting list. The new hangars will be put on the east side of the airport, near the new access from Bell Street. There is a possibility that one or two new corporate hangars will be built on the north side of the airport. There currently is one, owned by Ben Hill Griffin, Inc., which parks its jet and helicopter inside. See SMB 38 Page 150 for copy.

Shirey said there are three aviation related businesses at the airport and officials would like more. They plan to refurbish the Fixed Base Operator's quarters, now essentially an office inside a hangar. The airport is landlocked on three sides, with the south the only direction in which it could expand. There currently is a citrus grove there.

**5. ACTION:**

Ellene Fields, representing the Kissimmee River access committee, requested action regarding a Resolution supporting a letter to the South Florida Water Management District. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Action agenda with an addition of an item number 5-E - Resolution on the Kissimmee River access.

**A. Approval to pay all duly authorized employee benefits March 13, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve payment of duly authorized employee benefits in the amount of \$84,770. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Executive Director, Industrial Development Authority: Update on industrial development authority studies**

Industrial Development Authority Director, Jim Stanfill updated the Commissioners on present and future studies to be conducted by the Industrial Development Authority this fiscal year. A Wage and Fringe Benefits survey will be performed first. When that is completed, a Business Retention Expansion Survey will be performed. The third study includes a contract with Gee & Jenson to determine the feasibility of developing a business campus in Highlands County. When developed, Mr. Stanfill will update the Board on the results at a workshop. See EDC file for copy of information.

**C. Mike Carter, N.C.T. Group: Review and discussion of management letter for 1999 - 2000 audit**

Mike Carter, representing the NCT Group, discussed the management letter for 1999-2000 audit. The management letter is a requirement by the rules of the Auditor General of the State of Florida. There are

some things that the Auditor General requires that they comment on. One is whether there were any irregularities noted in prior year that have been addressed. There were no irregularities last year, so that is not an issue. Another thing is what the status of prior year findings were, and is noted in the document. Another requirement for comment is whether the County is in a state of a national emergency. The finances are very strong, and that is not an issue. The final thing is whether the financial statements agree with what has been filed with the Department of Banking and Finance, and they do agree. Mike Carter noted a typographical error on Page 142. It should read Emergency Medical Services.

County Administrator, Carl Cool stated that in most cases staff agreed with the findings, in other cases the corrective actions has already been put into place by management. Commissioner Bullard commended staff for an excellent job. Mike Carter stated that staff have been very positive about the comments.

**D. County Administrator: Request to authorize additional funds for Charlotte County Shell Pit Consulting Services.**

County Administrator, Carl Cool advised that the original agreement between Chastain Skillman and the Board of County Commissioners for consulting services have exceeded the original amount agreed upon. Mr. Cool requested that the Board authorize an additional \$10,000 for services necessary to complete permitting for the continued work on the Shell pit operation. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to authorize an additional \$10,000 for services. Upon roll call, all Commissioners voted aye. Motion carried.

**E. Resolution in support of Kissimmee River access**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to endorse the request of the Kissimmee River access committee for a public boat ramp to be placed at Bluff Hammock Road area and to adopt a Resolution in support of the request. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 143.

**6. ADJOURN**

The meeting adjourned at 12:29 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, MARCH 20, 2001**

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:

<b>C Guy Maxcy</b>	<b>I.V. "Buddy" McKenzie</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by the Highlands Today Reporter, Bob Balgemann. The Commission welcomed back Commissioner Andy Jackson after his accident.

3. **ANNOUNCEMENTS**

**A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending March 20, 2001.

**B. Clerk:**

Chief Deputy Clerk, I.V. "Buddy" McKenzie, sitting for Bob Jamison, presented a short report on *Teen Court in Highlands County*. L.E. "Luke" Brooker will follow up with a complete report within the next two weeks.

**C. Upcoming meetings**

County Administrator, Carl Cool, presented the upcoming 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 the following additions:

- Add to item number B under the County Engineer- Notice of Vacancies on Placid Utilities Advisory Committee
- Delete item D.
- Add Item 2. under the County Administrator- Consideration of Sebring Airport Authority appointments
- Add item number 3 under the County Administrator- Consideration of a letter in support of Senate Bill 1172 and House Bill 1227 that will provide for small counties to opt into the State Group Health Insurance Plan.
- Add an item under the Asst. County Administrator as E-4 to discuss the Replacement of Ambulance, due to an accident.
- Pull Consent agenda item number 4 and place under the Asst. County Administrator as E-5.



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

**A. Kathleen Roehm: Proclamation “Week of the Young Child”**

Kathleen Roehm presented a Proclamation recognizing the “Week of the Young Child” and read the proclamation into the record. Kevin Roberts, Human Services Director, was presented a plaque for his work with young children. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation recognizing April 1st through April 7th, 2001, for young children and urging all citizens to support the needs of young children in our community. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 143.

**B. County Engineer: Notification of upcoming vacancies on the Water Advisory Committee**

County Engineer, Ramon Gavarrete, advised that there are seven vacancies on the Water Advisory Committee. As per Board policy on Appointments, a search was conducted by the County Administrators’ office for applications in the active file. Since there are no applications in the active file, he has placed a public service announcement, soliciting applications for this committee. See SMB 38 Page 145.

**1. Placid Utilities Advisory Committee Vacancies**

County Engineer, Ramon Gavarrete, advised that there are five vacancies on the Placid Utilities Advisory Committee. The members whose terms expired have expressed an interest in being reappointed to the Committee. A motion was made at the Placid Utilities Advisory Committee held on February 19, 2001 to extend the members terms to February 2, 2002. Since there are no applications in the active file, he has placed a public service announcement, soliciting applications for this Committee. See SMB 38 Page 146.

**C. Special Projects Director: Request to accept a donated lot**

Bill Stephenson, Special Projects Director, presented a request to the Board to accept a donated lot located on Simca Street, three lots from Grand Prix Drive. The lot is valued at \$4,565.00 by the Property Appraiser. The market value is estimated at \$5,500.00. Staff is recommending that the Board accept the lot. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to accept lot 18, Block 23, Sebring Country Estates that is being offered to the county as a donation.

Commissioner Jackson questioned what the plan is for the donated lot and if there is any obligation on the lot. Mr. Stephenson noted that the lot can be sold or used for mitigation. There is no obligation as the taxes have been paid for the year. Carl Cool stated that the lot could be used with the Housing Program. The Chair requested that a certificate be sent to the donor. Staff to bring back recommendation for use of the lot. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 147.

~~**A. Mike Singleton: Solid Waste Department: Request approval of purchase of specialty mowing tractor for landfill and approval of budget amendment 00-01-185**~~

Item deleted.

**E. Assistant County Administrator:**

**1. Request approval of Motorola software agreement**

Assistant County Administrator, Tom Portz, presented the Motorola Master Radio Service Software License agreement for execution. The Board Attorney signed off on the agreement. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the agreement for execution in order that Thomas Phipps, Communication Technician of the Sheriff's Department, may buy software to repair Fire and EMS equipment. Upon roll call, all Commissioners voted aye. Motion carried.

## **2. Mitigation Grant recommendations**

Assistant County Administrator Tom Portz, presented Mitigation Grant recommendations not to proceed with the Grant. He has met with the architect and school board representatives and they have been unable to come to closure on the recommendation to the Board of County Commissioners. The original request was to partially retrofit a school in each community improving the most shelter spaces. This was unacceptable to the state, and staff has been discussing the requirements of meeting all the identified benchmarks in the scope of work, based on this review focused on Lake Placid High School for retrofit. In the meeting of March 6th, a review of the framing plan of the facility has revealed that the areas most economical for retrofit (i.e., classrooms) are not acceptable operationally to the school board. Utilization of the common area, gymnasium and cafeteria for shelter space is acceptable to the school board, but the cost to accomplish may exceed the funding available.

Based on these unknowns, in conjunction with our architect's concerns, and school board operational requirements, it is not recommended that we proceed. Commissioner Bullard asked that staff request an extension on the Grant due to lack of shelters in this area. Mr. Portz agreed to contact Dr. Smith with the School Board and request an extension from the State. The Chair advised that he will be in Tallahassee next week and may be able to speak with a representative that could help with the extension.

## **3. Request approval of dangerous dog fee request**

Assistant County Administrator Tom Portz, presented a memorandum from Keith Albritton, Animal Control Director, to request the establishment of an annual fee for the issuance of certificates of registration, dangerous dog, and for dangerous dog warning signs required by Florida Statutes 767.12 (2). The requested yearly registration fee will be \$165.00 per dog. The cost of a dangerous dog warning sign will be \$16.00 per sign. These amounts are modeled after Polk County Animal Service's fee structure. Commissioner Jackson requested information on what the statutes require. Ross Macbeth advised that the statutes do not require multiple visits. It requires that the Animal Control facility have evidence that the structure in which the dogs will be kept meets certain requirements. Animal Control could have pictures, but it would be better to have site visits to inspect the structure and make sure that it is sound and has the signage that is required by the statute. Commissioner Flowers recommended that Animal Control inspect the structure semiannually. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the yearly registration fee and signage fee with quarterly visits to the site. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 148.

## **4. Replacement of totaled Ambulance**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to waive the purchasing policy and bid procedures, and to order a replacement ambulance from Wheeled Coach, utilizing last year's bid and price and to divert funds from that capital item to make the acquisition, and then upon reimbursement, make up the shortfall from the reserve. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38

Page 149.

**5. Balance of EMS payment**

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to deny request to write off an EMS bill for Orville L. Lemmings in the amount of \$87.72. Staff to inform ADP of the decision and to contact Mr. Lemmings for a method of payment. Commissioner Jackson stated that he supports the motion but doesn't feel that we should spend any more money on collection. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 150.

**F. County Administrator:**

**1. Budget amendment 00-01-184 decreasing the general fund reserve to pay settlement for litigation with B.A. Roberts, Inc.**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-184, decreasing the General Fund reserve to pay settlement in the amount of \$15,000 for litigation with B.A. Roberts, Inc. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Vacancies on the Sebring Airport Authority**

The Sebring Airport Authority Board of Directors presented two nominations that included John K. Payne and Robert D. Wood for the seat currently held by Haywood Taylor. They also presented Doris M. Gentry and James H. Hyatt for the seat currently held by John C. Martz.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to send a letter in support of the City of Sebring City Council's decision on the appointments to the Sebring Airport Authority. In addition, the Board extends their appreciation for the outstanding service Mr. Haywood Taylor and Mr. John Martz has given for the past years. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 151.

**3. House Bill support for Small Counties Association**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to send a letter executed by the Chairman in support of Senate Bill #1172 and House Bill #1227, that will allow Small Cities, Small Counties and Small School Districts the option to participate in the State Group Health Insurance and Prescription Drug Program. The Chairman questioned if this might cause problems if some of the groups had high insurance claims. Carl Cool advised that there is a requirement before the entity can join the pool that they must show an actuary and the premiums are based on that actuary. Commissioner Maxcy shared that he has no problem with the letter in that case. Commissioner Bullard spoke in support of the legislation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 152.

**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 and employee benefits**

<b>Law Library</b> .....	<b>4.22</b>
<b>General</b> .....	<b>804,852.43</b>
<b>County Transportation Trust</b> .....	<b>47,276.61</b>

<b>E911 Operations</b>	<b>18,623.12</b>
<b>Legal Aid</b>	<b>2,886.10</b>
<b>Local Govt Infra Surtax</b>	<b>325,664.04</b>
<b>Community Development Block</b>	<b>192,866.54</b>
<b>Affordable Housing Assistance</b>	<b>26,454.59</b>
<b>Solid Waste</b>	<b>94,085.24</b>
<b>Placid Utilities</b>	<b>15,330.08</b>
<b>Highway Park Utility</b>	<b>332.99</b>
<b>Risk Retention Fund</b>	<b>716.11</b>
<b>Employee Benefit</b>	<b>142,655.31</b>

2. **Approval of minutes of the meetings of February 27, 2001 and March 6, 2001**
3. **Accept into the record - February 2001 Monthly Report**
4. ~~**Approval of request from patient to write off EMS bill (Orville L. Lemmings).**~~
5. **Approval of request that Penny Jessel be placed on PSAC as one time voting member. See SMB 38 Page 153.**
6. **Approval of Change Order No. 2 for Construction of the Leachate Recirculating Force Main to Cell 1B Contract No. 00-099, deleting specific work to be performed and reducing the total contract amount by \$1,589.00. See SMB 38 Page 154.**
7. **Approval to renew agreement with Polk Community College to accept its EMT and Paramedic students for clinical experience on Highlands County ambulances.**
8. **Approval of voting members of RPAC for the City of Avon Park as follows: Brenda Gray will fill the 2-year term, effective April 20, 2001-April 20, 2003 C.B. Shirey will fill the 4-year term, effective April 20, 2001- April 20, 2005 Tony Anderson will be a 2-year alternate, effective April 20,2001-April 20, 2003 See SMB 38 Page 155.**
9. **Request approval of proposed altered fee structure for the Highlands County Health Department. See Health Dept. file for copy.**
10. **Request approval for architectural services with Chastain Skillman for grant application for Lake Placid Library Expansion. See Chastain Skillman file.**
11. **Approval of Budget Amendments 00-01-171 (to transfer funds into the Countywide Library cost center for college classes for employee) and budget amendment 00-01-174 (salaries for unused funds in the CDBG-Home Depot project).**
12. **Approval of Satisfaction of Mortgage -Pough. See SMB 38 Page 156.**
13. **Approval of Satisfaction of Mortgage Hourihan. See SMB 38 Page 157.**
14. **Accept into the record the Comprehensive Annual Financial Report of the South West Florida Water Management District for the fiscal year ended September 30, 2000. See file for copy.**

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

**5. CITIZENS NOT ON AGENDA:**

No participants.

**6. COMMISSIONERS**

- Commissioner Flowers reported on the Avon Park Mall Festival.
- Commissioner Maxcy reported that he will be in Tallahassee next Tuesday for Legislative Day on March 28<sup>th</sup> and he will be lobbying with the Florida Association of Counties on county issues throughout Florida, targeting such issues as State Road 70.

**7. ADJOURN**

The meeting adjourned at 10:05 a.m.

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

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

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**REGULAR MEETING OF THE BOARD, APRIL 3, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Deputy Clerk, Bob Jamison.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 3, 2001.

- B. Clerk:**

Deputy Clerk, Bob Jamison, presented the Clerk's Comprehensive Annual Financial Report for fiscal year ending September 30, 2000. Mr. Jamison also reported that the Clerk's Office will be going live with a new Civil Traffic System that will handle all civil traffic tickets, game and fish tickets and boating infractions. The new system will be faster, easier to use and save \$43,000 per year. The up-front expenditure for the system will be recovered in less than one and one-half years.

- C. Upcoming meetings**

County Administrator, Carl Cool, presented the upcoming 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 stated.

- Item number 8, Budget amendment 00-01-197 of the Consent Agenda to be placed under the County Administrator as Item number 4 for discussion.

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

- A. Penny Jessel: Proclamation on Fair Housing Month**

Director of Housing, Penny Jessel, presented a Proclamation to the Board, in recognition of April as Fair Housing Month in Highlands County. She read the Proclamation into the record. The Chair opened the floor to the public. No one spoke for or against the Proclamation. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt Proclamation designating April 2001 as *Fair Housing Month*. Upon roll

call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 144.

**B. Scott Schaffer: Proclamation on Child Abuse and Neglect Prevention Month**

Scott Schaffer presented a Proclamation into the record, relating to Child Abuse and Neglect Prevention Month. The Proclamation was read into the record by Mr. Schaffer. The Chair opened the floor to the public. Mr. Gabriel Read commended the workers who support these issues. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to adopt Proclamation proclaiming April 2001 as Child Abuse and Neglect Prevention Month, and to urge all citizens to recognize and support the needs of children and families in our community. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 145.

**C. County Engineer: Discussion of an ordinance providing for amendments to paragraph 003 of part C of section four of article five of chapter 5.5 (L.D.R.) Of the Code of Ordinance, Highlands County (delaying of landscaping requirements during drought)**

County Engineer, Ramon Gavarrete, explained that this discussion is for information only and no action is required. The ordinance will be presented to the Planning and Zoning Board on April 10, 2001 and brought back to the Commission at the public hearing on April 24, 2001. This ordinance allows developments to delay the planting of vegetation after site construction is completed at the owners request until special precautionary directives are no longer in effect. Ross Macbeth has reviewed and approved the ordinance. Commissioner Bullard spoke in favor of the ordinance and commended staff for being pro active in their approach. Commissioner Jackson suggested a correction to Item i to read Postponement due to Drought. No other action was taken. See SMB 38 Page 164.

**D. Development Services Director:**

**1. Request to have the County pay or waive Board of Adjustment fee for Lonnie and Marcie Tucker**

Development Service Director, Jim Polatty, presented request of Lonnie and Marcie Tucker that the Board of County Commissioners waive the application and notice fees for a rehearing by the BOA, as Mr. Tucker was unable to complete his presentation and present all the facts to the Board of Adjustment. The Tuckers object to the condition restricting the business to Monday through Friday, eliminating Saturday as a day of business and would like the Board of Adjustment to reconsider that condition. Mr. Polatty did not recommend in favor of request that the County pay these rehearing fees. He did not feel that there was a mistake that would hold the Board of Adjustment guilty of depriving Mr. Tucker of his due process at the meeting.

The Chair requested that the Commission limit the discussion to the fee issue and not get involved with the facts presented at the BOA hearing. Otherwise, the Board will be inundated with requests regarding decisions made by the BOA. Commissioner Flowers related that it was not his intent to discuss any merits of the conditions. The request was to allow Mr. Tucker to present his request to waive the hearing fee, not the advertisement fee.

Mr. Lonnie Tucker spoke to the Board asking to waive the fees to be able to go back to the BOA for a

rehearing. The Chair opened the floor to the public. Richard Conover spoke regarding the attendance of commissioners at these meetings and in favor of denying the request. Jean Rudisall, adjacent property owner, opposed extending the hearing. Audrey Vickers also opposed extending the hearing.

Commissioner Stokes reported that there has been some new development since the BOA hearing. Since that, DEP and Water Management has given approval and Code Enforcement has also signed off on the project. He spoke in favor of allowing Mr. Tucker to go back before the BOA. Commissioner Jackson felt that the Board is opening Pandora Box when they get into procedures as to whether or not someone has been given the allotted time at a hearing. The BOA is an independent Board that makes their own decisions, and the Board of County Commissioners should not be trying to micro manage their decisions.

Commissioner Bullard and Maxcy agreed with the statement made by Commissioner Jackson. The Chair recommended that Mr. Tucker go back before the Board of Adjustment and pay the fee for the rehearing. Audrey Vickers stated that a permit was required and that the BOA made those requirements to protect the residents from noise, traffic and possible hazardous waste problems. Commissioner Stokes requested that Gary Lower comment on the permit. Gary Lower, Zoning Supervisor, shared that there were a lot of confusion from the state level. The state initially said there was no permit required but then changed the statement later.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to deny the request to waive the application and notice fees for the rehearing. Upon roll call, Commissioners Bullard, Jackson and Maxcy voted aye. Commissioners Stokes and Flowers voted nay. Motion carried.

Ross Macbeth concluded that if the project has been exempt from an environmental resource permit that condition is satisfied by the exemption, because the BOA would not have put a condition that is impossible to meet. Mr. Lower was told from an official with the SFWMD that it was exempt. If it turns out that it is not, then we will obtain that and move forward to establish the exemption. He does not believe that it prevents them from operating while they clarify whatever they need to get in writing what verbally has been conveyed to Mr. Lower already, which is an exempt activity. The Chair opened the floor to the public. Richard Conover spoke regarding the Commission attendance at meetings. See SMB 38 Page 165.

## **2. Adoption of revised fee schedule for Planning and Zoning activities**

Development Service Director, Jim Polatty, presented a resolution revising the schedule of fees for small scale environmental clearance and for garage and yard sale permits. The Tax Collector has agreed to start issuing garage and yard sale permits in Avon Park, Sebring and Lake Placid. The transfer will be effective May 1, 2001. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution, adopting a schedule for the fees. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 146.

### **E. County Administrator:**

#### **1. Recommendation on donated lot in Sebring Country Estates**

County Administrator, Carl Cool, reported back on the Boards' direction to staff regarding the donated lot in Sebring Country Estates. He has spoken with Penny Jessel, Housing Coordinator, and she suggested that an



inventory of County owned land for affordable housing be used to leverage state and federal housing programs such as the HOME Investment Partnership and the Federal Home Loan Bank. She proposed that the lot in Sebring Country Estates that was donated and presented to the Board on March 19, 2001 by Bill Stephenson be the first parcel in the new Land Bank. Ross Macbeth reported that Bill Stephenson has been putting together an inventory of all lots donated to the County over the past few years. There may be a number of lots that can be considered for the Land Bank. Bill Stephenson stated that he has a certificate for the lot as recommended by the Chair. Commissioner Bullard presented a suggestion for the second page fourth line to read Properties may be transferred to nonprofit agencies to for-profit developers or to other governmental entities that will use the property for the development of affordable housing. Deputy Clerk, Bob Jamison, stated that there are Florida Statutes that governs disposal of real property and the Board might want to consider that. Commissioner Jackson asked that staff rework this proposal and bring back to the Board, as he needs a clarification on the Description of Recapture Provisions. See SMB 38 Page 166.

**2. Approval to accept into the record the Sebring Airport Authority financial statements for the fiscal years ended Sept. 30, 2000 and 1999**

The Sebring Airport Authority financial statements were reviewed by the Board. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept into the record the statements. Carl Cool presented a report on the depreciation method and the problem that the Sebring Airport Authority has with funding depreciation. Commissioner Bullard discussed the Board funding depreciation when we are required to include infrastructure. Bob Jamison advised that the County has Enterprise Funds for utilities and landfill, which shows a much clearer picture with the state of those functions. The point of Gasb34 (Governmental Accounting Standards Board), which is coming down the pike in a couple of years, will be similar to Enterprise Fund Accounting and will show a clearer financial picture of the County. Upon roll call, all Commissioners voted aye. Motion carried. See Sebring Airport file for copy.

**3. Recommendation on Tom Watson's resignation from the Kissimmee River Accessibility Committee**

County Administrator, Carl Cool, presented recommendation of Vicki Pontius, Parks and Recreation Director, regarding Tom Watson's resignation from the Kissimmee River Accessibility Committee. She did not recommend that the Board fill this vacancy, since there is currently a well-rounded group of representatives, and the committee's mission is of temporary nature. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to accept the recommendation of the Parks and Recreation Director. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 167.

**4. Consent agenda Item number 8 - Budget amendment 00-0192 and 00-01-197 Housing of inmates in Hardee County**

County Administrator, Carl Cool, explained budget amendment 00-01-197, transferring from Reserve for Contingency into the County Jail's cost center, necessary to pay the costs of housing of inmates in the Hardee County Jail for the remainder of the year. Commissioner Bullard questioned why staff did not anticipate this additional cost during budget time. Mr. Cool mentioned that the jail population is increasing and new state laws have gone into effect that increase the prison sentence of inmates. Asst. County Administrator, Tom Portz stated that the Truth and Sentencing Guideline changed in 1998 that has affected the jail population

since that time. The consultant has advised that every five years we can expect a spike. The projection that staff is utilizing for the future expansion is approximate 8% growth per year and will take the county to a 502 bed rated capacity for 2007. He did not know if this is *the five-year spike* that the Consultant was speaking of. One of the things discussed is the fees that the county pays to Hardee. When the new facility goes into operation with 15 or 17 new full-time positions, the cost will exceed the rental charges that we pay Hardee County. Mr. Portz advised that there is a pre file bill now in legislation that if you are involved in spouse abuse that you are automatically locked up for five days. This will affect the Pretrial Program as it exists and the jail population if this bill passes. Commissioner Flowers reported that he has reviewed the Consultant's Report at the Safety Committee meeting and it is very comprehensive plan. He believes that we will not need that many employees with this dormitory type jail.

Discussion on Budget amendment 00-01-192

County Administrator, Carl Cool, explained that this budget amendment will establish a project number for \$20,000 to come from the Reserve for recycled tire rubber to be used at playgrounds for the DEP Grant. This is a \$20,000 match for the Grant.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve Budget amendments 00-01-192 and 00-01-197. Upon roll call, all Commissioners voted aye. Motion carried.

**F. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval to pay all duly authorized bills and employee benefits**

Law Library .....	1,658.00
General .....	2,393,854.59
County Transportation Trust .....	162,648.56
E911 Operations .....	66.02
Intergovt Radio Communications .....	2,005.71
Local Govt Infra Surtax .....	120,313.00
Community Development Block .....	2,250.00
Affordable Housing Assistance .....	11,598.15
Special Law Enforcement .....	2,620.75
Solid Waste .....	227,258.52
Placid Utilities .....	24,217.44
Highway Park Utility .....	1,164.88
Risk Retention Fund .....	18,450.90
Employee Benefit .....	85,877.31
Highlands Hosp Pass Thru .....	11,226.25
2. **Approval of minutes of board meetings of March 13, 2001 and March 20, 2001**
3. **Request to approve administrative service agreement with Corporate Benefit Services of America, Inc.**

4. Request approval to pay consultant, Chastain-Skillman, Inc. (supplemental agreement #23) for consultant work at the Istokpoga Park and accompanying contract agreement. See SMB 38 Page 168.
5. Request to approve certification of application and resolution for the Library Construction Grant Application. See Res. Book 14 Page 148.
6. Request to approve Confidentiality Agreement between Highlands County and the Labor Market Statistics to obtain Highlands County Employment Data for the Florida Standard Urban Transportation Model Structure.
7. Approval of budget amendments 00-01-191(SHIP Phase 7) 00-01-194 (increase in OPS at Avon Park Library) 00-01-200 (E911 Unemployment Compensation). See SMB 38 Page 169.
8. ~~Approval of budget amendments 00-01-192(DEP Grant-Recycled Tires for Playground) 00-01-197 (housing of inmates in the Hardee County Jail)~~
9. Approval of resolution and budget amendment 00-01-198 (911 equipment). See Res. Book 14 Page 149.
10. Approval of satisfaction of mortgage - Williams
11. Approval of satisfaction of mortgage - Hawthorne
12. Approval of satisfaction of mortgage - Haynes
13. Approval of satisfaction of mortgage - Jones
14. Approval of satisfaction of mortgage - Warren
15. Approval of satisfaction of mortgage - Myers
16. Approval of satisfaction of mortgage - Weston
17. Approval of satisfaction of mortgage - Dennis
18. Approval of satisfaction of mortgage - Copeland
19. Approval of satisfaction of mortgage - Bryant
20. Approval of satisfaction of mortgage - Randolph
21. Approval of satisfaction of mortgage - Lyons
22. Approval of satisfaction of mortgage - Haynes
23. Approval of satisfaction of mortgage - Walker
24. Approval of satisfaction of mortgage - Stringfield
25. Approval of satisfaction of mortgage - Rose
26. Approval of satisfaction of mortgage - Tillman

See SMB 38 Page 170.

Recess 10:50 a.m. 11:00 a.m.

**5. CITIZENS NOT ON AGENDA:**

No participants.

**6. COMMISSIONERS**

**A. Report on Florida Association of Counties Legislative Day conferences with State Legislators**

Commissioner Maxcy presented an update on the Florida Association of Counties Legislative Day

conferences with State Legislators. Commissioner Bullard reported on efforts for funding the Transportation Disadvantaged Program. Refer to tape for details and see SMB 38 Page 171 for copy of information.

**B. Recommendations for Nuisance Abatement Board**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to appoint Priscilla G. Aaron and Jose R. Ibanez to the Nuisance Abatement Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 172 for copy of resumes.

**C. Request to approve Mr. Thomas C. Lovett to the Hospital District Board**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to appoint Mr. Thomas C. Lovett, Sr. to the Hospital District Board to complete the unexpired term of Mr. Wally Cox. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 173.

Commissioner Stokes reported that he attended a three-day Comprehensive Crime and Drug Prevention Workshop called the "Cutting Edge." It was sponsored and financed by DEA (Drug Enforcement Administration) and did not cost the County anything. There were three counties invited from Florida. The purpose was to exchange information skills and resources to assist counties in improving community-based drug and alcohol prevention efforts. Mr. Stokes commended the Sheriff for his efforts to make this County a better place to live.

**Commissioner Flowers - Resolution for Mr. Fred Pearce**

Commissioner Flowers presented a request for adoption of a Resolution honoring Mr. Fred Pearce for his many efforts in Highlands County. The Resolution was read into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution honoring Mr. Fred Pearce. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 150.

**D. ADJOURN**

The meeting adjourned at 11:37 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, APRIL 10, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool, with a moment of silence in memory of Allen Borglund, County employee, in his passing. The Pledge of Allegiance was led by News Suns Reporter, Phil Attinger.

Chairperson, Guy Maxcy, requested permission to move Item C. up to accommodate the Chair of the Highlands County Historic Preservation Commission. The consensus of the Board was to allow this item to be heard in order for Mr. Hunnicutt to return to work.

- C. **Proclamation on 2001 County Government Week**

Keith Hunnicutt, Chairperson of the Historic Preservation Commission, read into the record the Proclamation. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to adopt Proclamation designating the week of April 18-24, 2001 as *National County Government Week in Highlands County* in recognition of leadership, innovation and valuable service provided by our nations' counties. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 151.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 10, 2001. The Farm Report was also given.

- B. **Clerk**

Deputy Clerk, Bob Jamison, reported that in the near future, the Clerk's Office will be presenting an audit schedule for internal audit activity planned for the rest of the year.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: Adoption of proposed changes to Chapter 12 (Zoning Code) (Advertising requirements, wording for campground usage, signage, keeping of exotic and wild animals)**

Board Attorney, Ross Macbeth, recommended that a vote be taken with all members present since there is a

requirement that a super majority be present and vote to hold the meeting at 9:00 a.m. or soon there after. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to hold the second Public Hearing at 9:00 a.m. or as soon thereafter as possible on April 10, 2001. Upon roll call, all Commissioners voted aye. Motion carried. Ross Macbeth read the captions of the Ordinance into the record.

This is the second public hearing on the proposed changes to Chapter 12, zoning code. Zoning Supervisor, Gary Lower, presented the petition and the Proof of Publication into the record. See Proof of Pub Ord. Book 2 Page 128. Gary Lower and Ross Macbeth briefly explained the changes. The Planning and Zoning Commission and the Local Planning Agency made a motion to recommend to the Board of County Commissioners adoption of Sections 1, 3, 4, 8, 11, 12, 13, and 14 as submitted; Section 6 to read as follows: "Fish camps with camping or with cottage facilities may have boat rentals, bait, etc."; Section 7 be denied as proposed; Sections 2 and 5 be revised by staff and brought back to this Commission at a later date. Sections 9 and 10 be revised with Mr. Macbeth's recommendation. Commissioner Bullard suggested that we not make changes to Sec. 2 at this time.

The Chair opened the floor to the public. Michael Ford of Naples, Florida spoke in favor of opening up a Christian Retreat on Lake Istokpoga with electricity and cabins only. Commissioner Bullard advised that Planning and Zoning will revisit this issue and bring back to the table. Mr. Ford might want to work with that Board on this issue. Motion by Commissioner Bullard, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission and the Local Planning Agency, to adopt the ordinance, with the exception of Section 2, and it remain as is in the present ordinance. Upon roll call, all Commissioners voted aye. Motion carried. See Zoning file for backup information.

Break 9:20 a.m. - 9:30 a.m.

## **5. WORKSHOP:**

### **A. Discussion on Hammock Road alternatives**

County Administrator, Carl Cool, reported back to the Commission on Hammock Road alternatives. County Engineer, Ramon Gavarrete, gave a power point presentation that showed the cost of grading and paving the Hammock Road, and replacing a mile-long, one way wooden bridge on the western edge of the state park. The per-mile paving cost would range from \$60,000 to \$123,000 depending on the type of asphalt. Replacement of the wooden bridge would cost \$550,000-\$1.4 million, depending on the type of construction. Ramon stated that 517 vehicles use the Hammock road each day. By 2020, he predicted that number will inflate to 4,000-5,000 vehicles.

The Chair opened the floor to the public. Vicki Parnell, a resident, asked that the road be paved to save on the wear and tear her vehicle sustains during frequent trips into Highlands County. Don Maddox asked the Board for a safe road. Hank Kowalski of Lake Placid, spoke in opposition to paving the road and said he would like to see the road closed. Loren Eby stated that the residents need a safe road to drive from Hardee County to work here and spend their money here. Jack Richie, Board member of *Friends of Highlands Hammock State Park*, spoke in opposition to paving the road. Development Services Director, Jim Polatty, raised the safety issue. He stated that security would decrease even more if the road is paved. Commissioner Maxcy disagreed with that comment. Ramon Gavarrete shared that the Park may have to be redesigned if the road is

paved.

Pete Anderson, Park Manager, spoke in opposition to paving of the road. Susan Benton, speaking as a citizen, spoke in opposition, due to the traffic impact to Hammock Road. Commissioner Maxcy supported improving the road and said Hardee County officials should be brought to the table to see if they would be willing to participate in the project. He agreed to contact them for a joint meeting. He also suggested paving the road from the Hardee County line east to the wooden bridge. Commissioner Flowers opposed that as it will cause drivers to speed going into a one-lane bridge.

Commissioner Bullard requested information from Bruce VanJaarsveld, Road Superintendent, on how much it would cost the county to grade the shell portion of Hammock Road inside the park more often than twice each week. The preliminary estimate was approximately \$6,500 per year if the road is graded once a week, \$13,000 per year if done twice a week and \$45,625 if done daily. Bruce said he might ask the county for an extra road grader if the road is graded more than three or four times each week. Commissioner Flowers agreed with Ms. Benton regarding the impact to Hammock Road. Commissioner Stokes was not in favor of paving the road and putting traffic through the State Park. He recommended that we look at other alternatives. Commissioner Bullard agreed with Commissioner Stokes. He was not in favor of doing any interim work on the road. Commissioner Jackson was concerned about the Board getting involved in deciding how many times a road is graded each week. See Hammock Road file for copy of information.

County Administrator Carl Cool and staff were directed to come up with a 15-20 year plan that deals with the following:

- The Hammock road and its maintenance.
- East-west access between Highlands and Hardee counties, especially focusing on the possible western extension of Schumacher Road or Thunderbird Road.
- The extension of County Road 635, from Thunderbird Road north to Avon Estates Boulevard that ties into State Road 64 west of Avon Park

Lunch Break 11:40 a.m. 12:40 p.m.

#### **B. Workshops to consider proposed Local Housing Assistance Plan**

Development Services Director, Jim Polatty, introduced Penny Jessel, Housing Coordinator for Highlands County. Ms. Jessel presented a power point presentation outlining the details of the Plan. Commission discussion followed. No action was taken.

#### **C. Discussion of wildlife corridors**

County Administrator, Carl Cool, shared that the State is considering buying lands south of State Road 66. There has been some discussion of a possible need of a wildlife corridor across State Road 66. Wildlife corridor crossings are constructed around Everglades City. Bridges are built with eight feet high fences for miles, so that the panther can go back and forth across a state road. Panther tags are sold that generate approximately 25 million a year and the revenue is used to construct the corridors. Mr. Cool presented a slide presentation showing properties that might be identifiable for wildlife crossings. He recommended that the Board identify issues for future wildlife corridors, by contacting other counties for information. Commissioner

Bullard suggested that we not only identify issues for the panther crossing but work together on all issues.

**6. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to set the Action agenda with the deletion of Item B. as listed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Approval to pay all duly authorized employee benefits April 10, 2001**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve payment of duly authorized benefits in the amount of \$ 47,364.85. Upon roll call, all Commissioners voted aye. Motion carried.

**~~B. Proclamation on 2001 County Government Week~~**

**C. Resolution on 80 year Anniversary of Highlands County**

Commissioner Flowers read the proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to adopt Resolution in celebration of the establishment of Highlands County on its eighty year anniversary. The Chair opened the floor to the public. No one spoke for or against the proclamation. Upon roll call, all Commissioners voted aye. Motion carried. See Res Book 14 Page152.

**D. Lieutenant Benton, Highlands County Sheriff's Department: Request to accept First Jobs Adventure Agreement and budget amendment # 00-01-188**

Lt. Benton presented request that the Board execute the agreement with the South Florida Community College as the Administrative Entity for the Heartland Workforce Investment Board and Highlands County Board of County Commissioners for the First Jobs Adventure Agreement with Budget amendment 00-01-188 and Resolution. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Chairperson execute the agreement and approve the budget amendment and Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 153.

**E. Assistant County Administrator: Discussion of courthouse renovation/addition**

Tom Portz, Asst. County Administrator reviewed general guideline provided by Mr. Manny Suarez of the DLR Group regarding courthouse renovation. Mr. Suarez wrote that the courthouse has become too small to accommodate all of the required needs and services that the county and courts must accommodate. There is a fractured environment where the safety and security of the general public, staff, judges, jurors and in-custody defendants are not properly accounted for. He cited inmates being brought from the jail to the courthouse and being around the general public is not a good idea. The county can't use any of the \$1.45 million state grant it has for safety improvements. There is no identified revenue at this time for the expansion, Portz said. "That could take a bond issue which is a change from our usual "pay as you go philosophy". The Commission will have decisions to make that involve several million dollars, "We can't do that expansion in-house. It may require a note."

County Administrator, Carl Cool said he always thought the courthouse could not be expanded because of it being *historic in nature*. He said Suarez told him many had been expanded, which is far cheaper than the \$9 million-to-\$12- million it would take to build a new courthouse. He recommended an RFP to get a professional



on board to help with the decisions.

Charles B. Curry, Chief 10<sup>th</sup> Judicial Circuit Judge and the court administrator, Nick Sudzina, are anxious to sit down and work up a long-range plan for the courthouse, Portz said. Lisa Burley, the County’s public information officer shared that both Curry and Sudzina agree an expansion is necessary. The soft cost is just the beginning of what the real cost will be.

Commissioner Bullard asked if the million dollars plus renovation grants will be expended before we get the results back from the RFP. Carl Cool stated that Nick Sudzina who is the Courts Administrator will be the one to make the decision whether we get an extension of time and since he is on board, we shouldn’t be subject to possible loss of these dollars. Mr. Cool discussed the idea of using funds in the CIP set aside for the second floor of the State Attorney’s office for the expansion. The consensus of the Board was to proceed with an RFP and bring back a contract to the Board. See SMB 38 Page 174.

**F. County Administrator: Request approval to mow around Lake Jackson for the City of Sebring**

Commissioner Flowers declared a possible conflict on this item, as he currently owns a company that is contracted by the City of Sebring that mows certain right of ways. He has had no discussions with his client and is not sure that it will be a conflict. If the county approves this item, the city may ask him to amend his contract with them to include some of the mowing, and would be a financial gain to his business.

County Administrator, Carl Cool presented request from the City of Sebring to mow weeds and grass around the Lake Jackson area adjacent to US 27. Road and Bridge Superintendent, Bruce VanJaarsveld, explained the project and presented an estimate in the amount of \$4,159.20. The Commissioners discussed the proposal. Commissioner Bullard wondered if it might impact the water quality of the lake. Mr. Cool advised that Avon Park has already applied for and received the permit for mowing around Lake Verona. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the City of Sebring’s request to mow the area adjacent to Lake Jackson along US 27, in accordance with the Department of Environmental Protection’s conditions. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who abstained and entered into the record a memorandum of voting conflict. Motion carried. See SMB 38 Page 175.

**7. ADJOURN**

The meeting adjourned at 1:56 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, APRIL 17, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>David W Flowers</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Louise Graham</b>

Commissioner Bob Bullard was absent from the meeting.

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 Jim Cash of Lake Placid.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 17, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented the Monthly Report on Jury Trial week for the month of April. The Clerk's office was able to sustain again the number one ranking in the State of Florida with 10 jurors per trial for the most efficient jury utilization of Jury Management for the month of April. See SMB 38 Page 176 for copy of statistics.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming 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 an amendment to Consent agenda item H-11 to add budget amendment #00-01 207 and a correction to budget amendment #00-01-212 as listed. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Bill Nielander, Luke E. Brooker, Donna Howerton: Law Day Proclamation**

Bill Nielander, President of the Highlands County Bar Association, read the Law Day Proclamation into the record. Donna Howerton, representing the School Board, thanked Bill Nielander and Clerk of Courts L.E. "Luke" Brooker for allowing her to be a part of the occasion, and especially for the theme in protecting the best interest of our children. Clerk of Courts, Luke Brooker, thanked the Board for the support and funding for the Teen Court in the interest of children and reminded the Board that *Teen Court* has been in existence for six years. An update will be forthcoming as the *interest of our children* is one of the roles of the Clerk's office.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation declaring Tuesday, May 1, 2001 as *Law Day in Highlands County* and to urge the citizens, schools, businesses and media of Highlands County to use this occasion to celebrate anew the children of our County who represent the future. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 154.

**B. Lt. Benton, Highlands County Sheriff's Dept: Acceptance to continue representing Highlands County as Project Director for the Local Share Edward Byrne Memorial Law Enforcement Assistance Formula Grant funding FY 2002**

Lt. Benton requested that the Board sign off on the Certificate of Participation for fiscal year 2002 Edward Byrne Formula Grant Program. These funds are currently being utilized to fund the operation of a Multi-Jurisdictional Task Force for narcotics enforcement. Funding through this program requires the Board of County Commissioners to assume the coordinating role for distribution of the funds allocated to Highlands County. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to designate Lt. Benton to continue representing Highlands County as the Project Director for the Local Share Edward Byrne Memorial Law Enforcement Assistance Grant funding for FY 2002. The Chair opened the floor to the public. No one spoke for or against the grant funding. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 177.

**C. Parks and Recreation Director:**

**1. Approval of grant amendment DEP contract #AP174 (Aquatic Plant Program)**

Parks and Recreation Director, Vicki Pontius, presented request for an amendment to the Aquatic Plant Program for further testing and monitoring measures to evaluate the hydrilla tolerance to the Sonar in Lake Istokpoga. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve grant amendment DEP contract #AP174 (Aquatic Plant Program). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 178.

**2. Recommendations for three upcoming vacancies on Recreation and Parks Advisory Committee**

Parks and Recreation Director, Vicki Pontius, presented a memo advising of three upcoming vacancies on the Parks and Recreation Advisory Committee. Effective April 20, 2001, James Shader, Tony Gomez and Joe DeCerbo positions will become vacant. James Shader, representing Sun'n Lakes of Sebring, is not interested in serving another term. Joe DeCerbo, representing the Spring Lake Improvement District, would like to be reappointed to the committee. Tony Gomez term is not expiring, but he would like to resign from the committee due to personal reasons.

Dorothy Spillman is currently an alternate member of the committee. She would like to be considered as a voting member. There are three other resumes submitted for consideration. The names of these individuals are Keith Stokes, John Young and John Bock. Vicki is not familiar with these individuals. The Chair opened the floor to the public. Blackie Balis of Lake Placid asked what criteria is established for serving on the Committee. The Chair recommended that Mr. Balis submit a resume to the County and acknowledge the committee that he is interested in serving on.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve appointment of John Young for a two-year term, Dorothy Spillman and Joe DeCerbo for a four-year term. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 179.

**D. Human Resources Director: Personnel rules change regarding Guard and National Reserve Military Service**

Tom Portz presented request for Human Resources Director, Fred Carino, that the Board approve changes to the Personnel Rules and Regulations to more fully comply with the Florida law. He recommended that the Board support employees mobilized for active military service by providing supplemental pay. Commissioner

Flowers spoke in support of the change. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve changes to the Personnel Rules and Regulations and adopt the Supplemental Pay provision permitted under Section 115.4, Florida Statutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 180.

**E. Board Attorney: Release and discharge case #GC99-239 B.A. Roberts, Inc. v. Highlands County Board of County Commissioners**

Ross Macbeth recommended that the Board of County Commission release and discharge case #GC99-239 B.A. Roberts, Inc. v. Highlands County Board of County Commissioners. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve release of case in consideration of the payment of \$15,000. Upon roll call, all Commissioners voted aye. Motion carried.

**F. Asst. County Administrator:**

**1. Request that Jack Richie be reappointed to the Professional Services Acquisition Committee for the Sun'n Lake Fire Station project**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request that Jack Richie be reappointed to the Professional Services Acquisition Committee for the Sun'n Lake Fire Station project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 181.

**G. County Administrator:**

**1. Accept into the record South Florida Water Management District Comprehensive Annual Financial Report for fiscal year ended September 30, 2000, District's scheduled Governing Board meetings, and Public Use Guide to Land Management areas**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to accept into the record South Florida Water Management District Comprehensive Annual Financial Report for fiscal year ended September 30, 2000, District's scheduled Governing Board meetings, and Public Use Guide to Land Management areas. Upon roll call, all Commissioners voted aye. Motion carried. See South Florida Water Management District file.

**2. Notice of upcoming vacancies on Historic Preservation Commission**

County Administrator, Carl Cool, presented notification of upcoming vacancies on the Historic Preservation Commission. The terms of office for Marguerite Stewart Skipper and C. Keith Hunnicutt will expire on June 30, 2001. Both members have expressed a desire to seek reappointment. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve reappointment of these members. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 182.

**3. Confirmation of Bill Nichols acceptance of offer of employment**

County Administrator, Carl Cool, explained that this position requires approval by the Board as it is a Department Head acceptance of employment. He presented Mr. Bill Nichols acceptance of offer of employment as Emergency Management Director, Pay Grade 23. Tom Portz advised that Mr. Nichols would normally be in attendance for the approval but was picked for Jury Duty and is not available. Mr. Portz is requesting confirmation by the Board and Mr. Nichols will be in attendance at the next meeting for introduction. Commissioner Flowers spoke in support of his employment with Highlands County, because of his outstanding qualifications. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the employment of Bill Nichols as the new Emergency Management Director. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 183.

**4. Community Redevelopment Agency Commission member appointments**

County Administrator, Carl Cool, reported that the Sebring City Council appointed Robert D. Wood and James H. Hyatt to the Board of Directors of Sebring Airport Authority to serve four-year terms effective May 1, 2001. Mr. Wood and Mr. Hyatt will be filling the seats of Haywood Taylor and John C. Martz, whose term will expire April 30, 2001. As the Board of Directors of Sebring Airport Authority mirrors the member of the Community Redevelopment Agency, they are requesting the appointment of these members to the Community Redevelopment Agency.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to appoint Robert D. Wood and James H. Hyatt to that agency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 184.

**5. Reappointment to the Construction Licensing, Enforcement and Appeals Board**

County Administrator, Carl Cool, presented recommendations of Sol Y. Moseley, Building Official, to reappoint to the Construction Licensing, Enforcement and Appeals Board, Dennis Dunn and William Johnson and appoint Linda Heuerman to fill the citizen vacancy with terms expiring March 30, 2004. Hosmer Compton to be appointed as an alternate filling the citizen vacancy with term expiring March 30, 2003. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve appointments as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 38 Page 185.

**H. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda with a correction to Item 11, to add Budget amendment 00-01- 207, and a correction to Budget amendment 00-01- 212 as stated.

1. **Approval to pay all duly authorized bills and employee benefits**

General .....	1,820,338.16
County Transportation Trust .....	108,382.91
E911 Operations .....	15,581.66
Legal Aid .....	2,886.10
Local Govt Infra Surtax .....	346,019.99
Community Development Block .....	74,292.24
Affordable Housing Assistance .....	23,951.28
Solid Waste .....	82,823.94
Placid Utilities .....	16,556.31
Highway Park Utility .....	1,754.09
Risk Retention Fund .....	634.78
Employee Benefit .....	187,000.38
2. **Approval of minutes of the meetings of March 27, 2001 and April 3, 2001**
3. **Accept into the record - March 2001 Monthly Report**
4. **Approval of the release of funds in the amount of \$2,750.00 to Lake June Properties, Inc. for completed roadway improvement projects at Catfish Creek Road and Deen Boulevard. See SMB 38 Page 186.**
5. **Approval of request to declare nuisance - Case #CE0103-0193. See SMB 38 Page 187.**
6. **Approval of additive change orders no. 2 CR 621 (Lake June Road) resurfacing/reconstruction/widening (US 27 to Golfview Drive) FM#:407751115801-Highlands County Project # 99081. See Better Roads file.**
7. **Approval to enter into the record the annual local government financial report**

for Sept. 30, 2000. See file for copy.

- 8. Approval to enter into the record the combined comprehensive annual financial report, which includes CAFR plus the stand alone financials for all the elected officials.
- 9. Approval of first amendment for the Lake Jackson Native Aquatic Plant Restoration Pilot Project. See SMB 38 Page 189.
- 10. Approval of contract between Highlands County and APAC-Florida Inc., Macasphalt Division.
- 11. Approval of budget amendments 00-01-206 (Maintenance Shop Heavy Equipment Facility) 00-01-207 (Hiring of a new Emergency Management Director) 00-01-208 (Placid Utilities Enterprise Fund) 00-01-212(Reallocation of funding for court appointed attorneys due to higher utilization for juvenile proceedings). See SMB 38 Page 191.
- 12. Approval of resolution and budget amendment 00-01-211(Manufacture of signs for other agencies) See Res. Book 14 Page 155.
- 13. Approval of satisfaction of mortgage - Maldonado and Davila. See SMB 38 Page 190.

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

**5. CITIZENS NOT ON AGENDA:**

No participants.

**6. COMMISSIONERS**

No report.

**7. ADJOURN**

The meeting adjourned at 9.20 a.m.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Clerk

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**REGULAR MEETING OF THE BOARD, MAY 1, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Board Attorney, Ross Macbeth. The Pledge of Allegiance was led by Mr. Blackman.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending May 1, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, announced the observation of the National Day of Prayer on Thursday, May 3, 2001 at 11:00 a.m. Mr. Jamison also presented a weekly report of Court Services for the week ending 4/27/01 and a monthly report of Business Services for the month of April. See SMB 39 Page1 for copy of information.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Mr. Cool reported that all county departments and outside agencies have completed their requested budgets. There are 44 new requested positions. The budget hearings will be held on May 7, 9, and 11th. Mr. Cool also presented a report on the timbering operation at the Sun'n Lake Preserve. See SMB 39 Page 2 for copy of the report.

4. **Public Hearing - request purchase of property for Sebring Parkway Phase III**

Petition and Proof of Publication entered into the record by County Administrator, Carl Cool. See SMB 39 Page 3. Mr. Cool advised that this is the last parcel needed for the Sebring Parkway Phase III construction. The property is owned by Mr. C. Elton Crews, and Crews Groves, Inc. He is requesting the same per acre price that we paid for the Griffin property. The Chair opened the floor to the public. No one spoke for or against the purchase. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to purchase the 5.3149 acres at the asking price of \$70,185.66 for the construction of the Sebring Parkway Phase III. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 3 for copy of information.

5. **ACTION:**

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to set the Action agenda with the following additions:

- 1) Item number 5, 7 and 12 to be removed from the Consent agenda and placed under the County Administrator at the request of Commissioner Bullard.
- 2) Delete item number 10 at the request of the County Administrator.

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

**A. Chairman Maxcy: Proclamation and Pledge of Civility in the Month of May**

Chair Maxcy read the Proclamation into the record. The request was to renew the pledge of public conduct, and ask that Highlands County proclaim the month of May as Civility Month. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Proclamation, adopting a pledge of civility and to urge all citizens to exercise civility toward each other throughout the year. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 156.

**B. Peggy Becerra, South Florida Community College: Proclamation on May Teen Pregnancy Prevention Awareness Month**

Peggy Becerra, Specialist for Teen Pregnancy Prevention, presented a Proclamation on Teen Pregnancy Prevention awareness month. Carl Cool read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation to facilitate teen programs of awareness and education in Highlands County. The Chair opened the floor to the public. Gabriel Read and Earl Pickett spoke in favor of the Proclamation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 157.

**C. Karen Luther, Department of Children & Families & Tammy Collins, foster parent: Proclamation on Foster Parent Month**

Karen Luther, Department of Children & Families & Tammy Collins, foster parent, spoke to the Commission regarding public awareness of the needs of foster children. Commissioner Flowers read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation, proclaiming May 2001 as *Foster Parent Month*, and urge all citizens to support the needs of these children. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 158.

**D. John Shoop, Chairman, Recreation & Parks Advisory Committee:**

**1. Request approval for funding to install restrooms at Lake Tulane**

Carl Cool presented a memo detailing the RPAC recommendations. A funding request of \$45,000 from Preston Colby, representing the City of Avon Park, for the construction of restroom facilities on the southern side of Lake Tulane was received. The City of Avon Park would maintain the restrooms, which will be located at the swimming area. Currently, there is a balance of \$288,000 of uncommitted funds in the recreation cost center for this year. The \$45,000 for the restrooms will reduce this amount to \$243,000. Commissioner Flowers spoke in favor but asked Preston Colby to answer concerns regarding safety, vandalism and security. Mr. Colby said that the potential for vandalism exists but he has had good response from people in the community to keep the facilities intact. Mr. Colby shared that increased traffic, the more people using the park, the less illegal activity would take place. Lake Tulane beach is one block from the Police Department substation, and the restrooms will be locked at night. As far as lifeguards, Colby said people swim there now without the area being permitted. It will be treated the same as other beaches in the county. John Shoop stated that the same concerns were expressed by the RPAC, especially for safety. Motion by Commissioner Flowers,



seconded by Commissioner Stokes, to approve \$45,000 from the recreational funding to install restrooms at the Lake Tulane Park. The Chair opened the floor to the public. No one spoke for or against the issue. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 4.

**2. Request approval to seek an Interlocal Agreement for the Fewell property grant & purchase**

John Shoop presented a report on RPAC recommendations. The 110-acre parcel, (known as the Fewell property), across Hammock Road from the Max Long complex, be pursued for purchase by the Board of County Commissioners. This land has a purchase price of \$1,200,000. Doug Hattaway, representing the Trust for Public Lands, has given a verbal commitment to utilize \$400,000 of Florida Forever funds to purchase 50 acres of the parcel for preservation and passive recreation. The committee is requesting that the county use \$600,000 of recreation funds to buy the remaining 60 acres for active recreation to include ballfields, soccer fields, trails, and support facilities. Mr. Fewell, the landowner, will meet the remaining \$200,000 deficiency. The purchase of this property will meet the number one priority of the committee, which is to provide ballfields in an area between Sebring and Avon Park. Carl Cool suggested that an Interlocal Agreement be negotiated between the City of Sebring and Highlands County to try to get this project started. Dee McDonald spoke in favor of the purchase and shared that she expects to be able to secure Florida Recreation Development Assistance Program grants to develop the property.

Funds for the Fewell property purchase will need to be taken from both this year's and next year's recreational dollars. The Chair opened the floor to the public. Hank Kowalski of Lake Placid, spoke in favor of the purchase. However, the \$400,000 from *Florida Forever* may be in jeopardy as the Legislators are in the process of raiding that fund to help pay for the restoration of the Everglades. Mr. Shoop stated that the funds will be in place before the property is purchased.

Commissioner Jackson shared that he will probably support the project later on, but feels that the Commission is getting ahead of itself by not asking for more detail on how much it will cost to develop the property. He has no problem in looking at it to see if we can negotiate, but would be reluctant to commit that much money out of the recreation funds. Commissioner Bullard said the plan to combine active and passive recreation is a good one, and could meet the county's priorities of providing more softball fields and more soccer fields. He said to have the property adjacent to Max Long means many facilities could be maintained at one place. Commissioner Flowers, Stokes and Maxcy spoke in favor of proceeding with negotiations with all parties named.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve that the county proceed and negotiate with all parties, including, but not limited to the City of Sebring, Trust for Public Lands and property owners for funding avenues and future ownership/maintenance of the Fewell property. Carl Cool asked that Ross Macbeth draw up an Interlocal agreement with the City of Sebring for maintenance. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 4.

**Break 1012 a.m. - 10:25 a.m.**

**E. Jim Stanfill, Industrial Development Authority Executive Director: Presentation of the Business Campus Feasibility Study**

Jim Stanfill, IDA Director and Robert Massarelli of Gee and Jenson, presented data documenting the need for a

Highlands County Business Campus. See SMB 39 Page 5 for copy of all information. The 200-acre park would be geared for light manufacturing and distribution companies, with individual lots of 5-20 acres sold. The park would be developed over a four-year period costing \$2.7 million for infrastructure and other site improvements. The total cost would be \$4.7 million, including land acquisition. Massereli said the campus would not be in competition with Sebring Airport, which has an existing industrial park and is proposing a 200-acre business park on the southeast side of the facility. The IDA requested \$300,000 commitment from the Capital Improvement Plan to purchase an option land for a Business Campus along U.S. 27. Only \$200,000 is available with \$100,000 proposed for the 2001-2002 budget. Red Bohanon, Board member, shared that the IDA is asking for the blessing of the Commission to go out and seek purchase of land for the Campus. Mike Willingham, Director of the Sebring Airport Authority, challenged the statement that they there were not in competition and the noise issues. Willingham stated that there is a good chance that the airport will get \$1.3 million in federal funding for its business park. There are also other grants that will take care of site improvements. He feels that the two parks are in competition with each other and management should be addressed. County Administrator, Carl Cool shared that the two industrial parks are in direct competition with each other. He does not believe that there is a need for two business parks. The IDA park would be slow to develop, while the airport has 2,000 acres of developable property, with the availability of water, sewer and roads. Development Director, Jim Polatty, stated that the IDA park is a totally different market. The county does need a business park along US 27.

Asst. County Administrator, Tom Portz stated that he didn't believe the county has enough money to help either of these parks. The county will be looking to make loans to finance the new jail and courthouse renovations. It might be a good venture to adjust the \$900,000 in the CIP toward these projects.

Commissioner Flowers shared that the focus should be on filling the airport's existing, full service industrial park before looking to develop another one. He thought that we should concentrate on something we already have. He questioned whether this is the best way for the county to spend money at this time, since we have a lot on our plate. Commissioner Stokes said that the Board should not wait until the airport sells its last lot. He would rather move slow and support both. Commissioner Jackson felt that we should be supportive and encourage the business park, but would like more detail. Commissioner Bullard asked for a more detailed funding time line for the IDA proposal as well as the county's upcoming financial commitments to the jail addition, courthouse expansion and Sebring Parkway. He also suggested the possibility of the private sector developing a business park. Commissioner Maxcy agreed that we should support both parks, but would like more detail. Staff was directed to get with EDC and work out details on the amount of cost for the development of both parks. The Commission was not ready to commit to the \$300,000 at this time.

**5. Fred Davis & Harkley R. Thornton: Presentation of South Florida Water Management's Lockett Estate Management Proposal**

District staff evaluated the request, including consultations with FHREDI and will recommend the following plan to the District's Governing Board at the May 10, 2001 meeting.

- A. Transfer title, at no cost to the County, to all of Parcel A on the attached map, above the 100-year flood plain. The total acres of transfer would be 47.25 acres. The District would retain a flowage and conservation easement over the property in which the County will hold harmless the District in event the County suffers any damage as a result of the Kissimmee River Restoration

project. Also, in keeping with the negotiations between the District and the Pearce Family when the District acquired the property, the District will execute and record acceptable restrictive covenants, as reasonable required under the State Historic Preservation Grant to FHREDI, to facilitate the restoration and preservation of the Estate before it conveys the property to the County.

- B. Grant a right of public use and maintenance of existing structures and scenic views to Parcel A lands below the 100-year flood plain.
- C. Assist the County with development of the historical preservation of the Estate by assisting the County in securing additional grants and contribute to relocating the schoolhouse on Parcel A.
- D. Enter into discussion with Highlands County to include consideration of the County acquiring title to all or parts of Parcel B and C concurrent with exercising the current lease option on May 31, 2002.

Commissioner Stokes, liaison to FHREDI, shared that the county has done a good job managing the estate. It has been open to the public since January and there has been very little activity. There have been weeks when nobody was there. This tells him that people of the county are not interested in the project. He doesn't believe the county as an agency should continue from here. He would prefer to support another agency in the continued restoration of the estate and its buildings.

Commissioner Bullard agreed that there are more agencies suitable than the county to take on this responsibility. He said the land that the district was willing to give the county from 300 acres to 47 acres made the project less desirable, when it came to allowing the county to recoup its investment. Commissioner Flowers didn't believe the new proposal, which offered 25 more acres than in March, made it any more attractive for the county to continue developing the property, and it is time for the county to move on. Mr. Davis said that he appreciated all the county has done. He understands what the Water Management District's charge is and they will move on. Commissioner Maxcy wondered about the outstanding grants. Betty Neale, executive director, stated that the grants have been awarded to FHREDI. There is a \$268,435 grant and the need for the local match. There will be a considerable shortfall of local share cost that will have to be addressed with the state. There is a provision that states that it does not release FHREDI from any obligations from being the recipient of the grant funding. Ross Macbeth said that he will ask for something in writing from the water management district stating that if provisions of the grant aren't met, it would be the district's responsibility to repay the money. A \$25,000 grant that was awarded to FHREDI, for displays in two rooms at the Lockett home has been lost. Ms. Neale is concerned about the most recent restoration grant, and the \$153,000 allocation that likely will be approved during the current state legislative session. Commissioner Bullard asked that the committed funds be spent if at all possible. The Water Management District's governing Board will meet May 10, 2001 at West Palm Beach, and it is expected to sign off on the restrictive covenants, which are required by the state for the \$268,435 grant to be made available for spending. The Board directed Ross Macbeth to address the issues with the District

and bring back information. Audrey Vickers, Vice Chair of the Board of County Commission in 1993, when the arrangements were made will be available for information if needed. Commissioner Stokes stated that we are not casting the project aside, he believes that there are other agencies that can take it over. See FHREDI file.

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

**F. Zoning Supervisor: Request reappointment of Nuisance Abatement Board member Gary Lower,** Zoning Supervisor, presented a request for the reappointment of Tom Nunnallee to the Nuisance Abatement Board for a two-year term. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the reappointment as stated. Upon roll call, all Commissioners voted aye. Motion carried.

**G. County Engineer: Request appointments to the Placid Utilities Advisory Committee** County Engineer, Ramon Gavarrete, presented recommendations for reappointment of five members to the Placid Utilities Advisory Committee. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to reappoint Teresa Orlandini, Mary Darbro, John Delaney as members and Ralph Miner and William Ruge as alternates to the Placid Utilities Advisory Committee, with their terms ending on the latter of May 1, 2002 or until someone is appointed to fill their term. Upon roll call, all Commissioners voted aye. Motion carried. See Placid Utilities file for copy of resumes.

**H. Board Attorney: Request approval of Substitution of Beneficiary Stipulation and Agreement regarding Lake Sebring Ridge**

Ross Macbeth explained the modified substitution agreement executed by Roger E. Miller, as President of the Lake Sebring Ridge, Inc. for the expansion of the Sewer Plant. There is a security for completion of the improvements, which is an assignment of an annuity on the life of Roger Miller. Since the Florida Land Sales is going out of business, they are proposing that the county take over the responsibility and become the assignee of the annuity. Commissioner Bullard and Maxcy presented questions regarding the annuity and the county's function. Ross Macbeth stated that he has not reviewed the agreement, but the county is being substituted for the state, and has the same rights. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Agreement regarding Lake Sebring Ridge, contingent upon review by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried.

**I. Assistant County Administrator: Request permission to seek a continuing contract with Chastain-Skillman, Inc., for Courthouse renovation and expansion**

Tom Portz, Asst. County Administrator, presented a request to seek a continuing contract with Chastain-Skillman, Inc., for Courthouse renovation and expansion. The rationale being to save the expense of having to relocate the court facilities for the life-safety construction upgrade and then a second time when renovation to the facility would occur. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct staff to seek a continuing contract with Chastain-Skillman Inc. in lieu of an RFP.

Commissioner Bullard questioned the courthouse project asking how the county could be ready to expand the historic, three-story building based on a walk-through by the jail addition consultant. Lisa Burley, Public Information Officer and coordinator of the courthouse improvements, stated that there is a demand right now for space at the courthouse. The issue came up when there was not sufficient space to put restrooms and they were trying to put them in closets. Also, they need additional office space for other programs. Deputy Clerk, Bob Jamison, asked if there was a time limitation on the current grant. Lisa noted that the state will give a three-year extension if the expansion is approved and let us use the funds that we currently have for the expansion, with the understanding that we follow through on the life-safety issues. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 6.

Asst. County Administrator, Tom Portz asked the Commission to discuss funding. The Board does not have funds identified for the courthouse construction or life-safety improvements. There will probably be a shortfall in the jail construction. We have several projects in excess of several million dollars, each with no funding source. Other projects are the Sebring Parkway, phases II and III: east-west access road leading to Hardee County, business park and extension of County Road 635. Commissioner Flowers said funding possibilities is a bond issue or long-term, low interest loan. Its time to ask staff to research and come back with ideas. Commissioner Maxcy reiterated that he is in favor of the research. Carl Cool recommended that staff do a midyear review of the Capital Improvement Plan. Deputy Clerk, Bob Jamison, asked for a list of the projects with an estimated cost, then the Clerk's Office will work out financial options as well as the impact to the budget. Commissioner Bullard said he wanted a listing of all the projects, and the sum total cost of the projects, the future impact on the budget and strategy from the Finance Department on how to handle all that new debt without adversely affecting the annual budget. The Chair asked that Mr. Cool get with Mr. Jamison and explain the total request. See SMB 39 Page 7.

**J. County Administrator:**

**1. Request approval of budget amendments 00-01-224, 230 decreasing contingency funds in the Sheriff & Corrections accounts**

County Administrator, Carl Cool advised that the Sheriff is requesting that the Board transfer funds received from the SCAAP program to the Sheriff's Office Personal Service account. The funds are currently in the Board's reserve for Contingency Corrections cost center. The second request is to transfer contingency funds to the Sheriff's operating budget for the current fiscal year. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendments 00-01-224 and 00-01-230 as requested. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Sebring Airport Authority's request for matching grant funds**

County Administrator, Carl Cool, presented request of the Sebring Airport Authority for matching funds in the amount of \$ 147,500 for a project to be used for signage, landscaping, and lighting for an Entrance Road at the Airport. Mr. Cool recommended that if the Board approves the matching funds that it come out of the one cent sales tax or infrastructure fund. Commissioner Bullard asked if the City of Sebring and the Airport will participate with the funding. Mike Willingham, Executive Director, of the Airport stated that the

City has not been asked to participate and the Airport did all the leg work for the project. The Chair passed the gavel to the vice chair and made a motion to approve the project to provide 75% of the local match needed. Commissioner Flowers seconded the motion. Commissioner Flowers stated that the county will get 100 percent of the benefit by piggybacking the lighting work with the rest of the project. Mike Willingham pointed out that this is clearly a county road and the work would have to be done by the county at some time. County Engineer, Ramon Gavarrete, said his office has received many requests for intersection lighting, and once the lighting is certified by the state, we could receive money back for the construction project. Upon roll call on the motion, Commissioners Maxcy and Bullard voted aye. Commissioners Flowers, Stokes and Jackson voted nay. The motion did not carry. The gavel was passed back to Chair Maxcy. Commissioner Flowers made a motion to approve 100 percent of the funding request, seconded by Commissioner Jackson. Upon roll call, all Commissioners voted aye. The motion carried. County Administrator, Carl Cool will bring back a budget amendment for approval of designation of funds. See SMB 39 Page 8.

**3. Request to approve Highway Lighting Joint Project Agreement & Resolution for Financial Project ID: 409160-1-52-01 SR (US 27) from Northwood Boulevard to Whisper Lakes Boulevard. See DOT file.**

This item was removed from the Consent agenda at the request of Richard Conover. Mr. Conover questioned the location of the lighting. Staff explained his question. The item was placed back on the Consent.

**4. Request approval of appointment of Mr. Keith Stokes as an alternate voting member to the Recreation and Parks Advisory Committee for a two-year term, effective May 1, 2001.**

Commissioner Bullard asked that this item be removed and brought back at a later date to work out internal problems.

**5. Approval of budget amendments 00-01-217 (CDBG-Home Depot) 00-01-218 (SHIP) 00-01-220 (CDBG Consultant fees) 00-01-229 (Court appointed attorneys for juvenile proceedings) 00-01-233 (CDBG-Home Depot).**

Commissioner Bullard presented questions regarding the explanation of budget amendment 00-01-233. Carl Cool asked that the explanation be limited to wording: to allocate funds to correct accounts. Commissioner Bullard asked that it be placed back on the Consent agenda for approval.

**K. Consent agenda:**

Chair Maxcy advised that he has a conflict with Consent agenda item number 8 as E.O. Koch Construction is a client of his corporation. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Consent agenda less items 7 and 10, and with the deletion of language to budget amendment 00-01-233.

**1. Approval to pay all duly authorized bills and employee benefits May 1, 2001**

Law Library .....	38.25
General .....	2,268,926.29
County Transportation Trust .....	43,285.82
E911 Operations .....	7,832.95
Intergovt Radio Communications .....	3,045.00
Fl Boating Improvement .....	10,244.00
Local Govt Infra Surtax .....	120,470.96
Community Development Block .....	125.00
Affordable Housing Assistance .....	424.01
Solid Waste .....	222,689.25
Placid Utilities .....	13,575.45
Highway Park Utility .....	2,315.88
Risk Retention Fund .....	1,200.04
Employee Benefit .....	140,003.79
2. Approval of minutes of board meetings of April 10, 2001 and April 17, 2001	
3. Request to approve sale of Tax Certificates 99-13362, 95-8533, 95-8583, 97-9321, and 97- 9323. See SMB 39 Page 10.	
4. Request approval to accept offer on surplus can flattener, fixed asset # RC000105 in the amount of \$968.74. See SMB 39 Page 11.	
5. Request to approve Highway Lighting Joint Project Agreement & Resolution for Financial Project ID: 409160-1-52-01 SR (US 27) from Northwood Boulevard to Whisper Lakes Boulevard. See DOT file.	
6. Request to approve purchase of Lot 17, Block 467, Unit 22, Sun 'N Lake Estates of Sebring in the amount of \$2,670. See SMB 39 Page 12.	
7. <del>Request approval of appointment of Mr. Keith Stokes as an alternate voting member to the Recreation and Parks Advisory Committee for a two-year term, effective May 1, 2001.</del>	
8. Request approval of additive change order number 1, remodeling of the Road & Bridge Building - E. O. Koch Construction Co. - Project #99057 in the amount of \$13,542 to construct an 8" concrete masonry wall adjacent to corrugated steel panels separating the Mechanic Shop and Office areas. See SMB 39 Page 13.	
9. Request approval to discount EMS bill for Ms. Glenna Corsello. See SMB 39 Page 14.	
10. <del>Request to approve contract with Summit Professional Services, Inc. to administer the Housing - Community Block Grant.</del>	
11. Request approval to execute Florida Power's Distribution Easement for the BMX facility.	
12. Approval of budget amendments 00-01-217 (CDBG-Home Depot) 00-01-218 (SHIP) 00-01-220(CDBG Consultant fees) 00-01-229(Court appointed	

- attorneys for juvenile proceedings) 00-01-233 (CDBG-Home Depot).**
- 13. Approval of resolution and budget amendments 00-01-213(SHIP Foreclosure/ Homeless Prevention Program) 00-01-219 (SHIP) See Res. Book 14 Page 160.**
- 14. Approval of Final Plat Recording Country Club of Sebring, Phase Two, Section Four "Enchanted Oaks." See SMB 39 Page 15.**
- 15. Approval of SHIP Housing Assistance Plan 2001-2004. See SMB 39 Page 16.**

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. See SMB 29 Page 9. Motion carried.

**7. CITIZENS NOT ON AGENDA:**

Hank Kowalski presented information to the Board regarding Ground Water Pollution and the availability of a grant from the Florida Department of Environmental Protection to retest delineated areas. The County Administrator was directed to look into this matter.

**8. COMMISSIONERS**

No report.

**9. ADJOURN**

The meeting adjourned at 2:53 p.m.

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

\_\_\_\_\_  
Chairman

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The Budget Workshop of the Board, County Department Heads, Non-Profit Associations, Corporations, and Organizations was held on May 7<sup>th</sup> through May 11, 2001 in the Government Center Boardroom, 600 S. Commerce Ave., Sebring, Florida with the following schedule:

The meeting was called to order at 8:00 A.M. in the Board of County Commission Chambers.

The Budget Office staff listened to each Department request and will formulate a recommendation to the County Administrator. The recommendation will be presented to the Board of County Commissioners. All agencies will be advised of this recommendation and allowed to register appeals, or complaints, with the Board. Any changes will be incorporated and millage certification is tentatively scheduled.

<b>MONDAY, MAY 7, 2001</b>				
<b>AGENCY</b>	<b>PAGE #</b>	<b>COST CENTER</b>	<b>LOCATION</b>	<b>TENTATIVE TIMES</b>
<b>County Extension</b>	<b>E-2</b>	6302	Government Center Boardroom	8:00 A.M.
<b>Department of General Services</b>	<b>D-45</b>	2558		8:30 A.M.
<b>Health Department</b>	<b>H-8</b>	5101		9:00 A.M.
<b>Animal Control</b>	<b>E-89</b>	5106		9:30 A.M.
<b>Local Emergency Management</b>	<b>E-7</b>	3991		10:00 A.M.
<b>Emergency Operations Director</b>	<b>E-41; E-44</b>	3211, 3213		
<b>Special Tax Districts-Fire:</b>				
Lake Placid Fire District	<b>J-46</b>	7966		
Lorida	<b>J-52</b>	7968		
Sun 'n Lakes	<b>J-60</b>	7981		
DeSoto City	<b>J-65</b>	7982		
Highlands Lakes	<b>J-72</b>	7988		
Leisure Lakes	<b>J-77</b>	7994		
Highlands Park	<b>J-87</b>	7997		
<b>Libraries</b>	<b>E-98-E-107</b>	6209-6212		11:00 A.M.
<b>LUNCH BREAK</b>				
<b>Department of Human Services</b>				2:00 P.M.
Health Care Responsibility Act	<b>E-180</b>	5108		
Human Services Administration	<b>E-182</b>	5220		
Public Assistance Program	<b>E-186</b>	5221		
State-County Assistance Program	<b>E-188</b>	5222		
Commodities	<b>E-190</b>	5223		
Children's Services Council	<b>E-199</b>	5225		
Transportation Disadvantaged	<b>E-203</b>	5226		
Adapt Program	<b>E-206</b>	5227		
Children's Advocacy Center	<b>E-67</b>	3995		
Legal Aid Program	<b>G-65</b>	1046		

<b>Veterans</b>	<b>E-145</b>	2991		2:30 P.M.
<b>Nu-Hope</b>	<b>E-194</b>	5224		2:45 P.M.
<b>Human Resources</b>	<b>D-21</b>	2107		3:00 P.M.
Work Study Program	<b>D-69</b>	5310		
Employee Benefits	<b>D-21</b>	7993		
Insurance - General Claims	<b>D-21</b>	2556		
Insurance - Workers' Comp.	<b>D-21</b>	2557		
<b>Special Projects Director</b>	<b>D-74</b>	7992		3:45 P.M.
<b>Non-Ad Valorem Districts:</b>				4:00 P.M.
Highlands Park Estates Special Benefit District		7963		
Highway Park Lighting District	<b>J-40</b>	7965		
Lake Haven Estates Special Benefit District	<b>J-2</b>	7970		
Orange Blossom Unit 12	<b>J-4</b>	7971		
Sebring Acres Improvement District	<b>J-6</b>	7972		
Orange Blossom CCC	<b>J-8</b>	7973		
Sun 'n Lakes LP Recreational District	<b>J-10</b>	7974		
Orange Blossom Units 1-19	<b>J-13</b>	7975		
Orange Blossom Unit 6	<b>J-15</b>	7976		
Red Hill Farms Improvement District	<b>J-17</b>	7977		
Sebring Hills Lighting Special Benefit District	<b>J-42</b>	7978		
Orange Blossom Units 8 & 9	<b>J-19</b>	7979		
Lake Placid Sun 'n Lakes Sp. District	<b>J-21</b>	7980		
Sebring Highlands Special Tax District	<b>J-23</b>	7983		
Orange Villa Special Benefit District	<b>J-25</b>	7984		
Placid Lakes Special Benefit District	<b>J-27</b>	7987		
Istokpoga Marsh Improvement District	<b>J-30</b>	7989		
Avon Park Estates Special Benefit District	<b>J-32</b>	7990		
Highlands Park Estates Special Tax District	<b>J-34</b>	7995		
Hickory Hills Special Tax District	<b>J-36</b>	7996		
Sebring Country Estates Special District	<b>J-44</b>	7998		
<b>WEDNESDAY, MAY 9, 2001</b>				
<b>AGENCY</b>		<b>COST CENTER</b>	<b>LOCATION</b>	<b>TENTATIVE TIMES</b>
<b>County Planning &amp; Development</b>	<b>F-147</b>	2700	Government Center Boardroom	8:00 A.M.
Conservation Trust	<b>E-258</b>	6307		
Community Development Block Grant - Housing	<b>E-207</b>	5341		
State Housing Initiatives Program (SHIP)	<b>E-211</b>	5342		
Housing Department	<b>E-219</b>	5344		
Zoning Department	<b>F-166</b>	3439		

Building Department	<b>F-169</b>	3440		
Nuisance Abatement	<b>F-174</b>	6306		
<b>Parks &amp; Recreation</b>	<b>E-140</b>	6104		9:00 A.M.
Carpentry Shop	<b>F-44</b>	4103		
Recreation	<b>E-111</b>	6101		
Parks Department	<b>E-122</b>	6102		
Weed Control	<b>E-248; E-255</b>	6304, 6305		
<b>County Engineer</b>	<b>F-2</b>	4101		10:00 A.M.
Placid Utilities - Water	<b>F-176</b>	7102		
Placid Utilities - Sewer	<b>F-206</b>	7103		
Highway Park	<b>F-191</b>	7102A		
Traffic Operations	<b>F-63</b>	4105		
<b>Road and Bridge</b>	<b>F-22</b>	4102		11:00 A.M.
Maintenance Shop	<b>F-52</b>	4104		
Mowing - Right of Ways	<b>F-83</b>	4106		
County Shell Pit	<b>F-88</b>	4108		
<b>LUNCH BREAK</b>				
<b>Landfill</b>				1:15 P.M.
Refuse Disposal System	<b>F-97</b>	4210		
Recycling Operations/Recovery Facility	<b>F-119</b>	4211		
Solid Waste Administration	<b>F-127</b>	4212		
Waste Tire Processing Grant	<b>F-136</b>	4214		
Landfill Closure	<b>F-138</b>	4215		
Recycling Grant	<b>F-143</b>	4217		
Highlands Beautiful/Litter and Marine Debris	<b>E-260</b>	6308		
<b>Public Information</b>	<b>D-42</b>	2109		2:15 P.M.
<b>Natural Resources</b>	<b>E-223</b>	6303		2:30 P.M.
<b>Emergency Medical Services</b>	<b>E-72</b>	5105		2:45 P.M.
<b>Facilities Management</b>	<b>D-57</b>	2672		3:00 P.M.
Courthouse Facilities	<b>D-2</b>	1031		

Board of County Commissioners	C-2	2101		3:30 P.M. until completed. These cost centers to be presented by OMB Director except as noted or requested
Central Services	D-77	2111		
Board Attorney	D-5	2103		
County Administrator	C-6	2104		
County Audits	D-7	2105		
Office of Management & Budget	D-9	2106		
Non-Ad Valorem Assessment	D-37	2108		
Circuit Court	G-2	1000		
County Court	G-6	1001		
State Attorney	G-9	1002, 1002A		
Public Defender	G-13	1003, 1003A		
Law Library	G-48	1033		
Historic Preservation Commission	D-72	6213		
Court Reporter	G-19; G-33; G-51; G-61	1009, 1021, 1035, 1042		
Appeals	G-17	1005		
Clinical Evaluation Circuit Criminal	G-21	1010		
Interpreters Circuit Criminal	G-23	1011		
Expert Witness Circuit Criminal	G-25	1012		
PD Conflicts Circuit Criminal	G-27	1013		
<b>WEDNESDAY, MAY 9, 2001</b>				
<b>AGENCY</b>		<b>COST CENTER</b>	<b>LOCATION</b>	<b>TENTATIVE TIMES</b>
Clinical Evaluation Circuit Juvenile	G-35	1022	Government Center Boardroom	3:30 P.M. until completed. These cost centers to be presented by OMB Director except as noted or requested
Interpreters Circuit Juvenile	G-37	1023		
Expert Witness Circuit Juvenile	G-39	1024		
PD Conflicts Circuit Juvenile	G-41	1025		
Guardian Ad Litem Circuit Juvenile	G-43	1026		
Clinical Evaluation Circuit Probate	G-46	1028		
Clinical Evaluation County Criminal	G-53	1036		
Interpreters-County Criminal	G-55	1037		
Expert Witness-County Criminal	G-57	1038		
PD Conflicts County Criminal	G-59	1039		
Attorney Fee Circuit Probate	G-63	1044		

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Community Traffic Safety	E-39	3105		
Florida Highway Patrol	G-67	3102		
Division of Forestry	E-59	3214		
Medical Examiner	H-2	3990		
Mental Health	E-152	5103		
Tubercular Care	E-178	5104		
Highlands County Housing Authority	H-37	5343		
Community Redevelopment Agency-Sebring	H-40	5346		
Community Redevelopment Agency-Avon Park	H-42	5347		
Sebring Regional Airport/Industrial Park	H-44	5348		
Highlands Park Estate Improvement Trust Fund	J-38	7999		
Interfund Transfer		9101		
Reserve for Contingency		9990		
<b>THURSDAY, MAY 10, 2001</b>				
<b>AGENCY</b>		<b>COST CENTER</b>	<b>LOCATION</b>	<b>TENTATIVE TIMES</b>
Pre-Trial Release	G-29	1014	Government Center Boardroom	8:30 A.M.
E911 Operations	E-30	3998, 3998A		9:00 A.M.
Star Outreach Program - Theresa Williams				10:00 A.M.
Highlands County Agriculture Group				1:30 P.M.
<b>FRIDAY, MAY 11, 2001</b>				
<b>AGENCY</b>		<b>COST CENTER</b>	<b>LOCATION</b>	<b>TENTATIVE TIMES</b>
Convention Visitors Bureau	D-77	2111	Government Center Boardroom	9:00 A.M.
Industrial Development Authority	H-32	5300		9:30 A.M.
Mid-Florida Center, Inc.	D-77	2111		10:00 A.M.

**REGULAR MEETING OF THE BOARD, MAY 15, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Human Services Director, Kevin Roberts. The Pledge of Allegiance was led by Commissioner Edgar Stokes.

3. **9:05 a.m. - Recess for "Peace Officers's Memorial Day" ceremony**

4. **Reconvene at 9:45 a.m.**

5. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending May 15, 2001.

2. **Clerk**

Deputy Clerk, Bob Jamison, presented the weekly report of Court Services for the Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 19.

3. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Charlotte Mann, representing the Human Resources Department, presented the *United Way Day of Caring* plaque to the Commission and thanked all employees who participated in the May 11, 2001 clean up program. Mr. Cool advised that he shared the "Character First" Program at the County and City Managers Association Conference. Highlands County was well represented. Additional meetings were announced for the benefit of the public

6. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda with the following additions:

- Request for the Human Society to be placed under the County Administrator as Item number G-5.
- Request for the donation of funds to be placed under the County Administrator as Item number G-6.
- Budget Amendment #00-01-253 to be placed under the County Administrator as Item G-7.
- Add Letter of Agreement for an out of network health services contract under the County Administrator as item G-8. The Board Attorney will address this item.

- National Historic Proclamation to be addressed as Item number G- 9.
- Delete item G.1, H. 4 and H-12.
- Remove Consent agenda item number 9 and place under the County Administrator as Item number 10.

Commissioner Bullard presented questions regarding Consent agenda item number 5- Approval to declare Nuisance. Code Enforcement Officer, Tommy Turnbull advised that the request was to declare a nuisance to cut down trees.

The Chair asked that the County Administrator consider not adding last minute items to the agenda without review and study by the Commissioners.

**A. Mike Carter, NCT Group: Audit presentation**

Mike Carter presented a report on the September 30, 2000 audited financial statements. He reported that the Board continues to have a clean audit. Total governmental revenues listed at \$53.7 million and expenditures at \$55.1 million with an excess of expenditures over revenue of \$1.4 million. This will vary from year to year, due to the one-time expenditure of \$1.3 million for a new emergency operations center and not getting the aquatic weed control grant that the county gets every other year. Reviewing the General Fund, the fund balance has been going down due to some large capital expenditures. This year the unrestricted fund balance went down approximately \$585,000. On the Enterprise side, Water and Utilities, Placid Utilities showed a reduction in loss from a net income loss of \$55,000 to \$14,000, because of higher rates that were in effect last year. Highway Park was a little better than break even this year. On the Solid Waste side, landfill is doing very well. Ar buckle Creek Road landfill continues to improve financially, showing revenue increasing \$434,000, with a net of \$480,000 and retained earnings of \$2,567,000. The County has two Internal Service Funds, one is for the Risk Retention, and one is for the Employee Benefit, which is the Health Insurance. Both are in good condition. Retained Earning in the Risk Retention is almost \$1.8 million and in Employee Benefit is approximately \$650,000. There was a net loss in Employee Benefit of \$286,000 last year. The Insurance Committee is addressing this situation. This County is in better financial condition than most other governmental entities. Mr. Carter also addressed the GASB 34 changes. See Audit file for copy.

Break 9:25 a.m. - 9.35 a.m.

**B. Bob Jamison, Clerk's office: Presentation on interim fiscal year report as of March 31, 2001**

Deputy Clerk, Bob Jamison, presented an interim fiscal year report as of March 31, 2001 on the Board of County Commissioners key financial operating performance measures. Mr. Jamison's first six-month report looked at four performance measures, revenue, expenditures, long term debt and the reserve for contingency. These numbers were compiled from key personnel and was a cooperative effort throughout the county. Countywide 56 percent of \$59.3 million in revenue has been received with 46 percent of the anticipated expenses or 36.6 million being logged. The County's long term debt is at \$2.4 million and the Contingency Reserve is at \$.9 million. The landfill has taken in 56 percent of its projected income of \$8.5 million, while that department has spent \$3.9 million, or 44 percent of the expected expenditures. Both Utilities combined have brought in 49 percent of projected \$694,000 in revenue while spending 53 percent, or \$426,000. Long-term debt for utilities \$1.4 million at the beginning of the fiscal year and that has been paid

down by about \$40,000 to \$1.37 million. All indications are that the county continues to be in good financial health. Commissioner Jackson presented questions in comparison to the Budget Officer's report. Mr. Jamison shared that the difference could be in the net revenues and this could create a differential between the two. Rick Helms was unable to attend the meeting due to a conference, but could be present and explain at the next presentation. Mr. Jamison stated that all indications suggest that the County continues to enjoy good financial health. See Audit file for copy.

**C. Commissioner David Flowers: Request establishment of a Highlands County Veteran's Services Advisory Board**

Commissioner David Flowers presented a proposal to establish a Veterans Services Advisory Board to the Highlands County Veterans Services Office under the Highlands County Board of County Commissioners. Clark R. McCray, II, Veterans Services Officer, spoke in support of the Advisory Board. Commissioner Jackson questioned the quorum in accordance with the Boards policy and the Open Meetings Laws. Commissioner Bullard presented recommendations on the establishment of the committee, structure and the bylaws. He recommended that under membership add language *appointed by the Board of County Commissioners*. Under Advisory Board Actions: add language *the presence of four members shall be necessary to constitute a quorum*. On the third bullet add the words *present and voting*. Under Rules: add language *or applicable to county state or federal law*. This Advisory Board will consist of seven members recommended by the veteran community and appointed by the Highlands County Board of Commissioners.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to create the Veteran's Services Advisory Board with the installment of Richard Kaiser, Helen Macaulay, Angel Lerma, David Perkins, Charles Vinson, J.D. Barrett and Steve Worley as Advisory Board members to serve at the pleasure of the Board with the sole purpose of coming back to the Board with the recommendation of term lengths, staggering terms and adoption of the bylaws. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 20.

**D. Human Resources Director: Request confirmation of Mr. Gary Mikulecky as Highlands County Extension Director and Livestock Agent**

Human Resources Director, Fred Carino, presented a request for confirmation of Mr. Gary Mikulecky as Highlands County Extension Director and Livestock Agent. Mr. Carino advised that the University of Florida, Institute of Food and Agricultural Science, conducted state and nationwide recruitment for this position. Review panels met on two occasions and interviewed two candidates with a unanimous recommendation on behalf of Mr. Gary Mikulecky of Minnesota. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to confirm Mr. Mikulecky as Highlands County Extension Director and Livestock Agent. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 21.

**E. Solid Waste Director: Request approval to purchase a Kut-Kwick Corporation RM 80-87D Mowing Tractor for landfill application, and budget amendment 00-01-185**

Jerry Leszkiewicz, Solid Waste Director addressed the revenue source for his department and presented a request to purchase a Kut-Kwick Corporation RM 80-87D Mowing Tractor for landfill application, and budget amendment 00-01-185. Jerry advised that the tractor and batwing mower are scheduled for replacement next year in the 10-year CIP at an estimated cost of \$75,000. He is requesting that the Board move that purchase forward utilizing underspent budgeted funds in this years operating budget to purchase a new demonstrator



model specially designed Roadmaster tractor/mower for \$53,948. Commissioner Jackson noted that his assessment of the Solid Waste operations seems to be running behind on revenue in comparison to last years revenue. Carl Cool explained that the collection of Solid Waste assessment through the Tax Collector's office determines the revenue as it comes into the county. In tipping fees the county expects to collect close to \$4 million this year. In recycling the market is off. The county will be short in that area.

Commissioner Jackson and Flowers would like to look at subcontracting the mowing out. Jerry advised that he has contacted 16 other counties and they do their own mowing. Commissioner Bullard wondered if a contractor had the type of equipment to mow the slopes at the Landfill. Commissioner Flowers noted that a 4-wheel drive tractor would suffice. Bob Jamison, Deputy Clerk, asked how they can offer a demonstrator under a state contract. Jerry shared that although it is a demo, it is offered as new tractor under a state contract. Commissioner Stokes shared that he would hate to see the county lose out on this purchase and the convenience of doing the mowing when the weather is right. He would not be opposed to look at private contracting. The fact that every county does its own mowing, he would be in favor of moving ahead.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve request to purchase a Kut-Kwick Corporation RM 80-87D Mowing Tractor for landfill application, and budget amendment 00-01-185. Upon roll call, Commissioners Bullard and Stokes voted aye. Commissioners Jackson, Flowers, and Maxey voted nay. Motion did not carry. Staff to research the possibility of privatization of the landfill mowing and come back to the Commission with the approximate cost savings. See SMB 39 Page 22.

**F. Housing Coordinator:**

**1. Introduction of Lisa Oakes, Summit Professional Services, Inc.**

Housing Coordinator, Penny Jessel introduced Lisa Oakes, Summit Professional Services, Inc. and Jay Mosley, Construction Services Manager for the grant. Commissioner Jackson suggested that the county take a look at performing the administrative duties in house. Ms. Jessel shared that a list was made with staff performing most of the duties involving the client, and basically they are doing the administrative side and the contractor is doing the brick and mortar side. Deputy Clerk, Bob Jamison, asked if the Purchasing Manual will be followed with the CDBG purchases. Penny advised that it will be followed.

**2. Request approval of Housing CDBG Administration Contract**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Housing CDBG Administration Contract in the amount of \$81,000 with Summit Professional Services, Inc. at 10.8% of the contract for services. Upon roll call, all Commissioners voted aye. Motion carried.

**G. County Administrator:**

**1. ~~Request approval of contract with Central Florida Regional Planning Council for Hazardous Materials Plan update~~**

**2. Request approval of budget amendment #00-01-247 decreasing Fund 401 Reserve for Contingency**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve budget amendment #00-01-247 decreasing Fund 401 Reserve for Contingency to reallocate funds to pay for cell 1A leachate force

main per agreement with Finance that a portion of the account will be allocated to closure cost. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Request approval of Mitigation Grant #10-E0-39-07-38-01-0233**

County Administrator, Carl Cool presented a memo from Tom Portz, Asst. County Administrator identifying South Florida Community College as the Boards project to create shelter space in accordance with the Mitigation Grant. Mr. Little from South Florida Community College advises that the college can meet the grant requirement. Commissioner Jackson questioned whether the grant would require local matching funds. Ross Macbeth advised that the Community College will be making the matching grant with the construction dollars to count toward the match. Ross is working on an Interlocal Agreement which will be coming back to the Board for approval and they will be committing the local match. Commissioner Bullard asked that we not put a contingency on the grant as Representatives have worked hard to get the approval. Commissioner Stokes spoke in favor of the grant. Commissioner Jackson was not in favor of any local match for the grant. The County Administrator asked that the Board take no action and he will bring back to the Board next week when the Interlocal is completed. See SMB 39 Page 23.

**4. Request approval of budget amendment 00-01-244 Decreasing Fund 151 Reserve for Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment #00-01-244 decreasing the Reserve for Contingency for the widening of Airport Road @ US 98. Upon roll call, all Commissioners voted aye. Motion carried.

**5. Request from Humane Society for Rabies Clinic**

Motion by Commissioner Bullard, seconded by Commissioner Jackson to waive the fee of \$5 on county tags for a Rabies Clinic on May 26, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 24.

**6. Donation - Cauffield and Skipper families**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to receive a donation of \$500.00 from Wheeled Coach Industries on behalf of the Cauffield and Skipper families and then reissue a check of \$250.00 to each of the families. The Board also requested a letter be drafted in appreciation of the donation. There will be no taxes taken at the advice of Ross Macbeth. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 25 for copy of request.

**7. Request for approval of budget amendment 00-01-253 decreasing the Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-253 decreasing the Reserve for Contingency to cover costs in the Board Attorney's Professional Services account for the remainder of the fiscal year. Upon roll call, all Commissioners voted aye. Motion carried.

**8. Request for approval of Health Care Service Contract-Shands Hospital**

Ross Macbeth presented an out of network health services contract form requesting authorization for Wayne Fiyalko to sign off for the county on the contract in the future. Chair Maxcy spoke in favor of Shands Hospital

becoming a member of the county's network health services. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the agreement form for Shands Hospital, and to allow Way Fiyalko to sign in the future. Upon roll call, all Commissioners voted aye. Motion carried

**9. Proclamation -National Historic Preservation Week**

Commissioner Bullard read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Proclamation declaring the week of May 13-21, 2001 as National Historic Preservation Week in Highlands County. Upon roll call, all Commissioners voted aye. See Res. Book 14 Page 161.

**10. Consent agenda item number 9- Request to revise Central Sewer Study Committee members**

Development Services Director, Jim Polatty presented a request for a revised composition of the committee members. He suggested that the Board remove existing members who have resigned or not attended, and appoint other members as recommended. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the revised composition of the Central Sewer Study Committee to 17 members. Remove the existing members who have resigned or not attended, and appoint other members as recommended in the table supplied by Jim Polatty, Development Services Director. The Chair opened the floor to public input. Gabriel Read spoke in favor of the make up of the Committee. Upon roll call, all Commissioners voted aye. Motion carried. See Central Sewer Study Committee file for copy.

**1. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed less items 4-12 and 9.

- 1. Approval to pay all duly authorized bills and employee benefits**

  - Law Library . . . . . 16.35**
  - General . . . . . 303,271.22**
  - County Transportation Trust . . . . . 50,342.79**
  - E911 Operations . . . . . 13,046.44**
  - Law Enforcement Education . . . . . 4,912.09**
  - Local Govt. Infra Surtax . . . . . 256,497.65**
  - Affordable Housing Assistance . . . . . 21,700.00**

    - Solid Waste . . . . . 177,960.02**
    - Placid Utilities . . . . . 8,058.41**
    - Highway Park Utility . . . . . 5,053.83**
    - Risk Retention Fund . . . . . 1,189.41**
    - Employee Benefit . . . . . 82,227.76**

- 2. Approval of minutes of the meetings of April 24, 2001 and May 1, 2001**
- 3. Accept into the record - April 2001 Monthly Report**
- 4. Approval of the Bank of America at Work Memorandum of Understanding**
- 5. Approval of request to declare a nuisance - Case # CE00100004. See SMB 39 Page 26.**

- 6. Approval of sale of Tax Certificate #00-13539. See SMB 39 Page 27.
- 7. Approval of sale of Tax Certificate #99-12677. See SMB39 Page 28.
- 8. Approval of Rick Hitt as the voting member and Dr. Aubrey Garner as the alternate member for the Recreation and Parks Advisory Committee as recommended by South Florida Community College. See SMB 39 Page 29.
- 9. ~~Approval to revise members of the Central Sewer Study Committee.~~
- 10. Approval of resolution and budget amendments 00-01-237( Children Services Council - reimbursement of salaries) 00-01-239 (Base Grant) See Res. Book 14 Page 161.
- 11. Approval of budget amendments 00-01-236 (First Job Adventure, correct allocation) 00-01-238 (Parks and Recreation and Aquatic Weed Control) 00-01-245 (CDBG - Home Depot) 00- 01-246 (Lake Tulane restroom project).
- 12. ~~Approval of budget amendment 00-01-241 and PBS&J Task Authorization No. 6 for the design of a third bay for the landfill shop building.~~

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

**7. CITIZENS NOT ON AGENDA**

No participants.

**8. COMMISSIONERS**

**Commissioner Maxcy - Commissioner Administrative aide position.**

The Chair asked the Commission to support him with the idea of a new Commissioner aide position. He recommended that we begin the position as an OPS to try it to see how it will work. Commissioner Flowers questioned the need for the position. He doesn't see the need for a full time position at this time. Carl Cool responded that staff works at the pleasure of the Board. They will continue to type memos' or whatever necessary. At this time they are not overburdened with correspondence. Commissioner Stokes did not see the need for the position. Commissioner Bullard advised that the position will be able to give a quicker response to the citizens, and the time will come with the citizens will not be able to get the response they deserve. At that time, they will let us know when the position is needed. Commissioner Jackson did not see the need at this time. No action was taken.

**9. ADJOURN**

The meeting adjourned at 12:43 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JUNE 5, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers with special thoughts for the family of Mrs. Johnnie Ruth Albritton in her passing. The Pledge of Allegiance was led by Mr. David Perkins.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending June 5, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented the weekly and monthly report of Court Services for the Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 36 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Mr. Cool complemented Public Information Officer, Lisa Burly, on an article written by her and published in the Florida Counties magazine regarding Highlands County. Commissioner Flowers announced that DEP has granted Highlands County a public hearing on the wastewater affluent from APCI. The Hearing will be held on July 26, 2001 at the Avon Park City Council Chambers at 7:00 p.m. The Commission requested that staff attend a hearing to be held on June 5, 2001, to consider a sea plane landing. 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 the following additions:

- Remove Consent agenda item number 4, 7, 9, and 10 and place under the County Administrator for discussion.
- Correction of one cent error to Item G. budget amendment 00-01-264
- Item E 2- questions by County Engineer Ramon Gavarrete

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

- A. **Risk Manager: Request approval of a resolution recognizing "National Safety**

**Month”**

Risk Manager, Wayne Fiyalko, presented a Resolution for approval, in recognition of National Safety Month. Mr. Fiyalko read the resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution recognizing June as National Safety Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 18 Page 165.

**B. General Services Director and Solid Waste Director: Request bid waiver on direct purchase of Landfill Gas Control System**

General Services Director, Jed Secory, and Solid Waste Director, Jerry Leszkiewicz, presented a request for a bid waiver on a direct purchase of a Landfill Gas Control System. Chastain Skillman presented a letter of recommendation in favor of the direct purchase. Commissioner Jackson stated a general concern on a no bid on this large of an item. Staff explained the benefits associated with the direct purchase. Deputy Clerk, Bob Jamison, questioned if any other manufacturer could provide these requirements and if it is a sole source purchase. Jed Secory stated that he would prefer to have the Board approve as a bid waiver rather than a sole source purchase. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to waive the bid process to direct purchase the Landfill Gas Control System manufactured by John Zink Company. 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 39 Page 37.

**C. Parks and Recreation Director: Request approval of Recreation and Parks Advisory Committee voting member and alternate voting member**

Parks and Recreation Director, Vicki Pontius, advised that the Recreation and Parks Advisory Committee voting member, John Young, has resigned from the committee. Dorothy Spillman was serving as an alternate and has been chosen as a voting member. As a result of these situations, the Committee has a vacancy for a voting member and an alternate member on RPAC. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve John Georill as a voting member and Lowell Ballas as an alternate member to the Recreation and Parks Advisory Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 38 for copy of resumes.

**D. Veteran’s Service Officer: Request approval to finalize installation of the Veteran’s Services Advisory Board**

Veteran’s Service Officer, Clark McCray and Mr. David Perkins presented a request to finalize installation of the Veterans Advisory Board. Commissioners Jackson and Bullard requested an amendment to the bylaws regarding the amount of members it takes to constitute a quorum. Commissioner Jackson recommended language that the Bylaws may be amended upon recommendation of five members and then approval by the Board of County Commissioners. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Bylaws for the Advisory Board as corrected by Ross Macbeth and the staggered terms as listed below:

**ADVISORY BOARD ACTIONS:**

- < Each member shall have one vote, which may only be exercised by the member and not by proxy
- < The presence of four (4) voting members serving on the Advisory Board shall be necessary at any meeting to constitute a quorum to transact business.

- < Unless otherwise required by these Bylaws, action of the Advisory Board shall require an affirmative vote of a majority of the voting members present.
- < Amendment to these Bylaws shall require an affirmative vote of five (5) members of the Board, and approval by majority vote of the Highlands County Board of County Commissioners.

Charlie Vinson	1 year
Helen MacAuley	1 year
Steve Worley	2 years
Richard Kaiser	2 years
Angel Lerma	3 years
David Perkins	3 years
J.D. Barrett	3 years

Upon roll call, all Commissioners voted aye. Motion carried. See Veteran Service file for copy of bylaws.

**E. County Engineer:**

**1. Request approval to forward applications for consideration to the FDOT Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) Program**

County Engineer Ramon Gavarrete, presented eight Transportation Enhancement Projects for consideration to forward to the Florida Department of Transportation. As per FDOT these applications must be prioritized. Vicki Pointus gave a presentation in favor of the Kenilworth Boulevard project. Mike Eisenhart, *Keep Highlands County Beautiful* Coordinator, spoke in favor of the Sebring Parkway Phase I project. Pete Pollard, Director of the CRA and Grants Coordinator for the City of Sebring, stated that the City strongly supports the landscaping of the Sebring Parkway. Additionally, the City ranks the Lakeview Drive Streetscape project as the number one project and the US Highway 27 Beautification as number two, with the repaving of the Amtrak Station as an alternate. Louis Bates, Development Director for the City of Avon Park, spoke in support of the Enhancement Activities project. Bert Harris, Town of Lake Placid, spoke in support of the Highway 27 Traffic Corridor Enhancement project as number one, with the continuation of the beautification of the US 27 median and to also include a multi use path between the Town of Lake Placid and Placid Lakes with a project cost of \$200,000.00. The Chair opened the floor to the public. No one spoke for or against. Commissioner Flowers committed his support to the Lake Placid proposal, because it was a continuation of an existing project, and the Town of Lake Placid had supported Avon Park to complete their project. He encouraged the City of Sebring to keep its three projects in the request cycle.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, that the following ranking be submitted on FDOT application:

<u>TEA-21</u>				
<u>Priority</u>	<u>Project Name</u>	<u>Project Sponsor</u>	<u>Local Funding Amount</u>	<u>Total Project Cost</u>
	Highway 27 Traffic			

<u>1</u>	Corridor Enhancement	Town of Lake Placid	0	\$300,000.00
<u>2</u>	Sebring Parkway Phase I Landscaping	Highlands County/ City of Sebring	0	\$292,000.00
<u>3</u>	Kenilworth Boulevard/Airport Road Multi Use Path	Highlands County	0	\$505,000.00
<u>4</u>	Sebring US Highway 27 Beautification	City of Sebring	0	\$300,000.00
<u>5</u>	Repaving of AMTRAK Station Parking Lot	City of Sebring	0	\$35,000.00
<u>6</u>	Qualifying Enhancement Activities	City of Avon Park	0	\$234,030.00
<u>7</u>	NE Lakeview Drive Streetscape Project	City of Sebring	0	\$300,000.00
<u>8</u>	Multi Use Path	Lake Placid	0	\$200,000.00

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

**2. Request authorization for additional work - Sebring Parkway Phase I- Project #89003**

County Engineer Ramon Gavarrete, presented information, per the Interlocal Agreement with the City of Sebring, executed May 1, 1990, that both parties must approve, in writing, any work not included in the original plans and estimates approved by both parties on October 3, 2000.

**1. Type “A” Fence Installation:**

This fence is required in order to ensure the safety of the public using the Multi Use Pathway from Home Avenue Northerly to Fairmount Drive. The installation of this fence will also keep off site equipment from entering the road right of way at this location. Therefore, reducing maintenance costs for both the County and the City.

Estimated Cost . . . . . \$52,110.00

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Type “A” fence installation, in the amount of \$52,110.00. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried

**2. Installation of Handrails, Miscellaneous Concrete and 6" Filter Point Fabri-Form (Concrete Mattress):**

Upon review of the project site and proposed Multi Use Pathway location, it has been determined that the installation of handrails at certain locations are needed in order to ensure the safety of the public. Furthermore, at various locations it has become necessary to perform miscellaneous concrete work (retaining walls, concrete collars, energy dissipaters, etc.) and the installation of a 6" Filter Point Fabri-



Form (concrete mattress). It is proposed to issue Change Order number 1 (under separate agenda item) to APAC-Florida, Inc. MacAsphalt Division for this work.

Estimated Cost . . . . . \$90,855.00

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the installation of handrails, miscellaneous Concrete and 6" Filter Point Fabri-Form (concrete mattress) at certain locations, in the amount of \$90,855.00. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay.

Motion carried

**3. INSTALLATION OF GUARDRAIL:**

Due to the limited right of way and the Water Management District Regulations, it has been necessary to modify approximately 900 l.f. of swales. This forces the county to construct 2 to 1 slope within the clear zone. Therefore, in accordance with the adopted design regulations it is necessary to install guardrails at these locations.

Estimated Additional Cost . . . . . \$16,200.00

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve an additional 900 l.f. of guardrails, in the amount of \$16,200.00. Upon roll call, all Commissioners voted aye. Motion carried

**4. Miscellaneous Equipment Rental:**

In order to continue performing regular maintenance on County maintained roads and ditches and at the same time, maintain the construction schedule of the Sebring Parkway Phase I, it is necessary to rent additional equipment.

Estimated Additional Cost . . . . . \$65,000.00

County Engineer, Ramon Gavarrete, explained that we cannot tie all the county equipment up on this project. There is a need to rent additional equipment to allow county vehicles to return to regular maintenance of roadways. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve additional equipment rental, in the amount of \$65,000.00. Upon roll call, Commissioners Bullard, Stokes and Flowers voted aye. Commissioners Jackson and Maxcy voted nay. Motion carried

**5. Signal Installation at Home Avenue:**

The plans approved by the Board and the Council on October 3, 2000, did not include a signal at this location. Upon review staff recommends that a signal and pedestrian crossing be installed due to the geometry and expected traffic flow in this area.

The original estimate included \$184,000.00 for the installation of signals at Shontee Avenue and State Road 17. This estimate assumed that the work would be contracted out. However, the Traffic Operations Department has and will be performing most of the signal work for this project. Also, during construction operations we have installed conduit along both sides of the Parkway for future highway lighting, signals and irrigation. There will be no additional funds required for this installation.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the signal installation at Home Avenue at no additional cost. Upon roll call, all Commissioners voted aye. Motion carried

**6. Installation of Four (4) Permanent Count/Speed Stations:**

Staff expects to regularly monitor the Parkway traffic volumes and speeds. If permanent stations are installed,

this could be done on a daily, weekly, monthly, or hourly basis. The installation of permanent stations will increase the safety of staff by not having to place “loops” on the pavement more than four (4) lanes of traffic. There is one of these stations on Memorial Drive that the Traffic Operations Department installed this year. Speed surveys will be made to monitor the posted speed vs. the traveling speeds. This will also aid Law Enforcement with speed enforcement.

Estimated Additional Cost ..... \$18,000.00

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the installation of four (4) permanent count/speed stations, in the amount of \$18,000.00. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried.

**7. City of Sebring Water and Sewer Line Relocation:**

Upon discussion with Marty Roepstorff, Utilities Director, the following two (2) alternatives are presented:

- A. County and City purchase 16" and 20" steel casing in accordance with adopted Interlocal Agreement. County forces will install casing at all road crossings. The City of Sebring will install all water and sewer lines according to plans. The City is to reimburse the County 100% of the design and inspection costs (estimated \$8,400.00).

ESTIMATED COUNTY COST OF STEEL CASING (50%) .....	\$9,000.00
Estimated Design & Inspection Cost (City 100%) .....	\$8,400.00
Estimated Cost of Steel Casing (50%) .....	\$9,000.00
Estimated Construction Cost (City 100%) .....	\$200,000.00
ESTIMATED TOTAL CITY COST .....	\$217,400.00

- B. During the design process, the relocation of existing water and sewer lines within the project area was over looked. The County Engineer’s Office has prepared plans for this work and has forwarded all the necessary permit applications to FDEP and FDOT. The City of Sebring has paid for all permit fees. Engineering costs have not been reimbursed.

The City of Sebring has requested that this work be performed under the approved Interlocal Agreement for this project.

Estimated Construction Cost .....	\$231,000.00
Estimated Engineering & Inspection Cost .....	<u>\$8,400.00</u>
ESTIMATED TOTAL COST .....	\$239,400.00

County Engineer, Ramon Gavarrete recommended that the city pay most of the cost of relocating water and sewer lines. Usually when utility lines are relocated by the County, the funds will come out of the Enterprise Fund. He is recommending Alternative “A.” Mr. Gavarrete said that usually utilities are required to pay the full amount for relocating their own lines. Commissioner Flowers agreed with the statement since the utility produces revenue for the city. Chair Maxcy asked if the Engineer could come up with a better cost analysis. Ramon advised that the concrete contractor is waiting on a decision to begin laying the concrete casings under the road.

Marty Roepstorff, Utility Director, City of Sebring, stated that the City and the County have been partners since 1990 when an Interlocal agreement for the parkway was executed calling for the two to split all project costs. He is recommending that the cost come from the infrastructure budget. Relocating the water and sewer lines should be considered a part of the Sebring Parkway project.

Commissioner Jackson questioned how the County Engineer could come up with nearly \$200,00 in changes

that the county would need to fund if he had done proper cost analysis at the beginning. Ramon said that most of the \$3.6 million road project is material costs. Much of the construct work itself is being done by county Road and Bridge Department crews. If it was contracted out, it could cost \$6-7 million.

Commissioner Bullard spoke in support of the Interlocal agreement with the split between the County and the City at 50%. Chair Maxcy also spoke in support of the agreement, but questioned if the Home Avenue light was needed. Commissioner Stokes also supported the agreement.

Deputy Clerk, Bob Jamison, asked the County Engineer how the estimates were determined on each of the seven items. Ramon said that the estimates are very accurate. Item one, staff went to bid, Item two, a change order was negotiated with MacAsphalt. Item three, those are using current prices. Equipment rental was a projection from a previous rental. Home Avenue, these are exact numbers. Item number six are materials only and this has already been done by the county. Mr. Jamison also questioned if the Commissioners can be comfortable with the contingency between now and the completion of the project. Ramon felt that the contingency will be used up with the project, but most of the expenditures have been accounted for in the estimate. Commissioner Jackson questioned whether the utility lines should be moved. Ramon advised that they have to be moved.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve Alternate "B" which is a 50-50 cost sharing for the relocating of the City of Sebring Water and Sewer Lines. Upon roll call, all Commissioners voted aye. Motion carried.

**C. Consent agenda item number 7-Request approval of additive change order #1 - APAC-Florida, Inc., Sebring Parkway Phase I -in the amount of \$90,855.00 for the installation of handrails and miscellaneous concrete work.** The consensus of the Board was to place this item back on the Consent agenda for approval.

**D. REQUEST TO WAIVE BIDDING PROCEDURE TO PURCHASE 16" & 20" - STEEL CASING - SEBRING PARKWAY PHASE I - PROJECT NUMBER -89003**

Ramon advised that the purchase of steel casing will allow the construction of the Parkway to continue without any further delays. If bidding procedures are followed County forces and APAC - MacAsphalt Division, Inc., will have to be delayed approximately two (2) months. Therefore, staff recommends waiving the bidding procedure to purchase the steel casing for Sebring Parkway Phase I water and sewer line crossings. See Sebring Parkway file for copy.

Motion by Commissioner Stokes, seconded by Commissioner Bullard, to waive the bidding procedures and authorize purchase order to purchase 16" and 20" Steel Casing pipe with a 1/4" thick wall, for Sebring Parkway Phase I water and sewer line crossings, in the amount of \$17,566.92 with fifty percent to be paid by the City of Sebring. Upon roll call, all Commissioners voted aye. Motion carried.

**H-9 - Request to declare a nuisance case #CE0105-0126**

Commissioner Bullard questioned why we are hearing this case when he has a letter dated May 21, 2001 to the property owner giving them thirty days to correct this nuisance. He does not feel comfortable declaring it a nuisance before the 30 days have expired. Code Enforcement Officer, Eddie Conklin, advised that the property has been sold and the owner does not want to spend the money for the cleanup. It was a consensus of the Board to postpone the nuisance case until the thirty days have expired.

**Break - 11:30 a.m. - 11:40 a.m.**

**F. Assistant County Administrator: Request approval of Bishop Park fee waiver**

Assistant County Administrator, Tom Portz, presented request from the Leisure Lakes Home Owners Association for a fee waiver for the use of the Bishop Park on Lake June for its tentative meetings scheduled from November 2001 - March 2002. The Chair opened the floor to the public. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve Leisure Lakes Home Owners Association fee waiver request. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 39.

Assistant County Administrator Tom Portz presented a report on the recommendation of the Professional Services Acquisition Committee on the contract proposal for the Jail in the amount of \$546,000. A Capital Improvement Plan update will be coming before the Board at the workshop next week. They are recommending that the contract come before the Board in the near future.

**G. County Administrator:**

- 1. Request approval of budget amendment 00-01-249 correcting fund 401 Reserve for Contingency & 00-01-264 decreasing fund 151 Reserve for Contingency for renovation of the VFD building for STAR Program use**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve budget amendments 00-01-249 and 00-01-264. Upon roll call, all Commissioners voted aye. Motion carried.

- 2. Request approval to maintain an assessment roll for solid waste collection for the City of Sebring**

County Administrator, Carl Cool, presented City of Sebring's request for the County to provide assistance with the implementation of a non-ad valorem assessment for their residential solid waste collection for the 2001-2002 fiscal year. Staff has discussed criteria for an agreement on the services to be provided by the County. For these services, the County will be paid 7% of the assessments collected. Commissioner Maxcy recommended that an Interlocal Agreement be prepared. Commissioner Flowers asked that we not place any more workload on the existing staff without compensation. Commissioner Jackson spoke in favor of the request. Treasa Handley, Assessment Coordinator, stated that she was willing to do whatever it takes to get the job done. The Chair opened the floor to the public. No one spoke for or against.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to maintain an assessment roll for solid waste collection for the City of Sebring. Upon roll call, all Commissioners voted aye. Motion carried. The County Administrator advised that staff will prepare an Interlocal Agreement. See SMB 39 Page 40.

- 3. Consent agenda item H-4 Request to approve contract with E.O. Koch for construction of Leachate Treatment System Force Main to Cell 1A**

Commissioner Bullard noted for the record that the Certificate of Insurance for E.O. Koch to do business had expired on 04//05/01. This was brought to his attention by a citizen who was concerned. Jerry Leszkiewicz, Solid Waste Director, advised that he will make sure the insurance is in place. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the contract with E.O. Koch for construction of Leachate Treatment System Force Main to Cell1-A, with the stipulation that prior to finalizing the documentation, that a

current certificate of liability insurance is in place and meets all county requirements. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained and noted a conflict as E.O. Koch is a client of his corporation. A memorandum of voting conflict was entered into the record to become a part of the minutes. Motion carried. See SMB 39 Page 41.

4. **Approval of budget amendments 00-01-256 (Planning Dept. Laptop computer and OPS work student) 00-01-259 (Circuit Criminal and Public Defender) 00-01-261 (County Engineer Plotter equipment) 00-01-262 (Traffic Operations- 00-01-266 (Court Reporter transcript fees) 00-01-271 (expert witness fees) 00-01-272 (Supervisor of Elections)**

Commissioner Bullard noted that budget amendment 00-01-261 and 00-262 were not signed by the Office of Management and Budget with a recommendation for approval or denial. Rick Helms, Director of OMB, stated concerns for the depletion of the Transportation Trust Fund. The County Administrator asked the Board to remove these two budget amendments from the Consent agenda until he has time to check into the matter. The Board gave a consensus to remove budget amendments 00-01-261 and 00-01-262 from the Consent agenda. Commissioner Bullard asked that the remainder of the budget amendments be placed back on the Consent agenda.

**H. Consent Agenda**

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the Consent agenda as listed:

1. **Approval to pay all duly authorized bills and employee benefits June 5, 2001**  

<b>Law Library</b> .....	<b>2,137.75</b>
<b>General</b> .....	<b>1,847,147.73</b>
<b>County Transportation Trust</b> .....	<b>99,124.78</b>
<b>E911 Operations</b> .....	<b>4,361.32</b>
<b>Conservation Trust</b> .....	<b>250.00</b>
<b>Intergovt Radio Communication</b> .....	<b>17,878.41</b>
<b>Legal Aid</b> .....	<b>2,886.10</b>
<b>Local Govt. Infra Surtax</b> .....	<b>644,073.68</b>
<b>Comm. Development Block</b> .....	<b>139,515.86</b>
<b>Affordable Housing Assistance</b> .....	<b>30,818.01</b>
<b>Solid Waste</b> .....	<b>60,363.02</b>
<b>Placid Utilities</b> .....	<b>5,535.68</b>
<b>Highway Park Utility</b> .....	<b>263.51</b>
<b>Risk Retention Fund</b> .....	<b>49.04</b>
<b>Employee Benefit</b> .....	<b>113,746.31</b>
2. **Approval of minutes of board meetings of May 8, 15, and 22, 2001.**
3. **Request to approve sale of Tax Certificates 97-5890, 98-7024, and 00-9556. See SMB 39 Page 42.**
4. ~~**Request to approve contracts with E.O. Koch for construction of Leachate Treatment System Force Main to Cell 1A**~~
5. **Request to approve Addendum Number 1 to CSA number 8- Chastain Skillman, Inc. - Remodeling of Road & Bridge Building - Project #99057**
6. **Request to approve deductive change order #2 - CR 634 (Lakeview Drive)**

resurfacing/reconstruction/widening (Park Street to Edgewater Point Drive) FM # 4068345801 project #99080

- 7. Request approval of additive change order #1 - APAC-Florida, Inc., Sebring Parkway Phase I - Project # 89003 in the amount of \$90,855.00 for the installation of handrails and miscellaneous concrete work
- 8. Request reappointment of H. Wayne Harris to the Health Facilities Authority to represent District 3. See SMB 39 Page 43.
- 9. ~~Request to declare a nuisance case #CE0105-0126~~
- 10. Approval of budget amendments 00-01-256 (Planning Dept. Laptop computer and OPS work student) 00-01-259 (Circuit Criminal and Public Defender) ~~00-01-261 (County Engineer Plotter equipment)~~ 00-01-262 (Traffic Operations) 00-01-266 (Court Reporter transcript fee) 00-01-271 (expert witness fee) 00-01-272 (Supervisor of Elections). See SMB 39 Page 44.
- 11. Approval of resolution and budget amendments 00-01-257(revenue from Sumner and Larson Grazing Lease and expenditure to be paid for lease of Lockett Estate) 00-01- 260 (SHIP to appropriate funds from interest earned) 00-01-265 (County Jail - revisions to the Special Law Enforcement Fund) 00-01-269 (to correct shortage in the Emergency Management Haz Mat Grant project). See Res. Book 14 Page 166.
- 12. Request approval of Highlands County Plan Document Improvements (health insurance) See SMB 39 Page 45.

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

**7. CITIZENS NOT ON AGENDA**

Mr. Everett C. Weeks requested information regarding the Sebring Parkway. The County Administrator was asked to meet with Mr. Weeks to provide information.

**COMMISSIONERS**

Commissioner Flowers advised that the District I meetings will not be held in June or July, due to a conflict with other meetings.

**9. ADJOURN**

The meeting adjourned at 12.07 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JUNE 12, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Edgar E Stokes</b>	<b>J Ross Macbeth</b>
<b>Bob Bullard</b>	<b>Louise Graham</b>
<b>David W Flowers</b>	
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Bob Balgemann.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending June 12, 2001. The Farm Report was also presented for the month of May.

- B. Clerk**

No report presented.

- C. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

- D. Chair Maxcy - Report on voting procedure**

Commissioner Maxcy reported that he and Joe Campbell, Supervisor of Elections, visited Sarasota and observed the potential vendors that provide election systems to Florida Counties. The Florida Association of Counties voted to endorse ES&S Vendor. They are putting together a package that will be faxed to Highlands County. The touch screen system is estimated to cost approximately \$2 million and the optical screen is listed at \$400,000.00 The Board will have a big decision to make on the Supervisor of Elections budget. The vendors will be in Highlands County to demonstrate their equipment.

4. **WORKSHOP:**

- A. County Wide Fire Assessment Report by Government Services Group, Inc.**

County Administrator, Carl Cool, informed the Commission that Camille P. Tharpe, representing Government Services Group, Inc. and Virginia S. Delegal, representing the law firm of Nabors, Giblin and Nickerson, was unable to attend in person because of severe weather in Tallahassee. They took part in the meeting by speaker phone. Mr. Cool advised that some residents in the county are not aware that they already are participating in an assessment for volunteer fire districts. Venus is the only district that has no

assessment of any kind. The Board does not intend to levy assessments on top of the existing one. There will be one countywide assessment that will replace the one assessment.

Emergency Operations Director, Tim Eures presented an update on the status of the current Fire Districts, and the assessment amount. He shared that the Fire Services Task Force has recommended consolidating the department with a proposed budget of \$2.1 million.

Camille P. Tharpe, representing Government Services Group, Inc. presented the commission with a series of proposed assessments that would generate from \$1.2 million to \$2.2 million. Under these proposals homeowners will pay from \$25 to \$44 a year, with the per-acre rate for vacant land ranging from 14 cents to 22 cents. Non resident categories included commercial, industrial/warehouse, institutional and nursing homes, with the assessments based on square footage. Consideration was given for some exemptions, such as government and school buildings and those owned by nonprofit organizations. Agriculture property has not been recommended for assessment. Commissioner Stokes advised that agriculture usually gets most of its help from the Florida Division of Forestry, especially for large tracts more than 5,000 acres. Commissioner Jackson questioned the meaning of accessible costs. Virginia said that the term was used in the report to reflect a budget amount for a budget that provides a special benefit to the property.

Commissioner Bullard questioned why response calls were reduced by 50 percent and then cost was based on the other 50 percent. Camille advised that these calls were considered non property specific calls, could not be allocated to property and were taken out of the methodology. Commissioner Bullard asked that we all understand that the Board will provide to them the level of fire service and the budget. He wants to make sure that those who get service pay and those who don't will not pay. In the report Virginia Delegal said the decision on whom actually uses the service would depend on what type of building use gets the most fire service calls. In every budget scenario, nursing homes would pay the largest share per building. Commissioner Bullard did not agree with that rate scenario. He recommended that we keep the same or close to it fee structure that we have in place now, so there is not a major transfer of responsibility from one group to another. He favors Preliminary Rate Scenario D with some possible changes in the rate structure as follows:

A yearly charge of \$25 per residence, \$5 for each vacant lot of up to one acre and 15 cents an acre above that, lump all nonresidential properties into one group and do away with commercial, industrial/ warehouse, institutional and nursing homes with a rate of \$150 for smaller buildings to a maximum of \$1,000 for larger buildings. His goal is not to put any general funds into the fire assessment and to operate the fund as an Enterprise Fund. Commissioner Flowers said that he doesn't specifically have a problem with that, but does not feel that we can accomplish this goal within the first two years. Commissioner Jackson agreed with the simplicity of the chart but also thinks that Commissioner Bullard's suggestion is not consistent with what was previously stated, that who gets the service pays for it. The concept breaks down. He said that we paid good money for the study and we should take their advice. Consultant Virginia Delegal estimated Commissioner Bullard's proposed rates to generate \$1.6 million a year. His estimate was \$1.79 million using the 15 cents per acre for acreage. Chair Maxcy asked that the consultants present the Board with their recommendations on these rates. Virginia advised that she will present her concerns in writing.

Commissioner Flowers asked that fees for services to non county residents involving car accidents be



addressed and how we can appropriately charge out for transient services. Virginia shared that there could be some sort of trip allocation, but there is no guarantee going into the budget year on how much revenue you will collect.

Ross Macbeth said that the rate structure should be based on data and analysis and the fair share of assessment based on specific criteria or else it would not stand up to legal scrutiny. He warned that juggling numbers may not be a process that can be done on the telephone in one afternoon. He is concerned that if we do not change the assessment, we cannot operate the Fire District. Commissioner Bullard noted that we will create new revenue by assessing districts that do not pay an assessment now.

After continued discussion, Commission Chair Maxcy suggested the process be delayed until July, and allow staff and the consulting firm to develop more information. It was a consensus to place on the agenda each week for discussion.

The Chair opened the floor to the public. Clayton Womer stated concerns that the Board is rushing into developing the district. Jim Cash of Lake Placid, spoke regarding the amount charged for a residential unit. Ford Heacock suggested assessments should be governed by the users. Jim Brooks questioned the number of calls documented for nursing homes when they are not fire related. Gabriel Read, Avon Park Lakes, spoke in favor of a comprehensive countywide fire service.

- Commissioner Bullard said that his goal was to raise close to \$2.1 million because that is what all the experts have told us that we need to have adequate fire service in the county.
- Commissioner Jackson said that we should come very close to raising the budget with the non advalorem assessment.
- Chair Maxcy does not have a problem with utilizing some General Fund revenues for the first two years to provide countywide fire services at \$2.1 million budget.
- Commissioner Flowers does not have a problem with utilizing General Fund revenues, and weaning it off in two to three years. He would like to come up with some type of fire services fee for users in the next couple of weeks.
- Commissioner Stokes agreed with the previous statements.
- Commissioner Jackson asked that the numbers be presented in advance of the public hearing to give the Commissioners time to review.
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See Fire Services file for copy of information.

11:20 a.m. - 11:35 a.m.

#### **B. Commissioner Stokes -Istokpoga project Work**

Beacham Furse, representing the Fish and Wildlife Conservation, gave a small presentation on the Istokpoga project work. He advised that the work will continue until the early part of July. There was a delay with one of the contractors, and he is about one month behind schedule for site number one which is the western shoreline, Silver Harbor Ranch, Royce property. Out of the nine sites worked on, eight of the nine sites are 95 percent completed. They should be completed within the next two weeks. He also stated that there will be no islands to block the view of the lake. Commissioner Bullard commended Mr. Furse for working with

the people and the great job he has accomplished.

Carl Cool advised that the DEP permit has been received for the Istokpoga Park, and all permits will soon be received to clean out the mouth of Arbuckle Creek.

**C. Commissioner Jackson: Discussion on Insurance Committee's recommendations**

Commissioner Jackson, liaison to the insurance committee, advised that the Committee at their last meeting committed to meeting on a regular basis to discuss the insurance situation. He called it a very serious situation. The committee was recommending an 18 percent increase in premiums, less than the 20 percent it was told would be necessary to keep the county's self-insurance program viable. The Committee will continue to meet over the next two months in an attempt to minimize the impact on the proposed county budget.

County Personnel Director Fred Carino said the initial recommendation was a 27 percent increase. The county in 2000-01 experienced six months of declining claims and at one point was \$100,000 to the good. In May there was \$680,000 worth of claims, usually the figure runs around \$300,000, forcing the county to dip into its reserve. The final increase, Jackson said, is kind of a moving target.

County Administrator, Carl Cool, advised that the larger the increase the more impact it will have on the new budgets of others, including departments under their control as well as the constitutional officers. He said a 27 percent increase will cut other department requests and additional employees. The 18 percent will cause some issues to go away, he said. He said he'd like to see a 12 percent increase that, in a no-tax increase year, would allow a balanced budget while still granting some of the adjustments being sought by other departments. But going from 18 percent to 12 percent probably would mean some reduction in coverage for employees.

Commission Chairman, Guy Maxcy, said he's been in the business 17 years and that the county is tinkering with a bomb going from an initially recommended 27 percent increase to 20 percent, then 18 percent and possibly 12 percent as a final figure. He said he needed to be assured there's no insurance company out there that can provide the county with a better program.

County Administrator Cool said the insurance committee did shop around a year ago and found the best way to go was to stay self-insured. He didn't think insurance was a time bomb. We know Highlands County costs will increase 12-15 percent a year. We have a \$700,000 contingency and the bills have been paid. To increase the reserve, which is being recommended, will take an 18 percent adjustment in premiums.

Ford Heacock suggested that we ask Blue Cross to give us a quote, not a bid, for our group insurance and if it is less than 18 percent increase, we could at that point go ahead and follow through with the bidding process or waive the bidding process. Mr. Heacock also addressed how the original forecasting was done to

come up with the 18 percent increase.

Commissioner Bullard requested that staff bring back figures as follows:

- As to what the reserve amount is now, what the reserve was 12 months ago
- Here are the actual cuts we would have to make in order to make a projected 18 percent increase down to a 12 percent increase.
- Then we would be able to project things that the Board could cut. The committee agreed to return to the drawing board and possibly offer a revised recommendation at an upcoming commission meeting.

It was a consensus of the Board that staff bring back comparison figures for the Board to consider.

**C. County Administrator: Discussion of financing options for future large-scale projects**

Item postponed.

**ACTION:**

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

**5. ACTION: Approval to pay all duly authorized employee benefits June 12, 2001.**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of duly authorized employee benefits in the amount of \$ 116,480.57. Upon roll call, all Commissioners voted aye. Motion carried.

**6. Lt. Susan Benton - COPS Program - letter from the Chair**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to apply for a COPS Grant and to approve a letter from the Chairman committing to the Department of Justice, at the end of the funding cycle, that the Board will fund two additional resource deputies in the Sheriff's budget. Upon roll call, all Commissioners voted aye. Motion carried.

**7. ADJOURN**

The meeting adjourned at 12:35 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JUNE 19, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Kevin Roberts. The Pledge of Allegiance was led by Clayton Womer.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending June 19, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a report on Jury Trial week ending June 15, 2001 in Highlands County for the Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 49 for detail. Chair Maxcy followed with comments regarding the Article V cost that the County is responsible for, and plans that are under way for the state to pay for these costs.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Mr. Cool advised that Highlands County has been selected to receive four national awards at the National Association of Counties annual conference to be held in Philadelphia next month. Vicki Pointus, Operations Director, was recognized for the Blue Ways, Trail Ways award. The County Administrator also commended Tim Eures and Bill Nichols for the Severe Weather Damage Assessment and Analysis document created on the Lake Placid event that occurred June 15, 2001. See Emergency Operation file. 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 the following additions:

- < Remove Item D to be heard in July.
- < Remove Consent agenda item number 10 for discussion at the request of Commissioner Stokes and place under the County Administrator as item number 5.
- < Delete Consent agenda item number 20
- < Add two items for the Board Attorney as item H-1 under the Zoning Supervisor.
- < Add Fla. Heritage outdoor drama under the County Administrator as item number 6.

- A. **Pete Pollard, Community Redevelopment Agency: Request approval of a resolution on behalf of the Highlands Little Theater Cultural Facilities Grant**

Pete Pollard, representing the Community Redevelopment Agency, presented a request for approval of a

resolution on behalf of the Highlands Little Theater Cultural Facilities Grant. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution supporting the submission of the application for improvements to the Theater. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 167. Harold Owen complemented Pete Pollard and the Highlands Little Theater.

**B. Jim Stanfill, Qualified Target Industry Resolution: Request approval of resolution for a manufacturing company that is looking at Highlands County as a potential location for a new plant.**

Economic Development Director, Jim Stanfill, presented a request for approval of a Qualified Target Industry Resolution as a part of the QTI application that exempts Highlands County from the Local Financial Support Option portion of the program. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve adoption of the REDI Exemption Financial Support Resolution for Project #01-00276. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 168.

**C. Lee Yates, Lake Placid Jaycees: Request for fireworks at Bishop Park and to waive fee**

Lee Yates, representing the Lake Placid Jaycees presented a request to waive the fee for fireworks at Bishop Park and to also close the swimming area at 3:00 p.m. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the request to waive the fee for fireworks show at Bishop Park on July 4, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 50.

**D. ~~Mike Willingham, Sebring Airport Authority and Tres Stephenson: Presentation on Sebring International Raceway and request for funding of various Airport projects~~**

Item postponed.

**E. Lowell "Blackie" Ballas, Twin Lakes Property Homeowners Association, Inc., and Richard Folsom, Jr., Lake June Association: Discussion on the G-91 Structure**

County Administrator, Carl Cool, presented a brief history of the flood control structures built on Lake June and Lake Francis. The water system dates back 25 years. His recommendation was to place the structure back exactly as it was permitted, meaning that the bottom level of the opening of G-91 will be at 73.00, which is about four inches lower than the concrete slab, and the nine-inch hole is to be reestablished at the permitted design per the direction from the Southwest Florida Water Management District, Andreas M. Sager, P.E.

The Chair invited Lakes Manager, Clell Ford, and the Public Information Officer from SWFWMD, Ms. J. McClellan to participate in the lakes discussion. The Chair opened the floor for public input. Lowell "Blackie" Ballas, President of the Twin Lakes Property Homeowners Association, Inc., stated by placing boards in the G-91 structure over the years that the county was in violation of the original agreement with SWFWMD for not removing debris, and when the county made an incorrect weir level permanent with a concrete slab, it was in violation for not obtaining a permit before making modifications. Mr. Cool advised that he authorized the use of the boards, the installation of the concrete slab and submitted this information to Don Richters and SWFWMD had full knowledge of this information. Harold Owen, a resident of Lake Francis, stated concerns with the letter from George E. Poole, Jr., Operations Director from SWFWMD. He felt that Mr. Poole was looking at flood-control treatment when the structures should work to maintain water quality. Steve Bastardi, Twin Lakes

Property Owners Association, stated that G-91 has been operated incorrectly since it began and simply needed to be completed as it was outlined in the permits with SWFWMD. Bill Slevin, representing Lake June Association, asked that staff meet with a small group of residents and put the matter to rest on the proper lake levels.

Richard Folsom, Jr., representing the Lake June Association discussed the G-91 Structure and its effect on Lakes Carrie, Henry, June and waterfront areas of Placid Lake and indirectly Lake Placid and Lake August.

Commissioner input

Commissioner Bullard apologized for the problems as his attempt at mediation failed. He said the problem came from several entities trying to set the lake levels. The county has to maintain the structures under conflicting guidelines. He would like SWFWMD to manage all the lakes and get all the calls from residents. Clell Ford, Lakes Manager, said that water quality goes up every time lake levels go down because drought puts organic material up on the banks, where it can oxidize and dry out. It is not good for the lake to stagnate. They need runoff to wash fresh nutrients into the lake and replenish the ecosystem.

The consensus of the Board was to place the structure back exactly as it was permitted, with the bottom level of the opening of G-91 at 73.00, which is about four inches lower than the concrete slab, and the nine-inch hole is to be reestablished at the permitted design per the direction from the Southwest Florida Water Management District, Andreas M. Sager, P.E. See G-91 file for copy of petitions entered into the record.

The Chair opened the floor for input on the action of the Board. Don Linton, President of the Lakes Association, asked that the Board always do what is best for the lakes. Harold Owen spoke in favor of the decision. Roger Miller, stated that the lake should be under local control and nature requires major fluctuation in lakes for Highlands County. Loren Mercer suggested that elevations be checked to make sure that they are correct.

Chair Maxcy discussed a workshop in the future to give control of the lakes to Highlands County.

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

**4. Request for approval of a resolution designating the Heartland Arts Cultural Alliance as the official Arts Council for Highlands County**

Rose Bell, presented a request to designate the Heartland Cultural Alliance as the official local arts agency for Highlands County. The designation is necessary for them to qualify for annual grant consideration under the Florida Department of State Division of Cultural Affairs' Grants Program for Local Arts Agencies. The Resolution was read into the record by the Chair. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve the designation. County Administrator, Carl Cool presented letters into the record in support of the resolution. One request was received in opposition to the word Heartland. Ms. Bell stated after consideration, it was determined to leave the name Heartland as the Council may be designated as regional in the future. Commissioner Bullard commended the group for their work. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 170.

**F. Commissioner Stokes: Request approval of Building Use Committee's**

**recommendations**

Commissioner Stokes presented recommendations of the Building use Committee to provide free meeting space once a month for amputees in the county presented by the HALLO organization and a request of the Heartland Avian Society to hold a bird show at the Agri-Civic Center with the stipulation that any extraordinary clean up be charged accordingly and that a financial statement be provided indicating utilization of profits for scholarship. (This is subject to appropriate documentation being received and reviewed). Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve Building Use Committee's recommendations. Upon roll call, all Commissioners voted aye. Motion carried.

See SMB 39 Page 51.

**G. Human Services Director, and Health Department Director: Requesting funding for the Comprehensive Community Health Assessment**

Human Services Director, Kevin Roberts, presented a request for funding for the Comprehensive Community Health Assessment for Highlands County. Dr. Thaqi, Director, of the Health Department presented a short power point presentation on the advantages of performing a Comprehensive Community Health Assessment. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve spending \$15,000 in order to partner with other local public and private sector groups so that a comprehensive community health assessment can be conducted in Highlands County, and to approve a budget amendment #00-01-292 that will authorize the transferring of \$15,000 from the General Contingency Fund Contingency to cost center 5225, Children's Services Council. Commissioner Jackson spoke in opposition to paying for outside studies. He feels that the County should utilize their qualified staff to put these studies together. The Chair opened the floor to the public. Clayton Womer went on record to endorse Commissioner Jackson's comments. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 52.

**H. Zoning Supervisor: Request appointment to Nuisance Abatement Board**

Zoning Supervisor, Gary Lower presented resume of Mr. Evaristo Rivero and requested appointment to Nuisance Abatement Board. Mr. Rivero will be an appointee from Commissioner Bullard's district. The term will run until October 5, 2002. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to appoint Mr. Evaristo Rivero as a regular member to the Nuisance Abatement Board. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 53.

**1. Board Attorney - Revisit of substitution of ownership and beneficiary stipulation annuity agreement Lake Sebring Ridge, Inc.**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve the Chairman execute a revised agreement with the County to become both the owner and the primary beneficiary with modifications and an annuity service request transferring the ownership of the policy to the County with the primary beneficiary interest consistent with the agreement. Roger Miller spoke in favor of the agreement and asked that when the surpland has been approved and all bills are paid, that remaining funds, be returned to Lake Sebring Ridge, Inc. He plans to make a withdrawal each year down to \$200,000.00 (interest on the annuity).

**2. Division of Florida Land Sales - request approval of resolution - Sun'N Lakes South for Road and Drainage agreement.**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve a letter from Ross Macbeth with a resolution requesting the Division of Florida Land Sales, Condominiums, and Mobile Homes release to

the Board of County Commissioners of Highlands County all funds held by the Division, related to the Improvement Trust Agreement for the purpose of construction of drainage and paved streets within the areas of Units One through Twenty of Sun'N Lake Estates of Lake Placid Subdivision. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 171.

**I. County Engineer:**

**1. Request approval of restructuring of Water Advisory Committee membership**

County Engineer, Ramon Gavarrete presented recommendations of staff for the restructuring of Water Advisory Committee membership.

- < Maintain the two year terms, but revoke the six year and eight year maximums. See Attachment B - Current Members and Attachment C - Proposed Members.
- < Appoint Mr. Jack Ritchie, currently an alternate to member under District 2.
- < Appoint Mr. Bruce Burley, currently an alternate to member under District 1.
- < Appoint Ms. Lisa Dunson, as a member under Agriculture.
- < Appoint Mr. Marty Roepstorff, currently an alternate to member under Public/Private Water System.
- < Remove Mr. Drew Phypers and Mr. Steve Handley.
- < Delete Real Estate category.

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the appointments for two years, with changes so that the committee will have a better chance to have a quorum present, effective this date. Commissioner Jackson requested that staff inform one of the members that his attendance should improve. Commissioner Bullard advised that he will contact Mr. Phypers and Commissioner Stokes agreed to contact Mr. Handley to and remind them of the meetings. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 54.

**2. Request approval of College Drive widening project #00090 and Interlocal Agreement between Highlands County and South Florida Community College and resolution and budget amendment 00-01-290**

The Agreement proposes that the County will provide the engineering, design, permitting, survey services, construction and inspection for widening of College Drive from US 27 to East 722.43' including a turn lane and media. The College agrees to reimburse the County for all costs incurred by the County for engineering, design, permitting, survey services, construction and inspection. The estimated cost is \$20,000.00. The College will reimburse the County for the full amount of actual costs incurred within 30 days of receipt of and invoice for the costs by the College from the County. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve resolution, budget amendment and Interlocal Agreement between Highlands County and South Florida Community College. The Chair opened the floor to the public. Richard Conover presented comments regarding the speed limit on College Drive. Staff was directed to talk to Catherine Cornelius, President of the College regarding an adjustment to the speed limit. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 169.

**3. Request approval of budget amendments 00-01-261 and 00-01-262**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve budget amendments 00-01-261 and 00-01-262 to cover expected overtime, OPS and the purchase of an HP Plotter for the County Engineer's Department. Upon roll call, all Commissioners voted aye. Motion carried.



**J. County Administrator:****1. Discussion of Countywide Fire Services**

County Administrator, Carl Cool presented a proposed survey, developed by Government Services, Inc. Consultants for the Board. Commissioners were not happy with the scenario. Commissioner Flowers reminded the Board that this is a work in progress and we will continue to receive weekly updates. Mr. Cool advised that there are errors in the report, especially with nursing homes. The figures will need to be massaged. Some of the numbers are skewed, for example, when an ambulance is called to a nursing home, a fire truck may also respond, depending on the location. Ross Macbeth explained the chart. The consultants are using “run” data and the pigeon holes are the categories. If we are looking at an overall scenario, and there are one thousand runs, there will be at least 400 nonspecific. The Fire Department is out on the highway responding to vehicles that don’t have any relation to a piece of property. We also have a number of calls that are responding to a property of some kind. The consultants are trying to put those calls in the right pigeon hole so when that data is then tabulated, they know how many calls went to the different categories. Then they can take our assessment need of \$2,200,000 by special assessment or general revenue to run the department. \$2,200,000 revenue will not be generated if residential is not assessed at more than \$25.00 per unit. He spoke in favor of the \$37 assessment for residential, which will generate about \$600,000. He does not see anywhere else in the categories to make up these numbers. There has to be a cost benefit to the property. Commissioner Bullard was dissatisfied with the survey. He did not think we should consider a \$37 per resident assessment for a study as poorly done as this. Commissioner Flowers shared that the consultants are coming up with numbers that can be defended in court. He suggested that we take baby steps in the beginning, and use the General Fund until we get it to the point that we need to be. Clayton Womer spoke in opposition to the assessment until more research has gone into the product. Richard Conover presented comments on assessment of mobile homes. Commissioner Jackson recommended that the Board set the ground rules and have the information available in advance. The Board also discussed the differential between individual lot assessment and agriculture lot assessment. The Commission agreed to discuss the issue next week.

**2. Request approval of budget amendment 00-01-286 decreasing Fund 401 Reserve to fund balance of costs to design and construct the HCSWMC Landfill Gas Control/Flaring Facility**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-286 to reappropriate funds to cover balance of construction costs for John Zink gas/flare system.

**3. Discussion of financing options for future large-scale projects on the Capital Improvement Plan**

Carl Cool presented a brief description of the CIP Summary. Alternative one includes a Bond issue. He does not recommend this option. It takes too many options away, because of the debt service obligation. Alternative two is a short term loan to be paid back in approximately four years. Alternative three is a “no borrowing option.” The Sheriff reviewed this option and he believed that the jail addition is a higher priority than the communications upgrade. He would like to propose some changes to the document. Deputy Clerk, Bob Jamison, advised that he will contact Court Administrator, Nick Sudzina, for his input at the next discussion. Chair Maxcy agreed that Priority number 1 is not an option. Mr. Jamison asked that staff run another alternative, similar to alternative two, showing the courthouse renovation one year after, or overlapping with the architectural and courthouse in the same years as the construction for the jail pod. County Administrator, Carl

Cool, asked that the Board prioritize the projects for staff in the future. See CIP file for copy.

**4. Consent agenda Item number 10- Approval of an addendum to the Florida Communities Trust (FCT) Conceptual Approval Agreement for Winding Waters**

County Administrator, Carl Cool, and Commissioner Edgar Stokes spoke in opposition to the Board participating in this grant, because of some of the constraints that the grant would place on the property, but to move ahead with the purchase by the county. Commissioner Stokes shared that money we have set aside for Lockett Estate could be used toward the purchase of this property. NRAC indicated that they may use some of the Conservation Trust monies for the purchase. Motion by Commissioner Stokes, seconded by Flowers, to cancel the agreement with Florida Communities Trust (FCT) Conceptual Agreement for Winding Waters purchase. Upon roll call, all Commissioners voted aye. Motion carried

**5. Clean out mouth of Arbuckle Creek and Istokpoga permit**

County Administrator, Carl Cool, reported that permits have been received from the Corp. of Engineers and the DEP to clean out the mouth of Arbuckle. Staff will be beginning the work the first of next week. The Istokpoga permit was mailed and should be received next week.

**6. Florida Heritage Park request**

Motion by Commissioner Bullard, seconded by Commissioner Stokes, that Highlands County commit to \$60,000 of in-kind services in 2001 and 2002 in the general categories to allow Florida Heritage to receive the grants. Upon roll call, all Commissioners voted aye. Motion carried.

**K. 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 and employee benefits**

<b>Law Library</b>	<b>17.79</b>
<b>General</b>	<b>775,786.22</b>
<b>County Transportation Trust</b>	<b>82,620.52</b>
<b>E911 Operations</b>	<b>13,409.95</b>
<b>Intergovt Radio Communication</b>	<b>205.00</b>
<b>Legal Aid</b>	<b>2,886.10</b>
<b>Local Govt. Infra Surtax</b>	<b>261,919.60</b>
<b>Comm. Development Block</b>	<b>11,312.46</b>
<b>Affordable Housing Assistance</b>	<b>41,805.23</b>
<b>Solid Waste</b>	<b>28,173.25</b>
<b>Placid Utilities</b>	<b>6,038.29</b>
<b>Highway Park Utility</b>	<b>1,748.44</b>
<b>Risk Retention Fund</b>	<b>210,842.26</b>
<b>Employee Benefit</b>	<b>342,615.60</b>
<b>Highlands Hosp Pass thru</b>	<b>41,732.50</b>

**2. Approval of minutes of the meetings of June 5, 2001**

**3. Accept into the record - May 2001 Monthly Report**

4. **Approval of applications for the 2001/2002 Florida Department of Environmental Protection Recycling & Education, Waste Tire Process, Small County, and Litter Control Grant. See file for copy.**
5. **Approval of satisfaction of mortgage - Robinson. See satisfaction of mortgage file.**
6. **Approval of CDBG Housing Assistance Plan. See file for copy.**
7. **Approval of Mrs. Shannon Marrero, as the nominee to replace Mr. Mike McCracken on the Insurance Committee as an alternate member appointment. See Insurance file for copy.**
8. **Approval of Motorola lease modification. See SMB 39 Page 55.**
9. **Approval to supply and deliver one load of marl to the BMX bike track. See SMB 39 Page 56.**
10. **~~Approval of an addendum to the Florida Communities Trust (FCT) Conceptual Approval Agreement for Winding Water. See SMB 39 Page~~**
11. **Approval of specifications and contract documents - installation of fence type B - Sebring Parkway Phase I - Project number 89003. See SMB 39 Page 57.**
12. **Approval of specifications and contract documents - installation of fence type A - Sebring Parkway Phase I - Project number 89003.**
13. **Approval of resolution approving issuance of Highlands County Health Facilities Authority Series 2001-A Bonds. See Health Facility file.**
14. **Approval of a resolution approving issuance of Highlands County Health Facilities Authority Series 2001-B Bonds. See Health Facility file.**
15. **Request to approve sale of Tax Certificates 01-13630; 01-13619; 01-13555; 01-13481; 01-827; 01-969; 01-10090; 01-13443; 01-13522; 01-13603; 01-13616; 01-13631; 01-13599; 01-13536; 01-9908; 01-864; 01-9933; 01-10523; 01-13490; 01-13546; 01-13604; 01-9640; 01-13647; 01-13596; 01-13537; 01-9865; 01-938; 01-10061; 01-10698; 01-13500; 01-13588; 01-13617. See SMB 39 Page 58.**
16. **Request approval of Local Emergency Planning Committee Contract and budget amendment 00-01-289**
17. **Request approval of budget amendments 00-01-274 ( Human Resources OPS salaries) 00-01-275 (Veterans Services overtime and OPS) 00-01-280 (CDBG Home Depot) 00-01-282(E911-Program) 00-01-287 (Sebring & Avon Park Libraries).**
18. **Request approval of the Local Housing Assistance Plan 2001-2004 (revised).**
19. **Accept into the record the Tax Collector's recapitulation statement for the year 2000. See SMB 39 Page 59.**
20. **~~Request to waive the requirement to revise the CHIP and approve to purchase a vehicle for the Library.~~**

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

#### **5. CITIZENS NOT ON AGENDA**

Richard Conover of Avon Park, suggested that Department Heads should be heard first on the Board's agenda. No action was taken by the Board to change the agenda listing.

**6. COMMISSIONERS**

Commissioner Maxcy advised that he will not be present at the next meeting, as he will be attending the state conference.

**7. ADJOURN**

The meeting adjourned at 1:21 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, JUNE 26, 2001**

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:

<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>David W. Flowers</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Louise Graham</b>

Chair Guy Maxcy was absent from the meeting. He was attending the Florida Association of Counties annual conference in Jacksonville, Florida. He will be sworn in as the first vice-president. Vice-Chair Bob Bullard presided at the meeting.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Andy Jackson. The Pledge of Allegiance was led by Deputy Clerk, Louise Graham.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending June 26, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a weekly report of Court Services for the week ending June 22, 2001. See SMB 39 Page 60.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Commissioner Bullard announced a joint meeting with the Sebring City Council on July 17, 2001 at 5:30 P.M. in the Government Center to discuss an Interlocal Agreement for the possible purchase of the Fewell property. Carl Cool reported that the G-91 structure has been modified as requested. Also, work has begun on the Clean out of Arbuckle Creek, and Istokpoga Park improvements. Additional meetings were announced for the benefit of the public.

4. **Public Hearing to consider a vacation of easement - Sun 'n Lakes of Sebring, Lots 8 & 9, Block 740-Rick Whidden, representing Jason B. Hornick & Tari D. Hornick, Petitioner**

County Engineer, Ramon Gavarrete presented Proof of Publication into the record. See SMB 39 Page 61. The petition is to vacate the utility easement as follows: An easement being The Westerly 7:5'-of Lot 8, Less the Southerly 15.0' & Less the Northerly 10.0' thereof, and the Easterly 7.5' of Lot 9, Less the Southerly 15.0' & Less the Northerly 10.0' thereof, Block 740, Sun 'n Lakes of Sebring as recorded in Plat Book 15, Page 40, Highlands County, Florida. The Chair opened the floor to the public. No one spoke for or against the vacation.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to adopt the Resolution to vacate the utility easement as stated. Upon roll call, all Commissioners voted aye. Motion carried.

See Res. Book 14 Page 170.

5. **Public Hearing to consider a vacation of plat - Lake Josephine Drive Trailer Court - First Baptist Church of Lake Josephine**

County Engineer, Ramon Gavarrete presented Proof of Publication into the record. See SMB 39 Page 62. The Petition is to vacate all of Lake Josephine Drive Trailer Court, according to plat thereof recorded in Plat Book 8, Page 59 of the Public Records of Highlands County. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution vacating all of Lake Josephine Drive Trailer Court. The Chair opened the floor to the public. No one spoke for or against the vacation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 171.

**6. Public Hearing to consider a vacation of easement - Sun 'n Lake Estates of Sebring - Unit 13, Lots 2, 3, 4 & 5, Block 280**

County Engineer, Ramon Gavarrete presented Petition and Proof of Publication into the record. See SMB 39 Page 63. The request is to vacate the easement as described below:

The 7.5foot utility and drainage easement on the east side lot line and the 10.0 foot utility and drainage easement on each rear property line of Lots 2, 3, 4, and 5, Block 280, Unit 13 of Sun 'n Lake Estates of Sebring as recorded in Plat Book 9, Page 71 of the Public Records of Highlands County Florida.

The 7.5 foot utility and drainage easement on the northerly side lot line of Lot 1, Block 280, Unit 13 of Sun 'n Lake Estates of Sebring as recorded in Plat Book 9, Page 71 of the Public Records of Highlands County Florida.

The 7.5 foot utility and drainage easement on the southerly side lot line of Lot 6, Block 280, Unit 13 of Sun 'n Lake Estates of Sebring as recorded in Plat Book 9, Page 71 of the Public Records of Highlands County Florida.

The 10.00 foot utility and drainage easement on the rear property lines of Lots 1, 6 and 7, Block 280, Unit 13 of Sun 'n Lake Estates of Sebring as recorded in Plat Book 9, Page 71 of the Public Records of Highlands County Florida.

The 7.5 foot utility and drainage easement on the northerly side lot line of Lot 6 noted above and the southerly side lot line of Lot 7 noted above, was previously vacated as recorded in OR Book 1121, Page 1421 of the Public Records of Highlands County Florida.

The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to adopt Resolution to vacate the utility easement as follows:

The 7.5 foot utility and drainage easement on the east side lot line and the 10.0 foot utility and drainage easement on each rear property line of Lots 2, 3, 4, and 5, Block 280, Unit 13 of Sun 'n Lake Estates of Sebring as recorded in Plat Book 9, Page 71 of the Public Records of Highlands County Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 172.

**7. Public Hearing to consider proposed zoning changes, a consistency zoning change, a small-scale amendment, and a large-scale plan amendment**

Development Director, Jim Polatty presented Proof of Publication for all hearings into the record. See Proof of Pub Ord Book 2 Page 132.

**OLD BUSINESS: HEARING # 1559 - LAKE PLACID GROVES, LLC C/O ROGER DALE POLSTON**

Approximately 325 acres located in Sec. 22, Twp. 36S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to EU PD (Estate district with a Planned Development district). Applicant desires to construct a golf course and a residential subdivision to be known as Lake

Francis Landing. Mr. Polatty read the captions of the Ordinance into the record. The revised site plan shows that the development will stay under a required 536 dwelling unit cap with a minimum dwelling unit living area of 1,500 square feet, not including garages. The plan also showed proposed locations of a recycling center, a public park and multi-family dwellings. Mr. Polatty outlined changes in the ordinance. Ron Clark, representing the Petitioner, presented changes to the Development Order. The first change would allow Lake Placid Groves to terminate the development order after 30 days written notice to the County and have the zoning revert to the property's present status (Agriculture). None of the Commissioners were in favor of this change. Vice Chairman Bullard stated that to down-zone is usually not as complicated as an up-zone. Commissioner Stokes felt that the developer didn't seem serious about building the homes. The Chair opened the floor for input on change number one. Richard Conover, Ray Myers, Ann Pollard and John Stahl spoke in opposition.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to not include the revisions as recommended by Ron Clark in delaying the implementation. Upon roll call, all Commissioners voted aye. Motion carried.

Another change would exclude language to require the developer to pay for the purchase of property for an eastern entrance to the development or to reimburse the county for condemning such property to allow for the eastern entrance. Mr. Clark proposed to purchase the clip, not to exceed \$10,000 with the condemnation language included and give the property to the county. Item number three would add an adequate notice before construction as to where the entrance road will be located. Commissioner Flowers was not in favor of the changes. Commissioner Jackson shared that a reasonable notice would be expected. Ross Macbeth presented language that the developer is required to purchase a parcel to the north east of the proposed boundary on Cloverleaf Road to make the entrance line up with a proposed direct route to US 27. The proposed direct road will cross the road near the proposed entrance.

Lowell (Blackie) Ballas spoke in favor of a road being placed into the entrance. Gabriel Read spoke regarding a master plan for streets in the county. Richard Conover, Ray Myers, Ann Pollard and John Stahl spoke in opposition to the development.

Break 10:40 - 10:55 a.m.

Ross Macbeth presented new language on Page 13 under B. 3 - after Rge 29 E add *or* instead of *and*. Then add the new legal description - *both of which are* and continue as it says in the text and described on the attached legal description (Exhibit "E," and *are* shown on the attached drawing (Exhibit "C"). Other changes are in C. 2 - deals with the alignment. It reads - *The Developer shall design, permit and construct at no cost to the county the "entrance road" as shown on the PD Conceptual Site Plan (Exhibit "B." The alignment of that "entrance road" shall use the Southeasterly corner clip described in subparagraph 3 of paragraph B of this section if acquired by the developer and if that Southeasterly corner clip is not acquired by the developer the alignment of that "entrance road" will be immediately adjacent to the northerly property line of Lake Frances Landings as shown on Exhibit "B." The map will be drawn showing the two alternatives.*

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to accept the changes as provided by the Board Attorney. The Chair opened the floor for input on the petition. Pete McDevitt spoke in support of the Development. Lonnie Wells, of Lake Placid spoke in support of the project. Lowell (Blackie) Ballas, representing the Twin Lakes Property Owners Association, spoke in opposition. Gabriel Read, Avon Park Lakes, spoke to the impact of the development to the community. Barbara Piper, Ray Myers, John Stahl,

Richard Erpenbach Ann Pollard, and Hank Kowalski spoke in opposition to the development. Richard Conover suggested that people should read the legal notices. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Jackson stated that it comes down to a question of property rights and the right to develop one's own property. Based on that "philosophical position," Commissioner Jackson made a motion, seconded by Commissioner Stokes, to approve Hearing #1559 from AU (Agricultural) to PD (Planned Development district) and the Development Order (DO) as amended, after entering into the record, the mandatory findings with the changes as stated. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried.

**NEW BUSINESS: HEARING # CPA - 01-154SS - RICHARD M. WAGNER - C/O DALE POLSTON**

Approximately 2.0 acres located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida. Requesting a small scale plan amendment from (Agricultural) to (Commercial). See below Hearing #1578 for details.

**HEARING # 1578 - RICHARD M. WAGNER - C/O DALE POLSTON**

Approximately 2.0 acres located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida. Requesting a zoning change from R-1 (Residential district) to B-2 (Limited Business district). Applicant desires to operate a convenience store, gas station, deli, and retail. The Planning and Zoning Commission and the Local Planning Agency made a motion to recommend to the Board of County Commissioners approval of Hearing # CPA - 01-154SS and Hearing #1578 including the mandatory findings in the staff report and the zoning change be contingent upon approval from DCA of the small-scale plan amendment. The Chair opened the floor to the public. Dale Polston, representing the Petitioner, explained the request. There were no letters received for or against the petition.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the Local Planning Agency, to approve Zoning Hearing #1578 and adopt Resolution and Ordinance, CPA- 01-154 SS and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 173.

**01-155LS - BRYAN PAUL - BOB PAUL INC. C/O DALE POLSTON**

Approximately 186 acres located in Sec. 19 and 30, Twp. 36S, Rge. 30E, Highlands County, Florida. Requesting a large scale plan amendment from (Agriculture) to (Industrial). The Local Planning Agency made a motion to recommend to the Board of County Commissioners to table Hearing # CPA - 01-1550LS. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to table for an indefinite period, pending reschedule by the applicant. Upon roll call, all Commissioners voted aye. Upon roll call, all Commissioners voted aye. Motion carried.

**HEARING #1580 - ADVENTIST HEALTH SYSTEM D/B/A/ FLORIDA HOSPITAL HEARTLAND MEDICAL CENTER - C/O JOHN NEGLEY**

Approximately 80 acres located in Sec. 10, Twp. 34S, Rge. 28E, Highlands County, Florida. Requesting a zoning change from R-3 (Multiple Dwelling district) and B-2 (Limited Business district) to P (Public and Quasi-Public Lands district). Applicant desires expansion of existing Florida Hospital. The Planning and Zoning Commission made a motion to recommend to the Board of County Commissioners approval of Hearing #1580 including the signage request and the mandatory findings in the staff report. No letters were received and no one spoke in



opposition to the request. John Negley, representing Florida Hospital, spoke in favor of the zoning change.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution Hearing #1580 including the signage request and the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 174.

**HEARING # - 1581 - SPECIAL AREA 2 - CONSISTENCY ZONING CHANGES:**

Development Services Director, Jim Polatty presented recommendation of the Planning and Zoning Commission. Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution Hearing #1581 excluding the following Sites: 2, 4, 6, 7, 11, 13, 15, 16, 23, 24, 25, 45, 60, 77, 97, 108, 150, 151, 158, 169, 178, 192, 207, 212, 258, 259, 260 279, 382,420, 439, 442, 443, 465, 472, 478, 481, 485, 488, 489, 535, 537, 544, 554, and 569, and including the mandatory findings in the staff report. Vice Chair Bullard also requested a correction to Page 10 Site 140 to read Ben Helbley & Kaye Helbley. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 175.

**SITE 1 - JESUS S. CASTILLO** - Lots 1 and 2, Block 208, Leisure Lakes Sections 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 2 - JOSEPH P. SIDARI** - Lot 17, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 3 - BILL MELTON AND LENA OMA** - Lot 32, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 4 - JOHN C. & GARNET A. BARKLEY** - Lots 22 and 23, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 5 - LEONE MARIA FIORETTI AND DOMENICO FIORETTI - C/O HOTEL HOLIDAY** - Lot 28, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 6 - RAYMOND H. & PATSY L. DAVIS** - Lot 34, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 7 - JOHN R. & BETHANY L. WILLIAMS AND JAMES C. & DOROTHY WILLIAMS** - Lot 14, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 8 - JOHN R. & BETHANY L. WILLIAMS AND JAMES C. & DOROTHY WILLIAMS** - Lot 13, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 9 - MICHAEL CALABRESE TR.** - Lot 20, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 10 - BEN A. & KIMBERLEE DRESLER AND BRIAN DRESLER** - Lot 16, Block 208,

Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 11 - HOWARD MARLOW** - Lots 1 and 22, Block 204, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 12 - SHERMAN & SABRINA SHERWOOD** - Lot 33, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 13 - JORGE NOLE CASTRO** - Lot 1, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 14 - KEVIN ARTHUR PETERSON** - Lots 18 and 19, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 15 - AVATAR LEISURE LAKES INC.** - Lot 2, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 16 - AVATAR LEISURE LAKES INC.** - Lot 21, Block 204, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 17 - KENT C. JONES** - Lot 27, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 18 - WILLIAM H. HARRIS** - Lot 26, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 19 - CECIL & LUCILLE S. JOHNSON - C/O HAL JOHNSON** - Lot 24, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 20 - DOUGLAS BOLTON** - Lot 21, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 21 - PAUL & ARLENE E. STRAUB** - Lot 25, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 22 - AMERICO RODRIQUES GOMES & EUGENIA PITA GONCALVES** - Lot 29, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 23 - GERALD C. SHIELDS** - Lots 28, 29, 30, and 31, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 24 - GLADYS G. STEINER** - Lot 15, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 1 through 24 stated above.*

~~**SITE 25 - DOROTHY HERT & NANCY MICKOL** - Lot 2, Block 204, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida. *Requesting a zoning change from B-2 (Limited Business district) to R-2 (Two Family Dwelling district).*~~

**SITE 26 - DONALD E. SR. & BEVERLY MORTON** - Lot 24, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 27 - AUGUST & BETTY CHERNOW** - Lot 26, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 28 - BERNARD Z. GOLDBERG** - Lot 29, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 29 - FRANK & BERNADINE MCMONAGLE** - Lot 30, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 30 - WILLIS & FRANCES PICKERILL** - Lot 18, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 31 - OWEN & CHERYL HOYER** - Lot 19, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 32 - SHELDON H. GORDON** - Lot 20, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 33 - AVATAR LEISURE LAKES INC.** - Lot 21, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 34 - ROBT. GORMLEY & CHRISTINA REID-GORMLEY** - Lot 23, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 35 - HAROLD F. MAYER** - Lot 25, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 36 - AVATAR LEISURE LAKES INC.** - Lot 27, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 37 - L. BARTON & MARION D. YARNALL** - Lots 28 and 29, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 38 - HELEN MAZUR ET AL** - Lot 30, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 39 - LONZO E. AKRIDGE** - Lot 32, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 40 - ALLEN & JO-ANN LENTZ** - Lot 33, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 41 - MARIBETH ARCENAS ET AL** - Lot 34, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 42 - CHARLES J. ZIEMBA** - Lots 10 & 13, Block 196, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 43 - LOUISE T. FELICE CUNNINGHAM** - Lot 11, Block 196, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 44 - AVATAR LEISURE LAKES INC.** - Lot 12, Block 196, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 26 through 44 stated above.*

~~**SITE 45 - LEE C. HOFFMAN** - Lot 13, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 46 - SHEILA I. & REINALDO HAYNES AND SILVIA M. BROWN** - Lot 14, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 47 - MARION T. BALTRUSCH TRUST** - Lots 17 and 18, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 48 - HARRIET M. HARLEY** - Lot 19, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 49 - K. C. & DOROTHY R. T. KVASNICKA** - Lot 32, Block 194, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 50 - JOSEPH W. B. & KIM MURR YOUNG** - Lot 1, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 51 - HENRY M. KELLY TRUST** - Lot 2, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 52 - COLUMBUS DISABATO** - Lot 4, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 53 - WILLIAM J. MCDOWALL** - Lots 5 & 6, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 54 - PAUL A. & MARGIE EICH** - Lots 7 & 8, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 55 - JAMES C. BLACK, JR.** - Lot 9, Block 195, Leisure Lakes Section 3, as recorded in Plat

Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 56 - BILLIE T. SHEPHERD** - Lots 10 & 11, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 57 - STANKO & VERA SUBIC** - Lots 12, 13, 14, and 15, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 58 - ROBERT F. WIGGLESWORTH & MARGARET L. WIGGLESWORTH** - Lot 17, Block 195, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 45 through 58 stated above.*

**SITE 59 - AVATAR LEISURE LAKES INC.** - Lot 1, Block 362, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 60 - LOU GRAEF** - Lot 2, Block 362, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 61 - MAHABIR LALLAPERSAUD** - Lot 67, Block 362, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 62 - FRANK SINGH & VIDYA RAMKISSOON** - Lot 68, Block 362, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 63 - NANCY DRAGIN** - Lot 1, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 64 - GILBERT & WINNIFRED LAABS** - Lot 3, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 65 - AVATAR LEISURE LAKES INC.** - Lot 5, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 66 - JAMES E. UJAZDOWSKI** - Lot 6, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 67 - ROBERT R. EICHMILLER ET AL** - Lot 9, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 68 - RICHARD SHANK** - Lot 10, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 69 - AVATAR LEISURE LAKES INC.** - Lot 11, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 70 - LOUISE NELSON / SEVEN WINDS** - Lot 12, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 71 - DUANE P. & HELENE KELLER L. T.** - Lot 14, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 72 - JOHN M. A. PRICE, SR.** - Lot 15, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 73 - JOHN M. A. PRICE SR.** - Lot 16, Block 364, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 74 - JOSE P. & ERLINDA M. BISCARRA AND MARIE ROSE BISCARRA** - Lot 1, Block 358, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 75 - JOSE P. & ERLINDA M. BISCARRA AND MARIE ROSE BISCARRA** - Lot 2, Block 358, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 76 - BARRY W. & HELEN D. TAMPOW CO-TR.** - Lot 1, Block 356, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 77 - PAUL & ELLEN HOULIHAN** - Lot 30, Block 356, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 59 through 77 stated above.*

**SITE 78 - KARL H. & DOROTHY PANNING** - Lot 14, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 79 - CHARLOTTE M. ZENT YOUNGWIRTH** - Lot 15, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 80 - CLIFFORD KESTERSON & LILLIAN S. GRAY** - Lot 18, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 81 - WAYNE L. & DORMA M. PRESTON** - Lot 19, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 82 - WILBUR YANA TR.** - Lot 20, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 83 - G. B. & ELIZABETH A. GRULLON** - Lot 21, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 84 - JAMES DOBBS** - Lot 22, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9,

Page 15 of the Public Records of Highlands County, Florida.

**SITE 85 - WILLARD J. FRANKHAUSER** - Lot 25, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 86 - JOSEPH EDWARD & FELICITE LYTON** - Lot 26, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 87 - MONTSERRAT A. JOHNSON** - Lots 27 and 28, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 88 - WILLIAM WINKLER** - Lot 18, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 89 - C. L. MCCOLUM** - Lot 20, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 90 - VICTOR MAFFIO, JR.** - Lot 21, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 91 - F. A. JR. & FRANK A. CELENTANO** - Lot 22, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 92 - FROHWEIN ENTERPRISES LTD** - Lot 23, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 93 - FREDERICK W. & JAMES KOEHLER** - Lot 25, Block 353, per O.R. 1150, Pg. 537, under ½ interest each, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 94 - LALCHAND KALLICHARAN & UMMADEO SEWDHAN** - Lot 26, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 95 - L. & DAYWANTEE KALLICHARAN** - Lot 27, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 96 - RAFAEEK SUBEDAR** - Lot 28, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 97 - M. J. ANTONELLI** - Lot 30, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 98 - M. F. ESKILDSEN** - Lot 31, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 99 - PETRA HARRIS TR. & CHRISTOPHER FLETCHER** - Lot 32, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 78 through 99 stated above.*

**SITE 100 - AVATAR LEISURE LAKES INC.** - Lot 12, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 101 - RUSSELL W. & GOLDIE RAULSTON** - Lot 30, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 102 - LEE NAGEL** - Lot 31, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 103 - FRANK & MARLENE WETMORE** - Lot 32, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 104 - DAVID E. & BETTY J. BAIM** - Lot 33, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 105 - CHRISTOPHER C. ENYINNA** - Lot 34, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 106 - PETER & RUTH E. MULLER** - Lots 37 & 38, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 107 - LINDA L. CHRISTIAN ET. AL.** - Lot 41, Block 352, 1/3 undivided interest each, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 108 - TOMMY C. PERKINS** - Lots 1, 2, and 3, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 109 - JOSEPHINE CAVALLARO & ROSE CARLIN** - Lot 4, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 110 - THOMAS E. & JANET C. BOYLE** - Lot 5, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 111 - JAMES N. & JUANITA MECHLING** - Lots 6 and 7, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 112 - W. B. & MARCELINE V. KELLEY** - Lot 8, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 113 - ELVIRA P. GALANG TECH UNIVERSITY OF THE PHIL. GUIDANCE CENTER** - Lot 9, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 114 - DAVID L. & MARGIE L. ONEILL** - Lot 11, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.



**SITE 115 - JAMES J. & GERTRUDE MOTHERWAY** - Lot 12, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 116 - SPYRO J. GELLOS** - Lot 13, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 117 - ELISE & RAYMOND C. HIGHSMITH** - Lot 14, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 118 - GERALD & THERESA ALSHEFSKI** - Lot 16, Block 353, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 100 through 118 stated above.*

**SITE 119 - GERALDINE DAVIS** - Lot 18, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 120 - HAROLD L. & MAXINE LEHMAN** - Lot 23, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 121 - MAXIE R. MINTZ** - Lot 25, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 122 - DAVID B. WORRALL** - Lot 27, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 123 - EUNICE I. NICHOLS** - Lot 28, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 124 - ANDREW & HAZEL LARSON** - Lot 30, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 125 - GEORGE EASSE C/O WALTER EASSE** - Lot 31, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 126 - MARCEL A. & RITA D. CHENARD** - Lot 32, Block 354, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 127 - MARY E. RAY** - Lot 13, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 128 - GLEN H. HUIGEN** - Lots 14 & 15, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 129 - JAMES D. & SHARON M. YOUNG** - Lot 16, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 130 - HERBERT STAFFORD TR.** - Lot 17, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 131 - ROBERT W. & VIOLET J. WOOD** - Lot 18, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 132 - AVATAR LEISURE LAKES INC.** - Lot 20, Block 355, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 133 - AVATAR LEISURE LAKES INC.** - Lot 10, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 134 - CLARENCE T. STIFTER** - Lot 11, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 135 - EMMA DALLORSO** - Lots 42 and 43, Block 352, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 119 through 135 stated above.*

**SITE 136 - MABEL ROBINSON** - Lot 2, Block 162, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 137 - RUTH MCCORMICK** - Lot 3, Block 162, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 138 - MARIE R. SCHRODER** - Lots 6 & 7, Block 162, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 139 - AVATAR LEISURE LAKES INC.** - Lot 3, Block 163, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 140 - BEN HELBLEY & KAYE HELBLEY** - Lot 6, Block 163, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 141 - CHARLES W. BARR** - Lot 2, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 142 - JOSEPH C. & EVELYN JACKSON** - Lot 3, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 143 - JAMES L. PARRISH** - Lot 4, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 144 - JAMES A. & BARBARA A. GREEN** - Lot 5, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 145 - J. F. & HELEN M. MCCONNEL** - Lot 6, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 146 - RICHARD L. LESS ET. AL.** - Lots 7 & 8, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 147 - MICHAEL CZEBATUL** - Lot 9, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 148 - JEROME & MILDRED KUCERA & J. KUCERA DANIEL** - Lot 10, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 149 - THEODORE & SHIRLEY KOWAR** - Lot 11, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 150 - TRACY & DAWN L. DAY** - Lot 12, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 151 - TRACY & DAWN L. DAY** - Lots 13 & 14, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 152 - HELEN M. NEWMAN** - Lot 15, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 153 - FRANK WODNICK** - Lot 29, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 154 - FREDERICK J. & MARIA BENNETT** - Lot 30, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 136 through 154 stated above.*

**SITE 155 - TY H. & SHANNON R. FRITZIUS** - Lot 1, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida. *Requesting a zoning change from R-3 (Multiple Dwelling district) to R-2 (Two Family Dwelling district).*

**SITE 156 - ROBERT & SANDY POTTER** - Lot 10, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 157 - MARK E. SHIVES** - Lot 39, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-2 (Two Family Dwelling district) on Sites 156 and 157 stated above.*

~~**SITE 158 - JAMES SR. AND PHILLIP R. KASPAR** - Lots 1 & 2, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 159 - WILLIAM OTTO SCHMALZRIED** - Lot 3, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 160 - SANCHEZ ANTONIO MORENO & DE MARENO JULIO HARMIGA** - Lot 4, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 161 - MELVIN & SHIRLEY K. STONE** - Lots 5, 6, and 7, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 162 - AVATAR LEISURE LAKES, INC.** - Lot 8, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 163 - VIVIANA L. LOPEZ AND CARLOS & ROSARIO LIMA** - Lot 9, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 164 - NICK JR. & SOPHIA REPAN** - Lot 11, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 165 - GRACE S. & KENNETH R. WILSON** - Lot 12, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 166 - VIRGINIA OGHIGIAN** - Lots 13 & 14, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 167 - ROBERT H. BEEBE & FRANCES J. FRIDGE** - Lot 15, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 168 - AVATAR LEISURE LAKES INC.** - Lot 16, Block 172, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 169 - JOSEPH W. & LUCY BAKER** - Lot 7, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 170 - WILLIAM N. DECARLIS** - Lots 8 & 9, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 171 - FOGARTY GEORGE & HARDAI APPADU** - Lot 10, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 172 - FAMIDA JAFFERALI** - Lot 11, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 173 - CLARENCE G. SHAFFER** - Lot 31, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 174 - AVATAR LEISURE LAKES INC.** - Lot 32, Block 168, Leisure Lakes Section 3, as

recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 175 - JAMES L. & BETTY C. MARTIN** - Lot 33, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 176 - GEORGE M. MARIAN** - Lot 34, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 177 - MARY M. RHOADES** - Lot 35, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 178 - EMIL S. & DELORES L. BANASHK** - Lot 36, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 179 - RUBEN T. & LOLITA R. AGRA** - Lot 37, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 180 - LUETTA ELIZABETH BRANDL TR.** - Lot 38, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 181 - KURT & ROSLEIN LUETJEN** - Lots 40 & 41, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 182 - JUDITH ANN MUNKITTRICK** - Lot 42, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 183 - EUGENE L. W. & LORNA HACKMAN** - Lot 43, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 184 - JOHN O. SWANSON ESTATE & HUGH A. MCCLOSKEY** - The West 20 feet of Lot 44, and the East 30 feet of Lot 45, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 185 - AVATAR LEISURE LAKES INC.** - Lot 44 Less the West 20 feet, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 186 - MARION W. MAURMAN EST. - C/O BARBARA ANTONELLI** - The West 50 feet of Lot 45, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 187 - CHARLES V. & E. JEAN LEFFERT** - Lot 46, Block 168, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 188 - E. J. & JEAN M. GROSSARTH CO-TR.** - Lot 4, Block 162, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 189 - SPYROS & KALLIOPE STANLEY** - Lot 5, Block 162, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 190 - ROBERT J. & ALYSE M. MARTY** - Lot 4, Block 163, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 191 - ANTOINETTE COSTANZI & THERESA R. COSTANZI** - Lot 5, Block 163, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 158 through 191 stated above.*

~~**SITE 192 - MICHAEL A. WINANDY** - Lots 11 & 12, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 193 - ROSE A. BIEBER TRUSTEE** - Lot 10, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 194 - NATHAN W. & MARTHA LORD - C/O MARTHA FARLEY** - Lot 9, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 195 - GEORGE E. III & MARY BARR TR.** - Lot 8, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 196 - NELL R. MILLER - C/O RAYMOND MILLER** - Lots 6 and 7, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 197 - THOMAS ZURAWSKI** - Lot 5, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 198 - RUSSELL KEVIN RHODES** - Lot 4, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 199 - CHARLES J. & DOROTHY E. ZEPPA** - Lot 3, Block 208, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 200 - GERALD C. SHIELDS** - Lot 4, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 201 - DOROTHY COWFILL JOHNS SIPES & CHRISTINE MARY JOHNSON** - Lot 3, Block 204, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 202 - RUTH K. NEWMAN** - Lot 20, Block 204, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 203 - SHIRLEY HAWSE** - Lot 3, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 204 - JAMES W. & JANNAE E. GARDY** - Lot 27, Block 203, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 205 - CECIL CONRY** - Lot 21, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 206 - WESLEY K. & ANITA C. IRONS** - Lot 10, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 207 - JUDITH E. WOODFORD HORSTMAN** - Lots 8 & 9, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

**SITE 208 - WALTER JUNIO NEUENSCHWANDER** - Lot 7, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 209 - CARL C. VEIL** - Lots 5 & 6, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 210 - LILLIAN STOLER** - Lot 3, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 211 - KENNETH J. HARRELL** - Lot 2, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 212 - HUGH A. MCCLOSKEY** - Lot 1, Block 197, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 192 through 212 stated above.*

**SITE 213 - JOSEPH A. DAVIS** - Lot 1, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 214 - LEROY EBERT** - Lot 2, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 215 - HERBERT B. WILLIAMS, JR.** - Lot 3, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 216 - AVATAR LEISURE LAKES INC.** - Lot 4, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 217 - IHOR & ROMANE HAYDA** - Lot 5, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 218 - FRANK SINGH** - Lot 6, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 219 - AVATAR LEISURE LAKES INC.** - Lot 8, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 220 - JOHN F. STEVENS** - Lot 9, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 221 - LELIA PINA - C/O FLORA FLOWERS** - Lot 11, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 222 - MARIO & PHYLLIS VENTRESCA** - Lot 12, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 223 - ROGER R. ROY** - Lot 13, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 224 - FREDERICK Z. HENRY** - Lot 14, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 225 - V. J. & THOMAS L. GUDORF ET. AL. AND MARY L. EAGLE** - Lot 15, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 226 - FRED I. & LETHA WEATHERS** - Lot 16, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 227 - A. H. & BIBI A. KHAN** - Lot 17, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 228 - H. A. & DOROTHY B. MCPEEK TRS.** - Lot 18, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 229 - ARDOOL S. & BIBI Z. JABAR** - Lot 19, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 213 through 229 stated above.*

**SITE 230 - MICHAEL J. WALSH** - Lot 20, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 231 - ROBIN REGA** - Lot 21, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 232 - GENEVIEVE STANHOUSE EST. - C/O NANCY BAEDA** - Lot 22, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 233 - CARL A. ROBINSON SR.** - Lot 23, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.



**SITE 234 - CLYDE & GRACE DANIELL** - Lot 24, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 235 - CECILE M. & JEFFERS AND H. JOANNE WEST** - Lots 25 and 26, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 236 - ESTHER L. THATCHER TRUST AND DON E. THATCHER TR.** - Lots 27 and 28, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 237 - J. MARVIN & MARY J. MILLS** - Lots 33 and 34, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 238 - SIDNEY W. & LOIS H. COX** - Lot 35, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 239 - PETER CYMMER** - Lot 36, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 240 - GERALD L. & BETTY W. SAMPLES** - Lot 37, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 241 - JOHN J. & BARBARA ANN HANCOCK** - Lot 38, Block 366, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 230 through 241 stated above.*

**SITE 242 - THOMAS & DENISE BOSNJAK** - Lot 15, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 243 - VINKO KOZINA** - Lot 16, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 244 - MAY F. & JO M. CAGNEY** - Lots 17 and 18, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 245 - WILFRIDO & REBECCA REYES** - Lot 19, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 246 - PAUL TRAEGER ET. AL.** - Lots 20 and 21, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 247 - AVATAR LEISURE LAKES INC.** - Lots 22 and 23, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 248 - DONALD KLINE** - Lot 24, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6,

Page 25 of the Public Records of Highlands County, Florida.

**SITE 249 - JOSE T. RODRIGUEZ & RAMONITA SUAREZ RODRIGUEZ** - Lot 1, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 250 - MALDONADO LUIS A. RIVERA & MYRIAM VILLA R. RIVERA** - Lot 2, Block 177, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 251 - ANGEL & MAY TAM DIAZ** - Lot 3, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 252 - POORAN SOOKCHAN & BHAGMANEE POORAN** - Lot 4, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 253 - ANDREW & NADA SPORCIC** - Lot 5, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 254 - MARY I. LAWSON - C/O MARY M. GRIMES** - Lot 6, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 255 - AVATAR LEISURE LAKES INC.** - Lot 8, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 256 - F. A. AND FRANK A. CELENTANO, JR.** - Lot 9, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 257 - ROBERT E. & SUE M. DAISHER** - Lots 10 through 14, Block 176, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

~~**SITE 258 - ANNA HAMMER BANKO & LIZ HAMER MATIJSIC** - Lot 1, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 259 - HELEODORO & MARTHA RODRIGUEZ** - Lot 2, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

~~**SITE 260 - JOHN & COSIMINA COSTABILE** - Lots 3, 4, 5, and 6, Block 175, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.~~

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 242 through 260 stated above.*

**SITE 261 - DANIELLE B. A. GIBSON TRUST & RONALD J. NOWAK** - Lots 51 & 52, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 262 - MAGDALENE DZUGAN & LANA J. GRABER** - Lot 50, Block 152, Leisure Lakes

Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 263 - GERALD & LANNIE MYERS** - Lot 49, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 264 - GEORGE H. & DON E. JOHNSON** - Lot 48, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 265 - ALLEN G. WILLIAMS - C/O WAYNE WILLIAMS** - Lots 46 and 47, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 266 - CAROL BRODBECK** - Lot 45, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 267 - LELAND H. & ELLEN I. TREAP** - Lot 44, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 268 - WILHELMINE BOHLEN EST. - C/O RICHARD J. RYAN ESQ.** - Lots 42 and 43, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 269 - RUBY THOMPSON** - Lot 41, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 270 - ERIS & MILDRED M. LYTLE & MARIAN BEEBE** - Lot 38, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 271 - HARRY R. & EVELYN L. SMITH** - Lot 36, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 272 - HAFEEZA & JACOB RAMBARAN** - Lots 17 and 18, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 273 - HUBERT A. LYNN** - Lot 16, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 274 - JOSEFINA A. RODRIGUEZ** - Lot 15, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 275 - FELIX & EVA ACEVEDO** - Lot 19, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 276 - FELIX & VIRGINIA RODRIGUEZ** - Lot 20, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 277 - GEORGE ANGEL RODRIGUEZ** - Lot 21, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 278 - JULIO & MARIA L. MEDINA** - Lot 22, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 279 - ROSA LEE & JEANNETTE WRIGHT AND BETTY R. WRIGHT** - Lot 24, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 280 - AVATAR LEISURE LAKES INC.** - Lots 23, 25, and 26, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 281 - ROBERT L. RUPPRECHT** - Lot 27, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 282 - TANIO NORITAKE - C/O YUNDSUKE NORITAKE** - Lot 28, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 261 through 282 stated above.*

**SITE 283 - GOLF CONSULTANTS INC.** - Lots 13 and 14, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 284 - S. E. & WILLIAM M. SOUTHARD TR.** - Lot 12, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 285 - VINCENT & SCIALABBA AND JOAN MESSINA** - Lot 11, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 286 - CHISLON A. BAILY** - Lot 9, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 287 - STEPHNEY B. PRYCE** - Lot 8, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 288 - AVATAR LEISURE LAKES INC.** - Lots 2 and 10, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 289 - WILLIAM & ESTHER GARTNER** - Lots 6 and 7, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 290 - JOHNNY M. & CINDY G. BARTON** - Lots 3, 4, and 5, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 291 - MICHAEL & PATRICIA D. WOOD** - Lot 1, Block 152A, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 292 - WALTER W. HADLER** - Lot 34, Block 152, Leisure Lakes Section 3, as recorded in Plat

Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 293 - OWEN KELLY - C/O HOLDAMPE** - Lot 32, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 294 - ROBERT H. BROUGH** - Lot 31, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 295 - FRANK G. & CLAIRE TEROPSIS** - Lot 29, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 296 - EUGENE & JOYCE WINTERS** - Lot 28, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 297 - MAURICE P. ROSS** - Lot 27, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 298 - HAROLD R. & ANNE LUCY OLSEN** - Lots 26 and 30, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 299 - RICHARD A. BROOKS TRUST** - Lots 25 and 35, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 300 - CLARENCE STREIF** - Lot 24, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 301 - ARNOLD E. & SHIRLEY MEYER** - Lot 22, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 302 - G. ROBERT CARR** - Lots 20 and 21, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 303 - YO YEE & GEORGE CHACKO TRS.** - Lot 54, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

**SITE 304 - CATHERINE M. WEINKAUFF - C/O CATHY MASTELLER** - Lot 53, Block 152, Leisure Lakes Section 3, as recorded in Plat Book 6, Page 25 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 283 through 304 stated above.*

**SITE 305 - TEOFILO M. GUTIERREZ & ROSARI E. JIMENEZ** - Lot 30, Block 422, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 306 - HAROLD ZINN TRUSTEE** - Lots 36 and 37, Block 421, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 307 - ROGER AMSLER** - Lot 14, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 308 - ALICE B. RUSSELL TRS.** - Lot 15, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 309 - BALWANT & INDROU SEEPERSAUD** - Lot 16, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 310 - RAYMOND F. COLE EST. - C/O DEWITT BANK AND TRUST** - Lot 17, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 311 - KARL E. JR. & ROSE ANN MASTER** - Lot 19, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 312 - JOHN K. SMOLA** - Lots 21 and 22, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 313 - WALTER C. & RUTH L. RIETMAN** - Lot 25, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 314 - AMELIA R. LOTHO** - Lot 26, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 315 - MARILIA TORRES** - Lot 15, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 316 - HAROLD R. SWARTZ** - Lot 18, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 317 - L. A. & HELEN T. AND ARTHUR MAFFIE AND JANE LEE MAFFIE** - Lot 19, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 318 - IZET & ILORA HEW** - Lot 20, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 319 - IZET & LORNA HEW** - Lot 21, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 320 - DONALD O. & VEDA A. JENISON** - Lot 22, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 321 - AVATAR LEISURE LAKES INC.** - Lot 26, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 322 - AARON LEONARD BHOLARAMSINGH** - Lot 27, Block 418, Leisure Lakes Section 17,

as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 323 - C. L. HOLMES - C/O ROY HOLMES REALTY** - Lot 28, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 305 through 323 stated above.*

**SITE 324 - V. J. & THOMAS L. GUDORF ET. AL AND MARY L. EAGLE** - Lot 24, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 325 - LUCENA UY TY** - Lot 28, Block 367, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 326 - M. N. & JOYCELYN I. QUALANDER** - Lot 20, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 327 - ROBERT EDWARD & OMIGENE LUKATZ** - Lot 21, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 328 - PETER & JOSEPHINE GRANATA** - Lot 22, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 329 - BERNEICE NEUMANN** - Lot 23, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 330 - EDNA M. & VERNON POLING TRS.** - Lot 25, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 331 - THOMAS R. & PEARL D. BURNHAM** - Lot 29, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 332 - OCEAN COUNTY MUSIC CORP.** - Lot 30, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 333 - TERRENCE K. & ROBERT FRAMBS** - Lots 33 and 34, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 334 - CROHN'S & COLITIS FOUNDATION OF AMERICA INC.** - Lot 35, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 335 - JAMES L. GOODWIN** - Lot 36, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 336 - HERBERT E. & LOA DEAN CREAMER** - Lot 37, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 337 - AVATAR LEISURE LAKES INC.** - Lot 38, Block 365, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 324 through 337 stated above.*

**SITE 338 - LEO & MARLENE MCDONNELL & ROY GENE MCDONNELL** - Lot 19, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 339 - ELLIS & ORA LEE ISAACS** - Lot 21, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 340 - PHILLIP S. COSTELLO ET. AL. & SARA E. CARNES-COSTELLO** - Lots 22, 23, and 24, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 341 - CONCEPCION D. & PERLA ALMIRANEZ** - Lot 25, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 342 - ROLANDO CARONAN PADILLA & ZENAIDA F. PADILLA** - Lot 26, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 343 - EDWARD & JOSEPH RUGGIERO** - Lot 31, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 344 - GRAY W. BARCLAY** - Lot 32, Block 386, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 345 - JONATHAN MCANDREWS ET. AL. - C/O HILDA E. RINEHART** - Lot 17, Block 385, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 346 - AVATAR LEISURE LAKES INC.** - Lot 22, Block 385, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 347 - DAVID A. & RAMONA F. BRODER** - Lots 23 and 24, Block 385, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 348 - JAMES L. & BEATRICE S. SMITH** - Lot 26, Block 385, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 349 - WILLIAM M. & BETTY L. SMITH TRS.** - Lots 31 and 32, Block 385, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.



*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 338 through 349 stated above.*

**SITE 350 - ANAMIL AGUILAR & ELENITA MA M. RAVAL** - Lot 1, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 351 - LUALHATI I. RODRIGUEZ** - Lot 2, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 352 - NICHOLAS F. & CECILIA FRYZIUK** - Lot 3, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 353 - DOROTHY J. & WILKINSON E. RABER - C/O CINDY LE BEAU** - Lot 4, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 354 - AVATAR LEISURE LAKES INC.** - Lot 6, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 355 - CHANDRANIE APARBAL** - Lot 9, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 356 - MARIA ELENA PINEIRO** - Lot 10, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 357 - C. V. JR. & LISA BECKE SPENCER** - Lot 11, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 358 - VIRGIL & MARILYN FOSS** - Lot 13, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 359 - PARASRAM BISESAR & NANDANEE TULSHI** - Lot 15, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 360 - GLEN H. & VIRGINIA H. HUIGEN** - Lot 16, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 361 - DOLORES D. BUTCHER** - Lot 1, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 362 - HOLLIS & LORI POLLARD** - Lot 2, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 363 - ELWIN H. BATSCH** - Lot 3, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 364 - HOWARD & ERNA GREFSHEIM TRS.** - Lot 4, Block 383, Leisure Lakes Section 17, as

recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 365 - LOUIS J. COVINO** - Lot 5, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 366 - WAYNE E. & DOREEN M. MCNEILL** - Lot 6, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 367 - H. K. & GEORGANNA MATLACK EST - C/O BARRY MATLACK** - Lot 7, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 368 - METHLYN B. MATTADEEN** - Lot 8, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 369 - JOHN M. BASSINGER** - Lot 10, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 370 - MARIA LILIA V. FLORES** - Lot 12, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 371 - ALVA R. & GRACE Y. HAMILTON** - Lot 13, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 372 - JOHN L. & MARY ANN SEAMAN TRS.** - Lot 14, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 373 - JOSE MA GOMEZ** - Lot 15, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 374 - AMANDA C. HERNANDEZ** - Lot 16, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 350 through 374 stated above.*

**SITE 375 - PETER K. & POTOULA P. SKOPAS** - Lots 17 and 32, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 376 - ROBERT T. BYERLY** - Lot 18, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 377 - PHYLLIS M. BEGLEY & NANCY J. TARGIONI** - Lot 19, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 378 - ESACK & SURJIE MOHAMED** - Lot 20, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 379 - YASUKO LAIR** - Lot 21, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 380 - CARL F. LANGE** - Lot 24, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 381 - WILLIAM C. & ANITA WENDLANDT** - Lot 25, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 382 - CAROL JEAN RIGGINS LOGE & RENITA ANN RIGGINS BROWN** - Lot 30, Block 383, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 383 - MARIA ELENA ARGUELL MORIYON** - Lot 17, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 384 - PARASRAM BISESAR & NANDANEE TULSHI** - Lot 18, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 385 - LARRY R. HARTMAN** - Lot 19, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 386 - CHAIMRAJ BHAGWANDIN** - Lot 24, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 387 - MARIA CARLINA & F. L. VERCHES** - Lot 27, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 388 - LAURENT & SYLVIA HENRY** - Lot 28, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 389 - S. A. & CHERRY K. GLAZER** - Lot 29, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 390 - PAUL W. & GWENEOLYN S. BARNDT** - Lot 30, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 391 - HAROLD E. & JANIS F. BRATTON** - Lots 31 and 32, Block 384, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 375 through 391 stated above.*

**SITE 392 - LACHMAN BABOOLALL** - Lots 2 and 3, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 393 - ALLEN & DELORES MACARTNEY** - Lot 5, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 394 - WM. B. JR. & BEVERLY A. HASTY TRS.** - Lot 7, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 395 - KEITH A. & AMELIA R. BURRER** - Lot 8, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 396 - ABDOOL S. & BIBI Z. JABAR** - Lots 9 and 11, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 397 - SAJID Z. & ABDOOL S. JABAR** - Lot 10, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 398 - CARMEN SKROCH - C/O KEVIN T. SKROCH** - Lot 12, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 399 - GLADYS MORILLO** - Lot 14, Block 418, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 400 - JOSEPH DEMCZYK** - Lot 2, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 401 - ROBERT REA ST.** - Lot 4, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 402 - RECARDO SMART** - Lot 8, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 403 - MANUEL J. PEREZ** - Lot 10, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 404 - DAVID & MA ELENA NAVA** - Lot 11, Block 417, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 405 - RONALD H. EVANS SR. ESTATE - C/O RUTH ZDON ADM.** - Lot 35, Block 421, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 392 through 405 stated above.*

**SITE 406 - LEAH ROSENBAUM SMITH** - Lot 26, Block 422, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 407 - ROY W. WILLINGHAM** - Lot 34, Block 421, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 408 - KATHERINE L. HODGE** - Lot 27, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 409 - BARBARA J. HANNA TRUST** - Lot 28, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 410 - ROBERT R. LASCHOBTR** - Lot 16, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 411 - AVATAR LEISURE LAKES INC.** Lot 18, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 412 - BERT B. BESSELLIEU JR.** - Lot 23, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 413 - KENNETH F. & LUCILLE STROUD** - Lot 24, Block 419, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 414 - CLARENCE E. & ANN MARIE BATH** - Lot 16, Block 420, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 415 - AVATAR LEISURE LAKES INC.** - Lot 19, Block 420, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 416 - REMEDIOS F. & RODOLFO MARTI** - Lots 24 and 25, Block 420, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 417 - JOSE R. & LORETO M. MANIGBAS** - Lot 26, Block 420, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 406 through 417 stated above.*

**SITE 418 - JAMES W. & LORETTA WEYERS** - Lot 1, Block 399, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 419 - RYAN & TRACY FLORENCE** - Lot 2, Block 399, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 420 - DANIEL BARUKH** - Lots 9, 10, and 11, Block 399, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 421 - ABDUL S. & BIBI Z. JABAR** - Lot 1, Block 394, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 422 - SANTIAGO NINA** - Lot 1, Block 388, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 423 - BRAULIO J. ABAD - C/O AMELIA ABAD** - Lot 2, Block 388, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 424 - HYACINTH & EUBILIN SHEPHERD** - Lot 6, Block 393, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 425 - LOUISE B. MAUNEY** - Lot 7, Block 393, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 426 - CHARLES W. KROMER** - Lot 9, Block 393, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 427 - ABDOOL S. & BIBI Z. JABAR** - Lots 12 and 13, Block 393, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 428 - W. L. CRABE TR.** - Lots 4 and 5, Block 393, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 418 through 428 stated above.*

**SITE 429 - JORGE & MARIA C. RODRIQUEZ** - Lot 30, Block 404, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 430 - DONALD & DOROTHY RIECK** - Lot 17, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 431 - RICHARD FOSCAROTA & PATRICIA A. BARRY** - Lot 19, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 432 - GARY LEE SCHINDLER** - Lot 20, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 433 - JOHN R. ARDIZZONI** - Lot 21, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 434 - NICHOLAS CATURANO** - Lot 22, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 435 - LOREDANA P. MIRABELLA** - Lot 23, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 436 - PEDRO S. CABIE ET. AL.** - Lot 25, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 437 - FARRIS J. SHAHEEN** - Lot 15, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 438 - AVATAR LEISURE LAKES INC.** - Lot 16, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 439 - GENE W. & GRACIELA V. WEBSTER**~~ - Lot 18, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 440 - CLIFFORD E. & DOLO ARMSTRONG - C/O PEGGY OSWALT** - Lot 20, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 441 - MELVIN E. & KAROL D. WALKER** - Lots 21 and 22, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 442 - HARDEO & MAUREEN P. SOOKHAI**~~ - Lot 23, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 443 - N. & DAVE VINDRA BHARRATT**~~ - Lot 25, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 444 - ANGELA LENG** - Lot 26, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 445 - CECILIA C. LAPID** - Lot 22, Block 407, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 429 through 445 stated above.*

**SITE 446 - BARBARA E. COFFIN** - Lot 1, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 447 - CHARLES D. & LINDA L. DARST** - Lot 3, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 448 - BRADLEY T. J. METTEE JR.** - Lots 4 and 5, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 449 - THOMAS C. MINNIG TR.** - Lot 7, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 450 - AVATAR LEISURE LAKES** - Lots 8, 9, 10, 11, and 12, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 451 - R. L. SR. & DOROTHY M. LEIMBACH** - Lot 13, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 452 - JOSEPH J. & ANNA T. FRAN CZAK - C/O BETTY A. REDAELLI** - Lot 14, Block 400, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 453 - HUGO H. & ELEANOR MURIEL** - Lot 28, Block 404, Leisure Lakes Section 17, as

recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 454 - AURORA U. PASUMBAL & BETTINA S. UMALI** - Lot 3, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 455 - FRED A. & DARLENE BUDESELICH** - Lot 4, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 456 - EMIDIO DELLO BUONO AND EVELYN DELLO BUONO** - Lot 5, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 457 - TERRY F. & DONNA CONSTANTINO** - Lots 7 and 8, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 458 - MARILYN S. BROWN** - Lot 10, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 459 - ELMER T. RATH** - Lot 11, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 460 - HENRY O. STRONG** - Lot 12, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 461 - JERRY ROBERTS** - Lot 13, Block 405, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 446 through 461 stated above.*

**SITE 462 - GEORGE R. LYNN** - Lot 16, Block 401, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 463 - CATHERINE ROBERTSON** - Lot 23, Block 401, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 464 - DALE & ROSA HARRIS** - Lot 24, Block 401, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 465 - FRED A. GOINS JR. TR.** - Lot 25, Block 401, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 466 - AVATAR LEISURE LAKES INC.** - Lot 26, Block 404, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 467 - JAMES A. G. & JOYCE D. HARRIS** - Lot 15, Block 406, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.



**SITE 468 - GEORGE D. ICARD** - Lots 16 and 17, Block 406, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 469 - HENRY C. & CECELIA OLSEN** - Lot 19, Block 406, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 470 - LEONARD & LINDA STRATTON** - Lot 20, Block 406, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 462 through 470 stated above.*

**SITE 471 - EVERIS H. DOUGLAS** - Lot 1, Block 437, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 472 - HERBERT J. & BETTY JO WOLF** - Lot 2, Block 437, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 473 - ROBERT B. & JUANITA M. POWELL** - Lot 3, Block 437, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 474 - CARL B. & WILMA J. YOUNG** - Lot 10, Block 437, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 475 - JERRY REED** - Lot 1, Block 432, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 476 - AVATAR LEISURE LAKES INC.** - Lot 2, Block 432, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 477 - KARL K. & MILDRED KORNEISEL - COUNTRY VILLAGE** - Lot 3, Block 432, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 478 - STEPHEN & SYNDEMAL SWEETING** - Lot 1, Block 427, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 479 - ANGELA LENG** - Lots 1 and 2, Block 426, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 471 through 479 stated above.*

**SITE 480 - CHLOE THOMPSON** - Lot 16, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 481 - KAM-CHAN HO** - Lots 18 and 19, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 482 - HEERIAH HARRICHARRAN** - Lot 24, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 483 - GUARDIOS & NILSA AGUIAR** - Lots 25 and 26, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 484 - ANTHONY BRIGUGLIO** - Lot 34, Block 448, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 485 - HSIAO-HUAN CHEN** - Lot 15, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 486 - HUI MEI LIN-FANG** - Lot 17, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 487 - YUAN-LI CHIA** - Lot 18, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

~~**SITE 488 - SHEILA Y. BROWN** - Lot 23, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

~~**SITE 489 - GENELINE GOLDING** - Lot 24, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.~~

**SITE 490 - AVATAR LEISURE LAKES INC.** - Lot 25, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 491 - DAVID J. & BEVERLY D. GANGERI** - Lot 26, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 480 through 491 stated above.*

**SITE 492 - EDWARD J. VOIGT III** - Lot 2, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 493 - M. M & DONATILDE C. BANDARRA** - Lot 3, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 494 - AURORA G. FALLE** - Lot 4, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 495 - GEORGE HALE** - Lot 5, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 496 - CARLA M. OLSON TR.** - Lot 6, Block 438, Leisure Lakes Section 17, as recorded in Plat

Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 497 - DONALD F. FULMER** - Lot 7, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 498 - AVATAR LEISURE LAKES INC.** - Lot 8, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 499 - AVATAR LEISURE LAKES INC.** - Lot 9, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 500 - JAMES C. JOHNSON** - Lot 10, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 501 - JOSEPH P. & PRICILLA PECORA** - Lot 12, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 502 - F. ORLANDO C. PADILLA ET. AL.** - Lot 14, Block 438, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 503 - ENES SGROI** - Lot 32, Block 448, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 504 - LEE A. & SHIRLEY A. SHAFFER** - Lot 1, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 505 - E. J. & HENRIETTA SCHUMACHER** - Lot 2, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 506 - MARY WEEKS RADFORD & GORDON K. WEEKS SR.** - Lot 3, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 507 - JOHN W. & GWENDOLYN F. NIVEN** - Lot 7, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 508 - WILLIAM M. SOUTHWICK** - Lot 9, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 509 - HIGHLANDS COUNTY LAND & TITLE CO.** - Lots 10 and 11, Block 443, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-3 (Limited Business district) to R-1 (Residential district) on Sites 492 through 509 stated above.*

**SITE 510 - ANA CALANGI** - Lot 16, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 511 - MICHAEL W. ONUFER** - Lot 18, Block 439, Leisure Lakes Section 17, as recorded in Plat

Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 512 - R. CLAIR & MIRIAM E. UMBLE** - Lot 22, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 513 - HLA-HLA N. PATAIL** - Lot 23, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 514 - ARCHIE F. & MARY M. KEYS** - Lot 25, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 515 - BERNICE M. RIPBERGER TRUST** - Lot 26, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 516 - AVATAR LEISURE LAKES INC.** - Lot 28, Block 439, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 517 - JULIETA A. KAGUYUTAN** - Lot 4, Block 447, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 518 - GLORIA C. MATTHIAS** - Lot 14, Block 444, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 519 - ARTURO & EMERITA ANGELES** - Lot 15, Block 444, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 520 - GUNASHWER & HEERANJANI RAWH** - Lot 17, Block 444, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 521 - JULIUS A. & ELLEN M. KNIGHT** - Lot 24, Block 444, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

*Requesting a zoning change from R-2 (Two Family Dwelling district) to R-1 (Residential district) on Sites 510 through 521 stated above.*

**SITE 522 - G. B. & ELIZABETH A. GRULLON** - Lot 1, Block 425, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**SITE 523 - A. S. & JOSEFINA R. TENIOZO** - Lot 2, Block 425, Leisure Lakes Section 17, as recorded in Plat Book 9, Page 15 of the Public Records of Highlands County, Florida.

**Requesting a zoning change from B-2 (Limited Business district) to R-1 (Residential district) on Sites 522 and 523 stated above.**

**SITE 524 - JUAN A. BLANCO** - Lot 13, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 525 - DENNIS D. DUNTON** - Lot 14, Block 214, Leisure Lakes Section 14, as recorded in Plat

Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 526 - WILLIAM & GENEVIEVE PFEIFFER** - Lots 15, 16, and 17, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 527 - LUCILLE & RALPH SASTRAM** - Lot 18, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 528 - JEANETTE & RICHARD GAUDETTE** - Lot 19, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 529 - MARTY & JOANNE LEONI** - Lot 20, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 530 - MARY R. FAGLIE** - Lot 21, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 531 - ROY C. & GERALDINE MCKINNEY** - Lot 22, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 532 - ROSA & HOWARD REDD - C/O CAROL EILERTS** - Lot 23, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 533 - JOSEPH JR. & EILEEN CAVOTO** - Lot 24, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 534 - FRANK ROSADO & ROSA A. ROSADO ORLANDO** - Lot 13, Block 213, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 535 - EDWARD J. ESTATE GAUNDER - C/O BEATRICE N. GAUNDER EXEC.** - Lot 18, Block 213, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 536 - PATTI ANTOINETTE** - Lot 12, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 537 - MARIE E. WILKERSON** - Lot 17, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 538 - MILDRED E. WHITE** - Lot 12, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 539 - CHARLES & ELAINE ELLIS** - Lots 13 and 14, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 540 - JOHN T. JR. & MADELINE HUBERT - C/O GLADYS WILLIAMS** - Lot 15, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 541 - MARION FARMER & MARION PAUL** - Lot 16, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 542 - JOHN M. & SALLY M. FARMER** - Lots 17 and 18, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 543 - RUSSELL & INGRID GUSTAVSON** - Lots 19 and 20, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

~~**SITE 544 - EDITH WATERS** - Lots 21 and 22, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.~~

*Requesting a zoning change from R-3 (Multiple Dwelling district) to R-1 (Residential district) on Sites 524 through 544 stated above.*

**SITE 545 - PAUL & NANCY BAUM** - Lot 1, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 546 - MARILYN ANN CRABE** - Lot 2, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 547 - JOSE & JULIA B. ROTA** - Lots 3 and 4, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 548 - SUSAN A. DE GUIA** - Lot 5, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 549 - ROBERT BRAMBLE ESTATE - C/O LAURA A. BRAMBLE** - Lots 6 and 7, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 550 - DANILO A. CRUZ & LUALHATI I. RODRIGUEZ** - Lot 8, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 551 - WYCLIFFE COMPANY** - Lot 9, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 552 - GUISEPPE & ANA DI BELLO - C/O KISLAK NATIONAL BANK** - Lot 10, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 553 - ROSARIO SCHIAVO & ROSINA COCCARO SCHIAVO** - Lot 11, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

~~**SITE 554 - ASTELIO CASTRO & JUANITA LOPEZ** - Lot 12, Block 214, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.~~

**SITE 555 - ROSARIO SCHIAVO & ROSINA COCCARO SCHIAVO** - Lot 14, Block 213, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 556 - STEVEN M. & RONNIE BLOCK** - Lot 15, Block 213, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 557 - JOSEFA PONS TRUST** - Lots 16 and 17, Block 213, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 558 - ESTHER P. MATESON TRUST** - Lot 13, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 559 - JOSEPH & ESTELLE F. SALTZMAN** - Lot 14, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 560 - MICHAEL W. & ROSALIE FREY** - Lot 15, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 561 - ROENA FAMILY TRUST - C/O ROY R. BOWES ATTY.** - Lot 16, Block 212, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 562 - WILLIAM H. & JOYCE E. BARKER** - Lot 1, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 563 - JILL P. PEEBLES** - Lot 3, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 564 - THOMAS W. ASH** - Lot 4, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 565 - HAROLD L. PEEBLES** - Lot 5, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 566 - GUY E. & ROSELLA M. SPOERLEIN** - Lot 6, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 567 - MARION FARMER & MARION PAUL** - Lot 7, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 568 - HERNANDO DIAZ-COBO** - Lot 8, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

**SITE 569 - DONALD & CAROLE WHITEHEAD** - Lot 9, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida.

***Requesting a zoning change from B-2 (Limited business district) to R-1 (Residential district) on Sites 545 through 569 stated above.***

**SITE 570 - JOHN DOUGLAS BOLTON & KEVIN DOUGLAS BOLTON** - Lot 2, Block 209, Leisure Lakes Section 14, as recorded in Plat Book 7, Page 67 of the Public Records of Highlands County, Florida. *Requesting a zoning change from B-2 (Limited Business district) to R-2 (Two Family Dwelling district).*

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

**8. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to set the Action agenda as printed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized employee benefits 6/26/01**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of all duly authorized employee benefits in the amount of \$83,199.14. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Request approval of a proclamation in recognition of "Lakes Appreciation Week"**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt resolution in recognition of "Lakes Appreciation Week" and proclaiming the week of July 1st through July 8th, 2001 as Lakes Appreciation week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 176.

**C. Request approval to pay an invoice without a Purchase Order**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of an invoice without a purchase order for the Solid Waste Department. Upon roll call, all Commissioners voted aye. Motion carried. See Landfill file for copy.

**D. Update on Countywide Fire Ordinance data and analysis**

County Administrator, Carl Cool presented possible assessment figures for the proposed consolidation of the Highlands County's 13 volunteer fire departments. The figures presented were actual run data for five years. The majority of the calls, vehicle wrecks, hazardous material spills, and medical calls were not able to be assigned to a specific land use category. Sun'n Lakes of Sebring has opted out of the consolidation plan. Staff made the tables simple and based assessments on data and analysis. schedule. See Fire Services file for copy. Emergency Operations Director, Tim Eures said the difference between the new numbers and the last fire services task force meeting is designations of different sizes of square footage. The new numbers are from long-term analysis, so they could be considered sound. Mr. Eures said that the fire-fighters will remain volunteers. He said the assessment did not figure the cost of county fire services staff and other administrative staff that help support firefighters. Commissioner Jackson said that the rates could be a problem if the county sets them and then has to increase the assessment. Commissioner Flowers suggested that the rates be set a little higher to account for that problem. Mr. Cool recommended that the Board discuss the proposal each week and receive public input and set the assessment before the end of August. Commissioner Bullard commended staff, saying that this is the most fair and equitable step we have taken. It distributes cost evenly, and is fair. Commissioner Flowers recommended that the Board discuss this issue next week and proceed at the direction of the Fire Services Task Force. He asked that we set the ordinance in place that will allow for an adjustment in the rate. Commissioner Jackson asked that staff get the numbers right in the beginning and define platted lots vs. acreage and make that clear. Commissioner Stokes asked that we proceed with caution, and make it simple for the public to understand.



John Tallent, Director of Land Planning and Environmental Compliance for Lykes Bros. Groves, said the amount of material benefit agriculture gets from fire departments does not justify the assessment expense, especially since his company paid the county more than \$1 million in taxes and received an estimated \$100,000 in services. Mr. Tallent said that they do appreciate the volunteer fire departments and their level of professionalism and would hate to see them replaced with paid firefighters.

County Administrator, Carl Cool asked direction from Ross Macbeth. Mr. Macbeth stated that he is not troubled about the direction but he has some questions regarding the numbers. He is not troubled about the approach. Commissioner Stokes said that he is glad that we talked about volunteer fire departments, because there is some confusion that the volunteers are not going to be there anymore, and that is not true.

Commissioner Flowers reiterated that the scenario is not to replace the volunteer fire departments. We just need to consolidate the department for other issues.

**9. Adjourn**

The meeting adjourned at 1:16 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JULY 3, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 3, 2001.

1. **Request of designation for Grant Funding**

Motion by Commissioner Flowers, seconded by Commissioner Stokes to designate Susan Benton to administer the Bureau of Justice Grants for the Sheriff's Department. Upon roll call, all Commissioners voted aye. Motion carried.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly report of *Court Services*, for the week ending 6/29/01 and a Monthly Report of *Business Services* for the Month of June for Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 64 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Tim Eures announced an open house for the Emergency Operations Center and a fund-raising barbecue to be held to support the two EMS Paramedics involved in the accident. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: Public Hearing to consider amending an ordinance pertaining to fireworks and explosives in County parks**

Petition and Proof of Publication entered into the record by County Administrator, Carl Cool. See Proof of Pub Ord. Book 2 Page 142. Captions of the ordinance were read into the record. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt ordinance amending Paragraph (C) of Section 7-4 of the Code. Upon roll call, all Commissioners voted aye. Motion carried.

**Permit for Lake Placid Jaycees**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a permit for the Lake Placid Jaycees for the fireworks at Lake Bishop Park. Upon roll call, all Commissioners voted aye. Motion carried.

5. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda with the following additions:

Remove Consent agenda items 13,15,16,17 and place under the County Administrator for discussion.

## **A. Update of proposed Countywide Fire Assessment**

### **1. Proposed budget needs**

Emergency Operations Director, Tim Eures, presented a proposed budget and assessment for a Countywide Fire District. He said that various fire district assessments add up to \$1.6 million and the county funds volunteer fire service with \$500,000 of general fund money from ad valorem taxes. Fire Services is now funded at \$2.1 million. The Highlands County Fire Services Task Force thought that the \$2.1 million will maintain the fire service as it is. Tim said that the fire service hopes to purchase one new engine, one new tanker and one new brush truck each year. The reorganization will not include building any new stations or hiring any full-time fire-fighters. There were four new proposed positions listed in the organizational chart.

### **2. Revised property assessment**

New analysis shows that only three types of fire call responses can be assigned to a land use category. This includes residential, commercial and brush fires. Residential was listed at 22 percent, 20 percent were commercial and 58 percent were vacant lands. These percentages were multiplied by \$2.1 million to see how much of the district each category will need to fund. Staff presented three scenarios for funding. County Administrator, Carl Cool, reviewed the different scenarios. He recommended that all tax exempt properties be excluded from the assessment. See Fire Services file for copy.

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

Opposition was voiced from business and agricultural interests. The Chair opened the floor to the public:

1. Jack Richie, President of Sun'n Lakes South, Homeowners Association, spoke in favor of the Countywide Fire District, but was bothered by the numbers.
2. Allon Fish, speaking as the Sebring Chamber executive vice-president and a homeowner, spoke regarding the make-up of the task force.
3. Lisa Dunson, representing the Citrus Growers Association, advised that they will be studying the issue further.
4. Richard Farrington, speaking for Ben Hill Griffin, Inc., said his company owns both commercial buildings and platted lands and will have a problem with the assessment.
5. Mark Gose, Sebring Developer, presented a summary of cost associated with a proposed development that he is working on. He agreed with the concept but not the proposed cost. See SMB 39 Page 65 for copy of illustration.
6. John Tallent, land planner for Lykes Bros., said his company could end up paying \$80,000 per year, and he could not afford this protection.
7. Richard Aber of Sebring suggested the county consider adding a surcharge for hazardous materials and a discount for sprinkler systems.
8. Jim Brooks, of Avon Park, was concerned that the assessment would grow larger each year.
9. John Griffin, Sebring City Councilman and owner of Griffin's Carpet Mart, said the county is heading toward hiring full-time paid fire-fighters.
10. John Barben of Robert J. Barben, Inc., said agriculture only sees eight cents of service for each dollar in taxes. He feels that they are paying their fair share.
11. Steve Roberts, Ridge Florist, said the county cannot put a fair assessment on agriculture. He asked that the item go to a referendum.
12. Frank Celentano spoke in opposition to the assessment.
13. Richard Conover spoke in favor, but thought that we needed more study.
14. Jim Cash, of Lake Placid, stated concerns for the assessment.

**Commissioner input**

- Commissioner Stokes agreed with the speakers. He is concerned about the future cost. The Board is not at the point they should be. He didn't want to see a figure set and then have to come back and increase it next year if it ended up being too low.
- Commissioner Flowers, liaison to the task force, agreed with suggestions to set a cap on commercial rates, to exempt agriculture lands. He also agreed that we need to tweak this proposal further.
- Commissioner Bullard said one of the biggest problems is finding and keeping volunteers. The fire service is in place to protect life. Staff has to look at the cost of equipment and manpower that it cost to dispatch and allocate cost based on these figures. We cannot depart from the numbers and studies.
- Commissioner Jackson spoke in opposition and asked that staff have the presentation in advance for next Tuesday's meeting. He wants to be able to study the proposal.
- Commissioner Maxcy agreed with all comments, and asked that we come back next week with a revised proposal.

The Commission directed staff on the following issues for their presentation next week:

- Consider giving a 50-percent discount to owners of new buildings that have sprinkling systems
- Look at the possibility of charging homes on the basis of square footage, the same as commercial buildings
- Eliminating four new positions proposed by Emergency Operations Director, Tim Eures
- Provide an estimate of how much revenue could be generated by grants, fines and fees
- Look at medical calls and where they occurred
- Come up with a realistic assessment cap to be placed on commercial buildings

Break 12:30 - 12:50 p.m.

Commissioner Jackson was not present.

**B. Trey Stephenson and Mike Willingham: Sebring Airport Authority's request to fund potable water and Raceway infrastructure projects**

Trey Stephenson, Executive Director of Sebring International Raceway and Mike Willingham, Executive Director of the Sebring Airport Authority, presented a request that the County invest \$715,000 in SAA's Phase II improvement program to fund potable water and Raceway infrastructure projects. The Raceway needs major safety repairs in order to keep its Class II racing status and still host the 12 Hours of Sebring race next year. Scott Atherton, President of Raceway Motorsports Association, said that Sebring has to compete with both the Daytona International super speedway and the Homestead-Miami Speedway, both of which have built state of the art facilities.

Commissioner Jackson rejoined the meeting at 1:25 p.m.

The Chair opened the floor to the public. Clayton Womer of Sebring and Richard Conover of Avon Park both spoke in opposition stating that government is giving assistance to private industry. Ray Curtis from APAC of Florida, Inc. stated that this project will benefit the County. Jim Hyatt, Pete McDevitt, and Ellene Fields, representing the Airport Authority, spoke in favor of the project. Commissioner Flowers stated real concerns saying that there is a need but the timing is terrible. He doesn't feel good about subsidizing the Airport with Infrastructure dollars. Commissioner Stokes doesn't like spending money when we don't know where it is coming from. Commissioner Jackson asked if the issue could be postponed two or three weeks. He has a

problem with the timing. Mr. Willingham and Mr. Atherton both said if the work is not done soon, the pavement will not have time to cure and could become a hazard. Chair Maxcy suggested the Board look at the project as if it was the Hancor Corporation. All of the Commissioners agreed the request came on a tough budget year. County Administrator, Carl Cool, asked that the Commission consider discussing the Capital Improvement thoroughly before making a decision on this issue. Deputy Clerk, Bob Jamison, advised that the Clerk's office doesn't have a comment on the merits of the issue but, since one of the references in the decision making process is the Capital Improvement Plan, which is still in draft form and has not been finalized, the Commission might want to spend some time reviewing the document.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to enter into an Interlocal Agreement with the Airport Authority to commit to funding of \$715,000 for Infrastructure Improvement at the Airport and Race Track to fit into the ten-year Capital Improvement Plan. Carl Cool warned that the county could disrupt its debt service payments if it didn't budget carefully. The Commission put the motion on hold to allow discussion of the CIP.

## **2. Discussion of revised proposed Capital Improvement Plan (CIP) option**

County Administrator, Carl Cool, presented a draft of *Alternative Two Capital Improvement Plan*. It includes projects requested that can be completed with minor debt financing.

The Commission discussed the Capital Improvement Plan and possible funding solutions. A suggestion was made to move at least two transportation projects later to the 2005-2006 fiscal year (Powerline Road and the east/west corridor through the Sun'n Lake's of Sebring improvement district). On the proposed Highlands County Jail expansion, Commissioners discussed having the plan downscaled to just one new jail pod. As for the proposed courthouse expansion, the Commissioners decided to move it forward to the 2001-2002 fiscal year to coincide with present grant funding. The Commission also agreed to purchase new voting machines, according to Florida Legislature Mandate. Ross Macbeth advised that the Commission is committed to spending \$15 million in appropriations more than we have in revenues. There is no way that we can provide for any other projects without borrowing the money. Tom Portz advised that the issue in the future will be either transportation or roads. This will be a deciding issue. Commissioner Bullard felt that the problem is more of a timing issue. Some of the items should be moved from the first five years into the second five years, and particularly the ones that have associated general fund cost with them. Lisa Burley, Public Information Officer, and Commissioner Jackson spoke in favor of the Courthouse expansion, due to the tightness of space. Carl Cool spoke of the shortfall in recreation dollars for the future. The Commissioners agreed to take a closer look at recreation, and building the new Jail.

### Voting on tabled motion:

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to enter into an Interlocal Agreement with the Sebring Airport Authority and the Raceway to fund the amount of \$715,000. The timing of the disbursements will be determined by the Board's deliberations on the Capital Improvement Plan's ten-year window, without moving any projects. Staff to fit into the CIP. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried.

Richard Conover questioned if staff will still receive their raises. Commissioner Bullard advised that these funds will come out of the one-cent sales tax, which cannot be used for salaries. Ross Macbeth advised that at the end of the ten-year period the revenues and appropriations are offsetting. It is really a wash. Upon roll call, all Commissioners voted aye. Motion carried. See CIP file.

**C. Lakes Manager: Request approval to form the Lake Persimmon Restoration Committee**

The Board and the Peace River Basin Board of the Southwest Florida Water Management District have entered into a cooperative agreement, the Lake Persimmon Water Quality Improvement project to implement water quality improvements on Lake Persimmon. This Committee will be responsible for the review and final selection of water quality enhancement projects within the watershed and will be consulted on lake restoration projects to be implemented by the agreement. The Committee will review watershed management initiatives as specified in the agreement. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to appoint the list of members as developed by the Natural Resources Department staff. Upon roll call, all Commissioners voted aye. Motion carried.

See SMB 39 Page 72.

**D. County Engineer:**

**1. Request approval of the 2001 Candidates for the Florida Department of Transportation 2006/2007 Work Program**

County Engineer, Ramon Gavarrete, reviewed a list of the 2001 Candidates for the Florida Department of Transportation 2006/2007 Work Program. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the 2001 Candidates for the Florida Department of Transportation 2006/2007 Work Program as submitted. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 65.

**2. Request approval of contract documents and budget amendment 00-01-306 for the Fairmont Drive Widening Project**

County Engineer, Ramon Gavarrete, presented the contract documents and budget amendment for the Fairmont Drive project. These documents include \$116,506.01 for the City of Sebring Water Line Relocation, which will be reimbursed 100% by the City of Sebring. Staff is negotiating deductive change order number 1 which is estimated to be approximately (-\$40,000.00). This change order will be brought before the Board on July 10, 2001 for approval. Ramon presented a budget amendment to transfer funds from the resurfacing and CR 635 PD&E, in order to allocate sufficient funds to cover all construction costs including approximately \$76,000.00 (after change order number 1) for contingencies. The total amount of the contract is \$1,629,133.00, to APAC-Florida, Inc. The Board Attorney is in the process of reviewing these contracts. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the contract in the amount of \$1,629,133.00, to APAC-Florida, Inc. and budget amendment number 00-01-306. Commissioner Flowers noted a conflict as his company is contracted by one of the locations owned by APAC. Commissioner Jackson questioned the amount of change orders we may expect. Ramon advised that he expects some change orders but will try to bring as close to the contract price as possible. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who abstained and entered into the record a memorandum of voting conflict to become a part of the minutes. Motion carried. See SMB 39 Page 66.

**3. Request to approve a resolution to transfer FDOT funds from Sebring Parkway Phase II to widen and resurface County Road 17A (Memorial Drive)**

County Engineer, Ramon Gavarrete, presented a resolution requesting transfer of FDOT funds from Sebring Parkway Phase II to widen and resurface County Road 17A (Memorial Drive). Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt resolution authorizing the transfer of FDOT, funds in the amount of \$1,019,000 from the Sebring Parkway Phase II project into the Memorial Drive Widening project. Tom Portz questioned if this locks us into building Phase II. Ramon advised that it does lock us into the project.

Mr. Cool explained the procedure for the project. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 177.

County Administrator, Carl Cool, commended Ramon Gavarrete for being awarded by the Florida Association of County Engineer Road Superintendents' statewide award as this year's Rural County Engineer of the year for the state of Florida.

**E. County Administrator:**

**1. Request to amend Sebring Parkway Phase I Interlocal agreement with the City of Sebring**

County Administrator, Carl Cool, presented a cost estimate prepared by County staff for the Sebring Parkway Phase I as the project was about to begin. He noted that the estimate did not include splitting the County Labor and Equipment costs. The amount estimated was \$1,545,200. He recommended that the agreement be amended to add language: Unless otherwise approved by both the City and County.

The change would allow both the City and County to proceed with the project as previously planned and funded. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the modification as recommended. Commissioner Jackson asked that staff advise the Board on situations of this nature. Otherwise, he might have taken a different position on a decision made in the past, regarding the movement of utility lines. Upon roll call, all Commissioners voted aye. Motion carried. See Sebring Parkway file.

**2. Consent agenda #13 - 15 - 16 -17**

**Item #13**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to waive the Board's adopted purchasing policies and procedures and accept offer made by Minirae Ionization Detector for fixed asset number PA 104 in the amount of \$350.00 pursuant to Chapter 274, Florida Statutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 67.

**Item #15**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to waive the Board's adopted purchasing policies and procedures and to approve the donation of old cellular telephones and accessories to the Wireless Foundation pursuant to Chapter 274, Florida Statutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 68.

**Item #16**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to waive the Board's adopted purchasing policies and procedures and ask permission to solicit written offers on the list of old telephones and equipment including key systems, pursuant to Chapter 274, Florida Statutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 69.

**Item # 17**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to waive the Board's adopted purchasing policies and procedures and accept offer made by Visual Arts Institute, a Non-Profit Organization, for fixed asset number APL 8 in the amount of \$75.00, pursuant to Chapter 274, Florida Statutes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 70.

**Item # 14**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve Consent Agenda Item #14, Additive change orders 2, 3, & 4 - Road and Bridge remodeling - project #99057. (E.O. Koch Construction). 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 is a client of his corporation. Motion carried. See SMB

**Discussion on meeting with the City of Sebring - Fewell Property**

It was a consensus of the Board to hold a joint meeting at the City of Sebring Chambers, Next Tuesday, July 10, 2001 at 4:30 p.m. for discussion on the purchase of the Fewell Property.

**F. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as printed. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval to pay all duly authorized bills and employee benefits July 3, 2001**

Law Library .....	1,813.74
General .....	2,466,372.61
County Transportation Trust .....	36,051.13
E911 Operations .....	3,006.80
Conservation Trust .....	26,320.70
Local Govt. Infra Surtax .....	313,573.77
Comm. Development Block .....	4,500.00
Affordable Housing Assistance .....	15,244.00
Solid Waste .....	205,892.56
Placid Utilities .....	5,885.93
Highway Park Utility .....	1,791.04
Risk Retention Fund .....	17,793.38
Employee Benefit .....	58,899.17
Highlands Hosp Pass thru .....	11,226.25
2. **Approval of minutes of board meetings of June 12, 2001 and June 19, 2001**
3. **Request to approve sale of Tax Certificates 00-16027 and 95-8354. See SMB 39 Page 73.**
4. **Request to approve sale of Tax Certificates 01-5905, 01-5910, 01-5923, 01-5938, 01-5436, 01-5443, 01-5448, 01-5451, 01-9722, 01-9730, 01-9733, 01-9741, 01-5909, 01-5921, 01-5926, 01-5602, 01-5437, 01-5446, 01-5449, 01-5452, 01-9727, 01-9731, 01-9738, 01-9742, 01-5919, 01-5922, 01-5927, 01-5603, 01-5442, 01-5447, 01-5450, 01-5453, 01-9728, 01-9732, and 01-9740. See SMB 39 Page 74.**
5. **Request to approve the First Amendment to the Lake Jackson Stormwater Survey - Design and Permitting of an Alum Injection Stormwater Treatment Facility. See SMB 39 Page 75.**
6. **Request to approve Satisfaction of Mortgage - Williams.**
7. **Request approval of Amendment to Commodity Contract #5781 regarding state allowable travel expenditures.**
8. **Request approval of Adopt a Highway Agreements with Highlands County EOC 911 Dispatchers and Highlands Airboat Association, Inc.**
9. **Request to approve Satisfaction of Mortgage - Stalter.**
10. **Approval of budget amendments 00-01-294 (overtime for construction of the Sebring Parkway) 00-01-295 (E911 Program) 00-01-296 (Emergency Management Agency) 00-01-297 (Public Assistance Programs) 00-01-309 (Commodities Program) 00-01-310 (court appointed attorneys for Juvenile Proceedings)**



- 11. Approval of resolution and budget amendments 00-01-300(Durrah Martin Sports Complex) & 00-01-303(Install guardrails for the RCMA, Lake Placid Child Development Center). See Res. Book 14 Page 178.
- 12. Request approval of Lake Placid Library Construction Grant Application Resolution. See Res. Book 14 Page 179.
- ~~13. Request approval to accept an offer for used Minirae Ionization Detector (Fixed Asset number PA 104 in the amount of \$350.00).~~
- ~~14. Request to approve additive change orders 2, 3 & 4 - Road & Bridge remodeling - project #99057.~~
- ~~15. Request permission to donate old cellular phones to the Wireless Foundation.~~
- ~~16. Request permission to solicit written offers on old telephone equipment.~~
- ~~17. Request permission to accept Visual Art's offer on a 72-drawer wood catalog file, Fixed asset # APL8.~~

**6. CITIZENS NOT ON AGENDA**

No participants.

**7. COMMISSIONERS**

- A. Commissioner Jackson: Update on Courthouse restoration/future expansion issue meeting

Item discussed under the CIP.

**8. ADJOURN**

The meeting adjourned at 4:35 P.M.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JULY 10, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Larry Stange.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 10, 2001. The Farm Report for the month of June was also given.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly report of *Court Services*, for the week ending 07/6/01 for Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 77 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Hank Kowalski mentioned the meeting for citizens concerned about the proposed compost plant to be constructed in Hardee County that may impact Highlands County. The meeting will be held at Highlands Hammock State Park Thursday, July 12, 2001 at 6:30 p.m. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: Public Hearing on Communications Services Tax Ordinance**

Petition and Proof of Publication entered into the record by Carl Cool, County Administrator. See Proof of Pub Ord Book 2 Page 133. Captions of the Ordinance were read into the record. Staff recommended adoption of the ordinance due to a new state law relating to cable television. The new ordinance will give the County a reimbursement of franchise fees. Commissioner Bullard noted concerns with changes in the legislature regarding future budgets as it relates to state revenue. Ross Macbeth advised that if we do not adopt the ordinance the franchise fees will go away. The ordinance is broader than just cable services. It relates to any communications services. Commissioner Jackson wondered if the citizens or the company will pay the taxes. Rick Helms advised that this is a revenue source that is funded primarily by cable TV users. The source of funds will be transferred from that group of people to everyone that uses communication services in the county. The Board is spreading a tax over a very select group to everyone in Highlands County. The Chair opened the floor to the public. No one spoke for or against.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Ordinance amending the Land Development Regulations, providing for permit fees. Upon roll call, all Commissioners voted aye. Motion carried.

**5. ACTION: Consideration of a County Wide Fire Assessment and Tentative Rate Resolution**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda for Action item 5, and Action item 7- A-B-C. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Flowers read a prepared statement into the record, stating that it has been determined that Highlands County needs to consolidate its volunteer fire departments into one unit. The response from our own volunteer fire departments has consistently been supportive of the consolidation concept. Opposition came recently when proposed assessments were announced. Rather than risk creating more of a problem, he has decided that the Commission needs to take time to research more revenue scenarios, as well as to educate the public. He acknowledged that he should have made certain that the business community was better informed. This oversight will be corrected by better communication and a dialogue on the issue in the coming year. Finally, he said he didn't plan to give up. The safety and well being of our citizens is top priority and he will continue to increase all levels of service in all aspects of public safety. See SMB 39 Page 78 for complete detail.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to put on hold this year the consolidation of the Fire Department, but aggressively seek input from all sectors of the public and proceed with the work that the task force is doing. The Chair opened the floor to the public. John Payne asked for clarification on the motion. The Chair advised that a committee will be comprised of the various sectors of the county. Allon Fish, Sebring Chamber of Commerce, stated support of the motion. Mr. Jack Ritchie asked that the homeowners be included in the process. Charles Andrews, representing the volunteer fire chiefs and the fire task force, spoke in favor of continuing with the task force. The Chair submitted two letters into the record from Hoz Compton and William G. Stock. See SMB 39 Page 79. Commissioner Stokes wondered if it would be feasible to consider the cities as a part of consolidation. Commissioner Jackson spoke in favor of continuing the task force. The Chair suggested that the Commission continue the discussion at the August 14<sup>th</sup> workshop with the fire task force intact. Upon roll call, all Commissioners voted aye. Motion carried.

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

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to terminate the agreement with Government Service Group, Consultants and not to seek any further work from them, and to pay for any service that has been done to date. Upon roll call, all Commissioners voted aye. Motion carried.

**6. WORKSHOP:**

**A. Doris Gentry: Discussion of transportation issues**

Doris Gentry, Citizen Advocate and Chair of the Highlands County Public Transportation Task Force and Marcia Staszko, Senior Program Manager of Central Florida Regional Planning Council presented a brief overview of transportation issues facing the State and Highlands County. Ms. Gentry stated that we are fortunate to have a system in our county, but it does not meet the total needs of the senior population, due to limited resources. In Highlands County approximately 1,000 trips per month are being denied. Most of the funds available are used to provide medical transportation trips. Statewide more than 900,000 trips were documented as being denied in 1999 in the State Transportation Program. New ideas, possible changes and additional resources should be researched and implemented. Ms. Gentry advised that a grant proposal is

available through the McArthur Foundation, and Florida may have the opportunity to participate. She also proposed that the Commission consider making the committee a part of the overall County Transportation Task Force. See SMB 39 Page 80 for copy of information. Marcia reviewed the programs available to Highlands County through the Central Florida Regional Planning Council. Commissioner Bullard, liaison to the Transportation System, advised that we are providing approximately 80,000 trips per year in Highlands County that consist mainly of medical and that does not even address the broad spectrum of transportation needs that are out there. It is his hope that we can set up a system that will combine the two systems into one. The Chair requested that staff place this item on the action agenda the first week in August.

**B. County Administrator: Presentation of the recommended Budget for FY 2001-2002**

County Administrator, Carl Cool presented a proposed balanced budget for the year 2001-02. All proposed budgets have been received from the Constitutional Officers, except the Tax Collector, and his is sent to the Department of Revenue. Staff has reviewed the budgets. The biggest problem has been determining the amount of revenue we will receive. The total amount of the budget is \$83,006,578. It is 1.14 percent over last year's adopted budget. There is no money for the raises for employees and no increases for the County Health System. The budget hearings to finalize the budget will be held the first and third Tuesday in September. By the end of July, the Board will need to certify the millage. This budget is based on no millage increase. The county is facing other new expenses such as new voting machines, a jail expansion and courthouse renovation, not to mention the Sebring Parkway project. OMB Officer, Rick Helms, presented an overhead presentation, with all budget highlights. His greatest concern was the continued reduction in state revenue sharing. He also pointed out that the county will give more than \$400,000 to the cities as reimbursement for 45 percent of their recreation expenses. This will increase to 50 percent in 2002-03 and remain at that figure.

Commissioner Bullard said that the federal and state government is cutting taxes, but shifting the tax burden back onto local authorities. It gives more local control over tax funds, but forces county government to deal with funding services they never have funded, such as medicare.

Commissioner Flowers said that his priority is public safety and he doesn't believe that we should cut it. We may have to say the T-word as we have an obligation to the citizens. Commissioner Bullard said that we can't ask public safety to not take a cut. He wanted to know what was a reasonable level of service and what would be the best way to provide it. Commission Chairman Maxcy said that constituents expect the county to tighten its belt in the atmosphere of an economic slowdown, especially since this is the first year in several that the county may not have enough money. Commissioner Flowers brought up the issue of a 15.5 percent increase over the current year for Attorney Ross Macbeth. He stated that we should look at hiring a staff attorney when the salary hits the \$200,000 range. Mr. Macbeth stated that the problem in the past year is an increase in litigation. The county authorized several condemnation cases, primarily to get land for the Sebring Parkway, and a lawsuit over emergency medical services billings and collections. Commissioner Bullard said that the Board should look at the possibility of hiring an in-house attorney as a part of the process as well as looking at how we use Mr. Macbeth. Commissioner Jackson recommended that we learn to live within our budget, because there probably won't be a lot of revenue in the next few years.

The Chair opened the floor to the public. Ford Heacock, Consultant for the Health Insurance Committee, presented recommendations. The Committee members were appalled at the options that consisted of shifting the shortfall of revenue over expenses to the employees. They came to conclusions that not any of the scenarios could be recommended to the Board and instead would ask that the Board consider additional money to the Insurance Fund. Carl Cool advised that the Board provides \$436 per employee, per month. The Chair inquired if staff has put out an RFP. He would like to look at all options. Public Risk Manager, Wayne

Filyako, advised that he has requested a quote from Blue Cross and Blue Shield and Public Risk. There was not enough time to put out an RFP. Commissioner Bullard spoke in favor of funding the insurance to provide our employees with this benefit. Deputy Clerk, Bob Jamison, speaking as a committee member, advised that the committee has been working to find ways to reduce the deficit projected at \$1.2 million next year. In order to keep the plan solvent, the committee acted on one approach to reduce benefits which would save only about 6 percent or about \$300,000. The Committee felt it important to bring this information to the Board. Commissioner Jackson recommended looking at all options. He does have to bring a message back to the Insurance Committee on Friday. Larry Stange, representing Sun'n Lakes Improvement District, spoke in favor of the need for public safety. Jack Ritchie, representing Sun'n Lakes South, spoke in favor of keeping the benefits for the employees, and the possibility of impact fees. Hoz Compton asked the Board to keep in mind that small business doesn't provide health insurance to their employees.

The Board gave direction to staff:

- Advertise the millage rate at a slight increase for planning purposes only
- Top priority is public safety, that means leave the sheriff at the same amount as last year or a little increase.
- Provide 12% on the health insurance funding.
- Try to find a way to give employees a three percent increase.

Commissioner Flowers suggested that any percentage more than 3 percent should be justified. Commissioner Bullard reiterated that we have to look at Public Safety and constantly monitor the EMS response time. When it goes beyond four to six minutes, it becomes critical. The Chair reported for the record that the response time for the plane crash at the Airport was 11 minutes.

Commissioner Jackson questioned the amount in the contingency fund. Rick advised that there is a 21% reduction in Reserve for Contingency next year. This means that it puts added pressure on his office to project the revenues as accurately as possible. However, this is only the General Fund, but it is bare bones.

## **7. ACTION:**

### **A. Approval to pay all duly authorized employee benefits July 10, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of all duly authorized employee benefits in the amount of \$ 166,556.48. Upon roll call, all Commissioners voted aye. Motion carried.

### **B. Approval of a "Probation and Parole Officer's Week" proclamation**

Heather Adelstein, Circuit Manager, Department of Juvenile Justice and James "Buddy" Hall, Senior Juvenile Officer, presented a proclamation for Probation and Parole Officers's week. Commissioner Maxcy read the proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation designating the week of July 15 to 21, 2001 as *Probation and Parole Officer's* week in Highlands County, and urging citizens of our community to take part in stopping or preventing juvenile delinquency. Lt. Benton spoke in favor of the Proclamation. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 181.

### **C. County Engineer: Request approval of temporary construction easements - Fairmount Drive Widening Project #98031**

County Engineer, Ramon Gavarrete, presented a list of temporary construction easements needed for the Fairmount Drive widening project. The easements are required for the contractor to grade, replace any sod,

irrigation or driveway connections affected by the construction. The Board Attorney has reviewed and approved the easement form. The property owners have signed the easements. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the temporary construction easements for the Fairmount Drive Widening Project and waive the recording fee. Upon roll call, all Commissioners voted aye. Motion carried.

**Will Putnam - Compost Plant in Hardee County**

Will Putnam reported that a Compost Plant is being proposed in Hardee County. The hearing with the Commissioners will be held on July 19, 2001. The plant is supposed to take dairy waste, municipal sewage and yard waste and make it into a fertilizer after composting it. The smell is the major concern since the compost is turned on concrete slabs in open air pole barns. The plant will be placed two miles from the Sun'n Lake Special Improvement District and The Preserve of Sun'n Lake, and within three miles of Highlands Hammock State Park. Commissioner Flowers recommended that County Administrator Carl Cool either attend the next Hardee County Commission meeting in person or have staff there to express their concerns. Commissioner Bullard, as Chairman of the Central Florida Regional Planning Council, invited Mr. Putnam to attend their meeting in Bartow on July 11, 2001, since the plant at its proposed location could impact properties in two counties.

The consensus of the Board was to contact the County Administrator in Hardee County with our concerns and Commissioner Bullard will bring up the matter to CFRPC to see if there might be a regional impact. The Chair opened the floor to the public. Larry Stange advised that if there is an odor from the compost plant, there will definitely be resistance from the Golf Course at the Sun'n Lake District.

Chair Maxcy advised that he will not be present next week as he will be attending the National Association of Counties meeting in Philadelphia.

**8. ADJOURN**

The meeting adjourned at 12:59

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, JULY 17, 2001**

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:

<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>David W Flowers</b>	<b>J Ross Macbeth</b>
<b>Andrew W Jackson</b>	<b>Louise Graham</b>

Chair Guy Maxcy was absent from the meeting, to attend a Florida Association of Counties meeting in Philadelphia.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Andy Jackson. The Pledge of Allegiance was led by Asst. County Administrator, Tom Portz.

**3. ANNOUNCEMENTS**

**A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 17, 2001.

**B. Clerk**

Deputy Clerk, Bob Jamison, presented a brief report on *Jury Trial Week*, for week ending 07/13/01 for Highlands County Clerk of Courts, L. E. "Luke" Brooker. The Clerk's Office was able to achieve an average of 12.8 Jurors per trial when the state statistics average per county, shows 15 to 18. See SMB 39 Page 81 for detail.

**C. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming 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 amended:

- Waiver of tipping fee for the City of Sebring for sludge at the Landfill as first item under the Action agenda
- Consent agenda item number 5 to be placed under the County Administrator as item number 3.
- Consent agenda item number 10 to be placed under the County Administrator as item number 4.
- Add budget amendment number 00-01-325 to Consent agenda item 7.
- Correction to Consent agenda item number 8 to read approval of Additive Change Order.  
(Not deductive Change Order).

**Requested one time waiver of \$350 tipping Fee for Disposal of up to seven tons of Dried Sludge from an Equipment Demonstration Test at the City of Sebring Sewage Treatment Plant in August 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the one time waiver

of \$350 in tipping fees for disposal of up to seven tons of Dried Sludge from an Equipment Demonstration Test at the City of Sebring Sewage Treatment Plant. Upon roll call, all Commissioners voted aye. The motion carried. See SMB 39 Page 82.

**A. Robert Jamison: Final Audit Report - Board of County Commissioners EMS Billing and Collections Internal Audit**

Deputy Clerk, Robert Jamison, presented a final audit report to the Board on Emergency Medical Services Billing and Collections. Vice-Chair Bullard asked that the Commission be allowed to study and analyze the report. He suggested that the Internal Auditors and staff get together and come back to the Commission with a plan of action for the future for EMS collections and a time table for monitoring. The Board will then move forward with a mutually adopted work plan. Commissioner Flowers shared that he appreciates the work and the professionalism shown by staff. Commissioner Jackson suggested that staff take a positive attitude and work together for a solution to a serious problem.

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

**B. Veterans Services Officer: Accept resignation of Mr. J.D. Barrett and appointment of new member to complete Mr. Barrett's appointment**

Clark R. McCrary Veterans Services Officer, presented request. Commissioner Jackson stated concern that enough information is not getting out to the public when vacancies exist. The Chair suggested that staff consider posting advisory board meetings on the County web site. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the resignation of Mr. J.D. Barrett from the Veteran's Services Advisory Board and appoint Mr. Al Van Beek as the new member to complete the rest of Mr. J.D. Barrett's three year appointment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 83.

**C. County Engineer: Water Advisory Committee Vacancies**

County Engineer representative, Fred Myers, presented recommendations for appointments to the Water Advisory Committee vacancies. Mary Carter, member and Barbara Bazley, alternate, have resigned from the Committee, effective July 3, 2001. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the following appointments:

APPLICANT	CATEGORY	MEMBER/ALTERNATE
Donald P. Linton	Lakes Association	Member
Shannon M. Dunne	Public/Private Water System	Alternate
Perry W. Carter	Aquatics Recreation /Tourism	Alternate
Dr. O. A. Spiegel	District #4	Alternate
Johnnie R. Prevatt	District #1	Alternate

Commissioner Bullard suggested that the agriculture ladies talk to Drew Phypers to see if he wants to continue to serve as an Alternate, and if he doesn't, perhaps the Agriculture Community could come up with a recommended name to fill that slot. Upon roll call, all Commissioners voted aye. Motion carried. See Water Advisory authority file for information.



**D. Assistant County Administrator: Acceptance of 911 fee resolution**

Assistant County Administrator, Tom Portz, presented a Resolution into the record imposing an additional sum of 50 cents per month per line for recurring expenses of the operation of the "911" system. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution imposing the fee effective October 1, 2001. Commissioner Flowers read the Resolution into the record. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page182.

**E. County Administrator:**

**1. Approval of budget amendment 00-01-316 decreasing general fund reserve**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve budget amendment 00-01-316 to pay for the cost of labor and equipment for the renovation to the Lake Placid Tax Collector's office. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Approval of budget amendment 00-01-327 decreasing general fund reserve**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve revised budget amendment 00-01-327, decreasing the General Fund Reserve by \$31,700 to cover expenses in the Board Attorney's Professional Services and Contract accounts. The increase will reflect the workload that was brought about by increased litigation and does not affect the hourly rate for the Board Attorney. Commissioner Jackson suggested that we look at the Board Attorney cost and make a determination on whether we are going to cap the cost at a certain point or go to a full-time attorney. Ross Macbeth stated his plan did not work as he had expected. He ended up recovering cost that previously wasn't recovered and is going back to the way he was doing things. He expects litigation cases to be lighter next year. Commissioner Stokes requested a survey showing what departments are utilizing the attorney. Tom Portz advised that a survey will be forthcoming. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Approval of bid waiver to purchase a Kut-Kwick Road Master demo-mower**

At the request of the County Administrator, the Commission deleted this item.

**4. Doug Gable -County Engineer Dept-Consent agenda item number 7 - Approval of amended Interlocal agreement with the City of Sebring CR634 Lakeview Drive from Park Street to Edgewater Point Drive Project #99080**

Commissioner Jackson presented a question regarding the actual cost to the County. Doug Gable, Civil Engineer, explained that the cost was listed at \$203,501.70. The first figure was just an engineer's estimate. This item to be replaced back on the Consent agenda for action.

**F. Consent agenda:**

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Consent agenda as printed:

**1. Approval to pay all duly authorized bills and employee benefits**

<b>Law Library</b> .....	<b>96.39</b>
<b>General</b> .....	<b>481,753.15</b>
<b>County Transportation Trust</b> .....	<b>42,543.26</b>
<b>E911 Operations</b> .....	<b>15,571.16</b>
<b>Conservation Trust</b> .....	<b>2,670.00</b>
<b>Intergovt Radio Communication</b> .....	<b>1,200.00</b>
 <b>Fl Boating Improvement</b> .....	 <b>3,000.00</b>

- Legal Aid ..... 2,886.10
- Local Govt. Infra Surtax ..... 894,232.23
- Comm. Development Block ..... 109,207.40
- Affordable Housing Assistance ..... 7,174.88
- Solid Waste ..... 67,055.42
- Placid Utilities ..... 10,030.87
- Highway Park Utility ..... 1,271.59
- Risk Retention Fund ..... 1,315.89
- Employee Benefit ..... 252,420.17
- 2. Approval of minutes of the meetings of June 26 and July 3, 2001
- 3. Accept into the record - June 2001 Monthly Report
- 4. Approval of Bank of America At Work Memorandum of Understanding. See Bank of America file.
- 5. ~~Approval of bid waiver to purchase a Kut-Kwick Road Master demo-mower.~~
- 6. Approval of final plat recording - US 27 Sebring Commercial Center. See file for copy.
- 7. Approval of amended Interlocal agreement with the City of Sebring CR 634. Lakeview Drive from Park Street to Edgewater Point Drive Project#99080 and approval of budget amendment 00-01-325. See SMB 39 Page 84 and Res. Book 14 Page
- 8. Approval of additive change order no. 3 CR 634 (Lakeview Drive) resurfacing/reconstruction/widening (Park Street to Edgewater Point Drive) - FM No. 4068345801- Project No. 99080. See SMB 39 Page 85.
- 9. Approval of landowner notification for CARL Acquisition Program. See SMB 39 Page 86.
- 10. Approval of change order no. 2 - APAC-Florida, Inc., MacAsphalt Division Sebring Parkway Phase I Project No. 89003. See Sebring Parkway file.
- 11. Approval to accept into the record Highlands County Health Department annual report
- 12. Approval of satisfaction of mortgage - Armstead. See SMB 39 Page 87.
- 13. Approval of resolution and budget amendment 00-01-319 (SHIP, to appropriate grant funds for 2001-2004 grant years). See Res. Book 14 Page 183.
- 14. Approval of budget amendments 00-01-291 (Parks Department, accounting error on budget amendment 00-01-53) 00-01-312 (Refuse Landfill closure, accounting error on budget amendment 00-01-286). 00-01-317 (Court Reporter insufficient funds) 00-01- 318 (Emergency Management improvements and repair for vehicle).
- 15. Request to approve sale of Tax Certificates 99-13053, 99-13487, 99-13049, 01-7492, 01-9745, 01-9746, 01-9753, 01-9754, 01-9757, 01-9758, 01-9759, 01-9761, 01-9760, 01-9762, 01-9764, 01-9766, 01-9771. See SMB 39 Page 88.

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

**5. CITIZENS NOT ON AGENDA**

Vaughn Whitesides spoke regarding the billing and fee collection problem with EMS.

**6. COMMISSIONERS**

- Commissioner Flowers discussed the effort that he has expended with the proposed noise ordinance. It is his intent to have one more discussion meeting in August and to garner volunteers to establish an advisory group.
- Commissioner Bullard reported on the annual FACC Conference held in Philadelphia.
- Commissioner Bullard reported on the proposed Compost Plant in Hardee County. The Central Florida Regional Planning Council has listed several impacts, such as odor, airborne pathogens and fly swarms. Carl Cool advised that Jim Polatty, Development Services Director, has written a letter of concern to the Hardee County Commissioners regarding the impact to Steve Roberts Special extension. The consensus of the Board was to instruct staff to draft a letter and have the Chair sign. Ask Hardee County to consider the impacts to Highlands County, prior to making a decision. Mr. Cool to be present at the Commission meeting. Commissioner Stokes asked that the concern for drainage also be included. Commissioner Jackson agreed that we should express our concerns, but not express opposition.
- Commissioner Stokes presented his report in writing, along with information regarding the high speed rail.
- County Administrator, Carl Cool, reported on items discussed at the FACC conference in Jacksonville
  - CRA Districts
  - Gas price indexing
  - Consideration of a Water Supply Authority with Highlands, Polk and Hardee Counties
  - Consideration of an agreement with Polk County for maintaining a small section of Highway 64 in Polk County.
  - Report on the voting machine demonstration held at the Lakeshore Mall. It was an exact tie between the optical scan and the touch screen machine. Supervisor of Elections, Joe Campbell will be present at the August 14, 2001 Board Workshop to discuss the voting machines. Commissioner Jackson requested that the Supervisor of Election bring to the meeting information as to what other counties are doing.

**7. ADJOURN**

The meeting adjourned at 12:00 p.m.

\_\_\_\_\_  
Chairperson

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

**REGULAR MEETING OF THE BOARD, JULY 24, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Special Projects Director, Bill Stephenson.

Chair Guy Maxcy reported on his meeting in Philadelphia at the National Association of Counties annual conference. He advised that Highlands County received three meritorious awards for community presentation (a computer media category) public budget (a computer media category) and the employees' newsletter (internal publication's category).

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 24, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly report of Court Services*, for the week ending 07/20/01 for Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 89 for detail. Other announcements included an update to be given August 7, 2001 for quarter ending June 30, 2001, regarding the Interim Financial Report of Highlands County's key financial operating performance. The second announcement was regarding the Clerk's Office audit calendar. Audit staff will be presenting the annual audit plan for the remainder of this fiscal year and the beginning of the next fiscal year at the August 14, 2001-workshop.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **Public Hearing to consider request to purchase property for Sebring Parkway Phase III**

Petition and Proof of Publication entered into the record by Bill Stephenson, Special Projects Director. See SMB 39 Page 90. The petition is an amendment to a County land purchase agreement for the Sebring Parkway Phase III. (To add egress and ingress for the seller). The property owner is C. Elton Crews, represented by Jacob C. Dykxhoorn of Petererson & Myers, P.A. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve the amendment to the Land Purchase Agreement. The chair

opened the floor to the public. No one spoke for or against. Upon roll call, all Commissioners voted aye. Motion carried.

**5. Public Hearing to consider CPA-01-150LS; ORC Response Concerning Comprehensive Plan Text & FLUM Amendments and the Transportation Element**

Petition and Proof of Publication entered into the record by Development Services Director, Jim Polatty. See Proof of Pub Ord. Book 2 Page 134. Captions of the ordinance were read into the record. Mr. Polatty briefly explained the adopting ordinance with exhibits. Refer to tape for details. The Chair opened the floor to the public. Richard Conover spoke regarding the Planning and Zoning minutes. Commissioner Jackson stated concerns regarding some of the language in the ordinance. He did not want the Board committing to infrastructure ten years in the future. Ross Macbeth advised that the Comprehensive Plan dictates that certain language be included in the ordinance. Commissioner Bullard commended staff for providing the county with flexibility. Mr. Polatty agreed to review and make amendments necessary in the future. The Chair opened the floor to the public. Gabriel Read, Avon Park Lakes, recommended that the county continue to acquire right of way for future road construction.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt ordinance CPA-01-150LS as recommended by the Local Planning Agency. Upon roll call, all Commissioners voted aye. Motion carried.

**6. Public Hearing to consider a proposed small-scale plan amendment and a zoning change**

Petition and Proof of Publication entered into the record by Development Services Director, Jim Polatty. See Proof of Pub Ord. Book 2 Page 135.

**NEW BUSINESS: HEARING # CPA - 01-157SS - SEBRING LAND LIMITED PARTNERSHIP - C/O CHASTAIN-SKILLMAN, INC.**

Approximately 9.9 acres located in Sec. 4, Twp. 34S, Rge. 29E, and Sec. 33, Twp 33S, Rge. 29E, Highlands County, Florida.

Requesting a small-scale plan amendment from "Agriculture" to "Low Density Residential." See below Hearing #1582 for details.

**HEARING #1582 - SEBRING LAND LIMITED PARTNERSHIP - C/O CHASTAIN-SKILLMAN, INC.**

Approximately 9.9 acres located in Sec. 4, Twp. 34S, Rge. 29E, and Sec. 33, Twp 33S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (agricultural) to R-1 FUD (residential district with a flexible unit development). Applicant desires to construct single family dwellings. There were no letters received and no one spoke for or against the request. The Planning and Zoning Commission recommended to the Board of County Commissioners approval of CPA - 01-157SS including the mandatory findings in the staff report. Chair Maxcy noted a conflict as Highlands Ridge is a client of his corporation.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the Planning and Zoning to approve and adopt by Ordinance and Resolution contingent upon approval of CPA - 01-157 SS from DCA and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained and entered into the record a memorandum of voting conflict. See SMB 39 Page 91. Motion carried. See Res. Book 14 Page 185.

**7. First Public Hearing to consider a Proposed Changes to Chapter 12 (Zoning Code)**

Petition and Proof of Publication entered into the record by Development Services Director, Jim Polatty. See Proof of Pub Ord. Book 2 Page 136. Mr. Polatty briefly explained the proposed Ordinance. The Planning and Zoning Commission recommended to the Board of County Commissioners approval of Sections 1, 4, 5, 15, 17, 20, 21, and 22 through 40 as submitted and to table the remaining Sections. Commissioner Bullard questioned amendments regarding tower construction and separation. Ross Macbeth explained the three changes. Commissioner Bullard was not in favor of an amendment to the ordinance. The Chair opened the floor to the public. Lauralee G. Westine, representing Voice Stream Wireless, Tampa Florida stated that Highlands County has a very stringent code. She asked that the Board address the setbacks. Commissioner Bullard asked that the Board delete Section 26 of the code at this time and bring back at a later date after input is received. Gabriel Read, Avon Park Lakes, concurred with Commissioner Bullard that we should wait until the ordinance has had time to work.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the proposed amendments, with the exception of Section 26 for consideration of a second public hearing on August 7, 2001 at 9:00 a.m. Upon roll call, all Commissioners voted aye. Motion carried.

Break 10:40 - 10:50 a.m.

**8. Public Hearing to consider vacation of easement - Orange Blossom Estates, Unit 12, Lots 12 & 13, represented by Rick Whidden**

Kim Motsinger, Public Works Coordinator, Engineering Department, presented Petition and Proof of Publication into the record See SMB 39 Page 92. All staff departments have signed off on the request. Rick Whidden, representing Gary and Kathleen Pae, Petitioners, spoke in favor of the vacation. The Chair opened the floor to the public. No one spoke for or against.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution to vacate the utility easement being 12.00 feet in width, being more particularly described as the Southwesterly 6.00 feet of Lot 12 and Northeasterly 6.00 feet of Lot 13, Block 22, Orange Blossom Estates, Unit 12. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 186.

**9. Public Hearing to request placement of a lien on Case #CE00060050**

Petition and Proof of Publication entered into the record by Code Enforcement Officer, Tommy Turnbull. See SMB 39 Page 93. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request to place a lien on property pertaining to Case # CE00060050 located at 449 West 5<sup>th</sup> Street in Avon Park, Florida for title search, administrative, and demolition expense. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 94.

**10. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Action agenda with an addition of a request from Florida Heartland REDI. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized employee benefits of July 24, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of duly authorized employee benefits in the amount of \$202,186.03. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Request approval of a proclamation in recognition of “Highlands County Firefighter Appreciation Week”**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt Proclamation, proclaiming the week of August 6-12, 2001 as “Highlands County Firefighter Appreciation Week” and commending the Fire Fighters for their efforts on behalf of the Muscular Dystrophy Association. Chair Maxcy read the proclamation into the record. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 187.

**C. Mike Willingham, Executive Director, Sebring Airport Authority: Request to approve an Interlocal Agreement regarding the raceway paving project**

Carl Cool, County Administrator, presented a memo from the Budget Office, stating concerns, regarding Section 2 of the Interlocal Agreement as it reads. He reported that there is not \$180,627 in this year’s or next year’s CIP to convey to the Sebring Airport. Also, the total amount discussed from sections 2 & 3 was listed at \$715,627. The minutes only approved the expenditure of \$715,000. Mike Willingham, Executive Director, Sebring Airport Authority, stated that he did not have a problem with the funding in 2004-2005. Ross Macbeth presented corrective language, striking the period and adding *in the fiscal year 04/05 of the County*. Commissioner Bullard recommended that in Section 3, the amount be lowered to \$534,373.00 and Section 3-A, also lower the amount of Track Surface to \$274,373.00, correcting the numbers as approved. The Chair opened the floor to the public. Clayton Womer spoke in opposition.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve Interlocal Agreement regarding the raceway paving project with revisions as stated. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. See SMB 39 Page 95.

**D. Rick Helms, OMB Director: Request approval of Certification of the Millage Rate and the First Public Hearing set for September 6, 2001**

Rick Helms, OMB Director, provided a table summarizing three different options for the Board to consider. Commissioner Flowers spoke in favor of the second option with the projection to be set at 8.75 percent for advertisement purposes. Commissioner Bullard spoke in favor of setting the projected millage rate at 9.00 percent to provide adequate levels of services to the citizens. Commissioner Jackson spoke in favor of option one, setting the budget at \$83 million, and we continue to tighten our belts and allow the public to tell us what they are thinking. Commissioner Stokes was in favor of advertising at a higher rate, to have the option of making the decision at the hearing. Chair Maxcy asked that we look further before we raise taxes, but to advertise at 9.00 percent in order to keep our options open. He suggested that staff consider including a stuffer in the TRIM notice, regarding state mandates.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve that the millage rate is certified to the Property Appraiser at *Option 3 at 9.00 mils* with information provided in the TRIM if legal to

do so. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, that the first public hearing on the FY 2001-2002 Budget Adoption be scheduled for Thursday, September 6, 2001 at 5:30 P.M. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 96.

**E. Southwest Florida Workforce Board; Heartland Workforce Board; FHREDI Board - letter of support for Grant Application**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a letter of support from the Board of County Commission to endorse the grant application for the hiring of an economic development specialist staff to work with local development organizations in the five County FHREDI areas.

Commissioner Jackson pointed out that this is another example of public money, and that we need to reevaluate, as we cannot have it both ways. Upon roll call, all Commissioners voted aye. Motion carried

< Commissioner Bullard reported that he is writing a letter of endorsement as a Commissioner for a proposed grant through a cooperative program for the *Keep Highlands Beautiful Program*.

< Carl Cool reported on the proposed compost plant to be constructed in Hardee County. He attended the meeting and submitted a letter with concerns from Highlands County. The Commission voted to continue the Hearing for more information.

< Commissioner Flowers shared that the Department of Corrections project to pump affluent into Highlands County has been officially withdrawn.

**11. Adjourn**

The meeting adjourned at 12:09 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, AUGUST 7, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Rev. Ed Sager. The Pledge of Allegiance was led by Asst. County Administrator, Tom Portz.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 7, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly report of *Court Services*, for the week ending 8/3/01 and a Monthly Report of *Business Services* for the Month of July for Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 97 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **Public Hearing to consider proposed Zoning Text Amendments**

Development Services Director, Jim Polatty presented the Proof of Publication into the record. See Proof of Pub Ord Book 2 Page 137. Captions of the proposed Ordinance Amendments were read into the record. The amendments were heard by the Planning and Zoning Commission and the Local Planning Agency on July 10, 2001 and by the County Commission on July 24, 2001. The County Commission deleted the proposed tower amendment and sent it back to the Planning and Zoning Commission for further review. The Chair opened the floor to the public. No one spoke for or against. Commissioner Bullard reviewed a small correction on Page 2 of the ordinance.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission recommendations and the changes directed at the July 24, 2001 public hearing, to approve the proposed amendments and adopt ordinance as presented. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 98.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to set the Action agenda as listed:

- < add item number 7 under the County Administrator - Consideration of the new site plan for the Fewell Property grant application
- < add item number 8 under the County Administrator - Memorandum of Agreement with the Division of Elections for funding of voting machines

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

**A. Commissioner Bullard: Presentation of an award to Gate Packages Unlimited**

Commissioner Bullard presented an award to Terry and Judy Wenzel of Gate Packages Unlimited in cooperation with Mike Eisenhart and the *Keep Highlands Beautiful Program*. The Company was recognized for preserving trees on their site.

**B. Ray Royce, President, Convention & Visitor's Bureau (CVB): Presentation and discussion on CVB funding in FY 2001-2002**

CVB President, Ray Royce presented a discussion in favor of County funding for the agency and requested support from the Commission for the Local Option Tourist Tax. See SMB 39 Page 99 for copy of information. Chair Maxcy questioned if a proposal has been presented to the Commission from the Tourist Development Council. Commissioner Stokes advised that the first organizational meeting of the Council has been held. They are putting together their Board and will be studying the proposal. Also, as liaison to the CVB Board, they are working toward giving their support to the CVB Board.

**C. Linda Friar, Florida Coordinator of Strategic Planning for the South Florida Ecosystem Restoration Task Force, and Ron Smola of the US Department of Agriculture: Presentation on the status of their Strategic Plan**

Clell Ford, Lakes Manager, introduced Ron Smola of the US Department of Agriculture. Ron addressed the programs provided by the USDA and his role as liaison to the Counties and Cities. Ms. Friar provided the Commission with the results of the initial strategic planning efforts and suggested input or comments to aid the Task Force in the 2002 update of the Strategy for Restoration of the South Florida Ecosystem. See South Florida Ecosystem for copy of information.

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

Lisa Dunson, representing the Citrus Growers Association, announced that she will be leaving the organization to take a position with Florida Southern College in their development office. She thanked everyone for their support in agriculture and citrus. Hank Kowalski shared regrets that Lisa will be leaving Highlands County.

**D. Senior Director, Business Services, Clerk's Office: Presentation of the Board of County Commissioners' Interim Fiscal Year Financial Report as of June 30, 2001**

Bob Jamison, Senior Director for Business Services of the Clerk's Office, advised that this report is for the current fiscal year and has no connection to the proposed budget for next fiscal year. The report contains four (4) key operating performances measures - *Revenues, Expenses, Long Term Debt, and Contingency Fund*. Pam Cross, who was the Internal Auditor, has been appointed by the Clerk as the Finance Officer. Ms. Cross presented a power point presentation on the Interim Fiscal Year Financial Report as of June 30, 2001 for the

Board of County Commissioners. Pam reported that the county is in good financial health, with expenditures less than 75 percent of the budgeted amounts at the 75 percent mark of the fiscal year. Commissioner Bullard noted that the utility operation serving Placid Lakes and Highway Park is spending more than it is taking in. He requested more detailed information on the Utility account. Ramon Gavarrete, County Engineer, was on vacation and will report back to the Commission. See SMB 39 Page 100 for copy of a report. Refer to tape for detail.

Mosquito Control

Dr. Paula Silverman, Director of the Highlands County Health Department reported on the West Nile Virus. Highlands County is not under an alert for this virus. There are 28 counties in the north that are under an alert for West Nile and other forms of Mosquito born Encephalitis. The County does have a surveillance system which has been set up by the state. Basically that system is finding dead birds. The birds are sent to the lab and tested for the virus. Her advice is to take personal precautions against mosquitoes. Dr. Silverman also explained the symptoms of Encephalitis. Carl Cool explained his position on the County spraying of mosquitos. His recommendation is to wear proper clothing to prevent the mosquito contact. Jack Ritchie, President of the Sun'n Lake, Lake Placid, requested that an ordinance be considered for the control of weeds in the district.

**E. Lakes Manager: Request approval of the Lake Persimmon Restoration Committee membership**

Clell Ford, Lakes Manager, presented a request for approval of the membership for the Lake Persimmon Restoration Committee. The Committee will serve as a Citizens Task Force to determine the best remedial alternatives and implement the activities to improve water quality in Lake Persimmon. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to ratify the resumes of the members as listed:

Skip Dent, Daniel Fantin, Kathryn Fantin, Charles Reynolds, William D. Slevin and Keith Kolasa, Environmental Scientist for SWFWMD and Clell Ford, as an advisory member of the Committee.

Commissioner Jackson stated concerns that appointments should come from a diverse group of citizens to encourage more input from the public. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 101 for copy of resumes.

**F. Board Attorney: Discussion on licensing requirements for fortune tellers**

Ross Macbeth explained the licensing requirements for fortune tellers in Highlands County. The problem that exists is the bond requirement. He presented a letter from Attorney James F. McCollum pertaining to licensing requirements for fortune tellers in Highlands County. Mr. McCollum felt that the Highlands County ordinance was so restrictive that it deprives his client of her property right to practice her lawful occupation or business without due process of law. Commissioner Bullard asked that the board take a look at the Bond provision and also revisit Page 6, Section (10) regarding the exemption of only Christian churches. He would like to end up with a minimum amount of regulations necessary to provide an adequate level of protection. His opinion is that the Bond should be set at \$2,500. The Chair opened the floor to the public. Ray Napper spoke in opposition to changing the ordinance. The consensus of the Board was that staff survey other counties and ask the Board Attorney to bring back language in two weeks for the Board to consider. See SMB 39 Page 102.

**G. Assistant County Administrator:**

**1. Request approval of CSI No.7160.41 for Courthouse Renovation/addition**

**Master Plan**

Assistant County Administrator, Tom Portz, presented a supplemental agreement with Chastain Skillman to prepare a master plan that will include the development of space standards, a probable cost of the addition/renovation and an artist rendering of the Highlands County Courthouse. The contract is in the amount of \$57,504. Commissioner Bullard questioned if the preliminary work by Chastain-Skillman is a needs assessment and a study in nature and not a design. It would not be a duplication if the Board chose to go with a design build. Tom Portz advised that we are not to the crossroads where the decision has to be made on the form of design. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve and execute the supplemental agreement and the revised State Spending Plan for the renovation/addition of the Courthouse facility. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 103.

**2. Discussion on membership of Dangerous Dog Hearing Board**

Tom Portz updated the Board. Per County Ordinance 97-26 established July of 1997. The Dangerous Dog Hearing Board consist of seven (7) members. The members are appointed by the Board of County Commissioners for one year terms and may be reappointed for subsequent terms.

The following three (3) vacancies on the Dangerous Dog Hearing Board needs to be reappointed. One citizen who is an officer or director of the Highlands County Humane Society, Inc., a Florida corporation not for profit. One citizen, at large, and one alternate veterinarian in case of a conflict. This is for information only and resumes will be forthcoming. See SMB 39 Page 104.

**3. Request approval of expenditure from the Special Law Enforcement Trust Fund to support The Jimmy Rice Center**

Tom Portz presented request of Lt. Susan Benton, that \$500.00 from the Special Law Enforcement Trust Fund be expended to support the crime prevention efforts of the Jimmy Rice Center. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the expenditure from the Special Law Enforcement Trust Fund as requested. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 105.

**H. County Administrator:**

**1. Request approval of budget amendment 00-01-334 decreasing Reserve for Contingency and transferring funds into Keep Highlands County Beautiful**

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve budget amendment 00-01-334 decreasing the Reserve for Contingency and transferring funds into the *Keep Highlands County Beautiful* cost center to realign funds to cover personal service accounts not paid out of grant funding. The Chair opened the floor to the public. Richard Conover spoke in opposition to the budget amendment. Hank Kowalski spoke in favor of the motion. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Request to approve holidays for 2002**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the list of holidays for 2002 as recommended by the Judicial Circuit. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 106.

**3. Request to approve a Developer's Agreement and Conservation Easement**

**between the South West Florida Water Management District, the Highlands County Board of County Commissioners, and the Board of County Commissioners of Charlotte County**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve a Developer's Agreement and provisions of the Conservation Easement between the South West Florida Water Management District, the Highlands County Board of County Commissioners, and the Board of County Commissioners of Charlotte County for the enlargement of the Shell Pit. Upon roll call, all Commissioners voted aye. Motion carried.

**4. Request to approve Supplemental Agreement for SWFWMD General Permit - Chatterpaul drainage - Highlands County Project Number 00100 - Chastain Skillman, Inc. CSI File Number 7565.57 - SNAPS II Agreement No. 9732029-01, SPURS Vendor No. F590619876-003, and budget amendment 00-01-351 decreasing Reserve for Contingency**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve budget amendment 00-01-351 decreasing Reserve for Contingency and Supplemental Agreement with Chastain Skillman, Inc. in the amount of \$5,993.00 to obtain a SWFWMD General Permit for the Chatterpaul drainage project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 107.

**6. Request approval of revised Sebring Airport Authority/County Interlocal Agreement**

Carl Cool presented recommendation to approve the revised Interlocal Agreement with the Sebring Airport Authority. Mike Swaine, Attorney for the Airport, explained the revision to the agreement. He wants the agreement to reflect that the money will be funded. Chair Maxcy advised that he has a conflict as the Sebring International Raceway is a client of his corporation and retains his brother as an agent of record. Commissioner Bullard spoke in favor of the revision as it is worded. Tom Portz reminded the Board that they will be changing their financial latitude, as the Board will be facing some loans with the new jail construction.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve the revised Sebring Airport Authority/County Interlocal Agreement. The Chair opened the floor to the public. Ray Napper and Clayton Womer spoke in opposition to the track improvements. Ray Napper suggested that residents be given a discount off of the ticket price. Upon roll call, Commissioners Bullard, Jackson, and Stokes voted aye. Commissioner Flowers voted nay, and Commissioner Maxcy abstained and entered into the record a Memorandum of voting conflict to become a part of the minutes. See SMB 39 Page 108. Motion carried.

**5. Presentation of the revised proposed Budget for FY 2001-2002**

County Administrator, Carl Cool, presented a revised final budget review. He met with each elected official and reviewed the amounts each office would get with the millage rate allocation at 8.5 mills - 8.75 mills and - 9.0 mills. The Tax Collector's office is not listed as he is a fee officer and his budget goes to the Department of Revenue. The proposed budget for the Sheriff if the Board adopts the 8.5 mills will be \$14,001,314. Mr. Cool is encouraging the Sheriff's Department when they return excess fees to the Board, to keep any funds over the \$75,000 amount to be added back to their proposed budget for next year. Mr. Cool complimented all County staff for their work with balancing the budget. The Chair opened the Chair for public input. Jack Ritchie, Sun'n Lake of Lake Placid, requested a copy of the information. Economic Development Director, Jim Stanfill, spoke in favor of funding for a building development campus. Mr. Cool reported that he has met with the Industrial Development Authority and

the Sebring Airport Authority and Commissioners Stokes and Jackson attended the meeting. It was clear at the meeting that there will be no proposed funds for either agency from the Capital Improvement Plan beyond next year. He suggested that the Commissioners look at all issues at next weeks' workshop, including the Boards intentions with Economic Development Commission. The consensus of the Board was to include this item at the Workshop next Tuesday. See SMB 39 Page 109 for copy of revised budget.

Tom Portz presented a statement from Ray Napper, regarding the recycling. He recommends that we remove the bins and let Jerry Leszkiewicz do what he feels is best for the County.

**7. Discussion on the Fewell Property**

Carl Cool advised that this is the third attempt to purchase the Fewell property next to the YMCA. He reviewed the site plan developed by the County Engineer's office. The purchase price of the property is listed at \$1.2 million for 100 acres. The proposal to the state is that the County will pay the full local match of \$400,000, with \$200,000 coming from the recreational funding in the adopted CIP. The other \$200,000 will come from the Conservation Trust Fund. The landowner agreed to front \$200,000 of the match. NRAC did not like the proposal with the ballfields in the center, and the substantial amount of wetlands and scrub involved. There also may be some mitigation factors. Mr. Cool and Development Services Director, Jim Polatty spoke in opposition to the property purchase. Dee McDonald, Vice-Chair of RPAC, spoke in favor of the grant application as it will tie into the Rails program. Janet Strutel, representing Florida Environmental, requested a letter of transmittal to submit the grant application to the state. Commissioner Flowers related that there is no money available to develop the property at this time. It could be ten years down the road before it is developed. Commissioner Bullard spoke in favor since we are not committing to anything at this time. Commissioner Stokes questioned the restrictions that the state may place on the property. Hank Kowalski spoke in favor of the grant application. The consensus of the Board was to allow them to apply for the grant and then make a decision on whether to continue at that time. See SMB 39 Page 110 for copy of site plan.

**8. Division of Elections - Memorandum of agreement**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the agreement. Commissioner Bullard spoke in opposition, as this is a premature situation. He thinks that we should wait and see what the Federal Elections Advisory Commission advises as this is an unfunded mandate. Motion by commissioner Bullard, seconded by Commissioner Jackson to table the motion. Upon roll call, all Commissioners voted aye. The County Administrator was directed to look into the results of the Advisory Commission and report back to the Board on August 21, 2001, when the Supervisor of Elections will be present.

**I. 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 and employee benefits for July 31, 2001 and August 7, 2001**
- Law Library . . . . . 3,101.20**
- General . . . . . 1,827,959.51**
- County Transportation Trust . . . . . 97,880.08**
- E911 Operations . . . . . 4,959.41**

	<b>Local Govt. Infra Surtax</b> .....	<b>473,216.76</b>
	<b>Comm. Development Block</b> .....	<b>3,770.82</b>
	<b>Affordable Housing Assistance</b> .....	<b>16,401.15</b>
	<b>Special Law Enforcement</b> .....	<b>17,623.71</b>
	<b>Solid Waste</b> .....	<b>167,568.95</b>
	<b>Placid Utilities</b> .....	<b>27,852.17</b>
	<b>Highway Park Utility</b> .....	<b>2,325.89</b>
	<b>Risk Retention Fund</b> .....	<b>624.26</b>
	<b>Employee Benefit</b> .....	<b>101,307.46</b>
	<b>Employee Benefit - July 31, 2001</b> .....	<b>\$21,873.61</b>
<b>2.</b>	<b>Approval of minutes of board meeting of July 24, 2001</b>	
<b>3.</b>	<b>Request to approve sale of Tax Certificates 00-15699, 99-1, 99-3, 99-5, 99-13, 99-20, 99-21, 99-22, 99-99, 99-317, 99-8260, 99-8261, 99-8279, 99-8281, 99-8290, 99-8291, 99-8292, 99-8293, 99-8294, 99-8308, 99-8309, 99-8317, 99-8445, 99-8483, 99-8503, 99-8504, 99-8835, 99-8842, 99-8865, 99-8866, 99-14642. See SMB 39 Page 111.</b>	
<b>4.</b>	<b>Request approval of specifications and contract documents water/wastewater main replacement Sebring Parkway Phase I- ITB No. 01-062-Project Number 89003. See SMB 39 Page 112.</b>	
<b>5.</b>	<b>Request approval of Interlocal Agreement between Highlands County and the City of Avon Park for Lake Tulane Restroom Facility Project.</b>	
<b>6.</b>	<b>Request to approve Waiver of Environmental Clearance Report Review Fee for Highlands County School Board. See Res. Book 14 Page 188.</b>	
<b>7.</b>	<b>Approval of budget amendment 00-01-343 (Transfer of timer sales revenue from the Preserve to purchase operating items). See Res. Book 14 Page 189.</b>	
<b>8.</b>	<b>Request approval of budget amendments 00-01-323 ( Recycling Operation) 00-01-324 (Refuse Disposal- deficit in Overtime Account ) 00-01- 328 (Sebring and Avon Park Library OPS) 00-01-329 (disability leave of Warehouse Manager) 00-01- 331(Placid Utilities Water) 00-01-332 (Placid Sewer) 00-01- 333 (Highway Park Utilities) 00-01-336 (Long Term Notes) 00-01-340 (Unemployment Claims- Human Resources) 00-01-341 (Boat Ramp improvements).</b>	

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

**9. CITIZENS NOT ON AGENDA:**

- < Richard Conover spoke regarding the revised budget and suggested that Mr. Cool cut out more of the overtime.
- < Hank Kowalski requested a phone number for citizens to be able to give their input regarding the Recycling Program. The Chair suggested that Mr. Kowalski use the County Administrator's office number.

**COMMISSIONERS**

Commissioner Jackson updated the Board on the Insurance Program. There is a proposal before the Insurance Committee to take a look at Blue Cross & Blue Shield at fully insured. He would like the Commission to discuss the Plan next week and make a decision. Chair Maxcy suggested that the Insurance Plan should have an effective date of January 1, 2002 to align up with the Cafeteria Plan for a 12-month contract. Wayne Fiyalko, Risk Manager, stated concerns for the additional expense that we may incur to our plan from October through December. Ford Heacock. Look at next week.

Commissioner Stokes - meeting at Bombing Range

**7. ADJOURN**

The meeting adjourned at 1:40 p.m.

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

**Attest:**

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

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**REGULAR MEETING OF THE BOARD, AUGUST 14, 2001**

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:

<b>C Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Edgar E Stokes</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

**A. Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending August 14, 2001.

**B. Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly report of Court Services*, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 113 for detail.

**C. Upcoming County meetings**

Asst. County Administrator, Tom Portz, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to set the Action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Approval to pay all duly authorized employee benefits August 14, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve payment of employee benefit in the amount of \$ 126,227.00. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Executive Director, Economic Development Commission: Tourist Development Council Board Vacancies**

Economic Development Commission Executive Director, Jim Stanfill, presented resumes of Pauline Dionne, Mayor of Lake Placid, Jason Dombrower, Manager of the Chateau Elan, and Ron Scott, Manager of the Sebring Quality Inn, to fill the three vacancies on the Tourist Development Council. Commissioner Stokes, serving as liaison to the Council, has requested reappointment. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the appointments to the Tourist Development Council and reappointment of Commissioner Stokes. Don Linton, President of the Highlands County Lakes Association,

asked that his association be represented. Commissioner Stokes advised that the Lakes Association will be notified of the meetings and consideration will be given with the next vacancy. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 115.

**C. Code Enforcement Officer: Request to declare a nuisance Case # CE0107-0079**

Code Enforcement Officer, Eddie Conklin, presented request. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve request to declare a nuisance under Section 5.6-3 of the Code of Ordinances and, that three dead trees are removed from the property. The Chair opened the floor to the public. Hank Kowalski reminded the Board of the legal specifics on removing trees from someone's property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 116.

**D. Town of Lake Placid- Waiver of Tipping fees**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to waive approximately \$200 in tipping fees for the Town of Lake Placid for the Lake June Ballfield renovation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 117.

**5. WORKSHOP:**

**A. Risk Manager: Discussion on Insurance Committee's recommendation - Blue Cross Blue Shield Proposal**

Wayne Fiyalko, Risk Manager, presented recommendations of the Insurance Committee as of July 30, 2001, to accept the fully-insured proposal (Plan 927) from Blue Cross Blue Shield with an October 1, 2001 effective date as a "piggy back" or "sole source" purchase. This included administration of the dental program.

On July 10, 2001, the County Risk Manager and Ford Heacock, Jr. (Agent of Record) addressed the Board of County Commissioners about rising health care costs and the difficulties of coping as a self-funded entity. As a result, the Board directed that Risk Management and the Insurance Committee review all available options. Special emphasis was placed on considering fully-insured health benefits. Subsequently, Ford Heacock, Jr., presented several cost-saving concepts and vendor presentations for the committee's consideration. Blue Cross Blue Shield appeared at Mr. Heacock's request which was the only fully-insured proposal received. Additionally, Mr. Heacock, received three letters from three different insurance carriers, who declined to quote. By accepting the Blue Cross Blue Shield proposal, the County and taxpayers, could save \$428,284.00 over the next year's projected cost of being self-funded, and eliminate the risks of being self-funded for the same time period.

The Chair opened the floor to the public. Matt Richardson, representing ICS, presented comments regarding Blue Cross and Blue Shield proposals and the retiree's premium and in opposition to the proposal. Gabriel Read spoke regarding dependent coverage. Tom Portz addressed the rate structure issue. Human Services Director Fred Carino advised that when the retirees reach medicare age, then our insurance becomes secondary. Ray Napper spoke regarding the lack of information.

Commissioner Bullard spoke in favor of the Committee recommendation. Tom Portz advised that staff will place this back on the agenda for next week with more information. He is recommending that we keep the surplus in the trust fund for one year in case the relationship does not work. The consensus of the Board was

to place the item on the agenda for next week with an answer to some of the questions. Chair Maxcy spoke in favor of the proposal but with a suggestion that we place it out for RFP for the next year. See Employee Benefit file for information.

**B. County Administrator: Discussion of the recommended Budget for FY 2001-2002**

Asst. County Administrator, Tom Portz, advised that the Budget office presented a balanced budget in July to the Commission. At the time, the Board directed staff to go back and reconfigure a balanced budget with a number of revisions which included a 3 percent COLA increase, health insurance at 12 percent increase, and an increase in the Sheriff's operations, with a total increase of \$918,168. A "budget adjustment review" was presented. The Chair asked for input from the following:

**Industrial Development and Economic Development Commission**

John Shoop presented a 15-year history of the organization, formed to allow a countywide economic effort. The authority supports local businesses through conducting seminars, helping them expand. It works closely with the chambers of commerce and with the Sebring Airport Authority. He said that the impact of the IDA has been tremendous for the county.

Terry Wenzel, representing, Gate Packages, said his company would not be here had it not been for the development authority. Resident, Ray Napper also supported the Authority. Jim Stanfill, Executive Director, addressed how the funds are used and stated that the focus is to create jobs. Gabriel Read spoke regarding the funding. Mike Willingham, Sebring Airport Authority, spoke regarding the impact of the Authority to the Sebring Airport. Wade Tavernier spoke in favor of continuing the Authority. A letter was received from David Greenslade, Avon Park Chamber, and read into the record in support of the Highlands County IDA-EDC. Jack Richie, representing the Highlands County Homeowners Association, and Renee Bennett, a member of the EDC Board, spoke in support of continuing the Authority. Commissioner Stokes, liaison to the EDC, commended the organization for their presentation. Commissioner Jackson asked that the IDA be in communication with budget staff on any future cuts. Commission Chairman Maxcy said he thought that the IDA received a stay of execution from the Board.

Recess 11:40 a.m. 11:50 a.m.

**Recycling Discussion**

Asst. County Administrator, Tom Portz, presented discussion on Recycling. Seven program issues were identified for the Board to consider. Recycling was one of the issues. It was never the intention to do away with the program. It was a consideration to downsize the program, based on the economics of the program and relocate to DeSoto City. Mr. Portz advised that staff has received an inquiry from BFI for either a privatization option or a joint venture if the County is interested. Jerry Leszkiewicz, Solid Waste, Director, suggested that we reconstitute the program, go out and take bids from the private sector, get the cities involved and find a more economical way to operate.

Commissioner Flowers suggested that we look at a curbside recycling program, where the haulers are involved. Commissioner Jackson suggested that we continue to look at the economics of it. Commissioner Stokes advised that the Board did look at Curbside Recycling a few years back and it was not economically

feasible. He thought we should take another look at it and also consider privatization. Commissioner Bullard believed that we should retain the program. Commissioner Maxcy agreed with the other commissioners and suggested that we form a study group.

The Chair opened the floor to the public. Ray Napper suggested that we work with the cities, offering our equipment, to help with the program. Gabriel Read, Von Whitesides, Hank Kowalski, John Williams, James Marine, and Jack Richie, Highlands County Homeowners, spoke in favor of continuing the program.

The consensus of the Board was to continue with the program, work with the cities to consider privatization and embark on a study, with a deadline to implement next year. Commissioner Maxcy suggested that if we raise taxes this year, we consider sun setting at the end of the year. See SMB 39 Page 118 for copy of information.

### **Government Services discussion**

Commissioner Bullard proposed a four-year plan to help the County get through its current dilemma:

- Keep the 6 percent cuts in effect for all departments. Spend 1 percent more in 2001-02 than last year by increasing the property tax to \$9.
- In 2002-03, privatize recycling, consolidate the 13 volunteer fire departments and privatize other county operations, where feasible.
- In 2003-04, Article V money from the state to run the court system will kick in. At that time there will be a need to hire about 20 new employees, to work at the jail, so that will be a wash.
- In 2004-05, rely on anticipated additional revenue from the Solid Waste Department and the possibility of impact fees and a tourist tax. Look at impact fees to provide some enhancement of services.

Commissioner Stokes was in favor of raising the mills to nine to get back basic services. Commissioner Flowers was not in favor of the nine mills, because it is too close to the \$10 state allowed cap. He said that all options, including impact fees and a tourist tax, should be put on the table. However, it was pointed out that impact fees and the tourist tax can't be used for operations. Commissioner Jackson was not convinced that we need to raise taxes. He suggested that we put insurance back in the Fire Districts. He asked that staff do a better job at prioritizing. Commissioner Maxcy agreed with Mr. Jackson. We need to feel the pain for two years to see if the economy is going to turn around. He would like to look at a more fair tax. Sixteen letters were submitted into the record from citizens in opposition to cutting services at the Library. See Library file for copy

Rick Helms, OMB Officer, reported that impact fees will not help with the operating budget.

The Chair opened the floor to the public.

- Gabriel Read spoke regarding exemptions.
- John Williams spoke in opposition to raising taxes and in favor of impact fees.
- Jack Richie spoke regarding the budget.
- Richard Conover spoke regarding the budget.

Joe Campbell, Supervisor of Elections, stated that a mistake was made with the requested cuts, and he would

like a chance to recoup a portion of the \$48,326 operating budget if he runs out of money. He will not ask for the additional funding unless it is absolutely needed. The consensus of the Board was to set another workshop for next Tuesday. See SMB 39 Page 119 for copy of revision.

**C. Senior Director, Business Services, Clerks Office: Compliance and Internal Audit Plan 2001-2002**

Senior Director, Business Services, Bob Jamison reintroduced Mia Robertson, new Senior Internal Auditor. She is responsible for all internal audits, contracts and compliance. She will be addressing the relevant professional standards as they relate to audit planning, the methodology that we have designed and adopted within the Clerk’s office for audit planning, and how we actually determine where to audit next. Finally, she will talk about where and when the next audit is tentatively scheduled. Mr. Jamison also defined the term “audit entity” as any grant, department, function or any program within the county organization.

Mia Robertson gave a small presentation on developing the audit plan and finally the plan as scheduled. See Audit file for a copy.

**6. ADJOURN**

The meeting adjourned at 2:10 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, AUGUST 21, 2001**

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:

<b>C. Guy Maxcy</b>	<b>Bob Jamison</b>
<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>David W Flowers</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Louise Graham</b>

Commissioner Edgar Stokes was absent from the meeting due to illness.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Asst. Pastor of the Bible Fellowship Church Reinhold Buxbaum. The Pledge of Allegiance was led by Commissioner Jackson.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 21, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Jury Trial Week Report, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 120 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: To levy a non-ad valorem assessment and to certify the assessment roll for Highlands Park Estates Special Benefit District**

Proof of Publication and Petition entered into the record by Ms. Treasa Handley, Assessment Coordinator. See SMB 39 Page 121. The Chair read into the record the Public Hearing Statement. Special Projects Director, Bill Stephenson, presented ballot survey results and recommendations to adopt Resolution setting an assessment amount, and approval of contracts with the Tax Collector and Property Appraiser for Administrative Services. See SMB 39 Page 122 for copy of information. The Chair opened the floor to the public. Jan Smart, representing the Homeowners Association, spoke in favor of the assessment to pay for roads, street lights, power bills and mowing of the lawn at the Clubhouse.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution setting the assessment amount at \$10.00 per platted lot and approve the contracts with the Tax Collector and Property Appraiser for Administrative Services and to certify the roll. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 191.

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to set the Action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Debbie Hunt and Susan King, Florida Department of Transportation: Discussion of staff changes and transportation issues**

Debbie Hunt, Director of Planning and Public Transportation, introduced Susan King, Community Liaison, Debra Snyder, District Traffic Operations Engineer, John Berlin, Acting Sebring Maintenance Engineer, Rick Maccalla, Resurfacing Program Manager and Public Information Officer, Maryemma Bachelder.

Debbie presented a brief description of staff changes and transportation issues.

- Updates were received from staff members on truck parking at U.S. 27 and State Road 70, south of Lake Placid. A new weigh station will be built along U.S. 27 south of that area, during 2005-06 fiscal year.
- They are determining the cost of redoing the curve along U.S. 98 at the Kissimmee River.
- FDOT will pick up 25 percent of the cost of traffic signal and lighting maintenance and increase it by 25 percent a year until it assumes full responsibility in three years.
- They are looking at intersections of US 27 and Lake June Road and SR 70 and Jefferson Street for lighting improvements.
- The Department is working with the City of Avon Park on a master plan for improvements to the mall.

County Administrator, Carl Cool reported that a meeting will be held with federal highway officials in the hope of getting federal dollars for the Sebring Parkway Phase II project. He will also address mowing of the median along US 27 near Lake Jackson.

**B. Joe Campbell, Supervisor of Elections: Presentation on voting machines**

Joe Campbell, Supervisor of Elections, explained the two voting machine options for the Board to consider. Commissioner Flowers spoke in favor of the optical scan system. Commissioner Jackson stated that he would like more information before he makes a decision. Commissioner Bullard suggested that the Board look at the optical scan system from larger Florida counties that have chosen to upgrade. Commissioner Maxcy said he would like more research before he makes a decision. Joe said that he prefers a blended system, but vendors who recommended that plan to him have recanted. He said the county may want to make an agreement with a vendor to exchange optical scan machines for touch screens if they are made obsolete. Carl Cool spoke in favor of the optical scan system. The Board directed Mr. Campbell to work toward the optical scan system with an estimate for a blended system. The Chair opened the floor to the public. James Marine spoke in favor of the touch screen system and suggested rental. Gabriel Read spoke regarding the house bills that could provide funding for the upgrade and asked if the county can be exempted from the requirement. Ross Macbeth stated that the state has decertified the punch card system, and it cannot be used. Deputy Clerk, Bob Jamison, suggested the county join a consortium of counties to get a better bid. This item will be discussed again the third meeting in October. See SMB 39 Page 123 for copy of information.

**C. Risk Manager: Discussion/action on Insurance Committee's recommendations - Blue Cross Blue Shield Proposal**

Wayne Fiyalko, Risk Manager, presented recommendation to authorize a direct contract without a formal ITB or RFP and accept the Blue Cross Blue Shield proposal. Mr. Fiyalko reviewed the proposal in comparison to the current plan. The Chair opened the floor to the public. Matt Richardson, spoke in opposition to the Plan not being placed out to bid. He recommended that the Board use Blue Cross and Blue Shield's relationship, but remain self insured. Mr. Herb Pearce, representing Blue Cross and Blue Shield, advised that his company does not rent out their relationship. Chair Maxcy spoke in favor of the proposal with the County placing out to bid at the end of next year. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to waive the purchasing policy and permit the direct procurement of the fully insured health insurance proposal from Blue Cross and Blue Shield with an implementation date of October 1, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See Employee Benefit file for copy. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to go with the 15-month contract. Upon roll call, all Commissioners voted aye. Motion carried.

**1. Request from the Sebring Airport Authority to join the County Health Insurance Group**

Commissioner Jackson requested that the Board consider a recommendation from the Sebring Airport Authority that their employees be allowed to join the county health insurance group. The Chair asked that staff work with the Board Attorney and the Insurance Department regarding the legal requirements, review the loss ratio of their employees and the Board will revisit the item at the action meeting in September.

**6. WORKSHOP: Discussion on the recommended Budget for FY 2001-2002**

The Chair opened the floor to the public on the recommended budget.

- Kelsey Payne requested the Board consider privatization of some of the County Departments. He spoke in favor of adoption of the roll back rate.
- Raphord Farrington, representing Ben Hill Griffin, Inc., spoke in favor of keeping the tax at 8.5 mills.
- Linda Crowder, representing the Children's Museum, requested support in the amount of \$10,000.
- Yvon Richard and Maureen Edwards, representing the Big Brothers and Big Sisters, asked for the county to give \$10,000 to support its mentioning program.
- Von Whitesides spoke in favor of an increase and an impact fee.
- James Marine spoke in favor of the 8.75 percent for the quality of life in Highlands County.
- John Tallent, representing Lykes Bros. urged the Commission to adopt the budget at the roll back rate or the 8.5 percent.
- John Barben, representing Barben, Inc., spoke in opposition to a tax increase in Highlands County.
- Gabriel Read, Avon Park Lakes, presented suggestions regarding grants and overtime.
- Jack Richie, representing the Homeowners Association, spoke in favor of an increase.

County Administrator, Carl Cool presented the balanced budget with a \$467,473 deficiency. Commission Chairman Maxcy suggested that staff consider using the \$400,000 in surplus income from the landfill enterprise fund. Also, with the approval of the Blue Cross and Blue Shield contract, the deficit will decrease to \$237,000. Commissioner Jackson recommended that the county eliminate a position of manager at the county's Istokpoga Park, saving \$50,000. Commissioner Flowers spoke in opposition to raising taxes. He



suggested looking at the recycling, overtime, and privatizing some of the departments. Commissioner Bullard recommended that the constitutional officers be asked to find other budget cuts. He would like to see the money shifted from Istokpoga Park into training and education. Commission Flowers spoke in opposition to asking Public Safety to take a cut. Deputy Clerk, Bob Jamision, presented a statement into the record regarding the impact to services if the Clerk has to further cut his budget. The Commission was in favor of scaling back the recycling program. Carl Cool will bring back a proposal with savings at an upcoming meeting. The Board gave Mr. Cool a consensus not to fund the request from the Childrens Museum or the Big Brothers and Sisters at this time and if there are any additional funds, it will go into the Contingency Fund and the requests can be presented at the end of the year if we have a reserve. Staff was directed to put together the budget for adoption with the 8.50 mills, with funds back in for the Fire Districts, Library books, Recycling with less than was proposed, Libraries and Landfill to remain open on Saturday, remove the Istokpoga Park position with legal services as of today ready for public hearing on September 6, 2001. See Budget file for copy of information.

**Lunch 2:10 p.m. - 3:10 p.m.**

**7. ACTION:**

Motion by Commissioner Jackson, seconded by Commissioner Bullard, to set the Action agenda as amended.

# Add Item F-6 - request from the Highlands County School Board

# Add Item F-7 - discussion on the Charlotte County meeting regarding the Shell Pit proposal

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

Board Attorney, Ross Macbeth presented discussion on the revision to the Fortune Teller ordinance. It was a consensus of the Board to set a public hearing for September 25, 2001 for consideration.

**A. Parks and Recreation Director:**

**1. Request approval to maintain Placid Lakes Canals #10 and #11**

A request was received from Patt Kannberg to maintain Placid Lakes Canals #10 and #11. Vicki Pontius, Parks and Recreation Director, presented an estimate of costs for approximately \$8480.00 per year to provide the same service as the private contractor is currently doing. Commissioner Bullard requested that we table this discussion for a later date. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to table this request until the budget is completed. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 124.

**2. Request approval of Recreation and Parks Advisory Committee recommendation - Sims-Cox Center - Execution of Grant contract & Budget Amendment #00-01-377**

The Recreation and Parks Advisory Committee has recommended funding \$32,556.00 to the Mid-Florida Center for renovations to a ballfield complex at the Sims-Cox Center in Avon Park. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve grant agreement, budget

amendment, project control record and reimbursable expenditure of \$32,556.00 from the recreational infrastructure funds. Rick Helms, OMB Director, suggested that the Clerk's office should address concerns regarding the eligibility of certain expenses for reimbursements from Local Option Sales Tax Funds. He was concerned that we might be required to reimburse these funds from the General Fund. Ross Macbeth stated that the agreement is not limited to infrastructure reimbursement. Deputy Clerk, Bob Jamison, advised that he has not had the opportunity to review the contract. The motion was amended to withhold signatures until the Clerk's office has the time to review and sign off on the agreement. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Assessment Coordinator: Request approval of an Interlocal Agreement with the City of Sebring regarding Solid Waste Non-Ad valorem Assessment Roll Services**

Assessment Coordinator, Treasa Handley, presented request for approval of an Interlocal Agreement with the City of Sebring. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve Interlocal Agreement with the City of Sebring, regarding Solid Waste Non-Ad valorem Assessment Roll Services. Commissioner Bullard asked if the city will be able to take over and maintain with city staff after this year. Treasa advised that they will be taking over the responsibility next year. Upon roll call, all Commissioners voted aye. Motion carried. Carl Cool commended Treasa on her work with the City.

**C. County Engineer: Request for term extensions to the Placid Utilities Advisory Committee**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to extend the terms of Chester Gates, Spence Lloyd, Joseph Durant and Harold Owens of the Placid Utilities Water Advisory Committee through September 2, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 125.

**D. Development Services Director:**

**1. Recommendation for the 2002 Single Family Mortgage Revenue Bond Program**

Development Services Director, Jim Polatty, presented a Power Point presentation on the Single Family Mortgage Revenue Bond Program. Ralph Cellon Jr., Bay County, representing Morgan Keegean, Association and Phillip M. Harloff, Manatee County, representing Raymond James and Association, explained the allocation. Housing Director, Penny Jessel, stated that she would like one of the vendors to step up to the plate and guarantee that the county will receive \$2.4 million. Carl Cool spoke in favor of the Morgan Keegean Program. The Chair passed the gavel and made a motion, seconded by Commissioner Flowers, to participate in the 2002 Housing Finance Authority of Bay County Single Family Bond Program and set the TEFRA Hearing for September 25, 2001. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 126.

**2. Request replacement advisory body for Transportation Advisory Task Force**

Jim Polatty, Development Services Director, presented recommendation of the Transportation Advisory Task Force that a replacement body be appointed. He stated that it was staff's analysis that the intention of the TATF was to include the P&Z Commission along with the NRAC, EDC and the School Board to the

new advisory committee, bringing the total committee size to 13, but it was inadvertently left out of the motion. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the creation of a Transportation Advisory Committee, with the suggested three tasks, membership representation and sunset provision as recommended. Commissioner Bullard shared that the motion conflicts with what the Board says that they want to deal with. They do not want the responsibility of the dollar ride program. The motion and second were withdrawn. The consensus was to set a workshop in October. See SMB 39 Page 127.

**E. Assistant County Administrator:**

**1. Request approval of Hazard Analysis Contract**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve and execute the Hazardous Analysis contract. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Request to execute FEMA Grant reimbursement**

Asst. County Administrator, Tom Portz, presented a grant proposal for the buy out of eight properties affected by floods in the Venus area. Staff is requesting direction on the methodologies of handling in house with separate contracts or contract with a third party. Ross Macbeth and Tom Portz presented concerns with the contract. Mr. Portz will bring back additional information for the Board to consider. See SMB 39 Page 132.

**F. County Administrator:**

**1. Request approval of a Memorandum of Agreement with the State of Florida, Department of State, Division of Elections, regarding funds to be used for voting systems assistance**

County Administrator, Carl Cool, reviewed the agreement with the State of Florida, regarding the funds to be used for the purchase of voting systems. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the Memorandum of agreement with the state. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Presentation of complimentary letters received regarding EMS and Facilities Management staff**

County Administrator Carl Cool, presented a letter received into the record from Mr. and Mrs. Robert Dellen, regarding care rendered on numerous occasions by EMS employees, Steve Ashworth and Franklin Still. Another letter was received from Debra Williams of the Clerk's office, commending Facilities Management employees, Mary Hankerson, Eduardo Medina and Theodore Ross. See SMB 39 Page 128.

**3. Request approval of Budget Amendment 00-01-352 decreasing the General Fund Reserve for Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve budget amendment 00-01-352 decreasing the General Fund Contingency to reallocate funding for court appointed attorneys due to higher utilization for juvenile proceedings. Upon roll call, all Commissioners voted aye. Motion carried.

**4. Request approval of Budget Amendment 00-01-376 decreasing the General Fund in order to increase the Detention Medical cost center that exceeded approved budget**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve budget amendment 00-01-376 decreasing the General Fund in order to increase the Detention Medical cost center that exceeded approved budget. Upon roll call, all Commissioners voted aye. Motion carried.

**5. Request approval of a resolution on public transportation**

Carl Cool, representing Doris Gentry, presented a Resolution on public transportation. Ms Gentry requested endorsement of the Resolution supporting a solution to the transportation system in Highlands County. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to adopt Resolution supporting the system. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 190.

**6. Request from School Board - request to donate mulch**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve request of Wally Cox, Superintendent of Schools, to donate mulch to be used on property next to Sebring High School for a cross-country track, contingent upon an agreement with the School Board that will hold the county harmless. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 129.

**7. Charlotte County Shell Pit**

The consensus of the Board was to request that Chair Maxcy, the County Administrator, Carl Cool, and Road Superintendent, Bruce Van Jaarsveld, attend a Charlotte County Commission meeting Tuesday, August 28, 2001, to discuss the Charlotte County permit. Ross Macbeth advised that we will also consider exercising the Option next Tuesday at the Highlands County Board meeting.

**G. 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 and employee benefits**

<b>Law Library</b> .....	<b>1,518.81</b>
<b>General</b> .....	<b>805,572.10</b>
<b>County Transportation Trust</b> .....	<b>51,560.61</b>
<b>E911 Operations</b> .....	<b>43,626.84</b>
<b>Legal Aid</b> .....	<b>2,886.10</b>
<b>Local Govt. Infra Surtax</b> .....	<b>205,610.45</b>
<b>Comm. Development Block</b> .....	<b>6,385.41</b>
<b>Affordable Housing Assistance</b> .....	<b>79,996.32</b>
<b>Special Law Enforcement</b> .....	<b>8,335.00</b>
<b>Solid Waste</b> .....	<b>71,317.75</b>
<b>Placid Utilities</b> .....	<b>2,007.71</b>

	<b>Highway Park Utility</b> .....	<b>1,116.66</b>
	<b>Risk Retention Fund</b> .....	<b>1,239.92</b>
	<b>Law Enforcement Education</b> .....	<b>8,567.28</b>
	<b>Employee Benefit</b> .....	<b>164,283.00</b>
	<b>Tax Deed Surplus</b> .....	<b>661.40</b>
<b>2.</b>	<b>Approval of minutes of the meeting of July 17, 2001</b>	
<b>3.</b>	<b>Accept into the record - June 2001 Monthly Report</b>	
<b>4.</b>	<b>Request approval of Consultant Service Authorization No. 39 with Chastain-Skillman Inc. for the Lake Jackson Watershed Project</b>	
<b>5.</b>	<b>Approval of a Satisfaction of Mortgage - Stephanie Marcus. See SMB 39 Page 130.</b>	
<b>6.</b>	<b>Request to approve sale of Tax Certificates 00-9570 and 00-9565. See SMB 39 Page 131.</b>	
<b>7.</b>	<b>Request approval of budget amendments 00-01-353( recarpeting of the State Attorney's facility) 00-01-354(Facilities Management &amp; Courthouse Facilities) 00-01-356 (County Administrator - overtime) 00-01-359 (mail notices to landowners owning undeveloped lots within the CARL site acquisition program) 00-01-360 (To reallocate funds needed in Emergency Management) 00-01- 364 (Sheriff - LLEB grant expenditures) 00-01-368 (OPS - Building Department) 00-01-370 (Supervisor of Elections to cover under budgeted items in Machinery and Equipment).</b>	
<b>8.</b>	<b>Approval of Resolutions and Grant Agreements executed by the Highlands County Hospital Board approving a transfer of funds to the Board of County Commissioners for payment to the following Grant recipients: Highlands County Health Department (Closing the Gap Program), Highlands County Health Department (Community Health Assessment), South Florida Community College Foundation, Heartland Healthy Kids Council, Good Shepherd Hospice of Mid-Florida, Inc., Children's Services Foundation, Children's Services Foundation of Highlands County, Inc., School Readiness Coalition of Highlands County. See Hospital District file for copy.</b>	
<b>9.</b>	<b>Request to approve Commodity Contract Amendment</b>	
<b>10.</b>	<b>Request to approve execution of Florida Department of Environmental Protection Grants FY 2001/2002</b>	
<b>11.</b>	<b>Accept into the record Spring Lake Improvement District's Audited Financial Statements for the Year Ended September 30, 2000</b>	
<b>12.</b>	<b>Request approval of proposed altered fee structure for the Highlands County Health Department. See Health Department file.</b>	
<b>13.</b>	<b>Request approval of Florida Department of Environmental Protection's Hazardous Waste Cooperative Arrangement Grant with Glades County</b>	
<b>14.</b>	<b>Request approval of Satisfaction of Mortgage - Murray. See SMB 39 Page 33.</b>	
<b>15.</b>	<b>Request approval of an Agreement between Southwest Florida Water</b>	

**Management District and Highlands County for the Lake Placid Water Lever Control Project.** Rick Helms shared that he will be working with Clell Ford regarding item number #15, to make sure that a project number is assigned to ensure that it is properly loaded when we go into the Public Hearings for the budget.

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

**8. CITIZENS NOT ON AGENDA:**

No participants.

**9. COMMISSIONERS**

**10. ADJOURN**

The meeting adjourned at 4:43 p.m.

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**Chairperson**

**Attest:**

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

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**PUBLIC HEARING OF THE BOARD, AUGUST 28, 2001**

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

<b>Bob Bullard</b>	<b>Tom Portz</b>
<b>David W Flowers</b>	<b>Bob Jamison</b>
<b>Andrew Jackson</b>	<b>J Ross Macbeth</b>
	<b>Louise Graham</b>

Chair Maxcy and County Administrator Carl Cool was absent from the meeting to attend a Charlotte County Commission meeting to discuss the Charlotte County Shell Pit. Commissioner Stokes was absent due to illness.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Development Services Director, Jim Polatty. The Pledge of Allegiance was led by Jim Cash.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 28, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly Report of Court Services for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 135 for detail.

- C. **Upcoming County meetings**

Asst. County Administrator, Tom Portz presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **Public Hearing to request placement of a lien on Case #CE00100004**

Code Enforcement Officer, Tommy Turnbull, presented Petition and Proof of Publication into the record. See SMB 39 Page 136. The Chair opened the floor to the public. No one spoke for or against the petition.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve request for placement of a lien on Case #CE00100004, property located at 906 - 15<sup>th</sup> Avenue, Sebring, Florida for title search, administrative, and removal expenses to comply with the Highlands County Code. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 137.

5. **Public Hearing to consider proposed consistency zoning changes, zoning changes, and a small-scale plan amendment**

Development Services Director, Jim Polatty, presented the Petitions and Proof of Publication into the record. See Proof of Pub Ord. Book 2 Page 138.

**OLD BUSINESS: HEARING # CPA - 01-158SS - HAYWARD H. DAVIS - C/O J. M. WHITAKER**

Approximately 10 acres located in Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

Requesting a small-scale plan amendment from "Low Density Residential" to "Industrial." See below Hearing

#1583 for details.

**HEARING #1583 - HAYWARD H. DAVIS - C/O J. M. WHITAKER**

Approximately 10 acres located in Section 8, Township 37 South, Range 30 East, Highlands County, Florida.

Requesting a zoning change from AU (agricultural) to I-2 (industrial district). Applicant desires a salvage yard, storage, septic tank service, and wastewater treatment plant. The Local Planning Agency and the Planning and Zoning Commission made a motion to recommend to the Board of County Commissioners to deny Hearing # CPA-01-158SS and P&Z 1583 as presented. Staff recommended approval. Most of the acreage is wetlands with a small amount of scrub. Commissioner Bullard read into the record a letter from Hank Kowalski in opposition. See SMB 39 Page 138. There was also one letter of concern written by Dixon Pugh to the P&Z Board.

The Vice Chair opened the floor to the public. Bob Amann, representing the applicant, explained the zoning request and asked that the Commission overturn the Planning and Zoning recommendation and approve the petition with all the stipulations as noted. Gabriel Read, Avon Park Lakes, presented comments regarding the land use of the property. Commissioner Bullard and Jackson stated concerns from a *property owner's standpoint* of not being able to utilize the property. Commissioner Flowers spoke in favor of granting the request. The Vice-Chair suggested that the applicant continue with the application for I-2 zoning with uses that will prohibit a junk yard from ever being developed on the property. Applicant agreed to offer a restriction on the land. Commissioner Jackson requested the Board table this hearing for action.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to table Hearing CPA-01-158SS and P&Z 1583 until September 25, 2001 at 9:00 A.M. or soon thereafter, in the Commission Chambers, with all restrictions in writing. Upon roll call, all Commissioners voted aye. Motion carried.

**HEARING #1585 - E. G. TOUCHTON, JR. AND ANNE C. TOUCHTON - C/O RICK WHIDDEN**

Approximately 2.39 acres located in Sec. 17, Twp. 34S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from M-2 (Mobile Home Park district) to R-3 (Multiple Dwelling district). Applicant desires to construct single unit rental cottages. The Planning and Zoning Commission made a motion to recommend to the Board of County Commissioners approval of Hearing #1585. Motion by Commissioner Jackson, seconded by Commissioner Flowers, in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 192.

**HEARING #1589 - CHARLES JOSEPH - CONSISTENCY ZONING CHANGE - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR**

Approximately 8.91 acres located in Sec. 34, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a consistency zoning change from M-2 (Mobile Home Park district) to AU (Agricultural). The Planning and Zoning Commission made a motion to recommend to the Board of County Commissioners approval of Hearing #1589.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, move to approve and adopt by Resolution including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 193.



**HEARING #1590 - HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR**

Approximately 15 acres located in Sec. 21, Twp. 37S, Rge. 30E, Highlands County, Florida. Requesting a zoning change from R-3 (Multiple Dwelling district) to P (Public and quasi-public Lands district). The Planning and Zoning Commission made a motion to recommend to the Board of County Commissioners approval of Hearing #1590. This property is located in Sun'n Lakes of Lake Placid and the property is for the Fire Station. Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 194.

**6. Public Hearing to consider proposed changes to Chapter 12 (Zoning Code) pertaining to the Tower regulations**

Petition and Proof of Publication entered into the record by Development Services Director, Jim Polatty. See Proof of Pub Ord. Book 2 Page 139. This is the first reading of an ordinance amending the Tower Ordinance. This amendment was heard by the Planning and Zoning Commission and the Local Planning Agency on August 14, 2001. This tower amendment proposes to allow the Board of Adjustment to grant reductions in the separation from residential uses, zoning or Comp Plan categories, provides standards for that reduction, and clarifies that residential Future Land Use Categories must also be provided setbacks. The Commission had asked that Conservation Management Lands be retained and standards be added for the relaxation of the setbacks. The Board discussed the ordinance and Ross Macbeth provided language to be added for the second public hearing. Jim Polatty requested that this ordinance not become effective until November 1, 2001.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission recommendation, move to approve the proposed amendments for consideration at a second public hearing, to be held on September 11, 2001 at 9:00 A.M. in the Commission Chambers as amended by the BCC. Upon roll call, all Commissioners voted aye. Motion carried.

**7. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to set the Action agenda as amended.

- < Add request from the Caladium Festival to waive fees
- < Add Resolution honoring Jim Cash on his retirement.
- < Approval of a hand cut check in the amount of \$270.00 to the Fla. Government Communicators Association

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

**A. Request approval to pay all duly authorized employee benefits of August 28, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve payment of all duly authorized employee benefits in the amount of \$47,397.80. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Caladium Festival - request to waive fees**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the request to waive the fees for the dumpster used at the Caladium Festival. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 139.

**C. Resolution honoring Jim Cash on his retirement**

Vice Chair Bullard read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the Resolution as read, commending Jim Cash for his faithful service to the community in reporting governmental affairs for the citizens of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 195.

**D. Approval of a hand cut check in the amount of \$270.00 to the Fla. Government Communicators Association**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve payment of fee to the Florida Government Communicators Association in the amount of \$270.00. Upon roll call, all Commissioners voted aye. Motion carried.

**E. Request approval to execute Option on Wright Shell Pit Property**

Ross Macbeth updated the Commission on the Julian L. Wright Option for the Shell Pit property. Chair Maxcy and County Administrator, Carl Cool is in Charlotte County, seeking a permit to expand the shell mining operations that the Board has under option for approximately 100 acres of land. The property that is under option is immediately adjacent to the property that we currently own. The option expiration date is not definite at this point and the title work is not complete. There are six mortgages and three judgements on the property. They were there when the option was granted. The Board informed Mr. Wright of that by letter.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to authorize the Chairman to sign and cause to be delivered to Julian Wright a letter notifying Mr. Wright of the title defects rendering the title to Parcel "B" as described in the option to be unmarketable and the title objections need to be cleared in preparation for closing. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to authorize the execution of the option with additional language as provided by the Board Attorney for the Wright Shell Pit Property. Upon roll call, all Commissioners voted aye. Motion carried. See Charlotte County Shell Pit file.

**8. Adjourn**

The meeting adjourned at 11:00 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, SEPTEMBER 4, 2001**

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:

<b>C. Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by News Sun Reporter, Phil Attinger.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 4, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly Report of Court Services* for week ending August 31, 2001 and a *monthly report of business services* for August for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 140 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool presented the upcoming 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 approve the action agenda as amended.**

- < Delete item C-4
- < Add budget amendment 00-01-399 under the County Administrator as G-5
- < A brief report on mosquito control to be added under the County Administrator as G-6
- < Remove Item F-1 under the Asst. County Administrator
- < Remove Item F-4 under the Asst. County Administrator
- < Remove Consent agenda item number 3 and place under Asst. County Administrator

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

- A. **C.B. Shirey and Louis Bates, City of Avon Park: Request approval of a 20-year term for Tax Increment Financing as defined within the Southside Community Redevelopment Area Plan**

C.B. Shirey and Louis Bates, City of Avon Park, presented a Resolution adopted by the City Council of Avon Park asking that the Board approve a 20-year term for Tax Increment Financing as defined within the Southside Community Redevelopment Area Plan. Mr. Bates said the plan is to implement the tax-increment financing and generate grant packages to help improve the economically depressed area of the city. Carl Cool spoke in favor but would like to look over the taxable value trends before the Commission votes on the issue. He recommended that the Elberta Crate Factory, the old Florida Power Plant and MacAsphalt be removed from the land area. Commissioner Flowers spoke in favor of the concept after staff has a chance to review specific areas. Chair Maxcy asked that this matter be brought back on September 18, 2001. See City of Avon Park file.

**B. Commissioner Flowers: Request approval of Noise Committee appointments**

Commissioner Flowers presented recommendations for approval of a Noise Committee to consist of nine voting members and two alternates with one voting member from the Homeowners’s Association, two voting members from air boat interests, with one alternate, and six voting members from the citizens-at-large group, with one alternate. He was disappointed that no members of the automotive music industry applied to serve on the committee.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the formation of a Noise Ordinance Advisory Committee as follows:

**Airboat interests:**

- < Calvin Turner of Lake Placid
- < Lonnie Tucker of Lake Placid
- < William Barben of Avon Park, Alternate

**Homeowners interest:**

Lowell Ballas

**Citizens at Large:**

- < John Bock of Sebring
- < Harold Decker of Sebring
- < Judith Hinkle of Sebring
- < Pam Holt of Lake Placid
- < Frank W. McCormick of Lake Placid
- < Jim Worley of Lake Placid
- < Jeannie Elder of Avon Park, alternate

**Advisory Applicants**

Pete Estrada  
Bobby Lee  
Chief Dettman

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

**C ~~Solid Waste Manager: Discussion of status of negotiations with DEP for County assistance to complete closure and perform post closure maintenance of the Sebring landfill~~**

**D. County Engineer: Request approval of proposed fee schedule for the filing and processing of development order applications, review fees, and the filing and processing of development agreements**

County Engineer, Ramon Gavarette, presented a Resolution, setting forth a schedule of costs and charges of professional review, staff equipment and materials. These fees will now reflect the actual cost of the engineering staff. The Chair opened the floor to the public. Richard Conover spoke regarding the increased cost. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Resolution approving the proposed fee schedule for the filing and processing of development order applications, review fees, and the filing and processing of development agreements. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 196.

**E. Human Resources Director: Request approval of annual leave pay out to reduce the effects on employees from health insurance changes**

Human Resources Director, Fred Carino presented recommendations on annual leave pay out to reduce the effects on employees from health insurance changes. Commissioner Flowers suggested including the option of sick leave pay out. Carl Cool and Fred Carino spoke in favor of remaining with the annual leave pay out option as the sick leave is not fully funded in the budget. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve staff recommendation on annual leave pay out. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 141.

**F. Assistant County Administrator:**

**1. ~~Request approval of appointment to Dangerous Dog Hearing Board~~**

**2. Request approval of Resolution to adopt the revised Local Mitigation Strategy**

Assistant County Administrator, Tom Portz, presented recommendation for adoption of the revised Local Mitigation Strategy. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Resolution approving the modifications to the Highlands County Local Mitigation Strategy. Upon roll call, all Commissioners voted aye. Motion carried. See File for copy.

**3. Request approval of National Flood Insurance Program Community Rating System**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to execute the updated application to continue to implement the activities credited under the Community Rating System as presented by Helen McKinney, Administrative Aide for the Building Department. Upon roll call, all Commissioners voted aye. Motion carried.

**4. ~~Request approval of F.E.M.A. contract proposed changes~~**

**5. Request approval of Write off Policy for EMS refund amounts of less than \$10.00**

Commissioner Bullard provided language to amend the over payments of less than \$10.00 to read overpayments of less than \$10.00 on EMS patients accounts will not be refunded unless requested in writing. EMS Director, Rick Weigand, advised that most counties have a policy in place for write offs. He does not have a problem with the amended language as long as its acceptable with the Clerk's Office. Deputy Clerk, Bob Jamison, does not have a problem with the language change but would like EMS to be more

specific at what point in the billing cycle they write the balance less than \$10.00 off. Rick advised that it is difficult to place a time line, but it will be after primary and secondary insurances have been tapped. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt the policy as recommended. See SMB 39 Page 142 for copy of policy.

**G. County Administrator:**

**1. Request approval of appointments to Children's Services Council**

County Administrator, Carl Cool, presented recommendation of Human Services Director, Kevin Roberts, for appointments to the Children's Services Council. Motion by Commissioner Bullard, seconded by Commissioner Flowers, ~~to waive the Board policy that requires two (2) names to be submitted to the BOCC for each board or committee vacancy~~ and to appoint Paula Silverman Thaqi to fill the unexpired term of Ms. Vikki Wainwright, and Greg Stupinski to fill the unexpired term of Ruth Bone. Both appointments will expire on December 31, 2006. The other two unanticipated vacancies will be addressed when appropriate resumes are received. Commissioner Jackson noted for the record that the Board does not require that two names be submitted for appointments. The motion was amended to remove that section of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 143.

**2. Recommendation on the proposed downsizing of the recycling program**

County Administrator, Carl Cool, presented recommendations of county staff for the downsizing of the Recycling Program. The proposal will save four positions but will eliminate two full time positions and two staff leasing positions. The proposal is to become effective October 1, 2001. The plan is to decrease the number of bin locations for collection of household recyclables to less than 20 voluntary drop of centers. Some bins will be added to these locations bringing the total number of bins in service to approximately 36. Discontinue the office paper recycling program and discontinue recycling glass and plastic. The total reduction in savings is estimated at \$244,125. Meetings are scheduled with the local franchised haulers and with Southeast Paper Recycling to discuss further options of privatization. A report will be presented with recommendations on September 18, 2001. Deputy Clerk, Bob Jamison, presented advice on procurement policies, whereby staff goes through an RFQ process to solicit information. The consensus of the Board was to instruct staff to go back to the proposers as another step to reduce cost. Commissioner Bullard recommended that a sign be placed at the old site giving direction to the nearest collection site. The Chair opened the floor to the public. Vaughn Whitesides spoke in favor of the downsizing. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the recommendations of staff for reduction to the Recycling Program. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 144.

**3. Request approval of Budget Amendment 00-01-378 transferring funds from fund 110 reserve for contingency; Resolution and Budget Amendment 00-01-379 transferring funds from fund 005 reserve for contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-378, to transfer funds from the reserve to the Engineering Department for additional software and files on the Intranet and budget amendment 00-01-379 and Resolution to account for additional revenue from increase in the commodity grant. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 14 Page 197.

**4. Request approval of proposed ten year Capital Improvement Plan**

County Administrator, Carl Cool presented a draft of the proposed Capital Improvement Plan with changes as directed by the Board. The Board will need to borrow \$7 to \$7.5 million for the Courthouse and Jail renovation if they are constructed at the same time. Mr. Cool discussed the Sebring Parkway Phase II construction. He suggested that we meet with the City of Sebring again to discuss the options available. If we go with state funds, strings will be attached. The Chair opened the floor to the public. John Shoop, representing RPAC, stated concern for the recreation needs of the county. He presented a proposal that will take \$500,000 from 2001-02 through 2003-04 for recreation. See SMB 39 Page 145. Commissioner Bullard noted that we may have to take another look at recreation. Mr. Cool stated concerns for taking an additional \$500,000 from the CIP. Commissioner Jackson shared that it makes good sense to look at borrowing the money since the interest rates are low today and we can enjoy the facilities in the future. Chair Maxcy recommended that we move the discussion until September 18<sup>th</sup> and ask staff to crunch some numbers with Deputy Clerk, Bob Jamison's assistance.

Mr. Cool spoke to the Board regarding the possible purchase of city property for the use by Clerk of Court L.E. "Luke" Brooker. The County Administrator is writing a letter to Sebring City Administrator to see if that is feasible. Commissioner Flowers spoke in support of the concept. See file for copy.

**5. Budget Amendment 00-01-399**

Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve budget amendment 00-01-339 to transfer funds needed to reimburse the Property Appraiser for printing and mailing TRIM notices. Upon roll call, all Commissioners voted aye. Motion carried.

**6. Mosquito Control**

County Administrator, Carl Cool presented an update to the Commission on other Florida Counties who are under the West Nile Virus alert, what they are using to spray, how it is applied, and the amount of money they are spending on mosquito control. Commissioner Flowers noted that he did not want to wait until Highlands County has a confirmed case of encephalitis virus. Grants are not available for Highlands County, since we have no confirmed cases. Mr. Cool stated that some counties have set up special improvement districts. It covers the areas where the spraying is done. The Board needs to address these issues before a mosquito season. Staff will continue to gather information and report back to the Board. See SMB 39 Page 146 for copy of information.

**7. Discussion of Consent agenda items 11-12-13 at the request of Chair Maxcy**

Commissioner Maxcy discussed the Board shopping the Sun Life Financial proposal. He would like Commissioner Jackson to request the Insurance Committee look at this. Also, consideration should be given to the Agent of Record status. The School Board or Hardee County does not have an agent of record. He would like to ask the Insurance Committee to study this issue and see if we need to put out an RFQ or an RFP. He would also like the Insurance Committee to advise us on the Blue Cross and Blue Shield contract if there are any questions. Carl Cool advised that the Blue Cross and Blue Shield fully insured contract agreement needs to be approved today. There are many things that must happen quickly. Commissioner Maxcy agreed with that concept. Carl Cool and Wayne Fiyalko, County Risk Manager, spoke in favor of retaining Ford Heacock, as the agent of record. Motion by Commissioner Bullard, seconded by

Commissioner Flowers, to approve Consent agenda item number 13 - Annual Accounting and Retention Agreement with Blue Cross Blue Shield of Florida and Administrative Services Agreement with Florida Combined Life Insurance Agency, Inc. for a self-funded group dental benefits plan and Employers Application. The Chair opened the floor to the public. Clayton Womer endorsed Chair Maxcy's comments. Upon roll call, all Commissioners voted aye. Motion carried.

**Consent agenda number #11 Public Risk Management and #12 - Sun Life renewal process**

County Administrator, Carl Cool advised that we need to approve the Pubic Risk Management contract, because the County has not given the proper notice for cancellation. The current contract calls for a one year notice before termination. Similarly, Sun Life also needs approval. This company tried to raise rates, and staff held their feet to the fire. It is the best interest of the employees to continue with Sun Life. It was a consensus of the Board to place back on the Consent agenda for approval.

**H. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda less items number 3 and 13.

1. **Approval to pay all duly authorized bills and employee benefits**

Law Library .....	58.00
General .....	1,509,400.32
County Transportation Trust .....	108,911.84
E911 Operations .....	8,317.93
Intergovt Radio Communications .....	3,410.00
Local Govt. Infra Surtax .....	157,469. 54
Affordable Housing Assistance .....	6,104.60
Solid Waste .....	170,483.86
Placid Utilities .....	396.95
Highway Park Utility .....	32.30
Risk Retention Fund .....	139.97
Employee Benefit .....	120,006.69
2. **Approval of minutes of the meetings of August 7, August 14, and August 21, 2001**
3. **~~Request board approval of Write-off policy for EMS refund amounts of less than \$10.00.~~**
4. **Request approval of modification to the John Zink Company Standard Terms and Conditions of Sale and Technical Assistance Agreement. See SMB 39 Page 147.**
5. **Request approval of State Aid to Libraries FY2002 Grant Agreement. See SMB 39 Page 148.**
6. **Request to approve sale of Tax Certificates 99-12126, 01-6761, 00-9602 and 01-6710. See SMB 39 Page 149.**
7. **Request approval to release escrow in the amount of \$44,000.00 for Park Crest Terrace, Phase 1 & 2. (Youth Care Lane Project). See file for copy.**



- 8. **Request approval of Resolution for acceptance of a fourteen-foot strip of real property along Fairmount Drive, Parcel Identification number: C 14 34 28 010 0000 0010 for the purpose of roadway and drainage reconstruction and deed from Cary and Colleen Loewy. See Res. Book 14 Page 196.**
- 9. **Request approval of Budget Amendments 00-01-380 (to replace signs on Lake June Road and Lakeview Drive; additional *no wake zone signs*; repairs to RB 1621; and purchase materials to repair damaged street lights) 00-01-389 (OPS for Veteran’s Services office).**
- 10. **Request approval of Resolution and Budget Amendment 00-01-385 (Construction of the Government Center). See Res. Book 14 Page 197.**
- 11. **Request approval of Public Risk Management renewal proposal. See Employee Benefit file.**
- 12. **Request approval of renewal terms of Sun Life Financial proposal, effective 10/1/01. See Employee Benefit file.**
- 13. **~~Request approval of the Annual Accounting and Retention Agreement with Blue Cross Blue Shield of Florida and Administrative Services Agreement with Florida Combined Life Insurance Agency, Inc for a self-funded group dental benefits plan and Employers Application~~**
- 14. **Request for expenditure of Law Enforcement Trust Fund for staff training materials and approval to waive the Board’s purchasing policy and allow the Sheriff’s Office to handle the purchasing. See SMB 39 Page 151.**

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

**5. CITIZENS NOT ON AGENDA**

**6. COMMISSIONERS**

County Administrator, Carl Cool reported that the contract with Charlotte County for the Shell Pit was approved for ten years. All permits have been received for the expansion. Mr. Julian Wright must clear the title before the expansion begins.

**7. ADJOURN**

The meeting adjourned at 12:04 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, SEPTEMBER 11, 2001**

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:

<b>C. Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Special Projects Director, Bill Stephenson.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 11, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly Report of Court Services for week ending September 7, 2001 for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 152 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: To levy a non-ad valorem assessment and to certify the assessment roll - Highlands Park Special Benefit Fire District**

Public Hearing statement read into the record by Chair Guy Maxcy. Proof of Publication entered into the record by Assessment Coordinator, Treasa Handley. See SMB 39 Page 153. Emergency Operations Director, Tim Eures, presented recommendation of staff to have the assessment district area match the response area. The Chair opened the floor to the public. Iris Stone spoke in opposition to the Highlands Park Special Benefit District assessment that was adopted two weeks ago. She was also against a Homeowners Association. Michael Ellis spoke in opposition to the previous assessment, but in favor of the fire assessment. Ted Clay, representing the Fire District, spoke in favor of the boundary assessment change. Herbert A. Rose spoke in opposition to the language in the notice. Ross Macbeth requested that it be placed into the record that this is not a tax district. It is a services assessment. Commissioner Bullard spoke in favor of the Fire Assessment District.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt Resolution adopting a non-ad valorem assessment roll for the Highlands Park Special Benefit Fire District and to approve the contract for service with the Tax Collector and Property Appraiser. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 4.

4. **PUBLIC HEARING: Second Public Hearing regarding proposed changes to Chapter 12 (Zoning Code) pertaining to the Tower regulations**

Petition and Proof of Publication entered into the record by the Development Services Director, Jim Polatty.

See Proof of Pub Ord. Book 2 Page 139. Mr. Polatty read the captions of the ordinance into the record. This amendment will allow the Board of Adjustment to grant reductions in the separation from residential uses, zoning or Comp Plan categories, provides standards for that reduction and clarifies that residential Future Land Use Categories must also be provided setbacks. The ordinance will not become effective until November 1, 2001, to allow a proposed tower application to be processed under the existing regulations. The Chair opened the floor to the public. Hank Kowalski commended the Board on the Ordinance as written.

Motion by Commissioner Stokes, seconded by Commissioner Bullard, in accordance with the Planning and Zoning Commission recommendation, including the August 18<sup>th</sup> amendments, to approve the proposed tower ordinance amendments. Upon roll call, all Commissioners voted aye. Motion carried See SMB 39 Page 154.

**Break 9:25 a.m. - 9:45 a.m.**

**4. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the action agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized employee benefits September 11, 2001**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve payment of duly authorized employee benefits in the amount of \$51,601.30. Upon roll call, all Commissioners voted aye. Motion carried.

**B. Assessment Coordinator: Request approval for Solid Waste Special Assessment District Roll Certification**

Assessment Coordinator, Treasa Handley, presented request. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request to adopt the Solid Waste Special Assessment District Roll Certification to the Tax Collector. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 5.

**5. COMMISSIONERS**

Commissioner Bob Bullard said a special prayer for the World Trade Center disaster victims.

**6. ADJOURN**

The meeting adjourned 9:50 a.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, SEPTEMBER 18, 2001**

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:

<b>C. Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David W Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE WITH PRESENTING OF COLORS**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Solid Waste Director, Jerry Leszkiewicz.

3. **Chairman Maxcy - Presentation of Resolution to Don and Alice Hansen**

Vice Chair Bullard presided, while Chairman Maxcy presented a Resolution to Don and Alice Hansen for their many years of dedicated service to Highlands County. The Resolution was read into the record by Mr. Maxcy, proclaiming September 18, 2001 to be *Don and Alice Hansen Day*. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution in their honor. Austie Heacock spoke in honor of the Hansens. Upon roll call, all Commissioners voted aye. The motion carried. See Res. Book 15 Page 8.

Chair Maxcy presided over the rest of the meeting.

4. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 18, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *Jury Trial week report* for week ending September 18, 2001 and a report on the *Value Adjustment Board* for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 155 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

5. **PUBLIC HEARING: Regarding the Hammock Trail-Florida Recreation Development Assistance Program (FRDAP) Grant Application**

Proof of Publication entered into the record by Parks and Recreation Director, Vicki Pontius. See SMB 39 Page 156. Vicki advised that the purpose of the public hearing is to collect public comments and inner-agency input on the grant application for the construction of the Hammock Trail. The FRDAP grant application will provide 50% of the funding for the eight foot wide asphalt trail, which will extend approximately four miles from US-27 to Highlands Hammock State Park. County Engineer, Ramon Gavarrete, presented a slide presentation outlining the project. Ramon advised that additional funds will be required in the CIP for this project. Vicki suggested that the funds be allocated between the two fiscal years. The Board directed the County Administrator to come up with a cost analysis. The Chair opened the floor to the public. Von Whitesides spoke regarding parking. Richard Conover stated concerns. Motion by Commissioner Bullard, seconded by

Commissioner Jackson, to approve FRDAP Grant application for the Hammock Trail concept. Upon roll call, all Commissioners voted aye. Motion carried.

Recess 9:45 a.m. - 9:55 a.m.

## **6. ACTION:**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the Action agenda as amended.

- Add a Resolution declaring a local emergency under the Asst. County Administrator as item E-4
- Revision to budget amendment 00-01-395 and 00-01-408
- Add budget amendment 00-01-418 and 00-01-421
- Correct Public Hearing minutes of August 28, 2001 to add Tom Portz's name in attendance.
- Amend Consent agenda item number 6, deleting a portion of the language and place as F-7.
- Remove Consent agenda item number 4 and place as F-8 under the County Administrator.

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

### **A. Mike Willingham, Executive Director, Sebring Airport Authority: Discussion of the Airport Authority's plans as they relate to Highlands County's Capital Improvement Plan**

Mike Willingham, Executive Director, Sebring Airport Authority and John Haviland, Board member discussed the Authority's future plans as they relate to the County CIP budget. He requested the Commission consider funding a match of \$169,073 for a ten to one funding with the Department of Transportation for improvements to include a full length taxiway. Commissioner Bullard stated concerns as to when the Airport will become self sufficient. Willingham related that the Community Redevelopment Agency is doing well and he expects that the Airport will be able to match its own grants by 2004-2005. Asst. County Administrator, Tom Portz stated concerns that we are helping the Airport when the county will need to spend as much as \$8 million total on the jail and courthouse. County Administrator, Carl Cool, spoke in favor of the improvements. The Chair opened the floor to the public. Clayton Womer spoke in opposition to the funding. It was a consensus of the Board to continue this discussion under the CIP.

### **B. Parks and Recreation Director**

#### **1. Request approval of Recreation and Parks Advisory Committee's recommendation regarding Spring Lake Improvement District and Budget Amendment 00-01-416**

Parks and Recreation Director, Vicki Pontius, presented the Recreation and Parks Advisory Committee's recommendation to fund \$55,000.00 to the Spring Lake Improvement District for improvements to a community center and ballfield. If approved, these funds will be reimbursed in accordance with a pending grant agreement. Joe De Cerbo, President of Spring Lake Improvement District, spoke in favor of the improvements. County Administrator, Carl Cool, spoke in favor of the recommendations as the District will be maintaining the fields. Commissioner Bullard suggested an Interlocal Agreement with the District stating that the facility will remain open to public. The Chair opened the floor to the public. Clayton Womer stated concerns for the maintenance. Motion by Commissioner Stokes, seconded by Commissioner Bullard, to approve Budget Amendment 00-01-416, project control record and reimbursable expenditure of \$55,000.00 from the 2000-2001 recreational infrastructure funds. Upon roll call, all Commissioners voted aye. Motion carried.

#### **2. Discussion on Mosquito Control**

Vicki Pointus introduced the discussion and presented Dr. Paula Silverman Thaqi, Director of the Health Department. Dr. Silverman presented a short overview of the West Nile Virus. The virus is one of several

causes of encephalitis. She said that a child in Highlands County may have Eastern Equine Encephalitis. The test results will be confirmed later in the week. Carl Cool introduced Mr. Frank Clark, representing, Clark Mosquito Control. He gave a slide presentation on controlling mosquitos. County Administrator, Carl Cool spoke in regards to setting up a mosquito control district. Four treatments were estimated to cost \$152,000. Annual treatments were estimated between \$800,000 and \$900,000 and could cost the homeowner approximately \$32.00. He recommended that staff approach the Hospital District Board for funds that can be used for health related issues. These funds could pay for the four treatments in this year. Then the citizens could make the decision on whether they want to pay for the spraying next year. Attorney for the Hospital Board, Bert Harris, spoke in favor of the intervention. Attorney Ross Macbeth stated that we will need to establish a health issue.

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to request that the Hospital District Board be asked to move forward with an emergency session and to see if they have available funds to pay for the cost of the four sprayings. Commissioner Stokes requested that staff continue to look for possible funding. The Chair opened the floor to the public. Hank Kowalski asked that we not make any decision until we read the article by the Audubon Society. Allon Fish spoke in favor of the mosquito control spraying. Upon roll call, all Commissioners voted aye. Motion carried.

**C. Development Services Director: Request appointment to the Central Sewer Study Committee (CSSC)**

Development Services Director, Jim Polatty presented a request for appointment to the Central Sewer Study Committee. Motion by Commissioner, Flowers seconded by Commissioner Stokes, to approve the appointment of Don Linton to fill the vacancy on the CSSC due to the resignation of Gordon Davis. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 157.

**D. Board Attorney:**

**1. Request approval of a Resolution pertaining to the Chatterpaul property**

Board Attorney, Ross Macbeth, presented changes amending Resolution #99-218, adopted by the Board on December 28, 1999, pertaining to the Chatterpaul property. The request is to amend Exhibit "A" and Exhibit "B" and add language to the first paragraph on the second page to read, subject to the right of the owners of the parcel to have a culvert, forty-eight inches by seventy-six inches in diameter and thirty feet in length, and a crossover above that culvert installed and maintained by the Board at the Board's expense within the easement to provide the owners of the property, their successors and assigns with ingress to and egress from their property. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request to amend the Resolution in order to acquire easements for drainage for ingress and egress. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 9.

**2. Request approval of an amendment to an Agreement on the Julian Wright property**

Ross Macbeth presented an amendment to an Agreement on the Julian Wright property. This amendment modifies the Option to require that \$35,000 of the purchase price be held into escrow at and after closing until such time as Wright and Co-Trustees have established to the satisfaction of Attorneys' Title Insurance Fund, Inc., marketable title of the ten-acre parcel to the Highlands County Board. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve amendment as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Charlotte County Shell Pit file.

**F. County Administrator**

**A. Request approval to adopt Capital Improvement Plan**

Carl Cool addressed the proceeds from financing the \$8 million dollar loan for the courthouse and jail. He suggested that the Board look at extending the county's debt from five to seven or maybe ten years. Commissioner Jackson said that borrowing now is a good investment, since the county can use the capital project for 30 years. Deputy Clerk, Bob Jamison, recommended that the county retire its debt as soon as possible, but the county will have to balance that decision with the county's needs. He also recommended sustaining a reasonable fund balance. OMB Officer, Rick Helms stated concerns on paying additional interest that will be compounded for each extra year the county extends its borrowing.

- John Shoop, Chairman of the Recreation and Parks Advisory Committee, spoke in favor of extending the debt service to provide \$600,000 per year in funding to build, maintain, staff and improve recreation facilities throughout the county, with the county agreement to fund 50 percent of recreation in the three municipalities.
- Dee McDonald, Vice-chair of RPAC, spoke in favor of the continued funding.
- Lake Placid Town Attorney, Bert Harris asked that the Board consider funds in the amount of \$35,000 for an additional ballfield south of Lake June over the next four or five years.
- Mike Willingham, representing the Sebring Airport Authority, presented his original request for funding of \$169,000 as a local match for 1.896 million worth of projects.
- Pete McDevitt also spoke in favor of the grant funding for the Airport.
- Town of Lake Placid Attorney, Bert Harris and Mayor Pauline Dionne, presented a request to extend Roy Pendarvis from US. 27 to Jackson Road and alleviate traffic in Lake Placid near the three public schools and Devane Circle. County Engineer, Ramon Gavarrete, reviewed the design of the project and estimated that the project could cost approximately \$588,800.

**Board discussion**

Commissioner Jackson, Bullard, Stokes and Maxcy spoke in favor of extending the loan out for ten years and in support of the projects. Commissioner Flowers supported the Pendarvis Road Extension and the Recreation funding. He did not support the Airport funding. Chair Maxcy stated concerns that residents from Sebring and Avon Park will also have road construction requests. The Chair opened the floor to the Public. Clayton Womer spoke in opposition to the airport funding. Asst. County Administrator, Tom Portz, asked the Board to request the Airport present a financial report that shows what is currently be utilized of their CRA to see if they may be able to fund some of the request themselves. Carl Cool requested the Board place a limit on the three cities for recreational funding. The Board gave a consensus on the following:

- Extend the loan term to ten years.
- Increase reserve each year by \$100,000.
- Fund the Airport at 75% of the amount requested slotted in the year 03-04.
- Fund Recreation at a minimum of 500,000 per year throughout the term of the CIP.
- Fund Hammock Trail an additional \$200,000 in 01-02 and \$200,000 in 02-03.
- Fund Pendarvis Road Extension at \$260,000 in 01-02 and 260,000 in 02-03.

Carl Cool recommended that we fund the Pendarvis Road engineering and environmental efforts in 02-03 and the construction in 03-04 to give the Engineering Department more room to breathe. The Chair directed staff to bring back recommendations in writing for adoption of the CIP at next weeks' meeting.

Lunch 1:20 - 2:20 p.m.

**E. Assistant County Administrator:**

**1. Request appointments to the Dangerous Dog Committee**

Assistant County Administrator, Tom Portz presented request for appointments to the Dangerous Dog Committee. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve appointments

of John Sbiegay as a regular member, Richard Conover as a citizen at large and Dr. Wendell Anderson as a regular member to the Dangerous Dog Committee. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 29 Page 158 for copy of resumes.

**2. Request approval of proposed changes to the Federal Emergency Management Agency (FEMA) contract**

Assistant County Administrator, Tom Portz, reported that the Federal Emergency Management Agency has approved the obligation of Unmet Needs funds for the acquisition of property in the Venus area. This is a grant contract to acquire the properties. The subgrantee may submit periodic requests for payment throughout the project process, consistent with the terms of the contract. Ross Macbeth spoke in favor of the contract. Commissioner Bullard also spoke in favor. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the changes to the FEMA Disaster Relief Funding Agreement. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Request approval of Base Grant document**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Base Grant document. Upon roll call, all Commissioners voted aye. Motion carried.

**4. Resolution declaring a local emergency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the declaration Resolution be extended for one more week. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 10.

County Administrator, Carl Cool, commended staff for their work during the storm. Commissioner Flowers especially thanked Emergency Management Director, Bill Nichols, for the completed work product generated due to the storm, Gabrielle. See file for copy.

**Item D-1 - Board Attorney -Chatterpaul property**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to modify the Resolution from 30 feet in length to 50 feet in length, regarding the Chatterpaul property. Ramon Gavarrete advised that the changes will satisfy SWFWMD. Upon roll call, all Commissioners voted aye. Motion carried.

**F. County Administrator:**

**2. Request approval of Budget Amendments 00-01-395 Fund 401 Reserve 00-01-404 () 00-01-408 (Clerk’s budget expenditure) 00-01-410 (Central Services budget expenditure)**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve budget amendments 00-01-395 to obtain DEP permits to construct and operate the gas flare system and for the Air sampling flare unit, budget amendment 00-01-404 for indigent criminal defendants and expenses, 00-01-408 for Clerk’s budget expenditure, 00-01-410 for Central Services expenditure. Upon roll call, all Commissioners voted aye. Motion carried.

**3. Consideration of the purchase of the Ming property**

Carl Cool presented a description of the property for sale by Mr. Ming. He also reviewed the appraisals, which is a large difference in the amount of the asking price of \$750,000. Mr. Cool explained the necessity of acquiring the property for mitigation purposes. Commissioner Stokes presented a power point presentation depicting the location of the property and spoke in favor of the purchase as recommended by the Natural Resources Advisory Commission. It was a consensus of the Board to direct staff to set a public hearing for



consideration of the Ming property on October 23, 2001 with an outline prepared of proposed acreage needed for mitigation purposes in the future. See SMB 39 Page 159.

**4. Request approval of a proposal by the City of Sebring concerning the Sebring Parkway and Lakeview Drive Construction Projects**

The Commission discussed the restoration of right of ways on both the Lakeview Drive and Sebring Parkway project. The City Council passed a motion that the County pay up to 50% of the irrigation replacement torn up during the current construction projects. Ramon presented recommendation to remain with the county policy not to replace irrigation and only replace standard concrete driveways. Commissioner Flowers spoke in opposition to changing policy. It was a consensus of the Board to remain with county policy and direct staff to contact Mr. Hoffman with information. Commissioner Bullard asked that staff prepare a rough estimate on replacing sod with *like kind* on improved lots. See SMB 39 Page 160.

**5. ~~Request approval of a local match for the Sebring Airport Authority concerning the Master Plan/USDA Wildlife Study~~**

**6. Request to approve addendum to Agreement for purchase of property**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve an addendum to agreement for purchase of the C. Elton Crews property. Upon roll call, all Commissioners voted aye. Motion carried.

**7. Request approval of Budget Amendment 00-01-417 Fund 151 Reserve for Contingency 00-01-418 and 00-01-421**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-417 to transfer funds to complete the purchase of additional land for the Shell Pit expansion; budget amendment 00-01-418 for shortfall in overtime of Human Services and 00-01-421 to cover expenses in the Board Attorney's Professional Services account. Upon roll call, all Commissioners voted aye. Motion carried.

**8. Consent agenda item number 4 - Revised Resolution - NRAC**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve the revised Resolution as amended by the County Administrator with language on Page 2- section A. to read: *the Vice-chairman will lead the meeting in the absence of the Chairman* and ask that NRAC take a further look at the language in Sec. 3 -B. as to when they select their chairman. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 11.

**G. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the Consent agenda, with the amendment to *item 2*, to add the Asst. County Administrator's name to the minutes, the deletion of item number *4*, and the modification to item number *6*. Upon roll call, all Commissioners voted aye. Motion carried.

**1. Approval to pay all duly authorized bills and employee benefits**

Law Library .....	14.64
General .....	592,794.10
County Transportation Trust .....	108,169.78
E911 Operations .....	14,313.98
Local Govt. Infra Surtax .....	483,709.24
Comm. Development Block .....	6,385.41
Affordable Housing Assistance .....	25,674.54

- |  |                            |            |
|--|----------------------------|------------|
|  | Solid Waste .....          | 36,924.76  |
|  | Placid Utilities .....     | 6,505.42   |
|  | Highway Park Utility ..... | 1,708.20   |
|  | Risk Retention Fund .....  | 17,810.78  |
|  | Employee Benefit .....     | 516,087.35 |
2. Approval of minutes of the meetings of August 28, 2001, September 4, 2001 and September 6, 2001
  3. Accept into the record - August 2001 Monthly Report
  4. ~~Request approval to adopt a revised Resolution as recommended by the Natural Resources Advisory Commission (NRAC).~~
  5. Approval of CSA No. 43 for Chastain-Skillman, Inc. to prepare an Operation Protocol Manual for sequential operation of the Leachate Re-circulation, Gas Control and Waste Water Treatment Plant (WWTP) Systems.
  6. Request to approve the Homeowner Ranking, Contractor List, ~~Change Order Procedure, and designated county representative~~ for the Community Development Block Grant. See SMB 39 Page 161.
  7. Request approval of budget amendments 00-01-358 (Animal Control Worker's Compensation) 00-01-401(County Court OPS and FICA tax) 00-01-402 (Expenses for indigent criminal defendants) 00-01-413 (EMS shortfall).
  8. Request approval of Addendum No. 1 to CSA No. 28 with Chastain-Skillman, Inc. for additional engineering services required during construction and startup of operations of the Landfill Flare and Gas Control System.
  9. Request to approve PBS&J Task Authorization No. 7 for Permitting of the Landfill Bio-Gas Flare.
  10. Request to approve Satisfaction of Mortgage - Galske.
  11. Accept into the record the 2001-2002 approved Budget of the Sun 'n Lake of Sebring Improvement District
  12. Request to approve Satisfaction of Mortgage - Wiggins.
  13. Request to approve annual agreement with South Florida Community College for EMS students to ride with EMS crews to gain practical experience.
  14. Request to approve sale of Tax Certificates 01-9604; 01-9607; 01-9572; 01-9576; 01-9584; 01-12821; 01-9191; 98-9623; 01-9511; 01-9521; 01-9547; 01-9594; 01-9603; 01-9475; 01-9480; 01-9134; 01-9121; 01-9192; 99-12115; 01-9296; 01-9294; 01-9255; 99-12228; 99-12273; 01-9477; 01-9605; 01-9608; 01-9573; 01-9577; 01-9587; 01-12822; 01-9300; 01-9550; 01-9514; 01-9599; 01-9546; 01-9590; 01-9473; 01-9476; 01-9601; 01-9143; 01-9112; 01-9279; 01-9286; 01-9293; 01-9295; 01-9256; 99-12231; 01-9464; 01-9478; 01-9606; 01-9571; 01-9574; 01-9583; 01-12820; 01-9190; 01-9301; 01-9510; 01-9515; 01-9600; 01-9544; 01-9591; 01-9474; 01-9467; 01-9135; 01-9144; 01-9202; 01-9284; 01-9291; 01-9297; 01-9254; 01-9288; 01-9459; 01-9465 and 01-9479. See SMB 39 Page 162.
  15. Request to approve sale of Tax Certificates 00-8504; 00-8507; 00-8505; 01-5567 and 00-8506. See SMB 39 Page 163.
  16. Request approval of Highlands County Health Department's core contract

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

7. CITIZENS NOT ON AGENDA

**8. COMMISSIONERS**

Commissioner Jackson made a report on the PRM Insurance. The recommendation of the Insurance Committee was not to send a letter to the company this year, because of the timing of the New York and Washington tragedy. The consensus was to make a strong effort to shop the proposal next year. Risk Manager, Wayne Fiyalko recommended that we look at the market in 2003.

**9. ADJOURN**

The meeting adjourned at 3:50 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, OCTOBER 2, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by News Sun Reporter, Phil Attinger.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 2, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly Report of Court Services for the week of 09/28/01 and a Monthly Report of Business Services for the month of September for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. He also gave two additional reports that included an update on the Value Adjustment Board and a Public Service Announcement sharing that the Clerk of Courts office is available for guest speaking engagements to better inform the public on specific duties and services performed by the Clerk's office. See SMB 39 Page 168 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Asst. County Administrator, Tom Portz reported that the Courthouse/renovation Project meeting is rescheduled for October 12, 2001. The Committee will come together with a power point presentation and bring recommendations back to the Commission on October 16, 2001. 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 amended.

- Add DEP Grant Contract as item G-3 under the County Administrator.

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

- A. **Fire Service Supervisor: Request approval of a Fire Prevention Week Proclamation**

Fire Inspector, Jimmy Branca, presented a proclamation regarding Fire Prevention Week. Chair Maxcy read the proclamation into the record. Commissioner Bullard commended firefighters across the nation for their dedicated services and reminded everyone to replace their batteries on a regular basis. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution proclaiming the week of October 7 - 13, 2001 as Fire Prevention Week. Upon roll call, all Commissioners voted aye. Motion

carried. See Res. Book 15 Page 23.

**B. Chief Lex Cauffield, Lake Placid Volunteer Fire Department: Request approval of a Resolution condemning the September 11, 2001 terrorist actions**

A video presentation was given regarding the bombing of the world trade centers, supplied by Dr. Eugene Bengtson's son-in-law, who resides in Atlanta, Georgia.

Chief Cauffield appeared before the Board with request to adopt Resolution in response to the terrorist actions and condemnation of the September 11, 2001 tragedies. Mr. Cauffield read the resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution. Commissioner Bullard requested that a copy of the Resolution be placed in all Highlands County Buildings and remain there for thirty (30) days. The maker of the motion and the seconder of the motion accepted the amendment. The Chair opened the floor to the public. Don Hansen commended the Board for their actions. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 24.

**Break - 9:45 a.m. -9:55 a.m.**

**C. Reconsideration of Mosquito Control**

County Administrator, Carl Cool, discussed the motion made by the Highlands Hospital District Board to make the funds available in the amount of \$153,000 to the Board of County Commissioners for mosquito control. He repeated the motion as stated, *that if it is concluded to be a Health related issue, and not a nuisance issue the funding will be available.* Dr. Paula Silverman Thaiq, Health Department Director, stated that Highlands County is not under a medical emergency, simply a tightened state of awareness for medical alert. This was determined due to the probable case in the three-month-old baby of eastern equine encephalitis. The case was not confirmed and the baby does not have the disease. Dr. Roxanne Rutledge from the University of Florida laboratory, in Vero Beach agreed that Highlands County is at a low risk for the West Nile Virus and there is no medical emergency. Dr. Frank Clarke of Clarke Mosquito Control, offered his services to other communities in Highlands County. Hank Kowalski presented comments regarding mosquito sprayings and the effects on the scrub jay. Blackie Ballas presented comments regarding the amount of mosquitos in Placid Lakes. Dr. Clarke advised that there is an abundance of pasture land and flood water in that area. The consensus of the Board was not to spray at this time but keep the option open for a limited period of time and continue to monitor the situation.

Carl Cool - mosquito control district

Mr. Cool explained the options available for funding mosquito control. Statutorily, there are two ways to create a District. One is the non advalorem, which means that every house pays the same amount (fixed amount per billing). The other way is the creation under Fl. Statute 388, which is based on a mil assessment. If we decide to go with the non ad valorem assessment, there is a deadline by December 15<sup>th</sup> in order to fund mosquito control in the fall. If we go to January, there is a chance that we can miss the window of opportunity. Commissioner Flowers suggested that we go to a referendum before setting up a district. Ross Macbeth stated that the process would be to set up the district and before the end of the calendar year, hold a public hearing to approve the use of the non-advalorem method of assessment. This will require four publications before the hearing. It will not establish an assessment but will create a district and the authority to use that method. The next hearing will be between July and September to determine the assessment. The first income will come in the following October with tax collections. The Board can do this with the consent of the Property Appraiser and Tax Collector through the end of February. The consensus of the Board was to involve the news media with a response phone number established by the County Administrator's office for a one week period to see if there is enough interest to continue.

**D. Sun 'n Lake Improvement District: Request approval of enabling act amendment**

Carl Cool presented request of Bob Severino, president of the District Board, to amend their enabling act to modify the method of electing the members of the Board of Supervisors. The Chair opened the floor to the public. John McClure, attorney for the District, stated that the problem is the election methods. He would like the Commission to amend the enabling ordinance under Chapter 189 of Florida Statutes. If the changes can be enacted before January, then it could improve the outcome of the next election for the Board of Supervisors. Rex Bond, Chairman of the Sun'n Lakes Property owners Association Governmental Affairs, stated that the district was created under Chapter 125 by the Board of County Commission and they have the authority to amend the ordinance, but they also must operate under different rules than Chapter 189. Chapter 189 specifically excludes districts created under Chapter 125 from its regulations. Bob Severino, president of the District Board, spoke in favor of the District voting its lots. Bob Schaeffer, Board of Supervisors, also supported the district voting their lots. Anne Bond spoke in favor of the popular vote, but not in favor of the Supervisors voting for themselves.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to set for public hearing on November 27, 2001. Ross Macbeth advised that there is a problem, unless the determination is that this is not a district governed by Chapter 189 and the Board has the authority of setting some other means of getting to popular votes, the Board will not be adopting this ordinance. Mr. Macbeth recommended additional study. He stated that there is a procedure in place if they are a district governed by Chapter 189, and they have to follow that procedure. Commissioner Bullard amended the motion to direct the Board Attorney to get together with Attorney John McClure and any other counsel and revise appropriately with the goal of coming back to the Board on November 27, 2001 with an indication whether they are under Chapter 125 or 189 and an ordinance to be drafted appropriately to accomplish the request. The cost of the determination to be borne by the district. Commissioner Stokes accepted the amendment.

**Recess**

**11:17 a.m. EXECUTIVE SESSION - Highlands County Board of County Commissioners vs Bhoj Chatterpaul and Haimwantie Chatterpaul.** Proof of Publication entered into the record. See SMB 39 Page 169.

The Chair reconvened the meeting at 11:35 a.m. The Chair reviewed the motion on the floor. Upon roll call, all Commissioners voted aye. Motion carried.

**E. Zoning Supervisor:****1. Request alternate member appointment to the Planning & Zoning Commission, Zoning Board of Adjustment, and the Local Planning Agency**

Zoning Supervisor, Gary Lower, presented request for the Commission to accept the resignation of Mr. Jim Baer. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to accept the resignation of Mr. Jim Baer as an alternate member and staff to send a letter thanking him for his service to the Board. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to appoint Mr. Jeff Kennedy to serve the remainder of the term of Mr. Baer as an alternate member. Mr. Hank Kowalski questioned if Mr. Kennedy could serve on two commissions. Ross Macbeth advised that NRAC is not a Board with quasi-judicial authority that would be a local office. As far as he knows, there is no prohibition in serving on the Planning and Zoning Commission and serving on NRAC. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 170.

**2. Request approval of application for the Loyal Order of the Moose bull riding exhibit**

Zoning Supervisor, Gary Lower, presented request for approval of application for the Loyal Order of the Moose bull riding exhibit. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the application as requested. See SMB 39 Page 171.

**F. Road and Bridge Superintendent: Request approval of the Road Improvement list**

Road and Bridge Superintendent, Bruce VanJaarsveld, presented the Road Improvement list for review. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Road Improvement list as submitted. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 172.

**G. County Administrator:**

**1. Discussion on the possible delay of recycling reduction**

County Administrator, Carl Cool, discussed with the Commission a delay of the recycling reduction. He spoke in favor of pulling the bins toward the mid or end of October. Recycling Coordinator, Christy Reed reviewed the cost for the hauling and processing of recyclable materials under the County’s current program. She requested direction from the Commission. Commissioner Bullard stated that his decision will stand on the recycling until discussion on privatization is held. He would like to see an itemized out of pocket cost for removing the bin and processing the material. Discussion will be continued at next weeks’ meeting. See SMB 39 Page 173.

**2. Legislative Delegation priorities’ discussion**

County Administrator, Carl Cool, presented a memo from State Representative Richard Macheck, requesting three top legislative priorities be submitted by the Highlands County Board of County Commissioners for review to the appropriate committees. A legislative delegation meeting will be held on October 30, 2001 in the Boardroom. Commissioner Bullard was not in favor of bringing a long list to the state since it is a difficult time. He suggested that we ask them not to send us any unfunded mandates. Chair Maxcy noted that we do not need any more cuts. Commissioner Stokes asked that we bring back the issue of the bullet train. See SMB 39 Page 174.

**3. Request approval of DEP Contract No. AP188 -Cooperative Aquatic Control Grant**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Weed Control Grant for the maintenance of weeds growing in state controlled water bodies. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 175.

**H. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

**1. Approval to pay all duly authorized bills and employee benefits October 2, 2001**

Law Library .....	2,909.24
General .....	1,890,562.42
County Transportation Trust .....	383,081.00
E911 Operations .....	9,854.31
Conservation Trust .....	18,252.42
Local Govt. Infra Surtax .....	208,143.37
Affordable Housing Assistance .....	23,890.07
Special Law Enforcement .....	6,037.00

- Solid Waste ..... 37,881.42
- Placid Utilities ..... 1,973.21
- Highway Park Utility ..... 1,223.06
- Risk Retention Fund ..... 587,178.49
- Employee Benefit ..... 8,122.43
- 2. Approval of minutes of Board meetings of September 11, 2001, September 14, 2001, and September 18, 2001
- 3. Request to approve sale of Tax Certificates 01-9168; 01-9169; 01-9120; 01-9136; 01-9152; 01-9249; 01-9193; 01-9194; 01-9357; 01-9322; 01-12827; and 00-14111. See SMB 39 Page 176.
- 4. Request approval to Declare Nuisance Case #CE105-0128. See SMB 39 Page 177.
- 5. Request to approve Chastain Skillman, Inc. CSA 44 for annual task to provide miscellaneous consultation, planning, graphics, and reproduction services. See SMB 39 Page 178.
- 6. Request approval of Final Plat Recording - Country Club of Sebring Phase Two, Section Five "Enchanted Oaks." See Country Club of Sebring file.
- 7. Request approval/execution of the Commodity Food Contract. See SMB 39 Page 179.

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

**8. CITIZENS NOT ON AGENDA:**

No participants

**9. COMMISSIONERS - reports**

Tax Collector, Charles Bryan, approached the Board, with suggestion to place a small flyer in the tax bills, surveying the property owner as to in favor or against a mosquito control district. Staff to coordinate and make a determination.

**7. ADJOURN**

The meeting adjourned at 12:25 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, OCTOBER 9, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Audrey Driggers, 4-H Extension Leader. 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 count for the period ending October 9, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly Report of Court Services for the week ending 10/9/01 for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. A brief report was given on the Value Adjustment Board Hearings. See SMB 39 Page 180 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Commissioner Stokes announced that the County Booth raised more than \$1100 at the bake sale to benefit the victims of the New York terrorist attacks. He commended staff for their work. Additional meetings were announced for the benefit of the public.

5. **B. 4-H Extension Agent: Request approval of Proclamation on 4-H Week in Highlands County.**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to move the 4-H Extension request ahead of the Workshop. Upon roll call, all Commissioners voted aye. Motion carried.

Toni Ford, secretary of Caladium 4-H Club, presented the request and read the proclamation into the record. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Proclamation designating the week of October 7-13, 2001 as National 4-H Week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 25.

4. **WORKSHOP: Privatization of County services**

County Administrator, Carl Cool, explained that most government operations use outsourcing methods rather than privatization. Examples of privatization in Highlands County are roadway inspections, which is performed

by the design engineer. He has to certify that all specs have been followed. Also, the Home Health Agency is another example. It went to a private contract. The goal of county staff is to deliver services to the public in the most efficient way possible. Out of the county's total budget, 33.8 percent has been outsourced. Mr. Cool introduced James Lavender, Public Works Director of Lee County. Mr. Lavender shared some of the experiences of privatization in Lee County. The largest operation is the Waste Energy Facility. The entire operation of the Solid Waste system is privatized. The County Manager and the Board generally allow the county divisions to actually bid against whatever private sector is bidding for their services.

### **Privatization of Facilities Management**

County Administrator, Carl Cool, shared that the County Health Department services were bid out in the past, but complaints were received regarding the work. It is now performed by county personnel. Staff will continue to look at privatization efforts. The Chair opened the floor to the public. No one spoke for or against. Commissioner Jackson stated that we should protect ourselves legally and financially with a form or bond type situation and get away from a potential for error. We need to set a level of performance for things that we outsource or privatize and enforce the terms. Road and Bridge Superintendent, Bruce Van Jaarsveld, spoke regarding the response time of county staff in emergency situations. Mr. Cool explained a success story on how four county employees pave five miles of dirt roads each year in the county with a portion of the services contracted to private enterprise. Commissioner Flowers commended staff on the good report but was hoping for new ideas on privatization. Commissioner Jackson suggested a firm commitment from the Commission to look at each department. Commissioner Bullard commended staff for the information provided and suggested that we look at all of our programs in regards to outsourcing.

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

County Administrator, Carl Cool, asked that the Board consider the County submitting their bid for the construction of the Airport Road. Commissioner Bullard was in favor as long as it is a public road but felt uncomfortable competing with the private sector. Commissioner Jackson asked that we consider what effect the work will have specifically on maintenance of roads.

### **EMS privatization**

Rick Weigand, EMS Director, explained a proposal to contract out of county emergency transfers. The patients are going to Tampa or Orlando for services that are not available in the county. The in-county transfers are non emergency, but out of county are emergency situations. EMS is at a point where they will have to contract out the transfers or add additional personnel. Commissioner Bullard supported aggressively seeking outsourcing in-county and out of county emergency and non emergency transfers because the seven units that we have are the minimum number to give adequate service.

Commissioner Flowers and Bullard spoke in favor contracting out all transfers. Commissioner Jackson was in favor but said that the county should determine if the private service is available at an acceptable price. Commissioner Flowers requested information on total revenues on these services for last year. Rick Weigand was directed to gather information and report back.

**Mowing of County Roads**

County Administrator, Carl Cool, suggested that county staff put together a bid package to seek a price per acre for mowing. It was a consensus of the Board to direct staff to prepare the bid package. Commissioner Flowers stated for the record that he will not be bidding on the project.

**Janitorial services at county buildings**

Commissioner Bullard suggested that staff be aware of the terrorism problem, when issuing keys to contractors and also provide background checks. The consensus was to proceed with the proposal.

**Recycling**

Solid Waste Director, Jerry Leszkiewicz and the Recycling Program Manager, Christy Reed reported that they have solicited and evaluated proposals from the private sector to privatize the County Recycling Program. It is their opinion that outsourcing will decrease the cost. The recommendation of staff was to implement the privatization of the recycling program by accepting the proposal submitted by Southeast Paper Recycling Company for option number one. The Board at its discretion, could include the recycling of glass and plastic with the proposal under option two for an additional net annual cost for approximately \$150,000. Staff recommended that the Board wait until improved market conditions for the sale of recycled glass and plastics return, prior to adding these materials back to the program. County Administrator, Carl Cool, raised the possibility of some remote locations, such as mobile home parks and Archbold Biological Station near Lake Placid, paying a fee to have recycling bins placed there. He was not in favor of providing the additional bins as it could require added staff positions. Commissioner Jackson shared that it comes down to the true accounting cost and the question will become mute if additional positions are required. Staff will bring back the proposal for additional direction. See Landfill file for copy.

**Engineering**

Staff has outsourced the following items such as Engineering, Surveying, Striping, RPMs, Signs and Signal Services, Maintenance Contracts, Road and Utility Repairs and New Road Construction. Other forms of outsourcing that are not included in this list include: sign blanks, printing, and other routine necessities. Staff will also be looking at other issues.

County Administrator, Carl Cool, shared that staff will be looking at future outsourcing as an ongoing process. Commissioner Bullard directed staff, when putting together the proposals, to see if the Cities and other entities can piggyback onto the contracts. He would also like staff to show the projected savings or deficiency on the initial report over the next three year period, and place on a schedule to see how the program is performing in comparison to the savings projected. Commissioner Jackson suggested that in the long run, staff should take a look at the efficiencies in the overall maintenance of recreational facilities. James Lavender advised that Lee County has outsourced their information technology system due to the difficulty of the county being able to keep pace with changes in technology at the staff level. They now have a five-year contract for their services. County Administrator, Carl Cool, reported that the Clerk's office grew up with the computer system and staff would need to contact the Clerk for any information. Chair Maxcy suggested that the County Administrator talk to the Clerk regarding an in-house system.

**5. ACTION:**

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

- Add Noise Ordinance Advisory Committee appointment as item 5 - D.
- Add budget amendment 01-02 as C - 4.

**A. Approval to pay all duly authorized employee benefits October 9, 2001**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve payment of employee benefits in the amount of \$5,559.40. Upon roll call, all Commissioners voted aye. Motion carried.

**B. ~~4-H Extension Agent: Request approval of Proclamation on 4-H Week in Highlands County~~**

**C. County Administrator:**

**1. Request approval of a Settlement Agreement and release of Case No. 00-14094-CIV**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to execute the settlement and release agreement in Case No. 00-14094-CIV (St. Germain v. Highlands County). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 181.

**2. Request approval of a Tax Bill insert on mosquito control**

County Administrator, Carl Cool, presented suggested language to be enclosed in the tax bills for Highlands County residents in consideration of a mosquito control district. The results of the survey should be tallied by January. Ross Macbeth presented suggested corrections to the survey. Charles Bryan, Tax Collector, advised that there is a short window as this information has to be camera ready and sent out overnight. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the suggested language, with amendments as stated by the Board Attorney, if the time is allowed to change the document and if not, to accept the language with a letter of appreciation under the Chairman's signature to the Tax Collector for his help, subject to the Board Attorney's approval.

Commissioner Stokes cautioned that we need to be careful about doing a survey. Whatever the results are, the Board needs to abide by it. He would like to see the \$35.00 amount underlined. Commissioner Jackson echoed the same sentiments. Clayton Womer stated concerns on the response, as some residents will not pay their taxes until later in the year. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 182 for suggested language.

**3. Discussion of Transportation Plan**

Doris Gentry, representing the Public Transportation Task Force, presented request for funding in the amount of \$5,000 to match funds to perform a transit feasibility and development plan study for Highlands County. The Task Force has been investigating different transit options that might be suitable for implementation. However, the Task Force has determined that it would serve the citizens and County's interest if a feasibility study was first performed. Commissioner Jackson asked if the funds were designated in the budget and where the funds will come from. County Administrator, Carl Cool advised that it is not in the budget, but the funds can come from the Contingency. Commissioner Bullard spoke in favor of the funding as this is the first step to be able to access state and federal transportation funds as it relates to Community Transportation

Systems. See SMB 39 Page 183.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve the request and allocate \$5,000 from the Reserve, and a budget amendment for the transfer.

**D. Budget amendment - 01-02-4**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 01-02-4, to align budget category amounts between BCC records and Clerk's records consistent with the BCC approved budget amount of \$3,382,957.00. Upon roll call, all Commissioners, voted aye. Motion carried.

**E. Noise Ordinance Advisory Committee**

Commissioner Flowers reported that Lonny Tucker, an Airboat representative, has tendered his resignation from the Noise Ordinance Advisory Committee. He recommended the appointment of Mr. Ted Clay to fill his position. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the appointment of Mr. Ted Clay to the Noise Ordinance Advisory Committee. Upon roll call, all Commissioners, voted aye. Motion carried. See SMB 39 Page 184.

**6. ADJOURN**

The meeting adjourned at 12:28 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD, OCTOBER 16, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Attorney Ross Macbeth. The Pledge of Allegiance was led by Jerry Leszkiewicz, Solid Waste Director.

3. **ANNOUNCEMENTS**

**A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 16, 2001. The Farm Report was also given.

**B. Clerk**

Deputy Clerk, Bob Jamison, presented a report on *Jury Trial Week* for the week ending 10/8/01 for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 39 Page 185. Mr. Jamison also briefed the Board on the budget close out for Constitutional Officers and requested a consensus on year end Budget Amendment approval. He presented two alternatives to solving the time crunch.

< Bring the amendments to the Board on October 23, 2001, without time to review or

< Delegate the one time approval to the Budget Officer, County Administrator and the representative to the Clerk.

This will permit sufficient time to process payables, prepare budget amendments, approve and post by October 31, 2001. Commissioner Bullard prefers the second option with the understanding that we not add to anyone's budget or take any thing from the contingency. The County Administrator spoke in favor of the concept. The Board gave a consensus, contingent upon the Board Attorney's review and approval. A complete report of all the transfers to be reported to the Board. See SMB 39 Page 186 for detail. Commissioner Jackson suggested a report on additional cost incurred on settlement cost for jurors.

**C. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Tom Portz reported that staff has reevaluated the mail protocol in the County due to the Anthrax scare. A training session was held regarding the protocol of opening mail.

4. **Florida Department of Transportation's 5-year Work Plan - 2003-2007**

District Secretary, David Twitty and Debbie Hunt, Florida Department of Transportation updated the Commissioners on the tentative five-year Work Plan and requested endorsement of the program. See DOT

file for copy. She reported that a truck weight station will be built along U.S. 27, South of State Road 70 and north of Venus, near Lake Placid. Hunt said that FDOT is continuing to work with the county on right of way acquisition for Phase II of the Sebring Parkway. County Administrator, Carl Cool said that the question is whether the County can get federal funding without all the strings attached. He suggested a joint meeting with the Sebring City Council to go over the details. Chair Maxcy suggested that the state and federal government help by loosening some of the regulations.

The program also includes more than \$2 million worth of work at the Sebring Regional Airport with T-hangar construction. Commissioner Bullard asked that FDOT consider placing signs at strategic intersections to accommodate drivers. Secretary Twitty said the department plans to install a series of informational signs in the county, identifying upcoming major intersections. County Engineer, Ramon Gavarrete, presented discussion on the Work Plan. Motion by Commissioner Flowers, seconded by Commissioner Stokes to endorse the FDOT Program. The Chair opened the floor to the public. Gabriel Read spoke in favor of providing the signs and suggested future planning to control flooding. Upon roll call, all Commissioners voted aye. Motion carried.

**Break 10:05 - 10:15 p.m.**

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda as amended.

- < Add budget amendments 00-01- 440 and 00-01-441 under the County Administrator as K-4.
- < Move up Consent agenda item L-3 and place as A-1.
- < Correct item F- Human Services Director to read Human Resources

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

**A. Melanie Boulay, Director, Alzheimer's Association -request approval of proclamation on "Memory Walk Day"**

Ms. Melanie Boulay, Director, of the Alzheimer's Association, Highlands County, presented Proclamation for review. Commissioner Bullard read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Stokes, to adopt Proclamation, proclaiming October 20, 2001 as Memory Walk Day in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 26.

**1. Recommendation on Delinquent Tax Advertisement bids**

County Administrator, Carl Cool and Purchasing Director, Jed Secory, recommended that the bid go to Highlands Today because of the larger circulation in comparison to the News Sun when the bid came in at the exact amount. This decision was made based on Attorney Ross Macbeth's opinion that the benefit of wider dissemination of information due to larger circulation is a factor which the County may consider in breaking the tie bid. Lake Placid Journal did not qualify because its circulation is below the minimum of 6,000. Chairman Maxcy interceded and recommended that the bid come before the Board for a decision. Commissioner Bullard supported rebidding and made a motion to rebid the item. The motion was seconded

by Commissioner Jackson. The Chair opened the floor to the public. Monty Delaney, representing the Lake Placid Journal, stated that his newspaper's circulation really is 6, 250 and that Highlands Today does not have a second-class mailing permit in order to qualify for the bid. Purchasing Director, Jed Secory, shared that a legal notice printed in the Journal stated its circulation at 5,470. County Administrator, Carl Cool, said through civil litigation, the county discovered that Highlands Today has the proper permit it needs to do business.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to rebid this segment, and in the interim, establish criteria for *tie breaking* and to come up with a method to verify circulation. Tina McClelland, Advertising Director for the Highlands Today, stated that the newspaper will not rebid. Commissioner Bullard spoke in favor of the motion, as the rebid will most likely result in a savings to the taxpayer. Commissioner Flowers did not agree as the county could be dealing with a single source bidder. Commissioner Stokes opposed rebidding, stating that any fine tuning of the process could come next year. Upon roll call, Commissioners Bullard, Jackson and Maxcy voted aye. Commissioners Stokes and Flowers voted nay. Motion carried. See SMB 39 Page 187.

**B. C.B. Shirey, City Manager, City of Avon Park: Request for assistance from Highlands County Engineering Department on proposed Stratford Road Extension Project**

C.B. Shirey, City Manager, City of Avon Park, presented a request for assistance from Highlands County Engineering Department on the extension of Stratford Road and railroad crossing. He suggested that the County intercede with FDOT in obtaining a deceleration lane for the extension. The road and crossing will open up for development a tract of land of approximately 60.6 acres. Development of the property will benefit both the county and the city through an increase in the tax base. They are requesting that the County participate in the design and permitting at a cost of \$12,280. Ramon Gavarrete, County Engineer, asked that the developer pay for the traffic study for the permitting process.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to fund up to 50% of in-house cost with the City of Avon Park, for the design and permitting of the Stratford Road Extension Project and direct the County Engineer to work with the City Manager on the project at his discretion. Ramon was asked to bring back information on funding sources. Upon roll call, all Commissioners voted aye. Motion carried. See Stratford Road Extension file for copy.

**C. Clerk of Courts' Senior Director, Business Services: Presentation of the Unadjusted Fiscal year-end Financial Report for the Board of County Commissioners as of September 30, 2001**

Clerk of Courts' Senior Director, Bob Jamison reported that Pam Cross, Finance Director, will be providing the presentation. Mr. Jamison advised that this report does not contain capitalization and depreciation and other adjustments that occur at year end. It's on an operating basis and the key performance measures are revenues, expenses, long-term debt and contingency fund. Ms. Cross presented a report on the Unadjusted Fiscal year-end Financial Report for the Board of County Commissioners as of September 30, 2001. Commissioners presented questions and provided input. See Clerks Financial Reporting file for copy.



**12:00 - 1:10 p.m. - Lunch**

**J. 1:10 p.m. Presentation by Manny Suarez, DLR Group on Courthouse Master Plan**

Manny Suarez, DLR Group, provided the Commission with a concept on the Courthouse Master Plan. The concept will add an addition to the rear of the building that will include five courtrooms, six judges' chambers, two hearing rooms, a central holding area for 30 defendants, three holding cells and space for the future. The timetable calls for planning from November through March, soliciting bids, March through June; construction and renovations, June through August 2004. Construction will also include life-safety code improvements to be done with the state grant. There will be a single point of entry to the courthouse addition. One-third of the building will be available for future growth. Mail will be x-rayed, and there is no way for the public to have access to the ventilation system. Inmates and the public will be separated, except in the courtrooms. Fernleaf Avenue, between the jail and the courthouse will be closed for increased security.

The Chair opened the floor to the public. Judge David Langford spoke in favor of the new concept and the master plan.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to proceed with the master plan. Upon roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to authorize the professional services acquisition committee to sit down with Chastain Skillman and the DLR Group to negotiate a contract for architectural services for both the courthouse and jail additions. Upon roll call, all Commissioners voted aye. Motion carried.

**Acquiring City Hall**

County Administrator, Carl Cool, requested the Commission consider looking at the possibility of acquiring City Hall. Mr. Cool pointed out that parking could become a serious problem if privately owned lots along South Commerce Avenues are sold. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct the County Administrator to look at the idea of the county acquiring the Sebring City Hall, for additional parking and for use by the Clerk of Courts. Upon roll call, all Commissioners voted aye. Motion carried.

**Securing Financing**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct staff to move ahead and secure financing from \$8 to \$10 million for the projects. Ross Macbeth recommended that the county should also look at the existing indebtedness within the districts. Deputy Clerk, Bob Jamison, advised that we may determine after financial analysis, that bonds will be the appropriate instrument and if so, he will come back to the Board for direction. Commissioner Bullard suggested that staff look at refinancing of existing indebtedness in the districts and not look at just one single term but all options available. Commissioner Flowers included this as a part of the motion. Upon roll call, all Commissioners voted aye. Motion carried.

**F. Human Services Director:**

**A. Request approval of Hospital District Board appointments**

Human Services Director, Kevin Roberts, presented request to reappoint members to the Hospital District Board. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to reappoint the following

members:

- A. Reappoint Thomas C. Lovett to the Highlands County Hospital District Board of Commissioners effective December 23, 2001, representing District 5. His term will expire December 23, 2005.
- B. Reappoint Doris M. Gentry to the Highlands County Hospital District Board of Commissioners effective January 03, 2002, representing District 1. Her term will expire January 03, 2006.
- C. Reappoint Selvin McGahee to the Highlands County Hospital District Board of Commissioners effective January 01, 2002, representing District 3. His term will expire January 01, 2006. See SMB 39 Page 188.

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

**B. Request approval of Children's Services Council Appointments**

Human Services Director, Kevin Roberts, presented request for appointment of members to the Children's Services Council. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to appoint the following members:

- A. Appoint Darlene Phipers to the Children's Services Council of Highlands County effectively immediately. Darlene Phipers will complete the unexpired term of Rebecca Gillies, and then serve a 4-year term through December 31, 2005.
- B. Appoint Janice Walker to the Children's Services Council of Highlands County effectively immediately. Janice Walker will complete the unexpired term of Vikki Wainwright, and then serve a 4-year term through December 31, 2006.
- C. Appoint Michael A. Callahan to the Children's Services Council of Highlands County. Michael A. Callahan's term will begin on January 01, 2002, and end on December 31, 2006. See SMB 39 Page 189.

**3. Request approval of Highlands County Directory of Community Services**

Kevin J. Roberts, Director of Human Services, presented the newly established Community Services Directory to the Board. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to accept the new Directory of Community Services as presented by Kevin Roberts. See file for copy.

**E. 11:00 a.m. Presentation by Charles Bryan: Overview of Tax Collector's office**

Charles Bryan presented an overview of the Tax Collector's office. The Board commended Mr. Bryan on the innovative procedures established in providing service to the public.

**D. Human Resources Director: Request to adopt revised rules for the Sick Leave Pool**

Human Resources Director, Fred Carino presented a modification to the rules for the Sick Leave Pool, to allow employees to join the pool at a slightly lower entry threshold. Instead of requiring employees to have a Sick Leave Pool balance of 40 hours, the limit will be reduced to 30 hours. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to adopt the revised rules for the Sick Leave Pool. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 190.

**G. Emergency Medical Services Director: Request approval and execution of an EMS County Award Grant Application**

Tom Portz presented request for Emergency Medical Services Director, Rick Weigand, for approval and execution of an EMS County Award Grant Application and Resolution. Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve the Chairman execute the EMS County Grant application and Resolution for the purchase of a moduvan ambulance. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 191 and Res. Book 15 Page 27.

**H. Board Attorney**

No report presented.

**I. Assistant County Administrator: Request approval to sell old Emergency Operations Center property**

Assistant County Administrator, Tom Portz, presented recommendation to sell the old Emergency Operations Center Property per Florida Statute 125.35. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to proceed with the sale of the old EOC facility *as is, where is, per Fl. Statutes*. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 192.

**K. County Administrator:**

**1. Request approval an Interlocal Agreement with the City of Sebring on Charlie Brown Park**

County Administrator, Carl Cool, presented an Interlocal Agreement with the City of Sebring on Charlie Brown Park. The Board approved to provide matching funds to apply for a FRDAP grant to develop a playground at the Park. The grant amount will be \$150,000 and the local match will be shared for a 25% match between the City and the County equally. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Interlocal Agreement with the City of Sebring for the match. Upon roll call, all Commissioners voted aye. Motion carried.

**2. Request approval of Budget Amendment 01-02-6 increasing the Fund 005 Reserve for Contingency**

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve Budget amendment 01-02-6, increasing Fund 005 Reserve for Contingency to adjust the Property Appraiser's budget to reflect changes as presented by the Department of Revenue for final Officer's salary calculation after the budget was approved. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 192-A.

**3. Request approval of Budget Amendment 00-01-440 and 00-441**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to approve Budget amendment 00-01-440 for the Sheriff's Detention and Correction to transfers necessary funds to align the Board and the Sheriff's cost centers, and budget amendment 00-441 for the Sheriff to properly distribute a remainder of grant funds for year end. Upon roll call, all Commissioners voted aye. Motion carried.

**4. Request approval of Special Law Enforcement Trust funds - lease of vehicle**

Motion by Commissioner Flowers, seconded by Commissioner Bullard, to waive the Board's purchasing

policy and adhere to the Sheriff's purchasing policy and approve funds in the amount of \$6,480 from the Special Law Enforcement Fund for the lease of an unmarked specialized vehicle for the Sheriff's Office Special Operations Division. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 39 Page 193.

**L. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda as listed. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval to pay all duly authorized bills and employee benefits**

Law Library .....	19.11
General .....	838,312.34
County Transportation Trust .....	61,269.06
E911 Operations .....	19,920.93
Intergovt Radio Communication .....	2,807.41
Legal Aid .....	5,772.20
Local Govt. Infra Surtax .....	521,851.61
Affordable Housing Assistance .....	518.00
Special Law Enforcement .....	9,193.21
Government Center .....	2,805.00
Solid Waste .....	27,241.53
Placid Utilities .....	5,428.32
Highway Park Utility .....	801.60
Risk Retention Fund .....	5.95
Employee Benefit .....	108,841.10
Highlands Hosp Pass Thru .....	74,827.00
2. **Approval of minutes of the meetings of September 25, 2001 and October 2, 2001**
3. **Accept into the record - 2001 Annual Report**
4. **Request approval of revised procedures for road closings, easement vacations, and plat vacations. See Roads Policy file.**
5. **Approval of Deductive Change Order #1 Fairmount Drive Widening Project #98031. See Fairmount Drive Widening Project file.**
6. **Request to approve Dal Hall Boulevard Project #97053 - Continuing Service Authorization No. 42 - Chastain Skillman, Inc. See Chastain-Skillman file. See SMB 39 Page 194.**
7. **Request approval of budget amendment 01-02-5 (Conservation Trust CARL Program).**
8. **Request approval of resolution and budget amendments 01-02-1(Boat Ramp improvements) 01-02-3 (Landfill gas control/flare system and closure) 01-02-7 (Emergency Management Base Grant funds increase). See Res. Book 15 Page 28.**
9. **Request to approve Additive Change Order Number 5, Road & Bridge**

**Remodeling - Project Number 99057 to E. O. Koch Construction.**

- 10. **Request to approve Satisfaction of Mortgage - Fennell. See SMB 39 Page 195.**
- 11. **Request to approve sale of Tax Certificates 01-9507; 01-9512; 01-9517; 01-9520; 01-9548; 01-9549; 01-9513; 01-9518; 01-9522; 01-10697; 01-10702; 01-10704; 01-10705; 01-10706; 01-10710; 01-10712; 01-10734, and 01-10719. See SMB 39 Page 196.**
- 12. **Request to approve an Interlocal Agreement/Short term loan to the Heartland Library Cooperative in the amount of \$30,000. See Libraries file.**
- 13. **Request to approve Interlocal Agreement & Budget Amendment #01-02-10 for Veterans Beach improvements Highlands County Project Number 01053. See SMB 39 Page 197.**
- 14. **Request to approve budget amendment 00-01-437 (transfer funds necessary to cover unanticipated expenses for inmate medical care).**

**6. CITIZENS NOT ON AGENDA**

Mr. Frank McCormick read a prepared statement into the record in regards to the proposed draft noise ordinance committee, stating concerns that nothing is being accomplished. Commissioner Flowers suggested that Mr. McCormick follow up with his concerns to the Committee.

County Administrator, Carl Cool, read a letter into the record from Gina Lemon, who was assisted by EMS employees, Jimmy Ward, Steve Ashworth and Frank Still, on September 29, 2001, when she experienced tire trouble while traveling through Highlands County. Commissioner Bullard recommended that the letter be placed in each employee's personnel file. See Citizen file for copy.

**7. COMMISSIONERS**

Commissioner Flowers presented a report on the noise ordinance committee. He feels that it is progressing in the right direction.

Commissioner Maxcy read a card into the record from Alice and Don Hansen, thanking the Commission for honoring them by declaring September 18, 2001 as *Alice Don Hansen Day*. See Citizen file.

**8. ADJOURN**

The meeting adjourned at 3:30 p.m.

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

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

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**REGULAR MEETING OF THE BOARD, NOVEMBER 6, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Kathy, Michael and Christy Jensen. The Jensen family participated at the meeting, to further their knowledge on county government for their home school project.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending November 6, 2001.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a Weekly Report of Court Services for the week ending 11/02/01 and a Monthly Report of Business Services for the month of October for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 8 for detail.

- C. **Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Mr. Cool advised that approximately 6,000 residents did not receive the additional flyer that was enclosed with the tax bill, regarding an assessment district for mosquito control. These residents did not receive a tax notice as their mortgage is in an escrow account. The residents may participate in the opinions by going to either of the three Tax Collectors' office and filling out the form. Additional meetings were announced for the benefit of the public.

- D. **Emergency Management - Report on Hurricane Michelle MED-EVAC**

County Administrator, Carl Cool, presented an update on the evacuation from the lower Florida Keys Hospital to Highlands County. See Emergency Management files.

4. **PUBLIC HEARING: To consider purchase of Ming property**

Proof of Publication entered into the record. See SMB 40 Page 9. County Administrator, Carl Cool, presented information including the sales history, deeds and minutes from NRAC and RPAC containing recommendations for the proposed purchase. Mr. Cool discussed mitigation credits and possible values to Highlands County. He estimated the mitigation value at \$200,000, depending on the condition of the

wetlands being impacted. County Engineer, Ramon Gavarrete, shared that future road construction in the county would require mitigation, as will the multi-use path along Hammock Road and expanding the parking lot at Istokpoga Park. Joe Howell of Environmental Science and Technologies, said that mitigation is best done on-site by large areas of wetlands. Discussion of appraisal amounts of property and introduction of recent appraisals. The property has sold for as much as \$1.1 million and as little as \$225,000 within the last 15 years. There have been three appraisals listing at \$315,000, \$320,000 and the recent appraisal at \$450,000. Discussion of NRAC evaluation of the site and RPAC recommendation. Mr. Cool stated that the property is valuable to the County for its environmental value in conservation and recreation. The land could allow public access to Arbuckle Creek and Lake Istokpoga, as well as open the area for fishing and camping. Discussion of where the funding is if the Board wants to purchase the Property. Mr. Cool recommended that the money set aside for the Edna Pierce Lockett Estate be considered.

Commissioner Stokes spoke in favor of the purchase, to provide access to the water and as an investment in the future. He feels *the need to the county* will justify the cost. Commissioner Jackson stated that he has a philosophical problem with paying more than the current appraised value. He has a problem with the process. Commissioner Flowers suggested a counter offer to the owner for \$450,000. He doesn't think it's a good deal for \$750,000. Commissioner Maxcy wasn't convinced that the value is there. He is willing to counter offer for \$600,000. Commissioner Bullard suggested expanding the appraisal based on the values to the citizens, mitigation factor and proximity to the existing park.

Attorney Robert Livingston, representing the Mings, stated that there is other interest in the property. He feels that the property is a natural treasure for Highlands County and he is not sure if the present offer will stay on the table.

The Chair opened the floor to the public. Gabriel Read stated concerns for the cost of the property. John Shoop, Chair for the RPAC, Curtis De young, Chair for the NRAC, Hank Kowalski, Von Whitesides, speaking as a citizen, Mike Tellschow, Jack Ritchie, Bill Winzell, President of *Friends of Lake Istokpoga*, and Don Linton spoke in favor of the acquisition of the property. Wade Taveniere, President of the Greater Sebring Chamber of Commerce, presented a letter into the record in support, provided that a new market appraisal of the land raises the appraised value and that the County is able to determine that some of the land may be used for mitigation of future projects.

Richard McClelland, Charles Anderson, Frank McCormick, and Clayton Womer spoke in opposition due to the monetary value of the property.

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

Board Attorney, Ross Macbeth, shared concerns that the property is a zoning accident. The CG-3 zoning allows individual lots to be sold. The potential is there with the ability to sell individual campsites.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to request a 60-day extension on the purchase option, and direct Tom Cowart, of Cowart & Associates, to perform a use-based appraisal that shows the true value of the property. Upon roll call, all Commissioners voted aye. Motion carried. See Ming file for copy.

**5. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda as amended.

- Move up item L-4 to be discussed after 5-A through 5-D.
- Move up item H-1, County Engineer, to be heard after L-4.
- Add item J-3 under the Asst. County Administrator - Budget amendment for acquisition of properties in Venus
- Add item J-4 for the Sheriff's Department - Budget amendment 01-02-54

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

**A. Request approval to pay all duly authorized bills and employee benefits November 6, 2001**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve payment of duly authorized bills and employee benefits as follows:

<b>Law Library</b> .....	<b>821.58</b>
<b>General</b> .....	<b>1,778,455.18</b>
<b>County Transportation Trust</b> .....	<b>92,971.18</b>
<b>E911 Operations</b> .....	<b>24,380.89</b>
<b>Conservation Trust</b> .....	<b>3,710.00</b>
<b>Integovt Radio Communication</b> .....	<b>117,639.87</b>
<b>Local Govt. Infra Surtax</b> .....	<b>585,638.44</b>
<b>Comm. Development Block</b> .....	<b>74,424.10</b>
<b>Affordable Housing Assistance</b> .....	<b>4,828.20</b>
<b>Special Law Enforcement</b> .....	<b>6,289.20</b>
<b>Solid Waste</b> .....	<b>157,568.91</b>
<b>Placid Utilities</b> .....	<b>13,839.86</b>
<b>Highway Park Utility</b> .....	<b>6,252.32</b>
<b>Risk Retention Fund</b> .....	<b>295.16</b>
<b>Employee Benefit 11/06/01</b> .....	<b>523,085.80</b>
<b>Employee Benefit 10/30/01</b> .....	<b>103,003.43</b>

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

**B. Request approval of a resolution recognizing November as "National Epilepsy Awareness Month"**



Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution proclaiming that November 2001 be recognized as "National Epilepsy Awareness Month" in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 34.

**C. Request approval of a resolution proclaiming "Runaway Prevention Week"**

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Resolution proclaiming the week of November 4-10, 2001 as "Runaway Prevention Week" in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 35.

**D. Housing Coordinator: Request approval of Proclamation on "Homelessness and Hunger Awareness Week Proclamation"**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve Proclamation, designating the week of November 11-17, 2001, as "Homelessness and Hunger Awareness Week." Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 36.

**E. Emergency Operations Director: Recognition of service - Tom Higgins**

Emergency Operations Director, Tim Eures, presented a plaque to Thomas Higgins for his dedicated volunteer service in Fire Education and Prevention. The Board commended Mr. Higgins for his dedication to fire service upon his retirement. See SMB 40 Page 10.

**L. County Administrator**

**4. Discussion on request by Sun 'n Lake Improvement District**

County Administrator, Carl Cool, presented discussion regarding Resolution #01-06 dated June 22, 2001. Attorney John McClure, representing the District has requested the Board adopt Resolution No. 01-11 rescinding #01-06. Mr. McClure advised that after checking with the Department of Community Affairs, it was determined that the District is clearly, in their opinion, governed by Chapter 189 and it would preclude the Board from acting on the Resolution. Mr. Cool advised that Chairman Maxcy had directed him to set this as an agenda item for discussion and a representative from the District be present to state their case. Attorney Norman White, representing the Property Owners Association of the District believes that the District is governed by Chapter 125 and is a Municipal Service Taxing Unit. He stated that there are 4,000 people in the District that can't vote for the people that make the decisions for them. The problem needs to be fixed. He suggested that the Board continue the Public Hearing set for November 27, 2001. Ross Macbeth disagreed with Mr. White on the voting system. The wrinkle is that the District holds an assortment of lots and through a change in the ordinance is entitled to vote its lots. This is an issue unlike other issues concerning the voting issues. Mr. Macbeth also explained the provisions of the ordinance setting up the District. It is an Independent Special District under Chapter 189. The Chair opened the floor to the public. Donna Strohl, Marion Varner, Larry Stange, President of the Property Owners Association, Ann Bond, Mildred Jones, and Thomas Bond spoke in favor of the Public Hearing and in favor of changing the voting system. Bob Schaffer, Supervisor, spoke in favor of the District.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to cancel the public hearing set for November 27, 2001 and direct the Board Attorney to get an attorney general's opinion on the Chapter in which we are governed. Mr. Macbeth recommended that the problem be defined, and then we can come up with the solution. Chair Maxcy suggested a workshop to work toward defining the problem.

Commissioner Bullard suggested that under Chapter 189, we could adopt an ordinance to remove the state lands and the county lands from the definition of the District. Commissioner Jackson shared that the Board must decide if we want to move toward one man one vote. Ross Macbeth advised that the members are already proceeding under Chapter 189, and we need to change the ordinance, so that it allows this process. There is an inconsistency in the ordinance. Attorney White recommended a move toward getting three seats filled by popular vote, and he will concede on all other issues. Commissioner Bullard amended the motion, accepted by the second, if all parties agree, with the provisions of Chapter 189, that they proceed to solve the two main issues, which is providing protection for the District and move toward a majority of the Board of Supervisors being elected by the property owners. Commissioner Flowers spoke in favor of the one man one vote issue. Upon roll call, all Commissioners voted aye. Motion carried. See Sun'n Lake District for copy of information.

**F. Mike Willingham, Executive Director, Sebring Airport Authority: Request approval of an Interlocal Agreement with Sebring Airport Authority**

Mike Willingham, Executive Director, Sebring Airport Authority, presented a request for approval of an Interlocal Agreement with Sebring Airport Authority to consummate the Board's actions of September 18, 2001 to provide funding for construction and planning projects.

Motion by Commissioner Bullard, seconded by Commissioner Stokes, to approve Interlocal Agreement with the Sebring Airport Authority. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. See Sebring Airport file for copy.

**G. Human Resources Director: Request approval of a job description revision**

Carl Cool presented request for Human Resources Director, Fred Carino, to approve job description revision that converts the position of Finish Carpenter (PG 16) to Building Maintenance Assistant (PG10). The reclassification better reflects the level of work intended by the Facility Management Department and provides the vehicle to relocate a current employee from a position eliminated from the Recycling Department. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve job description revision. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 11.

**H. County Engineer:**

**1. Request approval of a speed limit change as proposed by the Florida Department of Transportation for the intersection of US 27 and SR 70**

County Engineer, Ramon Gavarrete, presented request by the FDOT for a change in the speed limit for the intersection of US 27 and SR 70. Motion by Commissioner Bullard, seconded by Commissioner Jackson, to

approve the letter of no objection to the FDOT proposals for the change from 45 mph to 55 mph on US 27 (SR 25) 1,500' either side of intersection of SR70. Gregg Reynolds spoke in favor of the speed limit change. Keith Renish and Richard Conover spoke in opposition to the proposal. Mary Ann Baccilar, Public Relations Director, FDOT, spoke in favor of the change. Commissioner Flowers spoke in opposition to the change. Upon roll call, all Commissioners voted aye, except Commissioners Stokes and Flowers, who voted nay. Motion carried. See FDOT file.

**2. Request to accept settlement on damaged County property - FHP Case #01-03-00132627 US 27 & Valerie Boulevard - Vickie Brewster, insured**

County Engineer, Ramon Gavarrete, presented recommendations to accept settlement on damaged County property. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to accept the settlement of \$1,600.00 and release Security National Insurance Company and Ms. Brewster on damaged County property - FHP Case #010300132627. Upon roll call, all Commissioners voted aye. Motion carried. See Vickie Brewster file

**3. Request to approve payment plans for utility accounts - Placid Utilities and Highway Park Utilities**

County Engineer, Ramon Gavarrete, presented recommendations to the Board regarding payment plans for delinquent utility accounts. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to direct staff to proceed with an ordinance for payment plans of utility accounts - Placid Utilities and Highway Park Utilities. The Commission discussed the possibility of capping the contaminated wells to prevent usage. Deputy Clerk, Bob Jamison, asked that each customer account be documented with their signature and the County Engineer's signature. Staff was directed to contact the Health Department to follow through. Upon roll call, all Commissioners voted aye. Motion carried. See Placid Utilities file for copy.

**I. Board Attorney: Request approval of Resolution to amend Resolution No. 01-125 concerning drainage ditch for Lake Lotela and Lake Letta**

Board Attorney, Ross Macbeth provided a Resolution to amend Resolution No. 01-125, correcting language on Page 2 that mistakenly refers to the culvert as being fifty feet in length and correcting language to be consistent with the permit application filed with the Southwest Florida Water Management District. Motion by Commissioner Jackson, seconded by Commissioner Bullard, to adopt Resolution amending Resolution No. 01-125 concerning drainage ditch for Lake Lotela and Lake Letta. Upon roll call, all Commissioners voted aye, except Commissioner Flowers who stepped out of the room and was unable to vote. Motion carried. See Res. Book 15 Page 37.

**1. Request to hold Executive Session per Fl. Statutes 286.011 (8) Highlands County V. Chatterpaul**

Motion by Commissioner Jackson, seconded by Commissioner Bullard, to set an Executive Session on

November 20, 2001 at 11:00 A. M. for purposes of discussing settlement negotiations or strategy sessions related to litigation expenditures. Upon roll call, all Commissioners voted aye. Motion carried.

**J. Assistant County Administrator:**

**1. Request approval of Sun 'n Lakes Fire Station contract**

Assistant County Administrator, Tom Portz, presented recommendations to approve the Sun'n Lakes Fire Station construction proposal from Lavon Cobb Construction, Inc. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve as recommended not to exceed \$551,200.00. Upon roll call, all Commissioners voted aye. Motion carried. See Sun'n Lakes Fire District file.

**2. Request to approve Chastain-Skillman Consultant Service Authorization No. 49 - Architectural Contract for Jail and Courthouse expansions and renovations**

Assistant County Administrator, Tom Portz, presented a contract with recommendations for approval. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve an architectural contract for the Jail and Courthouse expansion and renovation with Chastain-Skillman Consultant Service Authorization in the amount of \$1,005,500.00. Upon roll call, all Commissioners voted aye. Motion carried. See Chastain file for copy.

**3. Budget amendment 01-02-53 - FEMA mitigation Acquisition project**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to approve Budget amendment 01-02-53 and adopt Resolution to implement flood mitigation acquisition project between the State of Florida Department of Communications, Highlands County and Venus residents. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 38.

**4. Budget amendment 01-02-54- Law Enforcement Block Grant**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Budget amendment 01-02-54 and adopt Resolution to appropriate funds received for the 2001 Law Enforcement Block Grand and provide matching funding from the County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 39.

**K. Director, Office of Management and Budget: Discussion on debt financing for Jail and Courthouse expansions and renovations**

Office of Management and Budget Director, Rick Helms presented recommendations to seek the services of a financial advisor by waiving the purchasing manual requirements and selecting a firm based on qualifications. Bob Jamison, Deputy Clerk, concurred with Mr. Helms' recommendation. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to issue an RFP for a Financial Advisor. Carl Cool spoke in opposition to the motion and requested an abbreviated RFP process with the proposals in writing and staff presenting their recommendations. Ross Macbeth advised that we will probably be going to a Bond market. We need to start the process and find an underwriter. Deputy Clerk, Bob Jamison, presented suggestion to comply

with the RFP process with the exception of two successive weeks of advertising and the requirement that we wait 30 to 37 days after the first advertisement. We could comply with the RFP process except not comply with the criteria of 37 days. Commissioner Bullard amended his motion to waive the purchasing manual to the extent that it allows us to compress the RFP process. Commissioner Flowers stated that the second stands. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 13. Ross Macbeth advised that we will need to initiate the process for an underwriter and bond counsel. Staff was directed to place on the agenda for consideration at the next meeting.

**L. County Administrator**

**A. Request reappointment of Kevin Roberts, Human Services Director, to the Polk County Opportunity Council, Inc. Board of Directors**

Motion by Commissioner Bullard, seconded by Commissioner Flowers, to reappoint Kevin Roberts, Human Services Director, to the Polk County Opportunity Council, Inc. Board of Directors. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 14.

**B. Request approval of the 2002 meeting and agenda schedule**

County Administrator, Carl Cool, presented a proposed meeting and agenda schedule for the 2002 Board of County Commissioners' meetings, as well as Special Improvement Districts. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt the attached schedule for the year 2002. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 15.

**C. Request approval of revised specifications on the advertisement for Delinquent Tax Bill notice ITB 02-003**

County Administrator, Carl Cool, presented a memo from General Services Director, Gerald Secory, with revised specifications on the advertisement for Delinquent Tax Bill notice ITB 02-003. Jim Hyatt, Publisher for Highlands Today, presented suggested changes to the bid. Commissioner Bullard recommended that Circulation be placed as number "A" on the list. Staff was directed to bring back a revised bid at the meeting of November 20, 2001. See SMB 40 Page 16.

**5. Request approval of Budget Amendment 00-01-451 decreasing Fund 005 Reserve for Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 00-01-451 decreasing Fund 005 Reserve for Contingency to pay for indigent criminal defendants. Upon roll call, all Commissioners voted aye. Motion carried.

**6. Request approval of Budget Amendment 01-02-44 decreasing Fund 005 Reserve for Contingency**

Motion by Commissioner Bullard, seconded by Commissioner Jackson, to approve budget amendment 01-02-44 and adopt Resolution, decreasing Fund 005 Reserve for Contingency, to appropriate VOCA Grant

monies received and matching funds from the County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 40.

**7. Request approval to solicit offers on land adjacent to Pearce Lockett Estate**

County Administrator, Carl Cool, requested permission to solicit offers on land adjacent to the Pearce Lockett Estate. This property is currently leased by the County from the South Florida Water Management District with an option to purchase at a price of \$950,000.00. Highlands County's option to purchase will end on February 6, 2002. By soliciting offers now in a bid process, the County may receive offers greater than our cost, which would allow the County to receive a profit.

8. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve request to solicit offers on the property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 17.

**M. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent agenda less item 15. Upon roll call, all Commissioners voted aye, except Commissioner Bullard who was unavailable for vote. Motion carried.

- 1. Approval of minutes of Board meetings of October 9, 2001, October 16, 2001, and October 23, 2001**
- 2. Accept into the record litigation session dated November 16, 1999, with Landmark Enterprises, Inc. See SMB 40 Page 18.**
- 3. Accept into the record litigation session dated February 27, 2001, with B.A. Roberts. See SMB 40 Page 19.**
- 4. Request to approve sale of tax certificates # 99-9378; 00-9425; 01-6534; 00-9365; 01-6533; 00-6604; 01-6477; 00-9426, and 00-6610. See SMB 40 Page 20.**
- 5. Request to approve sale of tax certificates # 01-6659; 98-7035, and 01-6667. See SMB 40 Page 21.**
- 6. Request approval of a Maintenance Agreement between the Florida Fish and Wildlife Conservation and the County to maintain the Highway signage for the Great Florida Birding Trail on CR 621 (Miller Road). See file for copy.**
- 7. Accept into the record an annual report from the Division of Forestry. See Division of Forestry file.**
- 8. Request approval and execution of contract with Southwest Florida Water Management District for removal of Melaleuca trees, and request to waive landfill fees for Melaleuca tree disposal. See Southwest Florida Water**

**Management District file and SMB 40 Page 22**

9. **Request approval of a revised Interlocal Agreement between the City of Sebring and Highlands County - Veterans Beach improvements - Highlands County Project number 01053. See City of Sebring file and See SMB 40 Page 23.**
10. **Request approval of Bill of Sale - 16' Cone Trailer VIN# TNT1196U00307 from MacAsphalt. See MacAsphalt file.**
11. **Request to add two additional contractors to the approved Contractor's List for the Community Development Block Grant (CDBG). See CDBG file.**
12. **Request approval of Satisfaction of Mortgage - Marrero. See SMB 40 Page 24.**
13. **Request approval of technical and clarifying revisions to the Highlands County Local Housing Assistance Plan (LHAP)**
14. **Accept into the record Constitutional Officers' Financial Reports for the fiscal year ended September 30, 2001. See Financial Reports file.**
15. **~~Request approval for Chastain-Skillman, Inc. CSA No. 48 to design a water supply pipeline to the leachate storage basins.~~**
16. **Request approval for construction Change Order No. 1 for installation of the landfill gas control and flare facility. See Landfill file**
17. **Request approval to start two-step process of disposal of County surplus. See SMB 40 Page 25.**
18. **Request approval of Budget Amendment 01-02-8 to appropriate timber sales revenues into account for maintenance of Preserve. See SMB 40 Page 26.**
19. **Request to approve Historic Preservation Commission's proposal to carry-over budgeted funds allocated in 2000-2001 into the 2001-2002 budget year. See SMB 40 Page 27.**
20. **Request approval of Budget Amendments 00-01-443(to align the Board's cost centers with the Sheriff's for closing) 00-01-446(Detention medical) 00-01-450 (Transportation Disadvantaged trips) 01-02-9 (Senior Citizens Tax Assistance) 00-01- 10 (Central Security) 01-02-25 (Unemployment claims) and 01-02-41 (operating supplies in continuing projects).**
21. **Request approval of Resolutions and Budget Amendments 01-02-17(CDBG Housing) 01-02- 22 (State Housing Initiatives) 01-02-23 (Natural Resources - to reallocate funding for projects to reconcile actual year end balances) 01-02-24 (various year end to add funding to projects as adopted in the CIP) 01-02-32 (Sun'n Lakes 1-20 Improvement District) 01-02-33 (SHIP) 01-02-34 (SHIP). See Res. Book 15 Page 41.**
22. **Request approval of Grant Contracts for FY2001-2002 - Convention and Visitor's Bureau of Highlands County, Inc. and Nu-Hope of Highlands**

County, Inc. See Grants file.

- 23. Request approval of Resolution and Budget Amendment #01-02-49 (to roll encumbrances forward - various). See Res. Book 15 Page 42.
- 24. Request approval to waive landfill tipping fees for Rotary Airfest. See SMB 40 Page 28.
- 25. Request approval of Budget Amendment #00-01-448 (to realign Board's cost centers with Clerk for year end closing).
- 26. Request approval of Resolutions and Budget Amendments 001-01-453 (to budget for interest earned in previous periods to Sheriff's cost centers) and 01-02-48 (Special Law Enforcement) 01-02-51(allocate unexpended monies in Sheriff's FY 2001-2002 budget). See Res. Book 15 Page 43.

**6. Citizens not on agenda**

Frank McCormick presented a letter into the record regarding the noise ordinance. See Citizen file.

**7. COMMISSIONERS**

No reports.

**8. ADJOURN**

The meeting adjourned at 5:05 p.m.

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**Chairperson**

**Attest:**

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**Clerk**

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**REGULAR MEETING OF THE BOARD, NOVEMBER 20, 2001**

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:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Bob Jamison</b>
<b>Edgar Stokes</b>	<b>J Ross Macbeth</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Bob Bullard. The Pledge of Allegiance was led by Attorney Ross Macbeth.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending November 20, 2001.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *Jury Trial Week Report* for the week ending 11/16/01 for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 29 for detail.

- C. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Mr. Cool also reported that two awards were presented to Highlands County. The third place award was received from the Florida Communicators Association for the *Character First recognition program*. The second place crystal award was received for the County's Newsletter, put together by Lisa Burley, County Public Information Officer. Commissioner Stokes advised that there is an effort underway to provide college classes at the Community Lorida Schoolhouse. 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 amended:

- **Remove Consent agenda item number 14 and place as 4-E number 2**
- **Add Library Advisory Board appointment as I-3**
- **Delete Consent agenda item J-11**

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

- A. Election of Chair and Vice Chair**

Commissioner Maxcy thanked staff and Department Heads for their leadership during his tenure as Chairman of the Board.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to elect Commissioner Bob Bullard

as Chairperson to the Board of County Commission. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to elect Commissioner Edgar Stokes as the Vice Chairperson to the Board of County Commission. Upon roll call, all Commissioners voted aye. Motion carried.

**Break 9:30 - 9:40 a.m.**

The new Chair resumed the meeting. Chair Bullard presented a plaque of appreciation to outgoing Chairman Maxcy, on behalf of the Board, staff, and citizens of the County.

**B. Approval of a resolution declaring November 2001, as Adoption Awareness Month**  
Carl Cool, County Administrator, read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution declaring November 2001 as Adoption Awareness Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 51.

**C. Kathy Parker, President of Lake Lotela Home Owners Association: Discussion on Lake Lotela Lake levels**

A power point presentation was presented by County Administrator, Carl Cool, depicting water levels, net change in lake levels, June 2001 to October 2001, area lakes and connections. Also, discussed was the outfall structures, and the discharge culverts under College Drive. Sanford Hartt, representing the Lake Lotela Home Owners Association, appeared before the Board with request to clean out the ditch between Lake Glenda to Lake Lelia. A petition was entered into the record in favor of the request. Carl Cool advised that the culverts under the railroad tracks are the controlling structure for Lake Lelia. It can be cleaned out to the culverts and it will flow better from Lelia to Lotela, but a permit must be received from the Water Management District. Sanford Hartt stated that he only wanted the waterway cleaned out. He does not want culverts to be changed. The Chair restricted the discussion to cleaning out the ditch only. Commissioner Flowers shared that he supports cleaning out all the waterways necessary for the flow. Motion by Commissioner Flowers, seconded by Commissioner Stokes, that staff immediately proceed with setting up a meeting with regulatory agencies to see which of the ditches (Anoka to Lelia) (Glenada to Lelia) and (Lelia to Lotela) can be cleaned without a permit and proceed with written permission from all affected property owners. Staff to report back to the Commission if permits are required. Upon roll call, all Commissioners voted aye. Motion carried. See Lake Lotela file for information.

**Break 10:35 - 11:00 a.m.**

**11:00 a.m. EXECUTIVE SESSION - Highlands County Board of County Commissioners vs. Bhoj Chatterpaul and Haimwantie Chatterpaul**

The Executive Session was called to order at 11:04 a.m. Chair Bullard read the presentation into the record. Proof of Publication entered into the record. See SMB 40 Page 30.

The regular meeting resumed at 11:50 a.m.

**D. Jim Stanfill, Enterprise Zone Coordinator: Request appointments to the Enterprise Zone Development Agency**

Jim Stanfill, Enterprise Zone Coordinator, presented recommendations to the Board to approve appointments in order to expand the Enterprise zone Development Agency. Commissioner Maxcy recommended appointment of Jim Gose, as the administrator of the Heartland Workforce Investment Board. Chair Bullard suggested that Mr. Gose transition into Michele Roberts appointment, upon her retirement.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve request to appoint the following to the Enterprise Zone Development Agency to expand the Highlands County Enterprise Zone from 10 square miles to 20 square miles.

- James M. Stanfill, Jr. CED
- Michele Roberts
- Rev. Robert Shannon
- April M. Hartsell
- Michael H. Brown
- David Greenslade
- Tracy L. Lehman
- Joseph A. Valentin
- Rev. Timothy McGahee

Upon roll call, all Commissioners voted aye. Motion carried. See Enterprise Zone Agency file.

**E. Parks and Recreation Director: Request approval of Recreation and Parks Advisory Committee's recommendation with the Town of Lake Placid for the purchase of property adjacent to Lake June Park, and Budget Amendment 01-02-52**

Vicki Pontius, Parks and Recreation Director, presented recommendations for funding \$23,700 to the Town of lake Placid for the purchase of twenty acres of land to provide needed space for future growth for baseball and soccer fields. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve an expenditure of \$23,700 for the next five years from the recreational infrastructure funds for the purchase of 20 acres of property adjacent to Lake June Park, along with the budget amendment. The Chair opened the floor to the public. Richard Conover presented comments regarding tying up monies of future Commissioners. Chair Bullard advised that most of these problems will be addressed as Lake Placid is borrowing the money for future projects. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 31.

**1. Consent agenda item 14. Request approval of rental of H.L. Bishop Park**

Commissioner Stokes suggested that this request be presented to the building use committee first. It was a consensus of the Board to remove and bring back with recommendations from the Committee to the Board. See SMB 40 Page 32.

**F. Human Resources Director: Request for temporary positions and job description package**

Human Resources Director, Fred Carino, presented request for the addition of five temporary positions with benefits for the E911 Department to update addresses in Highlands County. The effort is expected to take approximately 18 months. These temporary positions will sunset upon completion. Ben Henley, Coordinator, explained the necessity of the project. The Chair advised that it is mandated by statutes and the money is in the budget. Commissioner Maxcy spoke regarding the impact to the health care plan. The Chair opened the floor to the public. Richard Conover presented comments regarding the hourly cost of the employees. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to move adoption of the Job Descriptions and Personnel Actions as recommended. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 33.

**G. County Engineer: Request approval of Interlocal Agreement and Budget Amendment for Eucalyptus Street drainage improvements as part of the Sebring Parkway Phase I construction**

County Engineer, Ramon Gavarrete, presented recommendations for approval of agreement and budget amendment as a part of the Sebring Parkway Phase I construction. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve budget amendment and Interlocal Agreement between the City of Sebring and Highlands County for the installation of certain stormwater drainage improvements on Eucalyptus Street in the City as a part of the Sebring Parkway Phase I construction. Richard Conover presented questions regarding the presence of the budget amendment. Ramon advised that the amendment will be forthcoming after the City approves the agreement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 34.

**H. Board Attorney: Discussion on SunTrust Bank vs. Walter Lewis Holder**

Board Attorney, Ross Macbeth, presented recommendations to approve a Release of Mortgage, as requested by SunTrust Bank and authorize its execution by the Chairman and approve recording of the executed Mortgage. The County's Mortgage is a SHIP Mortgage to secure loan dated June 21, 1994. This Mortgage was subordinate to the Mortgage held by SunTrust Bank recorded at O.R. Book 1263, Page 0493 of the Public Records of Highlands County. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve recommendations as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 35.

**I. County Administrator:**

**I. Request approval of budget amendments 01-02-57 and 01-02- 59 decreasing Fund 005 Reserve for Contingency**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 01-02-57 to adjust budget estimates to actual for all CRA for the current fiscal year, and approve budget amendment 01-02-59 for adjustment to the contract with the NCT Group to provide GASB 34 planning and implementation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 36.

**II. Consideration of a proposal from Cowart & Associates for the Ming property**

**appraisal**

County Administrator, Carl Cool, presented a proposal from Cowart & Associates for the property appraisal. A fee of \$9,900 will be required. The situation is that a Florida Statute requires that if the purchase price is in excess of 1/2 million dollars, it requires two appraisals. If the purchase price is greater than the average of the two appraisals, then the action would require a super majority vote. He can't imagine it exceeding \$750,000. Mr. Cool was not in favor of spending that much on an appraisal if Board members did not agree on the purchase. John Williams former State Appraiser, spoke in opposition to the value and use appraisal and recommended eminent domain proceedings.

Also included was a letter from Robert E. Livingston, Attorney, notifying the Board that Mr. Don Ming is agreeable to the request to allow a sixty (60) day extension on the property purchase.

Commissioner Jackson was not in favor of paying more than the average of the appraisal. Commissioner Flowers was in favor of paying \$450,000 for the purchase price. Commissioner Bullard spoke in favor of the purchase and the future need of the property to the County. Commissioner Stokes spoke in favor for recreational needs in the county. The Chair opened the floor to the public. Clayton Womer spoke in opposition to the purchase. John Williams spoke in favor of the purchase with eminent domain proceedings.

Commissioner Flowers requested that Ross Macbeth present an opinion on the eminent domain issue in the next few weeks. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to make an offer of \$450,000 for the property. Commissioner Jackson recommended a plan for the purchase before we make a motion. The Commissioners discussed the recreational uses for the property. The County Administrator was directed to come back in two weeks with a plan with needs information. Commissioner Maxcy withdrew his motion. Commissioner Stokes withdrew his second. The County Administrator was directed to place the item on the agenda in two weeks. No action was taken on the additional appraisal. See Ming Property File.

**3. Reappointment of Library Advisory Board**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to reappoint Phil Askew to the Highlands County Library Advisory Board, District #4. The three-year term of office will start January 1, 2002 and end December 31, 2003. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 37.

**J. Consent agenda:**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the Consent agenda less items number 7 and 14.

- 1. Approval to pay all duly authorized bills and employee benefits**

  - Law Library ..... 96.29**
  - General ..... 623,616.40**
  - County Transportation Trust ..... 24,950.10**
  - E911 Operations ..... 59,873.76**
  - Intergovt Radio Communication ..... 7,623.47**
  - Legal Aid ..... 2,886.10**

Local Govt. Infra Surtax .....	614,272.27
Community Development Block .....	8,205.41
Affordable Housing Assistance .....	38,310.24

Solid Waste .....	34,045.25
Placid Utilities .....	14,338.79
Highway Park Utility .....	1,823.88
Risk Retention Fund .....	62.56
Employee Benefit .....	50,233.11

See SMB 40 Page 38.

2. Approval of minutes of the November 6, 2001 meeting
3. Accept into the record the October Monthly Report
4. Accept into the record a Warranty Deed on the property deeded by the Highlands County School Board for expansion of the Children’s Advocacy Center with correction as noted by Attorney John McClure, attorney for the School Board. See SMB 40 Page 39.
5. Approval of budget amendments 00-01-454 (expert witness fees) and 01-02-50( to appropriate funds for road building) 01-02-55 (Interpreter cost) 01-02-56 (EOC education, training, repairs and equipment) 00-01-02-61(Sheriff VOCA Grant for training).
6. Approval of resolutions & budget amendments 01-02-47(E911 Operations Dispatch requirement for 911 Phase II) 01-02-58 (Historic Preservation Commission, to bring budget into current year in order that the movable display may be completed) 01-02-60 (Bay for Parks Bldg). See Res. Book 15 Page 52.
7. Approval of Execution of Grant Contract for FY 2001-2002 for Ridge Area Association for Retarded Citizens. See County Grants files.
8. Approval of Adopt-A-Highway Agreement with American Express Financial Advisors, Inc.
9. Approval of Satisfaction of Mortgage - Maquire
10. Approval of sale of Tax Certificates 98-7040; 99-9580; 00-9571; and 01-6674. See SMB 40 Page 40.
11. ~~Request to approve financing agreement with Bank of America for Sun ‘n Lake Estates and Acreage of Lake Placid Special Benefit District and Florida Special Benefit Fire District. See SMB 40 Page 41.~~
12. Accept into the record the Division of Forestry’s annual report
13. Request approval of additive change order No. 2, Fairmount Drive widening - Highlands County Project #98031. See SMB 40 Page 42.
14. ~~Request approval of rental of H.L. Bishop Park.~~

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

**5. CITIZENS NOT ON AGENDA:**

Richard Conover of Avon Park presented discussion on budget issues.

**6. COMMISSIONERS**

- Commissioner Jackson stated concerns for the reduction of the Contingency Fund so early in the budget year. Chair Bullard stated that he has outlined a schedule to address this issue after the state has made their decision on county costs.
- Chair Bullard commended Commissioners Flowers and Maxcy for the leadership provided with the FACC in lobbying the legislators.
- Commissioner Flowers requested participation at the Christmas Parade November 26, 2001 to ride on the County Float He reported on the legislative meeting held in Orlando and will compile a written report.
- Commissioner Maxcy spoke in opposition to the legislators balancing their budget on the back of the County's budget. He proposed that the Board write a letter asking the delegates their position on shifting funding obligations to the counties. The consensus of the Board was to fax this letter today to the legislators. Commissioner Jackson asked that we make a firm statement but not put them in the position of choosing sides. See SMB 40 Page 43.
- **Board Appointments**  
The Chair handed out Board committee assignments from the pervious year with the suggestion that each Commissioner pick two committees that they are presently serving on and are willing to give up. Then, mark any two or three for future service and return back to the Chair.

**7. Adjourn**

The meeting adjourned at 1:55 P.M.

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

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

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**Joint Workshop of**  
**BOARD OF COUNTY COMMISSIONERS,**  
**SEBRING CITY COUNCIL**  
**and**  
**HIGHLANDS COUNTY SCHOOL BOARD**

1. The meeting was called to order November 20, 2001 at 4:00 p.m. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

<b>C Guy Maxcy</b>	<b>Carl Cool</b>
<b>Bob Bullard</b>	<b>Ramon Gavarrete</b>
<b>Edgar Stokes</b>	<b>Bob Jamison</b>
<b>David Flowers</b>	<b>Louise Graham</b>
<b>Andrew Jackson</b>	

Also present from the City of Sebring were Council Members, Jeff Carlson, John Griffin, John Clark, Margie Rhoades and City Administrator, Bob Hoffman. Present from the Highlands County School Board were School Board Members Ned Hancock, Robert Fitzgerald, Wally Randall and Finance and Operations Director, Tim McGonegal.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Dr. Fitzgerald. The Pledge of Allegiance was led by Bob Hoffman.

3. **Workshop on the proposed Sebring Parkway Phase II**

Ramon Gavarrete, County Engineer, gave a power-point presentation, depicting the route of Phase II, which will move traffic from the east side of Sebring and reconnect it with U.S. 27 at Highlands Avenue. Efforts to get the funding for Phase II through the FDOT have not been successful. FDOT Director of Planning and Public Transportation, Debbie Hunt, advised that the department received \$140 million less than was needed for the 2002-2003 fiscal year, so the Parkway wasn't funded for that year. Under FDOT and Federal Highway Administration funding plans, the project would have to wait until 2014 to acquire right-of-way and construction on the project would not begin until 2029.

Ramon advised that Highlands Avenue would be too congested to wait that long. FDOT estimated the project cost at \$24,479,520 if built in 2001. County forces estimated the project cost at \$9,676,000 if built in 2001. Completing the project involves laying extra road between the two sections and paying CSX Railroad to realign its mainline tracks. The expected extra cost is \$2.11 million for a total cost of \$11.79 million for the project at today's figures. Each extra year inflation increases the cost by \$400,000. It was a consensus of all parties to take FDOT out of the picture. If the connection between Phase I and Phase II is not made the county estimates by the year 2020, an estimated 20,000 cars per day will be traveling North Ridgewood Drive and possibly the Circle. The following options were considered.

- Do not build the Parkway



- The county widen Highlands Avenue, without connecting Phase I to Phase II
- The city and county work together to get the project completed
- The county build the entire project

The Chair opened the floor to the public. Property Owner, Charles Swank, was upset over the way the project has been handled. Pastor Mike Karl was upset that the project could remove a portion of his driveway and bring the roadway within 17 feet of his building without a noise barrier. Martha Yarbrough, owner of Yarbrough Tire Company, warned that she will be discussing with the county *moving the hill down* before paving begins. Commissioner Bullard apologized to the citizens for any inconvenience caused by the project.

City Administrator, Bob Hoffman, said that the city currently has no money programmed in the capital improvement budget to fund phase II. The best solution is for the county to spend the \$9.68 million already budgeted to widen Highlands Avenue to five lanes from U.S. 27 northward to South Commerce Avenue. The county and city could split the remaining cost to complete the project. Commissioner Stokes said he was afraid of four lanes dumping into a town not ready for it. County Administrator, Carl Cool, said the county needs to buy right-of-way now while some of it is still undeveloped. Chair Bullard suggested that we not continue to pay for appraisals until all parties make a decision on how to proceed. Board members discussed a bond issue. Commissioner Stokes was not in favor of borrowing money for the project when the county needs to expand its jail and courthouse facilities. Sebring City Council member, John Griffin suggested the county and city could get a loan now at low interest rates and complete the entire project ahead of schedule. Mr. Cool said the county could fix the payments at the rates lower than inflation and save money, but he would not recommend the county borrow the money right now. Commissioner Maxcy recommended that we allow the financial advisor to review the proposed loan. Deputy Clerk, Bob Jamison said that the county should consider the state of the economy, the cost of operating and maintaining a new road before committing to a long-term major loan on a road project. Other projects will arise, so we might find ourselves in the position of having to borrow again. He said that we need to be careful of our ability to carry this debt at this point in time. Chair Bullard said the county could look at using part of the Solid Waste Enterprise Fund to complete the Parkway, but he wants to keep that available as a cushion in case the Florida Legislature sends more budget cuts to the counties. Sebring City Councilman, Jeff Carlson, asked that the County and City at least agree in theory that the County has \$9.68 million budgeted to do the road without connecting the Phase I and Phase II, with the difference being about \$2.5 million. If we split the difference that will give each entity something to work toward.

Ms. Rhoades left the meeting at 5:20 p.m.

Chair Bullard recommended that we refine the numbers, running them out about three years. Look at the financing option, what the cost of the money is and get back together with the city. Carl Cool thought that the financial advisor could be on board by the end of December and he could work with the new Finance Director of Sebring. The Board gave a consensus that when all information is in place, then schedule another workshop. See Sebring Parkway for copy of information

**Break 5:40 - 5:45 p.m.**

#### **4. Workshop on the Little Lake Jackson Alum Injection System Study**

Lakes Manager, Clell Ford, presented recommendations for an in-line alum injection treatment system as the best method to treat stormwater runoff before it enters the lake. The proposed project will cost \$110,000. The cost to the city and county will be \$27, 500 each.

The alum would be injected directly into the existing canal. He estimates this method will be worth \$4,883 for every kilogram of phosphorus removed from the lake. The project will be done in cooperation with the Southwest Florida Water Management District. The Board directed staff to place this item on the agenda for action. See SMB 40 Page 44.

**5. Adjourn**

The meeting adjourned at 6:20 p.m.

\_\_\_\_\_  
Chairperson

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

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**REGULAR MEETING OF THE BOARD DECEMBER 4, 2001**

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:

<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>Edgar Stokes</b>	<b>Bob Jamison</b>
<b>David Flowers</b>	<b>J Ross Macbeth</b>
<b>Andrew Jackson</b>	<b>Louise Graham</b>
<b>C Guy Maxcy</b>	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Bullard announced that the Pledge of Allegiance will be led by a representative of a different veteran organization the first Tuesday of the month in an effort to honor the veterans. The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Col. Roy Whitton, President of the Retired Officers Association, with remarks giving the history of the Pledge.

3. **ANNOUNCEMENTS**

**A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending December 4, 2001. Ms. Benton also advised the Board that she will be submitting the Grant application "Positive Chance" under the Chairman's signature.

**B. Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly Report of Court Services* provided for the week ending 11/30/01 and the *Monthly Report of Business Services* for the month of November for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 51 for detail.

**D. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public. Blackie Ballas, representing the Highlands County Executive Board, announced a meeting of the Homeowners Association on December 10, 2001. Richard Conover announced additional meetings.

The Chair announced that the Consent agenda has been moved to the beginning of the agenda to allow the Clerk's office to begin processing related payables and budget amendments to further speed up the government process. It will also allow the department heads to return to their regular schedule, rather than waiting to participate when their item is scheduled at the end of the agenda.

4. **ACTION:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to set the Action agenda as amended.

' Remove Consent item number 10 to the Districts agenda.

' Insert new information for Consent agenda item number 9, changing the hearing date to January 22, 2002.

' Commissioner Jackson requested clarification on Consent agenda item number 13, regarding criteria for a tie breaker. Jed Secory, General Services Director, stated that the Commissioners have the

option of overriding these conditions. Chair Bullard said the potential bidders have not objected to the specifications. He recommended that if a problem arises, the Board revisit the issue.

Under item E-4 add request of an employee to transfer sick leave balance to spouse.

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

**C. Consent agenda:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the Consent agenda less item number 10. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval of minutes of two Board meetings held on November 20, 2001**
2. **Request approval to pay all duly authorized bills and employee benefits December 4, 2001**

Law Library .....	2,304.09
General .....	2,500,784.77
County Transportation Trust .....	102,008.22
E911 Operations .....	5,171.91
Integovt Radio Communication .....	3,460.00
Local Govt. Infra Surtax .....	458,186.16
Affordable Housing Assistance .....	76.53
Solid Waste .....	206,739.22
Placid Utilities .....	4,478.56
Highway Park Utility .....	231.66
Risk Retention Fund .....	106.56
Employee Benefit .....	424,273.34
Highlands Hosp Pass Thru .....	95,200.00

See SMB 40 Page 56.

3. **Request approval of Satisfaction of Mortgage - Ledford & Hughes.**
4. **Request approval of FDOT Project Maintenance Agreement - County wide Sidewalk Project - Financial Project No. 404365 1 52 01 - FAP No. 8888 813**  
A. See FDOT file.
5. **Request approval for Chastain-Skillman, Inc. CSA No. 47 to design and provide services during construction for installation of a standby power generator to support the Landfill Leachate and Gas Control Systems. See Chastain Skillman file.**
6. **Request approval of Resolution and amendments to bring consistency between the Comp Plan Future Land Use Map & Zoning Ordinance for Sun 'n Lake Improvement District. See Sun'n Lake Improvement District file.**
7. **Request approval of Satisfaction of Mortgage - Church. See Satisfaction of Mortgage file.**
8. **Request for waiver of conflict of interest on Community Development Block Grant. See CDBG file.**
9. **Request approval of a Resolution to establish Public Hearing of January 22, 2002 for closing of Pink Drive for Scott W. & Tracy E. Seignious, petitioner. See Res. Book 15 Page 56.**

10. ~~Request financing approval for Sun ‘n Lake Estates and Acreage of Lake Placid Special Benefit District and Lorida Special Benefit Fire District~~
11. Request approval of Budget Amendment 01-02-63 (to appropriate funding received from State Land Board in previous fiscal year).
12. Request approval of Resolutions and Budget Amendments 00-01-455 (to appropriate funding received from State Land Board) 01-02-65 (reimbursement from the City of Sebring for installation of stormwater drainage improvements on Eucalyptus St. as part of the Sebring Parkway Phase I, per Interlocal Agreement) 01-02-67 (Planning & Development - water sampling and analysis of lakes on the Lake Wales Ridge). See Res. Book 15 Page 57.
13. Request approval of Delinquent Taxes Bid specification, reference ITB 02-003. See SMB 40 Page 52.
14. Request to approve final plat recording - Villages of Highlands Ridge, Phase V. See file for documentation.
15. Request to approve final plat recording - Southwind Estates, Phase II

**B. Lakes Manager: Request approval of Little Lake Jackson Alum Treatment System option**

Lakes Manager, Clell Ford, presented the recommendations of the Board of County Commission and the City of Sebring City Council from the January 30, 2001-workshop for the Alum Treatment option.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve an In-Line Alum Treatment System alternative that allows the Alum treatment system to be installed adjacent to the discharge canal leading to Little Lake Jackson. Alum is added in the existing canal, with the resulting treated stormwater and floc entering Little Lake Jackson. The option is estimated to have a present worth of \$4,883/kg of phosphorus removed. The consensus of the Board and Council was that stormwater flows from sub-basin 2 be diverted into sub-basin 1 for treatment. Upon roll call, all Commissioners voted aye. Motion carried. See Lake Jackson Stormwater file for copy of information.

**C. Solid Waste Management Director: Recommendation on downsizing and privatization of the County Recycling Program and request to approve agreement with the Southeast Paper Recycling Company**

Solid Waste Management Director, Jerry Leszkiewicz, presented recommendation on downsizing and privatization of the County Recycling Program and requested approval of agreement with Southeast Paper Recycling Company. Southeast will bring in their own bins and haul off paper and cardboard to its facility in Lakeland at no cost to the County. The County will reduce its recycling cost from \$450,000 per year to \$200,000, a reduction of 55 percent. The volume of recyclable material will only go down by 5 percent for option #1. Southeast Paper Recycling Manager, Barry Campbell, agreed to work with staff to increase the location sites for bins. Commissioner Jackson stated concerns that the program seemed contingent on finding high volume locations. Christy Reed, Recycling Coordinator, advised that the locations are proven. Some locations have a high number of collections per week. Commissioner Maxcy asked if the Board will consider the option to bring back plastic and glass for recycling. There was no support for this option. The Chair opened the floor to the public. Natalie Owens, resident of Sylvian Shores, Richard Conover, of Avon Park, Don Fogle of Spring Lake, Gabriel Read of Avon Park and Von Whitesides, President of the Audubon Society, presented discussion regarding the Recycling Program.

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the contract with Southeast Paper Recycling Company with Option number #1 on downsizing and privatization. Commissioner Maxcy spoke in favor of Option #2. Upon roll call, all Commissioners voted aye. Motion carried. Refer to tape for detail.

**D. Board Attorney**

No report presented.

**Break 10:35 a.m. - 10:50 a.m.**

**E. County Administrator:**

**A. Request to approve a Resolution expressing opposition to the closure of Camp Cloverleaf**

County Administrator, Carl Cool, presented request to approve a Resolution expressing opposition to the closure of Camp Cloverleaf by the state. Mr. Cool read the Resolution into the record. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution in support of the continued operation of Camp Cloverleaf and to direct staff to send the Resolution to all parties concerned in the operation of the camp. Chair Bullard reported that Representative Spratt is committed to work toward keeping the camp open. Commissioner Jackson asked if staff is sure that the state doesn't fund a portion of the money for the operation. Steve Cooper, Camp Director, advised that the state does give \$50,000 for operation of the camp. The motion was amended to remove the fourth paragraph of the Resolution and direct staff to get with the local 4-H Foundation for more information. Commissioner Flowers accepted the amendment. Jack Ritchie, speaking as a private citizen, spoke in favor of assisting the county in their effort. Blackie Ballas, President and Harold Owen, resident of the Twin Lake Homeowners, spoke in favor of keeping the camp open. Susan Benton, representing the Sheriff's Department, stated support for the Camp. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 58.

**F. 11:00 a.m. EXECUTIVE SESSION - Highlands County vs Chatterpaul, Case No. GC 00-32**

The Board of County Commissioners met with the County Administrator and the Board Attorney, pursuant to Sec. 286.011 (8) Florida Statutes. The subject matter was confined to settlement negotiations or strategy sessions relating to litigation expenditures. The meeting was properly noticed in the Highlands Today Newspaper. See SMB 40 Page 54 for copy. The persons attending the session were Commissioners Bob Bullard, David Flowers, Andrew B. Jackson, C. Guy Maxcy, Edgar Stokes, County Administrator, Carl Cool, Board Attorney, Ross Macbeth and a certified court reporter.

The regular meeting resumed at 12:05 p.m. with all members in attendance.

Clayton Womer, a public citizen, wondered why the executive session could not be held on another day and not disrupt the general public. Ross Macbeth explained that Florida Statutes that allows these meetings to be held has requirements as to the procedure, how they will take place, including the requirements that they commence from a meeting of the Board of County Commissioners and at the conclusion, the meeting of the Board of County Commissioners recommence. They are held in the order as provided by statutes.

**2. Request approval of Resolution and Budget Amendment 00-01-456 reducing Reserve for Contingency in Funds 005, 401 & 402**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Resolution and budget

amendment 00-01-456. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 59.

### **3. Presentation of the proposed site plan on Ming property**

County Administrator, Carl Cool, presented an outline of past Board discussions in regards to the purchase of the Ming property. Vicki Pontius, Parks and Recreation Director, presented a three-year site plan of possible future improvements for the Ming property prepared by Ms. Pointus and Duane Neiderman, with the Planning Department. The proposed site plan would provide hiking trails, fishing docks, boat ramps, picnic areas and primitive camping. The development could be grant funded by either FRDAP or Florida Boating Improvement Grants. She recommended the County establish a park manager with office, salary and mower to maintain the developed areas. She estimated that camping could provide income to the County to help off set the cost. There was lengthy discussion on the possible purchase. Carl Cool shared that the Commission could save \$300,000 by using the wetlands on the property. The wetlands will be helpful for mitigation purposes for future road projects. He said that property to replace destroyed wetlands and scrub sells locally for \$30,000 an acre.

The Chair opened the floor to the public. Clayton Womer and Frank McCormick spoke in opposition to the purchase. NRAC chairman, Curtis DeYoung, spoke in favor of the acquisition and said that the land does have more value and can be proven by a land appraisal. Von Whitesides, President of the Audubon Society, advised that the Audubon Society is in favor of the acquisition at the best possible price and they are willing to spend money for an education facility on the property. Hank Kowalski, representing the Audubon Society, spoke in favor as an investment for the future. Jack Ritchie, representing the Highlands County Homeowners Association, spoke in favor of the purchase. Don Linton, representing the Highlands County Lakes Association, stated that his organization has endorsed the purchase of the property.

Commissioner Jackson was not convinced that we should spend that much money for the property. Carl Cool advised that he has talked to Attorney Livingston, regarding negotiating the purchase price. Mr. Livingston stated that the purchase price remains firm. It will not change. Chair Bullard agreed that Winding Waters will not be overvalued when considering the mitigation value. It could be a wise purchase when considering the \$300,000 mitigation value coupled with the appraisal of \$450,000. Commissioner Maxcy made a motion to make an offer of \$600,000 for the Ming property and work with the Audubon Society with a cooperative agreement to help toward the purchase of the property. Commissioner Bullard passed the gavel to Vice-Chair Stokes and seconded for discussion. Commissioner Flowers said the Commission is wasting its time with the motion because the Mings already have stated that they will not consider a lower price. Commissioner Stokes said he could not support the motion because he did not want to insult the Mings with the offer. Commissioner Maxcy withdrew his motion. Commissioner Bullard withdrew his second. Commissioner Stokes made a motion to make an offer to buy the Ming Property for \$750,000. The motion died for lack of a second. The Commission discussed the requirement to hold a public hearing for the purchase and the requirement for a super majority vote. Ross Macbeth advised that the motion must be contingent upon approval at a public hearing, and the requirement of averaging two appraisals is only if the purchase price exceeds \$500,000.

Commissioner Maxcy made a motion to offer \$500,000 to the Mings for the property, contingent upon approval at a public hearing. Chair Bullard passed the gavel to Vice-Chair Stokes and seconded the motion. The Chair opened the floor to the public. Mike Johnson asked what the people are going to do with the property if the County does not buy. Ramon Gavarrete advised that the property is developable if the money is available. Upon roll call, Commissioners Maxcy, Bullard, and Stokes voted aye. Flowers and Jackson voted nay. Motion carried. The Chair instructed staff to set a public hearing date in January for consideration.

**4. Personnel sick leave request**

County Administrator, Carl Cool, presented request of Jack Bennett to transfer accrued sick leave to cover the extended absences of his spouse. Mrs. Bennett is not a member of the Sick Leave Pool and is therefore not eligible to draw from this account for this situation. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve the personnel sick leave request for Mr. and Mrs. Bennett. See SMB 40 Page 55.

**6. CITIZENS NOT ON AGENDA:**

- < Frank McCormick spoke regarding the time expended by the committee on developing the noise ordinance.
- < Richard Conover asked if the Board could move Citizens not on the agenda up to the beginning of the meeting. Chair Bullard noted that he has checked with other counties, and it is his determination to leave the Citizen input as is to allow them the chance to speak regarding items discussed at the meeting.
- < Hank Kowalski presented information on the Recycling Program in Polk County. The Chair agreed to contact Polk County for input.
- < Mr. Kowalski wondered why the Legislative Session being held on Monday did not include a slot for citizens. The Chair advised that a slot is available for input, but to get on the agenda you must call Rep. Machek.

**7. COMMISSIONERS:**

Chair Bullard requested that the Commissioners return the Committee appointment sheets before next week.

**8. ADJOURN**

The meeting adjourned at 1:51 p.m.

\_\_\_\_\_  
Chairperson

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

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**WORKSHOP MEETING OF THE BOARD DECEMBER 11, 2001**

**1. 8:46 A.M. NATIONAL ANTHEM**

A special remembrance event was held with the National Anthem being played at the exact moment the first airplane struck the World Trade Center in New York. See SMB 40 Page 59.

2. 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:

<b>Bob Bullard</b>	<b>Carl Cool</b>
<b>Edgar Stokes</b>	<b>Tom Portz</b>
<b>David Flowers</b>	<b>Bob Jamison</b>
<b>Andrew Jackson</b>	<b>J Ross Macbeth</b>
<b>C Guy Maxcy</b>	<b>Louise Graham</b>

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner 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 count for the period ending December 11, 2001. The Monthly Report for the Community Maintenance Program was explained with benefits being received in the amount of \$27,922.00. This program allows the offenders to be sentenced to work rather than staying in jail and a fee is collected to participate in the program.

**B. Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly Report of Court Services* provided for the week ending 12/07/01 for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 60 for detail.

**C. Upcoming County meetings**

County Administrator, Carl Cool, presented the upcoming meetings into the record. Additional meetings were announced for the benefit of the public.

**5. PUBLIC HEARING: 2<sup>nd</sup> Public Hearing regarding Proposed Changes to Chapter 12 (Zoning Code)**

Proof of Publication and Petition entered into the record. See Proof of Pub Ord. Book 3 Page 2. Captions of the Ordinance were read into the record. Development Services Director, Jim Polatty, advised that this amendment was reviewed by the Board of County Commission on November 20, 2001. The Board approved the second public hearing for December 11, 2001 with staff changing some of the language and correcting typos. The Board Attorney reviewed the ordinance and made some edit changes. The Chair opened the floor to the public. Gabriel Read of Avon Park Lakes, requested clarification on the changes to

the public. Mr. Polatty reviewed the edited changes of the ordinance. No substantive changes were noted.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt ordinance regarding proposed changes to Chapter 12 on second public hearing. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 61.

**6. WORKSHOP: Discussion on Kissimmee River accessibility**

Carl Cool reported on the meetings of the Kissimmee River accessibility committee that was appointed by the Board of County Commission. Ellene Fields was elected Chair of the Committee and she will give the Board a presentation on the findings. Carl presented a Power point presentation proposing two options for access to the river at Bluff Hammock Road. The boat ramp was destroyed during the first phase of the Kissimmee River Restoration Project. One option was a causeway with culverts to allow water to flow underneath and the other was a canal from Bluff Hammock Road out to the restored river channel. The options were estimated to cost \$500,000 each. Mr. Cool said the Army Corps of Engineers and the Water Management district should pay for the boat ramp construction, since they were the ones who took it out. Paul Whalen of the South Florida Water Management District, presented a plan to relocate the Bluff Hammock access to a boat ramp at US 98 and the Istokpoga Canal. Drawings of the facility show picnic areas and shelters. The boat launch would have a floating dock and would be handicap accessible. The distance by vehicle to the Old Bluff Hammock location and the Istokpoga Canal proposal are the same. The cost to build is estimated at \$256,000, compared with the \$500,000 estimate to replace the ramp at Bluff Hammock. Mr. Whalen shared that replacing Bluff Hammock boat ramp would be very difficult to support. Carl Cool said that the Bluff Hammock ramp was destroyed along with a flood control structure, called the S65 B, and a lock. An identical facility at Cornwell called the S65C, is to be destroyed during the second phase on the river restoration project. Water Management plans to replace the Cornwell boat ramp with one near the old 4 E Fish Camp.

Commissioner Maxcy shared that the boat ramp is not the county's responsibility to replace. The issue is if there is a need for another boat ramp. Commissioner Stokes wondered who will manage the boat ramp facility. Paul Whalen said that the District will be looking into a partnership with Highlands County or another agency. If they cannot partner with another agency, the passive management will remain. As far as maintenance, the state will work with the County. Ellene Fields, Chair for the Committee, presented an outline of the fact-finding committee. The concern of the Committee was that there is not a usable boat ramp. There needs to be access to the north part of the river. Ms. Fields also requested that her committee be represented at the SFWMD Committee and in the future the committee should be formed before the restoration begins.

The Chair opened the floor to the public. Richard McClelland, a member of the Committee, asked if there was prior notification of destruction of the boat ramp. Mr. Whalen advised that since the conception, it was known that the boat ramp would be removed. Dr. Gary Montsdeoca, representing the Ranch, Dr. Paul Gray, Director of the Audubon of Florida, and Hank Kowalski spoke in opposition to the project. Mac McClelland of Avon Park stated that the Bluff Hammock is the least affected area and the Bombing Range cannot be considered. Commissioner Maxcy was not in favor of the County building the boat ramp. Commissioner Stokes asked that we become involved in the process to ensure that we have a say in the

future. Commissioner Jackson also wants to be involved in the process but based on the presentation, he is not convinced to spend that kind of money on this plan. Commissioner Flowers was not convinced that we need to proceed with this plan. Chair Bullard noted concern that there is not suitable access to the river between Istokpoga Canal and Highway 60. He will concede that there are problems with the Bluff Hammock location. The direction to the Access Committee was to continue to seek a means of access to the river between the two points and with the formation of the Water Management District Committee to actively participate with the priority being to find a way to access the river. The consensus was that the Bombing Range cannot be included as a viable access and to direct staff not to proceed with any work toward the Bluff Hammock area.

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

**7. ACTION:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to set the Action agenda as amended.

- ' Add recommendation of the Building Use Committee under the Asst. County Administrator, as item number 8.
- ' Add request of the Board Attorney for a Legislative Session as item number 9.

Upon roll call, all Commissioners voted aye. Motion carried

**Approval to pay all duly authorized employee benefits December 11, 2001**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve payment of employee benefits in the amount of \$132,488.65. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 62.

**8. Asst. County Administrator - Building Use reports**

Asst. County Administrator, Tom Portz, presented the Building Use recommendations. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Rental of H.L. Bishop Park for square-dancing classes and waiver of rental fee for Highlands County Special Olympics. Upon roll call, all Commissioners voted aye. Motion carried.

The Board gave a consensus to approve Committee recommendations to transfer the deed from the Lorida Old School House to South Florida Community College Foundation and direct county staff and the Board Attorney to prepare a deed with reversionary language that covers concerns of the community. In the event that it is not utilized for the efforts of the College, it would revert back to the Community. The draft deed then to be discussed with the college and Lorida community members on January 8, 2002 and bring back to the Board of County Commission for final execution on January 22, 2002. The Chair asked Ross Macbeth if a public hearing will be required. Mr. Macbeth advised that if it is necessary, it will be scheduled. See SMB 40 Page 58 for copy of recommendations.

**9. Board Attorney - request for Executive Session**

The Board of County Commissioners gave a consensus to add an Executive Session on December 18,

2001, at 11:00 a.m. to meet pursuant to Sec. 286.011 (8) Florida Statutes, to discuss settlement negotiations or strategy relating to litigation expenditures in the Highlands County vs. Chatterpaul Case #GC0032.

**10. Commissioner Maxcy - Florida Association of Counties - Educational Campaign strategy**

The Board gave a consensus not to restrict any application by Commissioner Maxcy in his venture to educate the public on legislative issues, regarding unfunded mandates, as long as the application is done in the position as the first vice-president of the Florida Association of Counties or as an individual commissioner. If the venture includes the complete Board, then the request should be presented to the Board of County Commissioners.

**11. ADJOURN**

The meeting adjourned at 11:25 A. M.

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Chairperson

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

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