

REGULAR MEETING OF THE BOARD JANUARY 8, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

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 Ken Beers, Chairman of the Highlands County Veterans Council.

3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending January 8, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *monthly report of business services for the month of December 2001 and a weekly report of Court Services for week ending January 4, 2002*, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 69 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. Allon Fish, representing the Sebring Chamber of Commerce, presented a brief report on Tourist Development in Highlands County. Chair Bullard encouraged County staff to participate in the upcoming meetings to promote economic development. Copies of the new Board Appointments were available for the public.

4. **ACTION:**

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

- ' Add a letter from Harold Owen, request to waive tipping fees for the Lake Placid Festival Association under the County Administrator as Action item number K-5.

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

- C. Consent agenda:**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the Consent agenda as listed. Chair Bullard spoke regarding Consent agenda item number 8, explaining that the Board has a full time and an alternate position available on the Recreation and Parks Advisory Committee and the Board is seeking

applicants to serve on that Committee. Allon Fish requested a list of vacant positions to present to the Leadership Highlands Group. Richard Conover requested information on Consent agenda item number 9. The County Administrator was directed to provide specific information after the meeting. Upon roll call, all Commissioners voted aye. Motion carried.

1. **Approval of minutes of December 18, 2001 Board meeting**
2. **Request approval to pay all duly authorized bills and employee benefits January 8, 2002.**

Law Library	4,340.48
General	2,568,045.10
County Transportation Trust	105,277.14
E911 Operations	10,487.07
Intergovt Radio Communication	2,000.00
Local Government Infrastructure	148,453.11
Affordable Housing Assistance	37,228.62
Sold Waste	143,392.62
Placid Utilities	2,229.36
Highway Park Utility	584.78
Employee Benefit 12/26/01	271,306.12
Employee Benefit 12/27/01	1,012.79
Employee Benefit 12/31/01	16,530.75
Employee Benefit 01/02/02	3,854.97
Employee Benefit 01/02/02	4,213.64
Employee Benefit 01-10-02	21,660.32
See SMB 40 Page 70.	

3. **Request approval of Satisfaction of Mortgage - Pyle. See SMB 40 Page 71.**
4. **Accept into the record litigation sessions conducted pursuant to *Section 286.011(8), Florida Statutes*. See SMB 40 Page 72.**
5. **Request disposal of framed art reproductions no longer in circulation at the Sebring Public Library, bypass the surplus procedures and donate to the Sebring Friends of the Library. See SMB 40 Page 73.**
6. **Request approval of Change Order No. 3 - APAC - Florida, Inc., MacAsphalt Division Sebring Parkway Phase I Project No. 89003 - Eucalyptus Street Drainage. See Sebring Parkway file.**
7. **Request approval of Satisfaction of Mortgage - Gravett. See SMB 40 Page 74.**
8. **Announcement of vacancies on the Recreation and Parks Advisory Committee. See SMB 40 Page 75.**
9. **Request approval of an Adopt-A-Highway Agreement with Judy Nicewicz and Gulf Coast Community Care Special Friends. See Adopt-A-Highway file.**
10. **Request approval of Resolution 01-13 from Sun 'n Lake Improvement District requesting changes to the Comp Plan Future Land Use map and modifications to the Binding Letter of Vested Right. See Res. Book 15 Page 62.**
11. **Request approval of Budget Amendment 01-02-87 (to purchase service utility body**

- and top to modify F-150 pickup truck BC 494 for new maintenance technician
12. **Request approval of Resolutions and Budget Amendments 01-02-84 (Community Traffic Safety grant monies) 01-02-85 (Local Mitigation Strategy, grant funding for a new facility to be constructed by South Florida Community College). See Res. Book 15 Page 63.**
 13. **Request approval of change in Employee Flexible Benefit Plan - adding Prepaid Legal. See Employee Benefit file.**
 14. **Request execution of Interlocal Agreement with the City of Sebring and approval of Budget Amendment 01-02-19 for the County's portion of the local match of the FRDAP Grant with the City of Sebring for the construction of two adult softball fields. See City of Sebring file.**

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

B. Dave Reinagle, Nam Knights of America: Presentation of a plaque

Dave Reinagle, representing the Nam Knights of America Motorcycle Club, presented a plaque to the Commission in appreciation for their continued support in the efforts toward all Veterans reunions in Highlands County.

C. Veterans Service Officer: Request for appointments to Veteran's Services Advisory Board

Veterans Service Officer, Clark R. McCray, presented request for appointments of Doris Moody and Harold Roebuck III to the Veterans Services Advisory Board to serve a three-year term beginning January 2002. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve appointments as recommended. The Chair asked if Mr. Harold Roebuck has received permission from his county supervisor to attend the monthly meetings. County Engineer, Ramon Gavarrete, agreed to allow Mr. Roebuck the time off from his position to participate. At the request of Commissioner Maxcy, Ms. Doris Moody spoke to the Commission regarding her service in the Waves. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 76.

D. County Engineer:

A. Request approval of Temporary Construction Easements for Fairmount Drive Widening

County Engineer, Ramon Gavarrete presented request for approval of Temporary Construction Easements as per the attached list "Exhibit A" for the Fairmount Drive Widening project and request to waive the recording fee. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve recording of easements and waiver of recording fee. Upon roll call, all Commissioners voted aye. Motion carried. See Fairmount Widening project for copy.

B. Request approval of the recording of map of the roads and streets maintained by Highlands County Road & Bridge Department

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve recording of County map of the roads and streets maintained by Highlands County Road & Bridge Department as the official County

map. The map is available to the public at a cost of \$50.00. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 77.

E. Development Services Director: Request for direction on sign regulations (Zoning & Comp Plan Initiative) along Sebring Parkway

County Administrator, Carl Cool, introduced discussion for modifications to the current sign ordinance, regarding the Sebring Parkway. Development Services Director, Jim Polatty presented recommendations for sign regulations (Zoning & Comp Plan Initiative) along Sebring Parkway. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to direct the Planning and Zoning Commission to refine the policies for the Sebring Parkway and other areas that might be affected including sign restrictions, landscape regulations, and other regulations that would maintain the scenic character of the Sebring Parkway, to sustain the designed level of service and appropriate speed limit and minimize future traffic congestion, and to ask the Planning and Zoning Commission to commence in cooperation with the City of Sebring a review and development of such policies. Ray Royce, representing the Highlands County Citrus Growers, presented comments regarding Planning and Zoning involvement in the process. Upon roll call, all Commissioners voted aye. Motion carried. See Sebring Parkway file for copy.

Break 9:45 - 10:00 A.M.

F. Road & Bridge Superintendent: Request approval of Mowing Contract Specifications

Road & Bridge Superintendent, Bruce Van Jaarsveld presented specifications for mowing of County right-of-ways. The Board gave a consensus on revisions to the Specifications as follows:

G Commissioners Flowers - Page 5, Paragraph (5) - Detailed Specs for Mowing

Any damage to utilities, signs, etc., shall be reported, insert wording, *at once by phone and in writing*

Next sentence. Damaged stop signs shall be reported to the Road and Bridge Department *immediately*.

The bidder *must immediately* report and shall be responsible for damage caused by his equipment.

Add sentence- *Damaged cost to County property may be deducted from monthly payment to contractor*. Minimum insurance requirements to be set at one million dollars.

' Commissioner Jackson was not in favor of the specs detailing what type of equipment the vendor may use or the amount of experience. He doesn't feel that we should micro manage the job. The bid specs should be designed that states the height of the grass, the workmanship and the insurance limits, along with the final results. Jed Secory suggested that the Board present comments and he will bring back an electronic version with page numbers.

' Chair Bullard presented suggested changes on Page 2 - *Material and Equipment*. Eliminate the last two sentences of the paragraph, leaving the sentence, *The equipment must have operating warning lights, headlights and a strobe*. Commissioner Flowers disagreed with less equipment. Commissioners Jackson and Stokes agreed that we not are too specific.

Vendor Requirements

' Commissioner Flowers offered suggested language - Vendors submitting bids must be capable of providing a minimum of three references of which their firm has provided services or to which they

have worked for a firm in a supervisory roll. Jed suggested that the title be changed to Vendor Experience.

Chair Bullard requested removal of the language under Supervision and Safety to delete the requirement to have a supervisor and a crew leader on each site. Only one supervisor should be required. Commissioner Jackson requested that the second sentence be deleted under Supervision and Safety.

Commissioner Jackson stated a problem with the language Vendors submitting bids must have been in the turf grass maintenance for a minimum of three (3) years. It was a consensus to change the language to mowing and remove turf grass maintenance. He felt that the County should not have the right to terminate the contract within a thirty-day notice. There should be provisions that allow the County to terminate the contract with cause, within 90 days. Carl Cool spoke in favor of the Board being able to reserve the right to cancel the contract at any time. Ross Macbeth stated that the language left in could avoid litigation. Chair Bullard suggested that the language include the County Commission shall have the right, not the County. The Chair recommended strong language for a Drug Free Workplace and correct dates for commencement. Clarify language under Debris Disposal. Staff was directed to take the document and rework with consideration of comments and bring back for the Board's review. See Mowing Specs file for copy.

A. General Services Director:

1. Presentation of proceeds check from auction

General Services Director, Jed Secory, presented a check from the proceeds of the Auction in the amount of \$46,448.00 to Chairman Bullard and spoke on behalf of Shaun Martz, Insight Auctioneers.

2. Request approval of ITB #02-003 Advertising the "2001" Delinquent Taxes (rebid)

General Services Director, Jed Secory, presented an analysis of the bid let for advertising the Delinquent Taxes. Comparing the per line fee asked for in the bid and a cost per line per 1000 papers using the overall distribution totals given by each vendor, if awarded on a cost per line of \$0.19 to Lake Placid Journal, the anticipated distribution would be 6303. If awarded on a cost per line per 1000 papers of \$0.0134 to Tampa Tribune/Highlands Today, the anticipated distribution will be 18292. He noted a viable concern in the distribution difference. His recommendation was to use the services of Highlands Today at the indicated per line rate of .2450. The Chair opened the floor to the public. Mark Delaney, Advertising Director for the News Sun, asked the Board to reconsider the recommendation and select the lowest bid. Commissioner Maxcy voiced opposition to the way staff presented the recommendation. Commissioner Jackson recommended that we go with the low bid. Chair Bullard was in favor of staff recommendation at the lowest bid per thousand and award the bid to Highlands Today.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to award ITB#02-003 to the Tampa Tribune/Highlands Today paper at the indicated per line rate of \$0.2450. Upon roll call Commissioners Flowers, Stokes and Bullard voted aye. Commissioners Maxcy and Jackson voted nay. Motion carried. See SMB 40 Page 78. for copy of bid.

H. Suzanne Hunnicutt, Chastain-Skillman and Manny Suarez, DLR Group: Status update by architects on Courthouse and Jail project

Manny Suarez, DLR Group presented a status update and brought a scale model of the exterior of both the Highlands County Courthouse and Jail. He said the project is in the schematic design phase. The architects will develop a mass display model so people in the county can see ahead of time what it will look like. The exact design process has been going on for the better part of two months. His plan created more bed space to help the Jail manage overcrowding in the future. In the courthouse, the jury assembly room can be closed off from the rest of the building and used by the community at large for meetings and events when not in use for judicial functions. Mr. Suarez reviewed detail plans for the Jail and Courthouse renovation. Refer to tape for detail.

I. Assistant County Administrator:

1. Request approval of RFQ for Jail & Courthouse

Assistant County Administrator, Tom Portz advised that the recommendations of the Architect for the best delivery methodology is design, bid, and build. A further refinement is the issuing of an RFQ which will provide a list of pre-qualified vendors who will then bid the project. He presented a draft proposal for the RFQ process and recommendation for the selection committee.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the RFQ process and the selection committee for the jail and courthouse construction and renovation. Commissioner Maxcy requested a review of increased staffing up cost for the Clerk and Sheriff. Staff agreed to provide this information. Upon roll call, all Commissioners voted aye. Motion carried. See courthouse and jail construction file for recommendations and selection committee.

2. Update on Hazardous Materials Response Team briefing and approval of Resolution & Budget Amendment #01-02-88

Assistant County Administrator, Tom Portz presented an update on Hazardous Materials Response Team. He advised that the outline for creating the team has been completed and staff will begin active training and equipment acquisition during the next two calendar quarters. The resources for this year are available through the base grant and operating budgets. However, the on going expense will be an operational commitment impacting future budgets. Commissioner Flowers commended staff for their response to the ammonia spill at Cargill and the report that Bill Nichols put together. See Mitigation Strategy file for copy.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment #01-02-88 and Resolution to utilize funds from insurance settlement on EMS #427 to fund overtime account for mandatory Haz-Mat training for EMS personnel. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 64.

J. Board Attorney

No report presented.

K. County Administrator:

A. Request approval of three Public Hearing dates

County Administrator, Carl Cool, presented request to approve public hearing dates. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve dates as outlined in the memo:

Set January 22, 2002 as the public hearing date to consider the creation of a fire improvement district for the West Sebring Special Benefit Fire District and February 26, 2002 as the public hearing date to consider a resolution to adopt the uniform method of collection of a non-ad valorem assessment for the district.

Set January 22, 2002 as the public hearing date to consider modifications to the Highlands Lake Special Benefit District and the Leisure Lakes Special Benefit Fire District, and February 26, 2002 as the public hearing date to consider a resolution to adopt the uniform method of collection of a non-ad valorem assessment for the district.

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 79.

B. Discussion on Water Planning Alliance

County Administrator, Carl Cool presented discussion regarding Highlands County participating as a member of the Water Planning Alliance. Patrick Lehman, Executive Director of the Peace River/Manasota Regional Water Supply Authority, and Ray Pelon, Government Affairs Coordinator, shared information on the Authority and the Alliance. The Alliance currently consists of thirteen entities (four counties, eight cities and one water district). The respective governing body of each entity has passed a resolution of membership. The Alliance provides an open forum for the local governments to come together to jointly discuss and propose potential concepts for future public drinking water supply planning. The Peace River/Manasota Regional Water Supply Authority is facilitating the administration of the Alliance. Commissioners endorsed the process and Commissioner Stokes was directed to take the issue to the Water Advisory Council, and bring back for recommendation to the Board. See Peace River/Manasota Regional Water Supply Authority.

C. Discussion and recommendation on Mosquito Control Survey results

Carl Cool reported on the results of the Mosquito Control Survey that was sent out with the Tax Notices. 5,466 forms were returned with 33% in favor of a special assessment for mosquito spraying and 67% opposed to the special assessment. No further action was requested. The Chair opened the floor to the public. Jack Ritchie, Chairman of the Highlands County Homeowners Association, spoke in favor of a different kind of survey that will produce different results. See SMB 40 Page 80.

D. Request approval of proposed advertisement regarding Florida Association of Counties Legislative Funding Campaign

County Administrator, Carl Cool, reported that the Florida Association of Counties has developed strategy to secure a commitment from legislators to support the counties position on unfunded mandates, cost shifts, and Article V - Revision 7 implementation. The strategy is to place a full page ad at a cost of \$756.00. Public Information Officer, Lisa Burley, stated that a commitment has been received from DeSoto County to pay one third of the share. Hardee has not confirmed to pay their share due to the ad not containing the legislators' names. She will talk to Hardee County and explain that an editorial will be printed listing the names of legislators and representatives with phone numbers. Cost of the ad to the County is one-half if Hardee does not participate.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve January 20, 2002 as the run date for the advertisement regarding the Florida Association of Counties on the Legislative Funding Campaign. Commissioner Maxcy spoke in favor of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 81.

5. Request to waive tipping fees for the Lake Placid Craft Fair

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to waive tipping fees for the Lake Placid Craft Fair to be held February 2 and 3, 2002 at the request of Harold Owen. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 81.

5. CITIZENS NOT ON AGENDA

' Richard Conover pointed out several mistakes with the County Calender. Lisa Burley reported that the error was found, but the cost to reprint would exceed the inconvenience.

' Mr. Conover wondered why Chair Bullard was appointed to the Canvassing Board, since he serves as Chair. Commissioner Bullard advised that state law has changed and if he has opposition, then the Board of County Commissioners must appoint a replacement for him.

' Ray Royce, Highlands County Citrus Growers Association, thanked the Board, and County Administrator, for staff briefing on Citrus protocol.

' Mr. Royce encouraged County participation with the Water Supply Alliance.

6. COMMISSIONERS

' Commissioners Flowers and Stokes commended Lisa Burley on the County calender.

' Commissioner Flowers reported that he will be resuming the District I meetings, starting January 24, 2002.

7. ADJOURN

The meeting adjourned at 12:21 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JANUARY 15, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Kevin Roberts, Human Services Director. The Pledge of Allegiance was led by the Veterans Services Officer, Clark McCray.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 15, 2002. Susan also presented the total recap of responses by the Sheriff's Department for the year 2001. There were 37,667 requests for service from the public. In the major crime category, that was a 10% decrease in major crimes from the year before. On the detention side, the Sheriff's Office booked 6,328 people in the jail for 2001.

B. Clerk

- ' Deputy Clerk, Bob Jamison, presented *a weekly report of Court Services for week ending January 11, 2002*, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 82 for detail.
- ' Luke Brooker, Clerk of Courts, presented a plaque to Ms. Bobbie Moore, Payroll Director, for the Clerk's Office, honoring her upon her retirement for 29 years of dedication and faithful service. County Administrator, Carl Cool, presented a Resolution from the Board of County Commission, acknowledging Ms. Moore for her professionalism, diligence, and attention to detail in her dealings with staff and the citizens of the County. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution commending Ms. Moore upon her retirement on January 18, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 65.

A. Upcoming County meetings

County Administrator, Carl Cool, presented the upcoming meetings into the record. Mr. Cool advised that Senator Bill Nelson will give an update on January 16, 2002 at 11:00 a.m. in the Board Room regarding his trip to Afghanistan and the events in Washington, D.C. Mr. Cool announced the retirement of Peggy Andrews from the Tax Collector's office. Additional meetings were announced for the benefit of the public.

4. **Consent agenda:**

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

amended:

< Remove Consent agenda item number three and place under the County Administrator.

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

1. **Approval of minutes of January 8, 2002 Board meeting**
2. **Request approval to pay all duly authorized bills and employee benefits
January 15, 2002**

Law Library	13.86
General	501,103.50
County Transportation Trust	22,386.29
E911 Operations	61,823.25
Local Government Infrastructure	98,332.87
Community Development Block	4,500.00
Affordable Housing Assistance	14,421.10
Sold Waste	14,358.62
Placid Utilities	3,746.70
Highway Park Utility	2,038.49
Risk Retention	15,865.24
Employee Benefit	390,623.35

See SMB 40 Page 83.
3. **Request approval of Budget Amendment 01-02-92**
4. **Request approval of sale of Tax Certificate #99-12725. See SMB 40 Page 84.**
5. **Request approval of job description package reclassification from Catalog Librarian from a Paygrade 20 to Paygrade 17. Sees SMB 40 Page 85.**
6. **Request to declare nuisance: Case # CE 01080071. See Code Enforcement file.**
7. **Request to declare nuisance: Case # CE 01060142. See Code Enforcement file.**
8. **Request to declare nuisance: Case # CE 01090072. See Code Enforcement file.**
9. **Request to declare nuisance: Case # CE 01120001. See Code Enforcement file.**
10. **Request to declare nuisance: Case # CE 0107-0096. See Code Enforcement file.**
11. **Request to declare nuisance: Case # CE 01080043. See Code Enforcement file.**
12. **Accept into the record the Monthly Report for December 2001**

5. ACTION:

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to set the Action agenda as amended with the addition of H-3, discussion of Budget amendment 01-02-92. Upon roll call, all Commissioners voted aye. Motion carried.

A. Veteran's Service Officer: Request approval of a Resolution endorsing the placement of a State of Florida Veteran's Nursing Home in Highlands County

Veteran's Service Officer, Clark R. McCray, II, presented recommendation of the Advisory Board to adopt Resolution endorsing the placement of a State of Florida Veteran's Nursing Home in Highlands County. The Advisory Board's action is also fully supported by the Highlands County Veteran's Council. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution to support and fully endorse the placement of a State of Florida Veterans Nursing Home in Highlands County. Commissioner Flowers read the Resolution into the record. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 40 Page 66.

B. Human Services Director:

1. Request approval of Resolution & Budget Amendment 01-02-86 dispersing "Choose Life License Plate" funds to the Alpha Omega Crisis Center

Human Services Director, Kevin Roberts, presented recommendations that funds generated from the sale of the Choose Life license plates be dispersed to the Alpha Omega Crisis Center. The services provided by the selected agency must be limited to counseling and meeting the needs of pregnant women who are committed to placing their children for adoption. Funds may not be distributed to any agency that is involved or associated with abortion-related activities. In his judgement, this is the only nonprofit agency that meets the criteria as stated in the statutes. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve Resolution and Budget amendment 01-02-86 dispersing "Choose Life License Plate" funds to the Alpha Omega Crisis Center. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 67.

2. Request approval of the name "Hopton-Rodgers Administrative Complex" for the Administrative building at the Avon Park Youth Academy

Human Services Director, Kevin Roberts presented an update on the Avon Park Youth Academy, along with a request to name the Academy's Administrative Office Building the Hopton-Rodgers Administrative Complex in memory of Captain Bob Hopton and Inspector Jim Rodgers who died in a tragic plane crash while in the line of duty. Both Captain Bob Hopton and Inspector Jim Rodgers were part of the initial planning team back in September 1993 that conceived the idea to convert a portion of the Avon Park Bombing Range to a residential center for delinquent youth.

Kevin introduced Mr. Pete Zeegers, Administrator for the Avon Park Youth Academy. Mr. Zeegers, representing Securicor New Century, the contracted agency that operates the Academy, fully endorsed the idea of naming the Administration Building the Hopton-Rodgers Complex.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to grant approval for the newly constructed Administrative Building located on the grounds of the Avon Park Youth Academy, to be named the Hopton-Rodgers Administrative Complex. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 87.

C. Budget Director:

1. Request approval of the Financial Advisory Agreement with Public Financial

Management

OMB Director, Rick Helms, reported on the RFP for Financial Advisory Services. The Board had waived the time constraints under the Purchasing Policy. On December 20, 2001, five proposals were received in response to the RFP. The review committee evaluated the proposals and ranked Public Financial Management (PFM) as the highest among the firms. A proposed contract was submitted for the Boards' consideration after review by the committee and the Board Attorney. Mr. Hal Canary, Senior Management Consultant, Public Financial Management, presented a brief report of services and experience provided by the company.

Chair Bullard presented suggested changes on Page 8 of the Agreement under Termination of the Agreement to add language, prior to termination. Under B. Effect of Termination, add at no additional cost to the county.

Deputy Clerk, Bob Jamison, reported that the Clerk has established a Treasury Management Function within his organization. He anticipates a long term relationship on that specific issue working closely with the office of OMB, and the County Administrator's office, to develop and cultivate that function with the focus on security of the County's assets as well as comprising return on the assets. He complimented Rick Helms and Jed Secory's office for the work product produced in such a short delivery time while following the Boards' policies and procedures.

Rick Helms pointed out two minor changes in the document. Page 1, line 3, after "PFM" add (a Pennsylvania Corporation authorized to transact business in the State of Florida). Page 3, Paragraph 8, delete semicolon and place a period.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the Financial Advisory Agreement with Public Financial Management, with changes as recommended. Upon roll call, all Commissioners voted aye. Motion carried. See Public Financial Management file.

2. Request to waive Purchasing Manual to compress RFP process

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to waive the purchasing manual to the extent that it allows us to compress the RFP process for Bond Counsel, Underwriter, and Disclosure Counsel. Deputy Clerk, Bob Jamison, advised that the Clerk's Office will endorse Mr. Helms' request based on the demonstrated ability to effectively carry out the RFP process without comprising any quality. Upon roll call, all Commissioners voted aye. Motion carried

D. General Services Director: Discussion of Purchase Option on Lockett Acreage

General Services Director, Jed Secory, presented recommendations for the purchase option on the Lockett Acreage. He shared that Purchasing received one offer to buy the acreage in the amount of \$952,000.00, net to the County, with a condition that the County furnish a boundary survey or other documentation. The County's option to purchase the acreage is for \$950,000.00. He felt that the net gain to the County of \$2,000.00 may be offset by expense associated with the survey or boundary documentation preparation. His recommendation was that notification be sent to SFWMD that the County not exercise their option to purchase Lockett Acreage.

Commissioner Stokes questioned the time limits on the bids. Jed advised that the bids were placed for almost

two months and only one offer was received. The Chair opened the floor to the public. Elder Sumner, the party that placed the bid, stated that his bid did not require a boundary survey and he will pay for all title expense. Mr. Sumner spoke in favor of the County contacting the Water Management District to allow him to exercise the option direct. This will allow the property to go back on the tax rolls. Commissioner Flowers suggested that someone contact the District to see if they will put the property back out for a cattle lease. Carl Cool said that he did not feel that they will lease the property again. Mr. Cool stated that John Morgan from the Water Management District, said it was their intention to put the property up for sale. Commissioner Jackson questioned if the County can assign an option. Ross Macbeth stated that he will have to read the agreement. The County may not have the right to assign the option. The consensus of the Board was to direct staff to hold a three-way-meeting and try to work out a transfer of the Board's purchase option to Mr. Sumner. Commissioner Flowers reported that one of the County's Fire Department is located on a right of way in that location. See SMB 40 Page 88.

E. Emergency Management Director: Request approval of Emergency Management Preparedness & Assistance (EMPA) Grant Application

Emergency Management Director, Bill Nichols, presented request for approval of the EMPA grant applications for three (3) portable generators and one (1) emergency scene lighting unit in the amount of \$70,612.00 and a grant in the amount of \$122,473.00 for shuttering of County buildings. He is requesting a 10% cash match to enhance the chances of receiving these awards. County Emergency Management is recommending that the County contract the services of Mr. Preston Colby to write the two grants. Chair Bullard recommended that Mr. Nichols check to see why the Avon Park Library is not listed for shuttering. The Chair opened the floor to the public. Richard Conover from Avon Park, presented questions regarding specific buildings for shuttering.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Resolution approving the EMPA grant applications with matching funds. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book15 Page 89.

Writing of Grants

Carl Cool, County Administrator, advised that we have a person in house. Lisa Burley has agreed to assist in writing of the grants. Emergency Operations Director, Tim Eures, was concerned about the time involved with staff performing the task, but if necessary, they will prioritize. Commissioner Flowers and Bullard was in favor of writing the grants in house. The Chair opened the floor to the public. Richard Conover spoke in opposition to staff being assigned additional duties. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to write this grant in house. Commissioner Maxcy asked that staff report back on time spent toward the grant applications. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 70.

F. Assistant County Administrator

No report presented.

G. Board Attorney: Discussion on potential Quiet Title Action - Julian Wright

Board Attorney, Ross Macbeth explained the memo from Albert J. Tiseo, Attorney, representing Julian Wright, regarding the Quiet Title Action for the NW1/4 of NW 1/4 of NE 1/4 - Section 30, Township 40 South, Range 26 East - Charlotte County Shell pit property. The firm represents Julian Wright, but will be required to

represent Highlands County in the pending *quiet title action*. If a conflict should arise, they will be required to withdraw as counsel from both Highlands County and Julian Wright. Attorney Tiseo is requesting the Board execute document acknowledging the potential for a conflict of interest and agreeing to allow counsel to withdraw as attorney of record and to hold harmless the firm from any liability that may occur as a result of the conflict of interest.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve execution of document by the Chairman. Upon roll call, all Commissioners voted aye. Motion carried. See Charlotte County Shell Pit file.

H. County Administrator: Report on ten-hour workdays three month evaluation

County Administrator, Carl Cool, submitted a report noting the differences between the first quarter of this year and the first quarter of last year. The areas of potential savings discussed during the budget were energy savings and reduction of sick leave.

Additional hours of services were proposed with the split shifts of the 4 -10 hour work days. At the conclusion of the first quarter of this year, the following was noted:

1. Customer input was very positive except in one area (County Extension Office).
2. Employee surveys were very positive except in one area (County Extension Office).
3. Energy savings were only noted in one building (Agri-Civic Center).

The Road and Bridge building was under construction and a lot of time the doors were open and therefore, no net energy savings were noted. The weather during this first quarter was much warmer than normal and would account for some additional energy used.

4. The employees on the ten hour days had an off day each week to handle personal issues like doctor's and dentist's appointments. In the first quarter, we noted a 17% reduction in sick leave usage.

Findings:

1. The 4-10 hour day schedules with split 4-day shifts provide additional hours of service to the public in most offices.
2. The 4-10 hour day schedules with 4 day shifts, are liked better by most of the employees.
3. The 4-10 hour day schedules should provide a substantial energy savings on an annual basis.
4. The 4-10 hour day schedules with split 4 day shifts provide a substantial reduction of the sick leave usage.

Recommendations:

1. The 4-10 hour day schedule with split 4 day shifts continue for Board employees in the Government Center, the annex, Health Department and the Road and Bridge Building.
2. The 4-10 hour day schedule at the County Extension office be terminated and those Board employees return to a 5 - 8 hour day shift.

Commissioner Maxcy questioned if the shift changes are reflecting a change in the operational cost. Mr. Cool did not feel that it will provide enough to balance the budget. Commissioner Flowers suggested that we monitor the energy savings another quarter. If we don't see significant savings, pack the employees back into the building. Commissioner Bullard felt that it will show a significant savings, and he would like to continue with the program. He would also like to work with Road and Bridge, to have split shifts and provide one more day of service to the public. Commissioner Jackson wondered if the public is aware of the extended hours and the satisfaction of the public and if they are utilizing extended hours. S.Y. Mosley, Building Official, shared that he felt the program was an asset to the community. Commissioner Stokes spoke in favor because of the *sick leave savings benefit*.

The consensus of the Board was to continue with the program, except for the Extension office and they return to the 5-8 hour day shift.

2. Consent Agenda item number 3 - Request approval of Budget Amendment 01-02-92- Building Department - Overtime

Mr. Cool explained that this budget amendment is to move money out of regular salaries to overtime salaries to cover days off by other employees and the flexing of employees to meet the five-ten hour days. The Building Department had no overtime coming into the new year. The budget amendment is a result of the shift change. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the budget amendment for the Building Department at the \$1,000 level. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 90.

3. Request consideration of FHREDI Agreement

County Administrator, Carl Cool, presented a termination agreement between Florida's Heartland REDI, Inc., and Highlands County, as prepared by Ross Macbeth, Board Attorney. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the agreement. Upon roll call, all Commissioners voted aye. Motion carried.

6. CITIZENS NOT ON AGENDA:

Robert Saffold, representing the *Men of Action*, invited the Commissioners to participate in the Commemorative March on the Circle in Sebring, January 20, 2002, to celebrate Martin Luther King's birthday.

7. COMMISSIONERS

' Commissioner Flowers reported that the Committee will be reviewing the final draft of the Noise Ordinance. It will then be presented to the Board of County Commission.

' Chair Bullard reported that former County Commissioner Archie Summers is in the Lake Placid Health Care Center.

8. ADJOURN

The meeting adjourned at 12:25 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JANUARY 22, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending January 22, 2002. She reported that violet crimes for the year 2001 were relatively low.

- B. **Clerk**

Defer to agenda item 13-D

- C. *Upcoming meetings presented by the County Administrator. Additional meetings were announced for the benefit of the public.*

4. **Public Hearing to consider Code of Ordinance, Section 11.5-22, Highlands County Water and Sewer Amendments and Additions**

County Engineer, Ramon Gavarrete, presented Proof of Publication and changes to the Code of Ordinances, amending subsection (7) of Section 11.5-22. Staff recommends implementing changes to become effective upon adoption of the Ordinance. See Proof of Pub Ord. Book 3 Page 3. Captions of the Ordinance were read into the record. The Chair opened the floor to the public. No one spoke for or against. Commissioner Jackson presented comments regarding the provision for collection of the account. Ramon explained that staff is working with the customer to collect, while trying to maintain service with the customer.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt the Ordinance, with amendments and changes to the Code to apply to the Highlands County Water and Sewer System of Placid Utilities and Highway Park Utilities. Upon roll call, all Commissioners voted aye. Motion carried.

5. **Public Hearing to consider Easement Vacation - Lake Jackson Heights - Portion of Lot 16**

County Engineer, Ramon Gavarrete, presented Proof of Publication and Petition for vacation of a utility easement in Lake Jackson Heights, Portion of Lot 16. See SMB 40 Page 91. Staff is recommending approval of the vacation. The Chair opened the floor to the public. No one spoke for or against. Motion by

Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution to vacate the utility easement as follows: An easement being a portion of Lot 16, Block D, Lake Jackson heights, as per plat recorded in Plat Book 7, Page 52, of the Public Records, lying 10.00 feet south of the following described line; Begin at the Northwest Corner of said lot; thence run North 88 degrees 03'00" East and along the north line of said lot a distance of 115.00 feet to end of description. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 68.

6. Public Hearing to consider Vacation of Plat - Red Hills Farms Re-Subdivision

County Engineer, Ramon Gavarrete, presented Proof of Publication and Petition to vacate Red Hills Farm Re-Subdivision Plat. See SMB 40 Page 92. No objections were received for the vacation. Staff is recommending approval of the Plat vacation. Commissioner Jackson questioned the mortgage compliance. Ross Macbeth advised that we no longer request information on mortgages. Commissioner Jackson suggested a certification that there is no other mortgage. Staff was directed to further study the issue. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to adopt the Resolution to vacate the plat as follows: Lots 1 through 24, Block 73, and Lots 1 through 12, Block 74 together with that portion of the 40, road right-of-way lying South of Block 73 and North of Block 74, of Red Hill Farms Re-Subdivision of Section 19, Township 33 South Range 38 East, as recorded in PB 1 Page 68 of the Public Records of Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 69.

7. Public Hearing to consider road closing - Pink Drive - Sun 'n Lake Estates-Lake Placid

County Engineer, Ramon Gavarrete, presented Proof of Publication and Petition to consider road closing - Pink Drive - Sun 'n Lake Estates of Lake Placid. See SMB Book 40 Page 93. The Chair opened the floor to the public. No one spoke for or against the petition. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution closing that portion of Pink Drive, Sun 'n Lake Estates, Section 29 as recorded in Plat Book 9 on Page 61 of the Public Records of Highlands County, Florida. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 70.

8. Public Hearing to consider an Ordinance amending Section 9-339 of the Code of Ordinances providing for Leisure Lakes Special Benefit Fire District

Ross Macbeth presented Proof of Publication and Petition to adopt Ordinance amending the Leisure Lakes Special Benefit Fire District. See Proof of Pub Ordinance Book 3 Page 4. Captions of the Ordinance were read into the record. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Ordinance amending Section 9-339 of the Code of Ordinances to bring the district in line with provisions for changes in the assessments. Upon roll call, all Commissioners voted aye. Motion carried.

9. Public Hearing to consider an Ordinance amending the Code of Ordinances establishing the West Sebring Special Benefit Fire District

Ross Macbeth presented Proof of Publication and Petition to adopt Ordinance establishing the West Sebring Special Benefit Fire District. See Proof of Pub Ordinance Book 3 Page 5. Captions of the Ordinance were read into the record. This is the first of three public hearings to create the district and funding for fire protection services within the district. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Ordinance amending the Code, establishing the West Sebring Special Benefit Fire District. Upon roll

call, all Commissioners voted aye. Motion carried.

10. Public Hearing to consider an Ordinance amending Section 9-324 of the Code of Ordinances providing for the Highlands Lakes Special Tax District

County Administrator, Carl Cool, presented the Proof of Publication into the record. See Proof of Pub Ordinance Book 3 Page 6. Ross Macbeth explained the amendment necessary to provide for changes in the levy amount. The Chair opened the floor to the public. Gabriel Read, Avon Park Lakes, spoke regarding the provision for enforcement. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Ordinance amending Section 9-324 of the Code. Upon roll call, all Commissioners voted aye. Motion carried.

11. Public Hearing to consider proposed six (6) zoning changes, two (2) small-scale plan amendments, two (2) large-scale plan amendments, one (1) County initiated large-scale plan amendment, one (1) county initiated zoning change and one (1) set of Comprehensive Plan amendments

Petitions and Proof of Publication entered into the record by the Development Services Director, Jim Polatty. See Proof of Pub. Ord Book 3 Page 7.

HEARING #1601 - HIGHVEST CORPORATION - C/O CLIFFORD R. RHOADES, ESQUIRE

Lots 41, 42, 43, 44, and 45, Block 132, Sun 'N Lake Estates of Sebring, Unit 9, according to Plat Book 9, Page 59, of the Public Records of Highlands County, Florida.

Requesting a zoning change from B-1 (Neighborhood Business district) to B-2 (Business district). Applicant desires a drive-thru restaurant and ancillary retail shop. The property is zoned B-1, which will accommodate a restaurant, but B-2 is needed to have a drive-thru window. The Chair presented one letter in opposition and one in favor for the record. Cliff Rhoades, Attorney, representing petitioners, Sherri Clark and Marianne Homm, explained the request and agreed to place the drive-thru on the west end of the restaurant and not allow any amplifiers on the north side. Mr. Jim Barron, resident of Tanglewood stated concerns for the noise, traffic, crime, vandalism and a decrease in property values. He presented pictures and a petition with 517 names in opposition to the zoning. See SMB 40 Page 94. Mr. Polatty advised that the Land Development Regulations require a transitional yard the width of 30 feet around the property. The Chair opened the floor to the public. Gabriel Read, of Avon Park Lakes, spoke in opposition to the rezoning request. Richard Conover questioned the distance of the restaurant to the property owner. Chair Bullard spoke in opposition to a conditional use. Commissioner Maxcy supported a CU. Commissioner Flowers stated concerns for the location. Gary Lower, Zoning Supervisor, advised that a buffer is required by the Mobile Home Park, according to the code.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the zoning based on a conditional use with a restaurant. Commissioner Bullard spoke in opposition. Commissioner Stokes withdrew his second. The motion died for lack of second. Cliff Rhoades, attorney for the petitioner, committed to a deed restriction that will provide for the drive-thru on the westerly side with no amplification on the north side. Commissioner Maxcy spoke in opposition to opening up the property to all B-2 uses. Commissioner Bullard opposed the Commission trying to micro-manage use of the land.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to deny the request to change the zoning. Upon roll call, Commissioners Flowers, Jackson, and Stokes voted aye. Commissioners Maxcy and Bullard voted nay. Motion carried.

Break 10:55 a.m. - 11:10 a.m.

HEARING # CPA - 01-170SS - VIRGINIA FRYMAN TRUST - C/O MICHAEL JOACHIM

10 acres located in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Medium Density Residential) and (Commercial) to (High Density Residential). See Hearing #1600 below for details.

HEARING #1600 - VIRGINIA FRYMAN TRUST - C/O MICHAEL JOACHIM

10 acres located in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-1 (Residential district), R-2 (Two Family Dwelling district), and B-3 (Business district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct multi-family apartments. Jim Polatty, Development Services Director, presented recommendations of the Planning and Zoning Commission:

The applicant shall execute a Unity of Title Agreement with the property to the South, no secondary roads be allowed to Markley Street or Hidden Creek Circle, a six (6) foot vinyl chain link fence with vegetation, minimum setbacks from all lot lines be 25 feet, move the pool and recreational area to the south side of the project, minimum setback of fifty feet (50) on the East side of the property, maximum of 12 units per acre which will not exceed 120 units, minimum of twenty (20) feet between buildings, and the zoning change is contingent upon approval from DCA of the small-scale plan amendment.

Michael Joachim, representing Picerne Development Corporation, presented a brief summary of the proposed development.

Commissioner Maxcy presented questions regarding the company's financial statement and mentioned the safety issues for the children. The Chair opened the floor to the public. Hank Eures, Bob Hesselink, Lenard Carlisle, Marge Jernigan, Mark Carlisle, Hank Kowalski and Floyd Yarbrough spoke in opposition to the project. C.D. Boring and Bill Borgemeister spoke regarding the need for affordable housing. Doug Walz, a member of the Planning and Zoning Commission, explained the P&Z motion. John Borgemeister suggested vacating roads that will connect to the back of the property for security purposes. County Engineer, Ramon Gavarrete, stated that he will be reviewing the plans and will request a stop light.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to deny the zoning request. Upon roll call, Commissioners Maxcy and Flowers voted aye. Commissioners Jackson, Stokes and Bullard voted nay. Motion did not carry.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission, to adopt by Resolution and adopt by Ordinance contingent upon approval of CPA - 01-170SS from DCA and including the mandatory findings in the staff report. Carl Cool suggested emergency access to the property. John Borgemeister suggested that the fence be maintained and a provision for vacating the portion of road surrounding the project. Chair Bullard advised that this request will have to be advertised

and come back up for discussion. It is his opinion that the access will be provided far away from residential neighborhoods. Ross Macbeth asked if the intent is to access Gose Blvd. The maker of the motion added that to the motion. The seconder accepted the amendment. Upon roll call, Commissioners Stokes, Jackson, and Bullard voted aye. Commissioners Maxcy and Flowers voted nay. Motion carried. See Res. Book 15 Page 71.

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

HEARING # CPA - 02-171SS - RUTH KAHN DAVIS - C/O TODD FABBRI, THE RICHMOND GROUP OF FLORIDA

10 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Medium Density Residential) to (High Density Residential). See Hearing #1602 below for details.

HEARING #1602 - RUTH KAHN DAVIS - C/O TODD FABBRI, THE RICHMOND GROUP OF FLORIDA

10 acres located in Sec. 13, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-1A (Residential district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct an apartment community. 23 letters were received with a petition of 156 names in opposition. No letters were received in favor. The site plan was revised. A letter was received from the City of Sebring in opposition to the zoning, as it would adversely impact the City and its residents. Staff recommended in favor. The P&Z Board were in opposition. The Chair opened the floor to the public. Todd Fabbri, representing the Richmond Group, advised that the plan has been modified to address the concerns heard at the P&Z Board. John Haviland spoke in opposition as it will be located near the Sebring Parkway. Attorney Lon Crow, John Borgemeister, Hank Kowalski and Jim Kelley spoke in opposition to the zoning. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency, to deny the petition for the land use change and the zoning change. Upon roll call, all Commissioners voted aye to deny. Motion carried.

Break 2:35 p.m. - 2:45 p.m.

OLD BUSINESS: HEARING # CPA - 01-155LS - BRYAN PAUL - BOB PAUL INC. C/O DALE POLSTON

Approximately 186 acres located in Secs. 19 and 30, Twp. 36S, Rge. 30E, Highlands County, Florida.

Requesting a large scale plan amendment from (Agriculture) to (Business/Industrial Mixed Use). See Hearing #1579 below for details.

HEARING # 1579 - BRYAN PAUL - BOB PAUL INC. C/O DALE POLSTON

Approximately 186 acres located in Secs. 19 and 30, Twp. 36S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to BC-2 (Business Campus, Research, and Manufacturing Park district 2). Applicant desires an industrial park. Development Services Director, Jim Polatty, presented

the petition. The Chair reported that the Town of Lake Placid Clerk stated concern with lowering the lot size to ½ acre sites. Mr. Polatty stated that the lot size must be one acre. The Chair opened the floor to the public. Dale Polston, representing Polston Engineering, reviewed the site plan and spoke in favor of the Development. Bryan Paul, petitioner, explained the entrance to the development. Dr. Jerry Creed from Lake Placid spoke of the unsightly entrance coming into Lake Placid and suggested setbacks of 175 feet. Dan Barr and Hank Kowalski stated concerns. Discussion by the Board regarding the buffering issues. The owner agreed to work with DOT and staff to satisfy the concerns.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the Local Planning Agency, to transmit to the State of Florida for Florida Statute review CPA-01-155LS, including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Resolution to approve the zoning change, adopting a large scale comprehensive plan amendment for the above described real property to business/industrial mixed use in CPA - 01-155LS and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 72.

NEW BUSINESS: HEARING # CPA - 01-168LS - ROBERT R. SHARP, TRUSTEE - C/O C. D. BORING

Approximately 15.15 acres located in Sec. 9, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a large-scale plan amendment from (High Density Residential) to (Commercial/Industrial Mixed Use). See Hearing #1597 below for details.

HEARING # 1597 - ROBERT R. SHARP, TRUSTEE - C/O C. D. BORING

Approximately 15.15 acres located in Sec. 9, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires all the permitted uses in the B-3 zoning district. Development Services Director, Jim Polatty explained the request. The Planning & Zoning and LPA were in favor of the project. The Chair opened the floor to the public. C.D. Boring, representing the petitioner, stated that the overall intent is to construct a professional office complex. Hank Kowalski stated concerns for the development.

Motion by Commissioner Stokes, seconded by Commissioner Maxcy, in accordance with the Local Planning Agency, approve for transmittal to the State the Large Scale Amendment and adopt by Resolution adopting a large scale comprehensive plan amendment for the above described real property to Commercial/Industrial Mixed use. The zoning change contingent upon approval of CPA - 01-168LS from DCA and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page .

HEARING # CPA - 02-172LS - SOUTH FLORIDA WATER MANAGEMENT DISTRICT - C/O JEFF MCLEMORE - COUNTY INITIATED

Approximately 37.36 acres located in Sec. 2, Twp. 36S, Rge. 32E, Highlands County, Florida.

Requesting a large-scale plan from (Existing Designation) to (Conservation Management Lands). See Hearing #1603 below for details.

HEARING #1603 - SOUTH FLORIDA WATER MANAGEMENT DISTRICT - C/O JEFF MCLEMORE - COUNTY INITIATED

Approximately 37.36 acres located in Sec. 2, Twp. 36S, Rge. 32E, Highlands County, Florida.

Requesting a zoning change from CG-1 (Campground district) and M-2 (Mobile Home Parks district) to CM (Conservation / Management Lands district). There were no letters received and no one spoke for or against the requests. The Chair opened the floor to the public. The Chair questioned if the land use change will prohibit the Water Management District from placing the boat ramp activities. Carl Cool spoke in favor of the boat ramp but believes that access could be provided for the boat ramp. Commissioner Stokes stated support for the boat ramp. Ross Macbeth advised that if a boat ramp is intended, this is not the right land use category. He would suggest that we defer action and speak with the Water Management District. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to table the Hearing. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING #1604 - AVTEC ENGINEERING, INC. (USA), BRIAN E. NAYLOR, PRESIDENT - C/O ROGER DALE POLSTON, P.E., POLSTON ENGINEERING, INC.

An approximate 8-acre Tract located in Sec. 9, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to change the site plan to construct 17 duplexes, total of 34 units. Development Services Director, Jim Polatty, explained the petition. Dale Polston, representing the petitioner, reviewed the new site plan, lowering the density. The Chair opened the floor to the public. No one spoke for or against. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the zoning change and adopt by Resolution including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 74.

HEARING # CPA - 02-174LS: SPRING 2002 LARGE-SCALE PLAN AMENDMENT:

- 1] Amending Table 1.3 of FLU Policy 1.3 to include BC-1: Business Campus district, and BC-2: Business Campus district as implementing districts for Industrial Land Use; and the TN: Traditional Neighborhood district.
- 2] Amend FLU Policy 1.3.E.12: Mixed Use (MU) by removing any reference to DRI's, FQD's and Binding Letters as the only means to implement the MU land use designation.
- 3] Amend FLU Policy 1.3.E.12: Mixed Use (MU) to include the TN: Traditional Neighborhood district as a means to implement the MU land use designation.
- 4] Amend the FLUM recognizing recent annexations by the incorporated communities in the County.

Development Services Directory, Jim Polatty briefly explained the proposed amendments. There was no one

in the audience to speak for or against the Large Scale Plan Amendment. Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the Local Planning Agency, to approve CPA-02-174 LS for transmittal to the State for review, including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried.

12. CONSENT AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the Consent agenda with the deletion of item B. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval of Resolution & Budget Amendment 01-02-96

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve Resolution and Budget amendment 01-02-96 to reappropriate funds into current fiscal year for renovations to a ballfield complex at the Sims-Cox Center in Avon Park per Grant Contract 01-7. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 75.

~~B. Request approval of Recycling & Education Grant and Small County Grant Proposed Budget & Budget Amendment 01-02-94~~

13. ACTION:

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Action agenda as listed with the addition of language *all duly authorized bills, and two announcements under the County Administrator*. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills & employee benefits as of January 22, 2002

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve as follows:

General	188,026.02
County Transportation Trust	20,983.97
E911 Operations	4,860.39
Legal Aid	2,886.10
Local Government Infrastructure	455,960.40
Affordable Housing Assistance	437.50
Government Center	1,853.70
Sold Waste	39,966.41
Placid Utilities	1,972.43
Highway Park Utility	383.25
Risk Retention	41.53
Employee Benefit	11,459.66

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 97.

B. Finance Officer, Clerk of Courts: Presentation of Interim Financial Report for the Board of County Commissioners as of December 31, 2001

Business Services Director, Bob Jamision, stated that this report is provided for the quarter and the revenue figures may appear to be higher due to the influx from advalorem taxes and landfill assessment. The rest of the revenue stream will be fairly consistent. Finance Officer, Pam Cross, presented a slide presentation report. Commissioners discussed the report and the Chair requested Utilities be reviewed to see if there might be some timing of entry issues for possible corrective action. See Financial reports for copy.

C. Housing Coordinator: Request approval of waiver of conflict of interest for Community Block Grant

Ms. Penny Phillippi, Housing Coordinator, presented request for a submission of a Request for a Waiver to be submitted to the DCA asking that the Department grant the waiver as soon as possible so that the impacted households can be assisted with housing repairs. Ms. Phillippi identified the conflicts of interest to the Commissioners. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the waiver of conflicts. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 95.

D. Road and Bridge Superintendent: Request approval of mowing specifications

Road and Bridge Superintendent, Bruce Van Jaarsveld, presented draft copy of mowing specifications for the County. Commissioners presented discussion. Commissioner Jackson objected to the 30-day cancellation policy and the qualifications. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve mowing specifications as submitted. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See mowing specs file.

E. Assistant County Administrator

No report presented.

F. Board Attorney

No report presented.

G. County Administrator: Recommendation on bid of Lockett Estate property

County Administrator, Carl Cool presented recommendations on bid of Lockett Estate property. He advised that the road right of ways have been taken out of what the Board leased. Mrs. Lockett conveyed those right of ways out prior to Water Management taking title to the property. The option is not assignable. His recommendation is not to exercise the option with the Water Management District, because of the risk involved. The Chair opened the floor to the public. Mr. Elder Sumner and Mr. Woody Larsen shared that they are able to mitigate the risk with a substantial sum of funds and would like to purchase the property. Ray Royce, representing Agriculture, asked that the Commission consider returning the land to the tax rolls. Commissioner Stokes spoke in favor of the proposal in order to place back on the tax rolls. Ross Macbeth stated that the county is speculating in a land transaction but an escrow account could provide some degree of protection. The Chair would only be in favor if the bidder will put the cost of purchase, plus the closing cost into an escrow account, prior to the immediate time of closing, with an agreement to move forward with release of funds to exercise the option.

The consensus of the Board was to approve the concept and direct the Board Attorney to proceed with the contract to exercise the option at the February 5th meeting and it be placed on the agenda as the first item.

1. Small Counties Coalition Legislative Alert

County Administrator, Carl Cool, reported on a *new Senate Bill 710* that eliminates existing small county grants for Solid Waste Recycling Waste Tire and Litter Control. Chair Bullard agreed to contact Senator John Laurent in support of maintaining the authority and funding for the small county programs. See SMB 40 Page 96.

County Administrator, Carl Cool, reported that former County Commissioner, Archie Summers, is in grave condition.

H. Commissioner Flowers: Progress Report on Noise Ordinance Advisory Committee

Commissioner Flowers reported that the task has been completed. Decisions should be made by the Board on whether to dissolve the committee. It was not a unanimous decision. Ross Macbeth will be bringing back a draft ordinance for consideration. Mr. Macbeth asked if the Board would like to discuss the ordinance at a workshop and then set a public hearing. The Ordinance can be adopted at one public hearing. The Chair requested we wait until the ordinance is drafted to review before making that decision.

14. CITIZENS NOT ON AGENDA:

Ray Royce reported on the sale of approximately 2,500 acres of ranch land to the state. The State will add that to the Ridge Area Management. The County may want to get the recreational people involved as the state puts together their management plan.

15. COMMISSIONERS

Commissioner Flowers

The consensus of the Board was to direct Jim Polatty to streamline the paperwork process.

16. ADJOURN

The meeting adjourned at 5:40 p.m.

Chairperson

Attest: _____
Clerk

**Joint Workshop of the
BOARD OF COUNTY COMMISSIONERS,
and
SEBRING CITY COUNCIL**

January 29, 2002 - 5:30 p.m.

1. Meeting called to order

Vice Chair Edgar Stokes called the meeting of the Board of County Commissioners to order at 5:30 p.m. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Edgar Stokes	Carl Cool
David Flowers	Bob Jamison
Andrew Jackson	Ramon Gavarette
C Guy Maxcy	Louise Graham

Chair Bullard was absent due to illness.

Also, present from the City of Sebring was Mayor George Hensley, Council Members, Jeff Carlson, John Griffin, John Clark, Annette Daff, Margie Rhoades and City Administrator, Bob Hoffman.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Mayor George Hensley. The Pledge of Allegiance was led by Commissioner David Flowers. Chairman of the City of Sebring City Council, Jeff Carlson, called the roll with all members present. The meeting of the City Council was called to order.

Public Notice presented into the record by County Administrator, Carl Cool. See SMB 40 Page 98. Mr. Cool stated that the issue tonight is for members to decide if we want to include the Sebring Parkway in the Bond Issue. If so, the money has to be spent within three years. Staff needs to have that decision by February 5, 2002.

3. Workshop on the proposed Sebring Parkway

A. Phase I construction update

County Administrator, Carl Cool, presented Phase I construction update. The estimated final cost will be approximately \$5.5 million. Reimbursement received from the City of Sebring was listed at \$1,091,177.79. County Engineer Ramon Gavarrete, presented a Power Point presentation depicting the entire corridor. The County is expected to open up Fairmount and the Parkway in April 2002. Councilwoman Rhoades encouraged the Board to use contractors like MacAsphalt for future paving projects.

B. Phase II options for future construction

County Administrator, Carl Cool, discussed the design phase of the project. Staff is recommending if an agreement is reached on Phase II that the County contract it out. The total cost of the project is estimated at approximately \$16 million. The Financial Advisor recommended that the County consider a bond issue, due to their soundness, and a side agreement with the City of Sebring. The only stipulation with a bond issue is

that the money must be spent in three years. The total adopted County’s Capital Improvement Plan that can be spent for this project is \$6.4 million. Mr. Cool shared that a 15-year payback with the interest rate plus the bond cost for \$16 million, will produce an estimated debt service payment per year of \$1,528,500.00. Mr. Cool also presented the disadvantages of a *No Build*, and explained how the level of service on these roads can drop. There will also be a missing link connecting the parkway. Mayor George Hensley questioned how comfortable Mr. Cool was with the \$16 million numbers. Mr. Cool reviewed the estimates as presented by County Engineer Ramon Gavarrete:

<	Sum of all roadway design & permitting elements	\$732,013.87
<	Sum of all right-of-way acquisition elements	\$4,810,376.83
<	Sum of all roadway construction elements	\$10,457,340.93
	Total estimated improvement amount	\$15,999,731.63

He shared that right-of-way acquisition cost may increase. Commissioner Maxcy spoke in opposition to the increased cost to complete Phase II of the Parkway. Councilman Jeff Carlson questioned the increase from the last workshop of \$9 million to \$16 million. The difference is the small piece that is to the north of the proposed signalized intersection and the cost of extending to the end of Phase I. The cost is approximately \$5.9 million. The biggest issue is the cost of relocating the railroad track.

Councilman Jeff Carlson suggested a split of Sebring Parkway Phase II - B portion between the City and County at an estimated amount of \$300,000 of the debt service, which is closer to the budget that the City can afford for 15 years. Mr. Cool stated that we only have \$6.4 million in the CIP. City Administrator, Bob Hoffman, wondered if some of the dollars could be used from Phase II to Phase III. Mr. Cool spoke in favor of completing Phase I and II before Phase III. Councilwoman Rhoades spoke in favor of completing Phase II first. Vice-Chair Stokes cautioned the Board on spending \$16 million on top of \$12 million. Ramon spoke in favor of borrowing the money to allow staff to continue the road construction in the county. Mr. Cool said that if we continue with the plan there would be no paving of dirt roads for four years. Highlands Avenue is the third highest road for traffic count. Annette Daff shared that she is not ready to make a commitment for the funding. She still has concerns. The Commissioners needs to let the City residents know what they are willing to commit to and the City needs to look at issues that they will be facing in the next 15 years before a decision is made.

Commissioner Jackson stated that he is not ready to commit, but he is studying all the options. Commissioner Maxcy shared that he is not comfortable with the cost. Mayor Hensley stated that the City will commit \$300,000,000 or 19% of the project per year for 15 years. The Commissioners will discuss and place on the agenda for further action. See Sebring Parkway file for copy of information.

The Chair opened the floor to the public:

Charles Swank spoke in favor of moving ahead with the project. Chester Downing spoke in opposition to Phase III and spending that much money.

Break 7:25 -7:35 p.m.

4. Workshop on the Sebring Airport Authority

Executive Director, Mike Willingham, made a presentation of projects and available grants for the Airport. He spoke in favor of continuing the progress with the County, City and the Airport Authority with a new Interlocal Agreement. The County at \$300,000 a year for five (5) years and the City at \$75,000 a year for five (5)

years. Mike reviewed all the projects constructed in the last five years and presented recommendations for future projects. John Clark, Jeff Carlson, and John Griffin spoke in favor for an investment in the future. Commissioner Maxcy and Jackson spoke in favor of the extension. The Chair opened the floor to the public. John Shoop, EDC/IDA, stated support for the Airport. Mike Willingham stated that the Airport needs a commitment for future funding as soon as possible. Vice-Chair Stokes agreed to have the item placed on the agenda in the future.

5. Workshop on the Lake Jackson Stormwater Study

Lakes Manager, Clell Ford presented a report on the Lake Jackson Stormwater Study:

- A. Recap of Lake Jackson Stormwater Phase I project funded for \$60,000.
50% SWFWMD/ 25% County/ 25% City
- B. Summarized water quality results (SWFWMD) and trends (FLW)
- 3. Summarized stormwater runoff values and compare with state water quality standards (62-302.530)
- 4. Summarized sediment contaminant concentration results and compare with applicable standards (petroleum site cleanup standards)
- 5. Summarized changes to hydrology report and loading estimate calculations based on refined watershed delineations (1/17/01 meeting with Chastain-Skillman)
- 6. Time table for completion of Phase 1 report
- 7. FY03 proposal summary - work to be proposed for the FY03 budgets
- 8. Update on legislative mandate for "Small" MS4 and NPDES Phase II implementation regulations by March 10, 2003. Not just Lake Jackson but all MS4 in Highlands County. Not regulated in the past, due to population less than 100,000.
- 9. Additional/alternative funding sources (FDEP administered 319 funds, stormwater utility, General Fund). Refer to tape for detail.
- 10. Closing comments

Carl Cool advised that the grant application has been submitted to Water Management for funding of the Phase II study. He is hopeful that the City and County will each fund \$40,000 in next year's budget to identify the pollutants. John Griffin questioned how it will be possible to retain the water at the Pine Street location. Clell advised that a storm sewer can be constructed to filter the water. See Lakes Program file for copy.

6. ADJOURN

The meeting adjourned at 8:30 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD FEBRUARY 5, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ros Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by the Supervisor of Elections, Joe Campbell. The Pledge of Allegiance was led by Denise Williams of the Veterans Services Council.

- 3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending February 5, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *monthly report of Business Services for the month of January 2002 and a weekly report of Court Services for week ending February 1, 2002*, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 99.

- C. Upcoming County meetings presented by the County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.**

- A. Consent agenda:**

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

- ' Remove item #14 and place under the County Administrator as K-3.

- 1. **Approval of minutes of January 15 and 22, 2002 Board meetings**
 - 2. **Request approval to pay all duly authorized bills and employee benefits February 5, 2002**
- | | |
|--|---------------------|
| Law Library | 1,908.00 |
| General | 1,488,859.07 |
| County Transportation Trust | 81,312.65 |
| E911 Operations | 4,271.46 |
| Intergovt Radio Communication | 5.98 |
| Local Government Infra Surtax | 265,421.23 |
| Community Development Block | 2,250.00 |
| Affordable Housing Assistance | 219.89 |

Sold Waste	107,197.63
Placid Utilities	1,255.27
Highway Park Utility	383.86
Employee Benefit	407,688.51

See SMB 40 Page 100.

3. Request approval of sale of tax certificates per attached list. See SMB 40 Page 101.
4. Request approval of sale of tax certificate #96-6570. See SMB 40 Page 102.
5. Request approval and execution of Interlocal Agreement between the County and Town of Lake Placid for property acquisition adjacent to Lake June Park. See Town of Lake Placid file.
6. Request approval of additive change order No. 4 - Fairmount Drive widening - Highlands County project #98031. See SMB 40 Page 103.
7. Request approval of Coastal Impact Assistance Program (CIAP) Grant for exotic plant removal and approval of Resolution and Budget Amendment #01-02-105. See Res. Book 15 Page 77.
8. Request approval of Fairmount Drive Project #98031 - Addendum No. 2 to CSA No. 20 - Chastain-Skillman, Inc. See Fairmount Drive Widening file.
9. Request approval of CSA No. 51 - Chastain-Skillman, Inc. - for Engineering services pertaining to expansion of the Leachate Recirculation System in Cell 1B.
10. Request approval of Budget Amendments 01-02-104 (Funding for CAC Building) and 01-02-106 (County Administration overtime for promotional activities).
11. Request approval of Resolutions and Budget Amendments 01-02-100 (to complete improvements to Max Long Complex) and 01-02-102(to realign budget to balance fund for improvements to Istokpoga Park). See Res. Book 15 Page 77.
12. Request approval of expenditure of funds from the Special Law Enforcement (Forfeiture) Trust Fund for implementation of a crime prevention program, Child Lures Community Project. Additionally, waive the Board's purchasing policy and adhere to the Sheriff's Office purchasing policy to facilitate the tracking and reporting of the expenditures. See SMB 40 Page 104.
13. Request approval of a Community Service Work Experience Program Agreement between South Florida Community College, the Heartland Workforce Investment Board, Inc. and the Highlands County Board of County Commissioners
14. ~~Request approval of Change Order No. 2 to E.O. Koch Construction for the Landfill Gas Flare Facility. See Landfill file~~

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

4. ACTION:

Motion by Commissioner Flowers, seconded by Commissioner, Jackson to set the Action agenda as

amended.

Move Item J-1 up to D-1

Remove Consent item #14 and place under the County Administrator as K-3.

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

B. Mike Eisenhart, Coordinator of Keep Highlands County Beautiful, and Jerry Miller, Manager of Community Relations, Florida Power: Update on the Progress and Trees Grant and check presentation

Mike Eisenhart, Coordinator of Keep Highlands County Beautiful, presented a Power Point presentation on the preservation of Heritage Trees Program. Jerry Miller, Manager of Community Relations, Florida Power Corporation, presented a check in the amount of \$20,000 in support of the program. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to endorse the concept of preserving trees, possibly with a Resolution and a letter of appreciation to Florida Power and Progress Energy for their support. The Chair opened the floor to the public. Gabriel Read of Avon Park Lakes, spoke in favor of the concept of preserving trees. Upon roll call, all Commissioners voted aye. Motion carried.

C. Supervisor of Elections: Update on voting system

Supervisor of Elections, Joe Campbell, presented an update on the new voting systems. Linda Bennett, Project Manager of ES&S of Lee County, presented a demonstration on the Touch-Screen System and the Optical Scan System. The Chair called a recess from 10:00 a.m. until 10:13 a.m. to allow the public to view the two systems. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to waive the purchasing manual requirements and declare ES&S as a single source vendor from which suitable equipment maybe obtained and authorize the Chair to certify to the Division of Elections the sole source purchase and the Supervisor of Elections to proceed with the purchase of the equipment, based on the fact that their company has the only state certified audio that is applicable with the touch screen system and the only high speed counter comparable with the system. Upon roll call, all Commissioners voted aye. Motion carried.

 Extension office Advisory Committee

Chair Bullard announced the appointment of Commissioner Edgar Stokes as liaison to the Extension office Advisory Committee.

 Commissioner Stokes - Seven County Coalition Water District

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve that Highlands County join the Seven-County Water District Coalition and to appoint Commissioner Stokes as the representative to that Coalition. Upon roll call, all Commissioners voted aye. Motion carried.

D. Linda Crowder, Director of The Children's Museum of the Highlands: Request for funding

Linda Crowder, Director of The Children's Museum of the Highlands, updated the Board on the changes to the Museum and requested funding in the amount of \$10,000. The Board suggested that Ms. Crowder bring the request back when staff has made a determination on the unrestricted fund balance. Deputy Clerk, Bob Jamison, reported that figures should be available within the next two weeks. The CAFR presentation will also be ready either the end of February or early in March and will give a broader picture of last years' budget.

J. Board Attorney:

A. Request to exercise Purchase Option and request execution of Notice of Exercise of Purchase Option regarding the purchase and sale of Lockett Estate Pasture

Board Attorney, Ross Macbeth, reviewed the documents necessary for the purchase and sale of the Lockett Estate property. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to move that the Board exercise the Purchase Option pursuant to paragraph 27 of the Lease with Option to Purchase between the South Florida Water Management District and Highlands County for the purchase of Surplus Tract No. KR 103-130, authorize the Chairman to sign the NOTICE OF EXERCISE OF PURCHASE OPTION and cause it to be delivered to the South Florida Water Management District, and approve the Agreement for the sale of that property to Elder M. Sumner and Louis E. Larson, Jr., and authorize execution of that Agreement by the Chairman and the Clerk. Upon roll call, all Commissioners voted aye. Motion carried. See Lockett Estate file.

E. Jim Stanfill, Executive Director of the Economic Development Commission and Industrial Development Authority: Request approval of appointment to the Tourist Development Council

Louise England, Executive Assistant of the Economic Development Commission and Industrial Development Authority, presented request for appointment to the Tourist Development Council.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to appoint Tres Stephenson to the Tourist Development Council. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 105 for copy of resume.

F. Parks and Recreation Director: Presentation of a request for canal maintenance - Cloverleaf Canal

Parks and Recreation Director, Vicki Pontius presented information regarding request for canal maintenance of Cloverleaf Canal. Ms. Pontius stated that the Canal does not satisfy criteria for maintenance. The Chair opened the floor to the public. Mary Darbro requested that the Canal be sprayed to kill the weeds. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a *spray only maintenance contract* for approximately three times per year at an estimated cost of \$500. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 106 for copy of petition.

G. County Engineer:

1. Request approval of Budget Amendment #01-02-107 - for additional funds for work approved on June 5, 2001 for Sebring Parkway Phase I and project contingency

County Engineer, Ramon Gavarrete, presented request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve addendum Budget Amendment No. 01-02-107. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 107.

2. Request approval of Budget Amendment #01-02-108

County Engineer, Ramon Gavarrete, presented request for approval of Budget Amendment #01-02-108 for paving the area from the Livestock Barn to the Exhibit Building next to the railroad track and paving the front parking area south of the water tower at the end of Magnolia Avenue. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Budget Amendment #01-02-108 for the paving. Richard

McClain spoke in support of the paving. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 108.

H. Development Services Director: Request consideration of an appeal of environmental clearance - Freeland

Development Services Director, Jim Polatty, presented recommendations of the Natural Resources Advisory Council, regarding the appeal of environmental clearance determination for Mr. Ray Freeland. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve recommendations of NRAC and grant environmental clearance and a land clearing permit for the area that was cleared as delineated on the map with the appeal letter, with no penalties applied.. Hank Kowalski asked that the Board address the issue of land clearing. Gabriel Read of Avon Park Lakes, spoke in favor of regulations. Upon roll call, all Commissioners voted aye. Motion carried. See environmental clearance appeal file.

I. Assistant County Administrator

No report presented.

J. Board Attorney:

2. Request approval of Declaration of Taking and Estimate of Value - Highlands County vs Holmes

Board Attorney, Ross Macbeth, presented a request to approve a Declaration of Taking and Estimate of Value in eminent domain Case, *Highlands County vs Holmes*, subject to a right of first refusal retained by the Defendants to purchase any part of that parcel B sold by Petitioner within five years from the transfer of title from Defendants to Petitioner. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to authorize Mr. Macbeth to sign and file with the Court to proceed with eminent domain. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 109.

K. County Administrator:

1. Request approval of Budget Amendments 01-02-101 and 103 decreasing fund 151 Reserve for Contingency

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve budget amendment 01-02-101 for the expansion and remodeling of the Avon Park Library. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve budget amendment 01-02-103 for modifications of the existing Environmental Permit application for drainage outfall on Lake Letta Drive. Upon roll call, all Commissioners voted aye. Motion carried.

Break 11:45 a.m. - 11:55 a.m.

2. Request for consideration of options for Sebring Parkway Phase II

Commissioners discussed a new Phase II-A, in cooperation with the City of Sebring for a contribution of \$300,000 a year for 15- years. Commissioners also discussed the continuation of the annual \$300,000 allocation to the Sebring Airport for another five years beginning in 2002-03. County Administrator, Carl Cool

was asked to present two new options for the parkway, one with the funding and one without. It was a consensus to workshop next week with inclusion of the Airport request with the two different options.

3. Consent Agenda item number 14-Request approval of Change Order No. 2 to E.O. Koch Construction for the Landfill Gas Flare Facility. See Landfill file

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Change Order as requested. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained, and entered into the record a memorandum of voting conflict, as Koch Construction is a client of his corporation. Motion carried. See SMB 40 Page 110.

5. CITIZENS NOT ON AGENDA

Charles Swank commented on the contract price of option Phase II-A of the Sebring Parkway.

6. COMMISSIONERS

- , Commissioner Maxcy commended Chair Bullard for his leadership as the Chairman.
- , Commissioner Stokes urged board members to contact representatives regarding House Bill #851-solid waste programs.

7. ADJOURN

The meeting adjourned at 12:45 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD FEBRUARY 12, 2002

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:

- | | |
|-----------------------|----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ros Macbeth |
| Andrew Jackson | Louise Graham |
| C Guy Maxcy | |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Lowell "Blackie" Ballas.

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending February 12, 2002. The Farm report was also given.

B. Clerk

Deputy Clerk, Bob Jamison, presented *a weekly report of Court Services for week ending February 8, 2002*, for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 111.

C. Upcoming County meetings presented by the County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA:

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

A. Approval to pay all duly authorized bills and employee benefits as listed:

Law Library	1,022.16
General	124,927.04
County Transportation Trust	22,154.03
E911 Operations	498.03
Intergovt Radio Communication	1,173.16
Local Government Infra Surtax	348,552.21
Community Development Block	3,145.00
Affordable Housing Assistance	178.39
Solid Waste	32,850.21
Placid Utilities	7,636.84
Highway Park Utility	291.12
Risk Retention	55.22

Employee Benefit 57,744.10
See SMB 40 Page 112.

- B. Request approval of Budget Amendment 01-02-109(Sebring Library for OPS cost)**
- C. Request approval of Budget Amendment 01-02-110 for purchase of a Tarpomatic Tarping Spool. See SMB 40 Page 113.**

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

5. WORKSHOP: Discussion/direction on Board Attorney

Commissioners discussed the increasing demands on the Board Attorney as the County grows in population. The Board’s mission is to make sure they are spending the money the most cost effective way while still receiving good legal services. The Board gave a consensus that we maintain the current services while the Chair develops a management system for Mr. Macbeth in an effort to utilize his services in a more efficient manner with a protocol for priority cases. Monthly reports will be provided on the projects. Commissioner Flowers discussed hiring an in-house attorney at a slightly lower rate to do the detail work and utilize Ross Macbeth for the legal counsel. The Commission directed staff to provide a survey from other counties on attorney cost and procedures for annual evaluations. Richard Conover of Avon Park, spoke regarding limits on cost.

6. WORKSHOP: Proposed Noise Ordinance

Staff presented a proposed ordinance for consideration on noise control in the County. Commissioners discussed enforcement issues. Commissioner Maxcy stated concerns for enforcement. County Administrator, Carl Cool, was afraid it will be necessary to add an evening shift to deal with the complaints at night. Chair Bullard stated that the Sheriff’s Department would continue to respond to problems at night. Airboat owners were concerned about a provision in the ordinance that states airboats shall not operate within 1,000 feet of a lakefront home, at other than idle speed.

Lowell, “Blackie” Ballas, Chairperson for the Committee, thanked all who participated in the development of the ordinance.

Public input was received from the following in opposition to the ordinance regulating airboats:

Danny Brantley, representing the Florida Airboats Association, Lonny and Marcia Tucker, Rhonda Moore, Chris Lusby, Ron Jones, Lowell Liskey, Larry Fennell, Sarah K. Childs, James Marsell and Don Beville.

Public input was received from the following in favor of adoption of an ordinance regulating noise.

Roy Crass, Robin Worley, Ted Clay, without restrictions on airboats, Frank McCormick, Frank Pennisi, Betty Dink, Hank Kowalski, Jeannie Elder, Rosanna Divarge, Pat Holt, Advisory Committee, Jim Worley, John Bock, and Don Brusha.

Billy Barben and Gabriel Read presented comments regarding the enforcement of the ordinance.

A petition signed by 575 residents were entered into the record, in opposition to regulating airboats. See Noise ordinance file.

The consensus of the Board was to approve the dissolution of the committee, direct staff to contact other counties for information regarding enforcement, incorporate the changes and bring back a revised ordinance in two weeks. The Chair was asked to draft a letter to the Committee in appreciation for their work.

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

7. WORKSHOP: Sebring Parkway Phase II

County Administrator, Carl Cool reviewed Options 1-8-9-10-11 for consideration by the Commission. Lengthy discussion followed. Mike Willingham, representing the Sebring Airport Authority, presented information as to the economic benefit of funds received from the County. Chair Bullard recommended a Phase out program starting with \$200,000 in 2002-03 and concluding with \$50,000 in 2006-07.

Hal Morris, Lew Carter, and Haywood Taylor spoke in support of funding for the Airport.

It was a consensus of the Board to direct staff to run the numbers and incorporate the following items for next week's discussion.

- ' protect road construction
- ' road reconstruction
- ' build Sebring Parkway Phase II- A
- ' right of way acquisition and planning and design for Phase II-B
- ' look at Phase II-B as divided with a Phase- C
- ' look at commitments to the Airport that we have already made, plus some options on the Phase out scenario

Mike Willingham was directed to bring back a report on the impact to the Airport, with the phase out program. See Sebring Parkway file for copy of information. Refer to tape for detail.

8. ACTION:

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Action agenda as listed with an addition for the Board Attorney as item number C. Upon roll call, all Commissioners voted aye. Motion carried.

1. Development Services Director: Request to authorize County-initiated rezone and small scale Comp Plan Amendment for two lots in Orange Blossom Subdivision

Development Services Director, Jim Polatty presented recommendation. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to authorize staff to file County-initiated rezone and small scale Comp Plan Amendment applications for the Freeland and Wilson lots in Orange Blossom subdivision. Also, authorize staff to file one County initiated rezoning and large Scale Comprehensive Plan amendment applications for up to 10-11 lots in Orange Blossom subdivision. Authorize staff to issue two building permits for houses for Wilson and Freeland in said subdivision, with certificate of occupancy only upon completion of both the rezone and Comprehensive Plan amendment. Upon roll call, all Commissioners voted aye. Motion carried.

2. Road & Bridge Superintendent: Request approval to pave Cherry Street in Orange Blossom Estates

Road & Bridge Superintendent, Bruce Van Jaarsveld presented request of Mr. Frank A. Celentano, III to approve paving of Cherry Street in Orange Blossom Estates. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request to pave 400' of Cherry Street, which is connected to Jonquil Avenue and is county maintained, with Mr. Celentano paying the cost of the asphalt in the amount of \$2500. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 115.

3. Board Attorney - Request to release Property deed back to owner

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to authorize the Chairman to execute property deed conveying title back to owners, Howard and Myrna Cobb, in Criminal Case. Upon roll call, all Commissioners voted aye. Motion carried. See Deed file.

ADJOURN

The meeting adjourned at 2:25 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD FEBRUARY 19, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner Andy Jackson.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending February 19, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *monthly report on Jury Trial Week for the month of February 2002* for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 116.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

- D. Public Information Officer, Lisa Burley, reported that the Highlands County Booth received a blue ribbon for first place in the commercial division at the Highlands County Fair. Those who participated were Mike Eisenhart from the *Keep Highlands Beautiful Program*, Christy Reed, Vicki Pontius, and staff. Winston Harvey was credited with most of the construction of the booth.

4. **Consent agenda:**

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

' Remove Consent agenda Item number 13, 16, and 17 and place under Action after the Chairman

1. **Approval of minutes of January 29, 2002 and February 5, 2002 Board meeting**
2. **Request approval to pay all duly authorized bills and employee benefits February 19, 2002**

	Law Library	6.64
	General	186,721.86
	County Transportation Trust	19,387.46
	E911 Operations	15,700.02
	Local Government Infrastructure	220,817.50
	Community Development Block	6,385.41
	Affordable Housing Assistance	2,382.19
	Solid Waste	100,346.21
	Placid Utilities	5,286.06
	Highway Park Utility	1,853.76
	Risk Retention Fund	39.47
	Employee Benefit	11,065.89
3.	Request approval of Budget Amendments 01-02-112(Interpreter fees) 01-02-116 (emergency rental of vehicle 01-02-21(unemployment compensation claim-Veterans Service).	
4.	Request approval of Resolution and Budget Amendment 01-02-122 (City of Sebring solid waste assessment roll revenues). See Res. Book 15 Page 78.	
5.	Request approval of sale of Tax Certificate # 01-8720. See SMB 40 Page 117.	
6.	Request approval of sale of Tax Certificate # 99-12131. See SMB 40 Page 118.	
7.	Request budget modification for Road & Bridge equipment purchase. See SMB 40 Page 119.	
8.	Request to approve Satisfaction of Mortgage - Cadena. See Satisfaction of Mortgage file.	
9.	Request to approve Satisfaction of Mortgage - Shelton. See Satisfaction of Mortgage file.	
10.	Request to approve Satisfaction of Mortgage - Manzo. See Satisfaction of Mortgage file.	
11.	Request to approve Resolution in support of Avon Park Library Construction Grant Application. See Res. Book 15 Page 79.	
12.	Request approval for acceptance of License and Guarantee Bond - April Mitchell, Psychic Reader. See Bond file for copy.	
13.	Request approval of CSA #53 & Budget Amendment 01-02-123 for an environmental study for Fewell-Clements property.	
14.	Request approval of Resolution for design, permitting and construction of intersection improvements and road widening at Airport Road at County Road 623 Project (FM Number 4057478-01). See Res. Book 15 Page 80.	
15.	Accept into the record financial statements from the franchised solid waste hauler - Reliable Sanitation. See Garbage Franchise file.	
16.	Request approval of Conceptual Approval Agreement with Florida Communities Trust (FCT) for the Clements-Fewell Acquisition Project	

17. ~~Request approval of expenditure of funds from the Special Law Enforcement (Forfeiture) Trust Fund and Budget Amendment 01-02-124, and to waive the Board's purchasing policy and adhere to the Sheriff's Office purchasing policy.~~

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

5. ACTION:

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to set the Action agenda as listed.

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

A. Chairman Bullard: Character First Presentation

Chairman Bullard presented a *Character First* award to County Administrator, Carl Cool. The award consisted of a certificate, honoring him for the character trait dependability.

' Consent Agenda Item 13.

Request approval of CSA #53 & Budget Amendment 01-02-123 for an environmental study for Fewell-Clements property.

' Consent Agenda Item 16.

Request approval of Conceptual Approval Agreement with Florida Communities Trust (FCT) for the Clements-Fewell Acquisition Project See SMB 40 Page 120.

Ross Macbeth explained the confidentiality agreement and suggested that staff do the negotiations and acquisition directly and not through an agent or FCT. Carl Cool warned of potential environmental sensitive issues that may have to be addressed. Gabriel Read of Avon Park Lakes, commented on the cost and the confidentiality clause. Dee McDonald, Vice-Chair of the Recreation and Parks Committee, presented information and spoke in favor of the project.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Consent agenda item number 13 and 16 with the three agreements and move forward with the environmental study, prior to obtaining the appraisal. Upon roll call, all Commissioners voted aye. Motion carried.

' Request approval of expenditure of funds from the Special Law Enforcement (Forfeiture) Trust Fund and Budget Amendment 01-02-124, and to waive the Board's purchasing policy and adhere to the Sheriff's Office purchasing policy

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve an amended request of an expenditure of funds from the Special Law Enforcement (Forfeiture) Trust Fund in the amount of \$44,745.00 and Budget Amendment 01-02-124, and to waive the Board's purchasing policy and adhere to the Sheriff's Office purchasing policy. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 121.

B. Yvette Mehling, Ridge Area ARC: Request approval of a Resolution in recognition of "Mental Retardation Awareness Month"

Yvette Mehling, Ridge Area ARC, presented a Resolution and read into the record. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution, proclaiming the month of March 2002 as "Mental Retardation Awareness Month." Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 81.

C. Jerry Miller, Florida Power: Report on Sebring Rider

Jerry Miller, Community Relations Director for Florida Power Corporation, presented a report on the Sebring Rider. He reported that the projected retirement date was March 2008. The original debt of \$50.5 million has been reduced to a remaining debt of 19.1 million. He said that refinancing the loan was considered but the best interest rate was a little less than 6 percent, and there would be a lot of refinancing cost, so the thinking was to stay where they are. He agreed to present a report to the City of Sebring.

D. Veteran's Service Officer: Request to establish "Veteran's Appreciation Week" and "Veteran's Appreciation Day"

Clark R. McCray, II, County Veteran Service Officer, presented request to adopt Resolution. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to adopt Resolution, establishing March 24-30, 2002 as "Highlands County Veteran's Appreciation Week" and March 28, 2002 as "Highlands County Veteran's Appreciation Day." Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 82.

E. Assistant County Administrator

No report presented.

F. Board Attorney

No report presented.

Break - 10:27 - 10:35 a.m.

G. County Administrator: Presentation of additional options on the Sebring Parkway Phase II

County Administrator, Carl Cool reviewed additional options 12 - through 17 of the Sebring Parkway Phase II. The consensus of the Board was to direct the County Administrator to bring back another option that addresses the following:

- ' Provides the full airport allocation.
- ' Restores \$1.2 million in funding for road paving, reconstruction, resurfacing and right of way acquisition that was proposed to accommodate the airport request.
- ' Moves prior commitments to the airport and raceway, totaling \$715,000 from 2004-05 and 2005-06 to 2006-07 and 2007-08. This will increase the estimated year ending fund balance in the Capital Improvement Plan. Refer to tape for detail.

Public input was received in support of the full allocation from tenants Dave Travers, Phil Lockwood and Michele Roberts, dean of open campus at South Florida Community College. Residents Claude Stampa, C.D.

“Chip” Boring, Dusty Davis and Jesse McClelland. Tres Stephenson, vice-president of the Raceway, and David Duke of Tampa General Hospital and Aeromed II. See Sebring Parkway file.

6. CITIZENS NOT ON AGENDA

Dale Grubb called by telephone in favor of funding for the Airport.

7. COMMISSIONERS

Commissioner Maxcy - report on legislative meeting

Commissioner Stokes - report on House bill #851

Commissioner Bullard requested support for the Transportation Disadvantaged bill.

8. ADJOURN

The meeting adjourned at 12:35 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD MARCH 5, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Dick Brown, representing the Sebring Veterans of Foreign Wars.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending March 5, 2002. Special acknowledgment was given to a fallen comrade, Deputy Lance Gullet, who lost his life in an automobile accident.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *Weekly report of Court Services, for week ending 3/01/02 and a Monthly report of Business Services for the month of February 2002* provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 141.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

- 4. **PUBLIC HEARING: On proposed large-scale Comprehensive Plan amendment- CANCELED**

- 5. **PUBLIC HEARING: On proposed ordinance to rescind small-scale Comprehensive Plan amendment - CANCELED**

- 6. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the Consent agenda with an addition to add a letter to waive the fee for use of H.L. Bishop Park by the Lake June Homeowners Association.

- A. **Approval of minutes of the February 12, 2002, February 19, 2002 and February 26, 2002 Board meetings**

- B. **Request approval to pay all duly authorized bills and employee benefits March 5, 2002**

General	1,830,353.89
County Transportation Trust	10,385.78
E911 Operations	2,590.90

- | | | |
|--|--|-------------------|
| | Intergovt Radio Communication | 1,690.00 |
| | Local Government Infra Surtax | 198,250.84 |
| | Affordable Housing Assistance | 15,615.39 |
| | Sold Waste | 113,772.32 |
| | Placid Utilities | 1,870.96 |
| | Highway Park Utility | 183.84 |
| | Employee Benefit | 22,951.83 |
- C. Request approval of Emergency Food/Shelter Grant. See SMB 40 Page 142.**
 - D. Request approval of Highlands County Homeowners Association, Inc.’s request to waive the rental fee for Bishop Park See SMB 40 Page 143.**
 - E. Request approval and execution of the Interlocal Agreement between the County and the City of Avon Park regarding recreational facilities. See City of Avon Park file.**
 - F. Request to release Notice of Nuisance Case #CE1060142. See SMB 40 Page 143-A.**
 - G. Request approval of Chastain-Skillman Supplemental Agreement for Avon Park Library Construct Grant application. See SMB 40 Page 144.**
 - H. Request approval of Change Order No. 4 - APAC - Florida, Inc., Macasphalt Division - Sebring Parkway Phase I - concrete work - Project No. 89003. See Sebring Parkway file.**
 - I. Request approval of sale of the old Emergency Operation Center at W. Beach Ave, Sebring, Florida. See Emergency Operations file.**
 - J. Approval of Additive Change Order No. 5 - Fairmount Drive Widening - Highlands County Project #98031. See SMB 40 Page 145.**
 - K. Request approval of Budget Amendments 01-02-126 (Communications Program overtime for Workers Compensation employee) 01-02-136 (Dal Hall Blvd.) 01-02-137 (Correct deficiency in rental and leases necessary for Charlotte County Shell Pit start up) 01-02-140 (Unemployment compensation claims for Dennis Frith, Recycling Operation).**
 - L. Request approval of Resolutions and Budget Amendments 01-02-132 (Emergency Management Performance Grant Funds received for a lesser amount) 01-02-133 (Base Grant funds were received for a lesser amount than estimated) 01-02-135 (to allocate funding from the FEMA grant, formerly managed by United Way). See Res. Book 15 Page 86.**
 - M. Request approval to add Knapp Construction to the CDBG Contractor List. See SMB 40 Page 146.**
 - N. Request approval of Budget Amendment #01-02-139 (to transfer from OPS to Contractual Services to meet ongoing personnel needs for the commodity grant).**
 - O. Approve request to waive the fee for the use of H.L. Bishop Park by the Lake June Homeowners Association on March 17, 2002.**

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

7. ACTION AGENDA:

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

A. Mike Eisenhart, Coordinator of Keep Highlands County Beautiful: Request approval of a Resolution in support of the Progress and Preservation Tree Incentive Program for Highlands County

Mike Eisenhart, Coordinator of *Keep Highlands County Beautiful*, presented request and read the Resolution into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution in support of the Progress and Preservation Tree Incentive Program for Highlands County. Gabriel Read of Avon Park Lakes, recommended that the Power Company thin trees. The Chair reported that an educational program is in the works to preserve trees. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 88.

B. David Reinagle, President of Nam Knights: Request for support of All Vets Reunion

David Reinagle, President of Nam Knights, presented request for support of the All Vets Reunion to bring the Moving Wall to Highlands County. The cost is \$6,000 for bringing the Wall to the Airport location. Commissioners endorsed the concept and suggested that Mr. Reinagle go through the regular budget process for consideration, since the event is scheduled for October 31 thru November 4, 2002. See SMB 40 Page 147 for copy of request.

C. Mike Carter, The NCT Group: Presentation of the Comprehensive Annual Financial Report (CAFR) Year 2000/2001

Mike Carter, NCT Group, introduced Bill Benton, Partner, Ken Bartels and Bryan Cosgrave who performed the audit for Highlands County. Mr. Carter reviewed the Comprehensive Annual Financial Report (CAFR) Year 2000/2001. Recommendations were that the County is in good financial shape now, but the unrestricted Fund Balance is lower than it should be. Within the next two years, the county should increase revenues and decrease expenses. The fund balance should be increased and the Employee Benefit Fund reserve increased to allow bargaining power when its time to renew the health insurance contract. Deputy Clerk, Bob Jamison, stated that the report was a Herculean effort to get completed two to three months earlier than ever before. Mr. Jamison also emphasized the importance of increasing the unrestricted Fund Balance. See File for copy.

D. County Extension Director: Request approval of appointments to the Highlands County Extension Advisory Council (new committee)

Gary Mikulecky, County Extension Director, presented request for the establishment of a County Advisory Committee System to ensure that County Extension programs are based on the needs of the people in the county. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve list of appointments to the Highlands County Extension Advisory Council new committee. Upon roll call, all Commissioners voted aye. Motion carried. See Extension Service file for list of resumes.

E. Road & Bridge Superintendent:

1. Request approval to set Public Hearing date to consider the purchase of Wilburn property located on George Boulevard

Road & Bridge Superintendent, Bruce Van Jaarsveld, presented request. County Administrator, Carl Cool, explained that if the purchase of the property is approved a motor grader that is budgeted for this year will not be purchased and that amount will fund the down payment on the property. The remaining payment will be budgeted through the CIP at \$100,000 per year for the next four budget cycles. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to set a public hearing

for April 23, 2002, at 9:00 a.m. or thereafter, to discuss the purchase of the nine (9) acre parcel. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 148.

2. Discussion on requested maintenance of Fairway Drive in Spring Lakes

Road & Bridge Superintendent, Bruce Van Jaarsveld, presented request for an exception to the density rule in the case of Mr. Donald Bishop for maintenance of Fairway Drive which connects to Concord Street that is currently maintained. Public input was received from Donald Bishop, resident on the road, in favor of the maintenance. Clayton Womer and Gabriel Read spoke in opposition to change of policy. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept Fairway Drive in Spring Lakes for maintenance. Upon roll call, Commissioners Flowers, Stokes and Maxcy voted aye, Commissioners Jackson and Bullard voted nay. Motion carried. See SMB 40 Page 149.

10:40 - 10:55 a.m.

G. Assistant County Administrator: Request approval of Certification of a Request for Qualification (RFQ) 02-013 for the Courthouse/Jail project

Assistant County Administrator, Tom Portz, presented recommendation. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the seven qualified respondents to be certified as bidders on the invitation to bid (ITB) for the jail/courthouse construction project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 150.

F. Director, Office of Management & Budget:

1. Discussion on selection of Senior Managing Underwriter for Bond Issue

Director, Office of Management & Budget, Rick Helms, presented discussion on selection of Senior Managing Underwriter for Bond Issue. The consensus of the Board was to move ahead with the next step to have the workgroup interview the top three ranked firms and select a qualified firm to act as Senior Managing Underwriter for the County's proposed Infrastructure Tax Revenue Bonds, Series 2002 issue. The top three firms listed are A.G. Edwards & Sons, Salomon Smith Barney and William Hough and Company. See SMB 40 Page 151.

2. Discussion of funding for the Jail and Courthouse additions; the new cell at the Solid Waste Facility; refinancing the balloon note for Placid Utilities and Sebring Parkway Phase II

OMB Director, Rick Helms and Hal Canary, Public Financial Management, discussed funding for the Jail and Courthouse additions. County Administrator Carl Cool, recommended that this project be funded for \$13 million, instead of the current \$11.9 million, for unexpected items. Commissioners discussed funding for the new cell at the Solid Waste Facility, refinancing the balloon note for Placid Utilities, and funding for the Sebring Parkway Phase II. It was a consensus of the Board to include all four of the items in the Bond Issue. Deputy Clerk Bob Jamison, suggested that we look at options and not necessarily lump all of the County's debt into just the bond issue. The Board directed staff to do some serious number crunching and bring back financing options. Funds that are allocated in the CIP in addition to any funds allocated for the two Enterprise funds will be all that is used for debt service. Staff agreed to continue to work with the interest rates, to maintain the fund balance and get all projects funded

H. Board Attorney: Discussion of the proposed Interlocal Agreement with the City of

Sebring on the Sebring Parkway Phase II

Board Attorney, Ross Macbeth, reviewed proposed changes to the Interlocal Agreement with the City of Sebring on the Sebring Parkway Phase II Project. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the revised Interlocal Agreement with changes as presented by Ross Macbeth and Commissioner Jackson. Public input was received from Robert Saffold, asking that his neighborhood be included in the planning of Phase II. Upon roll call, all Commissioners voted aye. Motion carried. See City of Sebring file.

I. County Administrator:

1. Request approval appointments to Sebring Airport Authority Board

County Administrator, Carl Cool, advised that the Board has the opportunity to make recommendations on the appointments to the Sebring Airport Authority Board. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to recommend appointments of James L. Gose, and Peter McDevitt, to Sebring Airport Authority Board. Discussion by the Commissioners regarding the decision on the appointments. Commissioner Maxcy withdrew his motion and Commissioner Flowers withdrew his second. The consensus of the Board was to advise the City of Sebring that they have four excellent candidates and allow them to make the decision. See SMB 40 Page 152 for copy of resumes.

2. Request approval of appointments to the Industrial Development Authority Board

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve appointments of John Payne and reappointment of Mike Vinson and Fred Jahna to the IDA Board. Commissioner Maxcy asked that it be noted for the record that John Harding also has excellent credentials. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 153 for copy of resumes.

3. Request approval of a Resolution supporting the replacement of the Polk County bridge on County Road 64

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution supporting the replacement of the Polk County bridge on County Road 64. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 89.

4. Request approval of a Resolution supporting exceptions to the wind load requirements of the newly revised State building codes

County Administrator, Carl Cool spoke in opposition to a Resolution supporting exceptions to the wind load requirements for Gulf County as it is a coastal county and is more vulnerable to storm winds than inland counties. The consensus of the Board was to follow the recommendation and take no action. See SMB 40 Page 154.

8. CITIZENS NOT ON AGENDA

Staff was directed to check options for regulating the room temperature in the Board room at the request of Clayton Womer and options for adding air in the control room at the request of Commissioner Flowers.

9. COMMISSIONERS

Commissioner Stokes announced the Lorida Round up scheduled for the weekend.

10. ADJOURN

The meeting adjourned at 12:20 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD MARCH 19, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Asst. County Administrator, Tom Portz. The Pledge of Allegiance was led by County Engineer, Ramon Gavarrete.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending March 19, 2002. The Farm Report was also given for the month of February.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report on Jury Trial week for the month of March* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. By Order of the Administrative Judge, J. David Langford, there will be a second week of jury trials starting the 15th of April 2002. See SMB 40 Page 157 for copy of the report.

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

4. **CONSENT AGENDA:**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve Consent Agenda as listed.

A. Approval of minutes of the March 5, 2002 Board meeting

B. Request approval to pay all duly authorized bills and employee benefits March 19, 2002

Law Library	853.37
General	514,236.66
County Transportation Trust	55,051.56
E911 Operations	20,590.77
Conservation Trust	100.00
Legal Aid	2,922.81
Local Govt Infra Surtax	58,409.00
Community Development Block	4,500.00
Affordable Housing Assistance	30,078.00
Solid Waste	53,282.35
Placid Utilities	15,547.89

- | | | |
|--|----------------------------|------------|
| | Highway Park Utility | 3,651.39 |
| | Risk Retention Fund | 280,935.43 |
| | Employee Benefit | 16,715.81 |
- C. Request approval of Changer Order No. 1 - Griffin Fence and Clearing, Inc., for Sebring Parkway Phase I - Fence - Project No. 89003. County Engineer Ramon Gavarrete explained the need for the fencing. See SMB 40 Page 158.
 - D. Request approval to add Davis Construction to CDBG Contractor List. See SMB 40 Page 159.
 - E. Request approval of Library State Aid Grant Award Increase. See Libraries file.
 - F. Request to approve sale of Tax Certificates (certificate year and numbers noted on request). See SMB 40 Page 160.
 - G. Request approval of Satisfaction of Mortgage - Walsh. See Satisfaction of Mortgage file.
 - H. Request approval of Terrorism Annex Funding Agreement. See Emergency Management file.
 - I. Request approval of Disaster Relief Funding Agreement (Tropical Storm Gabrielle). See Emergency Management file.
 - J. Request approval of Personnel Rules Section A-8.04 Revision. See Personnel file for copy.
 - K. Request approval to dispose of County surplus not sold at the December 8, 2001 auction and waive landfill fees with the understanding that staff will first contact non-profit organizations and then dispose of surplus at the discretion of the General Services Director. See General Services file for copy.
 - L. Request approval of Budget Amendment #01-02-143 for construction of Cell 3 at the Landfill.
 - M. Request approval of Budget Amendment 01-02-157 for Traffic Operations various items.
 - N. Request approval of Resolutions and Budget Amendments 01-02-130 (FEMA mitigation) 01-02-142 (Household Hazardous Waste Grant Refuse Disposal System) 01-02-149 (Emergency Food & Shelter Program) 01-02-154 (SHIP Phase 8) 01-02-155 (SHIP - Phase 9). See Res. Book 15 Page 90.

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

5. ACTION AGENDA:

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve the Action agenda as listed with deletion of item G-4. Upon roll call, all Commissioners voted aye. Motion carried.

A. Lane Jimison, Executive Director, Florida 4-H Foundation, Inc.: Update on Camp Cloverleaf and report on future plans

Lane Jimison, Executive Director, and Joe Hilliard, Board of Directors of the Florida 4-H Foundation presented an update on future plans for Camp Cloverleaf. Mr. Hilliard requested that the Commission work with Resident Manager, Steve Cooper, and the Extension Director, Gary Mikulecky to devise strategies and increase business at the Camp. He asked the Commission for assistance with water testing costs for one year, garbage pickup, maintenance and marketing of the property to local groups as a place for meetings and retreats. Mike Waldron, Chairman of the 4-H Foundation of Highlands County, reported that involvement of the local 4-H Foundation will be discussed at the next meeting.

The Commission stated support for Camp Cloverleaf and requested that staff perform a cost and feasibility analysis of the requests presented and bring back a recommendation. Public input was received from Von Whitesides, President of the Audubon Society, in support of the Foundation. See SMB 40 Page 161.

B. Brett Wattles, Toolkit Project Coordinator, and Betty Neale, FHREDI Executive Director: Request approval of a letter in support of FHREDI 2002-03 County Rural Development Project Site

Brett Wattles, Toolkit Project Coordinator, presented request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to approve a letter of support to the Florida Association of Counties for FHREDI 2002-03 County Rural Development Project Site. Upon roll call, all Commissioners voted aye. Motion carried. See FHREDI File.

C. Zoning Supervisor: Request to appoint a regular member and new alternate member to the Planning and Zoning Commission, Local Planning Agency, and the Board of Adjustment

Zoning Supervisor, Gary Lower, presented request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to accept Ms. Margo Tully's resignation effective immediately and appoint Mr. Harold F. Owen as a regular member, and appoint Mr. John T. Bock, to replace Harold F. Owen's remaining term as an alternate member for the Board of Adjustment, Planning and Zoning Commission and the Local Planning Agency and authorize the Chairman to send a letter to Ms. Tully in appreciation. Upon roll call, all Commissioners voted aye. Motion carried. See Planning & Zoning file for copy of resumes.

D. Housing Coordinator: Request approval of a contract with Neighborhood Lending Partners of West Florida, Inc. (NLPWF)

Housing Coordinator, Penny Phillippi, and Mary Graves of NLPWF, presented request. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the contract with Neighborhood Lending Partners of West Florida, Inc. to administer certain SHIP funds by providing loan underwriting, approval, closing and services for the County, relative to loans to organizations wishing to rehabilitate and construct affordable multi-family and home ownership housing in the County, and to provide CDFI funding to match and augment the County's SHIP contribution with the suggested change in the application fees and suggested change in scope of service. Upon roll call, all Commissioners voted aye. Motion carried. See SHIP file.

E. Risk Manager: Request for direction on Agent of Record

County Risk Manager, Wayne Fiyalko, requested direction from the Board on the County's Health Insurance Agent of Record. If it is the wishes of the Board, staff will proceed on a formal Request for Proposals for the Agent of Record services. Once the Agent is on board, staff will proceed to a renewal negotiation with BCBS or to a bid process as necessary to provide employee health insurance benefit services. Staff recommendation is to proceed with an RFP for bid for an agent of record. Commissioner Maxcy suggested that the agent of record be paid on the basis of what he does during the year. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to instruct staff to proceed with the RFP to secure an Agent of Record. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 162.

F. Board Attorney: Peak Oil Superfund Site De Minimis Settlement Offer

Board Attorney, Ross Macbeth presented recommendations on the Peak Oil Superfund Site De Minimis Settlement Offer. He recommended that the Board elect one of the options and authorize the Chairman to execute the document and transmit the signature page to the U.S. Environmental Protection Agency. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to elect Menu Option #1 *best case scenario* with approval of a budget amendment to come from the Reserve for Contingency. Upon roll call, all Commissioners voted aye. Motion carried. See Superfund Site file.

Break 10:20 a.m. - 10:55 a.m.

G. County Administrator:

1. Request approval of an Interlocal Agreement with the City of Sebring on Sebring Parkway Phase II, Part A

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Interlocal Agreement with the City of Sebring on Sebring Parkway Phase II, Part A, with an amendment to the agreement that the *Board will pay one half of the utility relocation, not to exceed \$200,0000*. The Board also directed Ramon Gavarrete to contact the City and request that they waive the connection fees for water and sewer for the Courthouse and Jail expansion. Clayton Womer spoke in favor of the amendment. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 163A.

2. Request approval to designate a records storage building and approve funding for modifications to the building

County Administrator, Carl Cool, presented recommendations of Lisa Burley and Al Bowles to designate the Old Tax Collector's office in Avon Park as a records storage facility. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to designate the County-owned building at 400 South Lake Avenue in Avon Park as a records storage building, and approve the approximate \$1,000 modifications to the building for that purpose. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 163 for copy of recommendations.

3. Request approval of appointments to the Community Redevelopment Agency

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve the appointment of James L. Gose and Peter H. McDevitt to the Community Redevelopment Agency, in accordance with adopted policy. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 164.

4. ~~Request approval of a resolution in support of exemption from permits for paving certain existing roads and bridges~~

5. Request approval of Budget Amendment 01-02-150 decreasing Reserve for Contingency in Fund 005

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Budget amendment 01-02-150 to increase the insurance account to cover added expenses for vehicle and employee liability for the *Keep Highlands County Beautiful Coordinator*. Upon roll call, all Commissioners voted aye. Motion carried.

H. Office of Management & Budget Director:

1. Request for waiver of Purchasing Policy

Office of Management & Budget Director, Rick Helms, reviewed the process for obtaining bond insurance. He agreed with PFM that the Board should select one of the four firms mentioned. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to waive the Purchasing Policy and allow PFM to solicit bids for bond insurance as described in the memo dated March 13, 2002. Upon analysis of the quotes, PFM will advise which bid was lowest and the Board will award the bid. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 165.

2. Request approval of contract for Underwriter Services

Office of Management & Budget Director, Rick Helms presented a contract from Salomon Smith Barney that was selected by the workgroup. Todd Holder, representing Solomon Smith Barney, Inc., reviewed the contract. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the contract for Underwriter Services with suggested modifications in the signage, extending the contract date and a change in the percentage to read .436% of the aggregate principal. Upon roll call, all Commissioners voted aye. Motion carried. Greg Stupinski, local representative, reported that it is their intention to market 15 to 20% of the total issuance of the underwriting locally and keep it here in the community. See SMB 40 Page 166.

I. Assistant County Administrator: Request approval of Bond Counsel contract

Assistant County Administrator, Tom Portz presented recommendations of the Professional Services Acquisition Committee. The firm of Bryant Miller & Olive was ranked number one and a negotiation session was held on March 13, 2002. The Committee voted approval subject to final review and approval by the Board Attorney. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the bond counsel contract with Bryant Miller & Olive with modifications as recommended by the Board Attorney and changes to the signature page. Upon roll call, all Commissioners voted aye. Motion carried. See Bond Counsel file.

6. CITIZENS NOT ON AGENDA

' Robert Saffold presented letters into the record from *The Men of Action, Heartland Interfaith Alliance and Peace of Highlands County*, requesting the naming of a major thoroughfare in honor of Dr. Martin Luther King. The Commissioners discussed the issue and suggested that E911 Coordinator, Ben Henley, take the lead and get involved with the County Engineer and Mr. Saffold to coordinate and bring back a recommendation to the Board. See SMB 40 Page 167.

' Hank Kowalski of Lake Placid, representing the Florida Audubon Society, presented a booklet into the record, regarding environmental land acquisition. Mr. Kowalski also suggested that the Commission follow Indian River County's lead and publish the Board's agenda in the newspaper.

7. ADJOURN

The meeting adjourned at 11:56 a.m.

Chairperson

Attest: _____

Clerk

REGULAR MEETING OF THE BOARD MARCH 26, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool with special remembrance for Leo Rosenbaum in his passing. 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 March 26, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services* for week ending 3/22/02 as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 171.

- C.** Upcoming County meetings presented into the record by County Administrator, Carl Cool. Mr. Cool reported that the News Sun has agreed to publish the County meeting agendas in the local newspaper at no charge. Additional meetings were announced for the benefit of the public.

4. **PUBLIC HEARING: Proposed small-scale plan amendments and zoning changes**

Development Services Director, Jim Polatty, presented petitions and proof of publications into the record for the following hearings. See Proof of Pub Ord. Book 3 Page 10.

NEW BUSINESS: HEARING # CPA - 02-175SS - DAN HOSEK - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

The East 4.21 acres of Lot 4, Block 2, Less road right-of-ways, in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Commercial) to (Agriculture). See below Hearing #1605 for details.

HEARING #1605 - DAN HOSEK - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

The East 4.21 acres of Lot 4, Block 2, Less road right-of-ways, in Sec. 24, Twp. 33S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-3 CU (Business district with a Conditional Use) to AU (Agricultural). Due to an error in the legal description of the previous zoning/land use change the Board of County Commissioners requested that staff set Public Hearings changing the land use and the

zoning district back to their prior designations. The Planning and Zoning Commission and the Local Planning Agency recommended to the Board of County Commissioners approval of a Future Land Use Map Amendment under CPA -02-175SS changing from (Commercial) to (Agriculture) and a zoning change from B-3 CU (Business district with a Conditional Use) to AU (Agricultural) including the consistency findings in the staff report, and the zoning change is contingent upon approval from DCA, of the small-scale plan amendment.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Local Planning Agency, to approve and adopt by Ordinance and in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution contingent upon approval of CPA - 02-175SS from DCA and including the mandatory findings in the staff report. See Res. Book 15 Page 91.

HEARING #1607 - RONALD & REBECCA MAPLES

Three lots located in Sec. 26, Twp. 34S, 28E, Highlands County, Florida. Also, known as Sunny Pines.

Requesting a zoning change from CG-1 (Campground district) to M-2 (Mobile Home Park district). Applicant desires to combine the three lots to place a mobile home on the property. The Planning and Zoning Commission recommended to the Board of County Commissioners approval of P&Z 1607.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution approving the zoning and including the mandatory findings in the staff report. See Res. Book 15 Page 92.

HEARING # CPA - 02-177SS - DANIEL M. BAUER - C/O NORMAN SUTTON

An approximate 6.41 acre tract of land located in Sec. 34, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Agriculture) to (Commercial). See below Hearing #1608 for details.

HEARING # 1608 - DANIEL M. BAUER - C/O NORMAN SUTTON

An approximate 6.41 acre tract of land located in Sec. 34, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires mini storage warehouses. Staff was in opposition to the zoning change and small-scale plan amendment. The applicant revised their zoning change request for the back (Western) 200 feet to B-3 CU, and the conditional use for a single family dwelling only, and the remainder of the property to be B-3 CU and the conditional use for mini storage warehouses only. The Planning and Zoning Commission and the Local Planning Agency recommended to the Board of County Commissioners approval of CPA - 02-177SS and P&Z 1608 as B-3 CU, the conditions as follows: **A]** The Western 200 feet of the property will be utilized as single family residential as an accessory use structure incidental to the permitted use on the balance of the parcel. **B]** The remainder of the parcel on the East of the Western 200 feet will be utilized only for warehouse storage. Ross Macbeth recommended a unity of title agreement for a single residence. Chair Bullard recommended that staff address frontage roads regarding traffic generators on US. 27. Staff advised that this issue will be discussed in the site development.

Norman Sutton, representing the petitioner, spoke in favor of the development. Jim Tompkins, property owner, asked the Commission to zone all the property B-3, and allow him to come back

before the Board and change his zoning. Orville Howard spoke in favor of the B-3 CU.

Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the Local Planning Agency to approve and adopt by Ordinance and in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution contingent upon approval of CPA - 02-177SS from DCA and including the revised mandatory findings by P&Z with the provision of Unity of Title Agreement for a single residence. Hank Kowalski spoke in opposition to the motion. Bob Pollard spoke in favor of the motion. Loren Eby spoke in favor of a driveway. Upon roll call, all Commissioners voted aye, except Commissioners Maxcy and Flowers, who voted nay. Motion carried. See Res. Book 15 Page 93.

HEARING # CPA -02-178SS - JOSEPH P. MORRISON, JR. AND CAROL M. MORRISON

Lots 11, 12, 13, 14, 22, and 24, Block 18, Highlands Park Estates, as recorded in P.B. 4, Pg. 68 of the Public Records of Highlands County, Florida.

Requesting a small-scale plan amendment from "Medium Density Residential" to "Commercial." See below Hearing #1609 for details.

HEARING #1609 - JOSEPH P. MORRISON, JR. AND CAROL M. MORRISON

Lots 22 and 24, Block 18, Highlands Park Estates, as recorded in P.B. 4, Pg. 68 of the Public Records of Highlands County, Florida.

Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business district).

AND

Lots 11, 12, 13, and 14, Block 18, Highlands Park Estates, as recorded in P.B. 4, Pg. 68 of the Public Records of Highlands County, Florida.

Requesting a zoning change from B-3 CU (Business district with a Conditional Use district) to B-3 (Business district). Applicant desires contractor offices and warehouses. The Planning and Zoning Commission and the Local Planning Agency recommended to the Board of County Commissioners approval of CPA-02-178SS to amend the FLUM from Medium Density Residential to Commercial for Lots 11 through 14 and Lots 22 and 24 of Block 18, and to recommend approval of P&Z1609 to amend the Zoning Atlas from B-2: Limited Business district for Lots 22 and 24, Block 18 and B-3CU: Business district with conditional use for Lots 11 through 14, Block 18, to B-3: Business district. No objections were received and no letters were received for or against the proposal.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the Local Planning Agency, to approve and adopt by Ordinance, and in accordance with the Planning and Zoning Commission, to approve and adopt by Resolution contingent upon approval of CPA - 02-178SS from DCA and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 94.

5. CONSENT AGENDA:

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

A. Request approval to pay all duly authorized bills and employee benefits March 26, 2002

Law Library	1,652.50
General	778,597.27

County Transportation Trust	16,724.03
E911 Operations	8,726.00
Intergovt Radio Communication	532.37
Local Govt Infra Surtax	17,247.38
Community Development Block	1,110.00
Affordable Housing Assistance	931.35
Special Law Enforcement	5,881.58
Sold Waste	12,412.49
Placid Utilities	255.17
Highway Park Utility	38.04
Risk Retention Fund	15,726.37
Employee Benefit	23,324.79
Highlands Hosp Pass Thru	27,200.00

B. Request approval of State of Florida Annual Local Government Financial Report for Fiscal Year 2000-2001. See Annual Financial Reports file.

6. COMMISSIONERS

- ' Commissioner Jackson requested an update on the Fewell Property. Carl Cool advised that written recommendations will be presented at next week's meeting.
- ' Chair Bullard presented an update on the Noise Ordinance. Commissioners discussed the issue and agreed to continue searching for an ordinance that will be enforceable.

7. ADJOURN

The meeting adjourned at 11:00 a.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD APRIL 2, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Tom Portz |
| David Flowers | Bob Jamison |
| Andrew Jackson | J Ross Macbeth |
| C Guy Maxcy | Louise Graham |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Mr. Jim Fiedler of the Avon Park Honor Guard.

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 2, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending 3/29/02 and a monthly report of business services for the month of March* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 173.

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

4. CONSENT AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Consent Agenda with the following additions:

Items F. and H. to be removed, and placed under the County Administrator for further discussion.

Remove budget amendment 01-02-129 of Item K. and place under the County Administrator for further discussion.

A. Approval of minutes of the March 19, 2002 Board meetings

- B. Request approval to pay all duly authorized bills and employee benefits April 2, 2002**
- | | |
|---|---------------------|
| Law Library | 6.36 |
| General | 1,747,677.20 |
| County Transportation Trust | 15,578.14 |
| E911 Operations | 951.97 |
| Conservation Trust Fund | 100.00 |
| Intergovt Radio Communications | 3,150.00 |
| Local Govt Infra Surtax | 125,600.21 |

	Community Development Block	1,885.41
	Affordable Housing Assistance	1,126.96
	Special Law Enforcement	4,379.75
	Solid Waste	7,722.35
	Placid Utilities	1,179.56
	Highway Park Utility	277.93
	Risk Retention Fund	38.47
	Employee Benefit	5,072.20
C.	Request approval of sale of Tax Certificate 98-7472. See SMB 40 Page 174.	
D.	Request approval of sale of Tax Certificate 00-13774. See SMB 40 Page 175.	
E.	Request approval of escrow release - Dockside of Sun ‘n Lakes Lake Placid. See SMB 40 Page 176.	
F.	Request approval of Lake Josephine Habitat Enhancement Project Cooperative Funding Agreement with Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission	
G.	Request approval of appointment of Sandra Mathews to the Hospital District Board. See Hospital District file for copy of resume.	
H.	Request to waive performance bond and payment for contractor (s) entering into contract with Highlands County Board of County Commissioners for; installation of thermoplastic traffic stripes and markings - Sebring Parkway Phase I - Project #89003, and/ or County Wide installation of Thermoplastic and Painted Traffic Stripes and Markings (Project No. 01088).	
I.	Request approval of bid awards regarding CDBG Housing Assistance Plan. See SMB 40 Page 181.	
J.	Request approval of Budget Amendments 01-02-134 (Transfer funds from the “Push Button” account into project account) 01-02-158 (Human Resources-OPS coverage) 01-02-161(Refuse Disposal System) 01-02-163 (Weed Control airboat cost) 01-02-165 (Sheriff-Task Force Grant Expenditures) 01-02-166(Realign cost centers) 01-02-168 (Court Interepters) 01-02-169(Expert Witness fees).	
K.	Request approval of Resolutions and Budget Amendments 01-02-128 (Libraries expansion) 01-02-129 01-02-162(State Aid for Libraries) 01-02-167(Road and Bridge-Whitehouse Road expenditures). See Res. Book 15 Page 95.	

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

5. ACTION AGENDA:

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to set the Action agenda with the following addition to be placed under the County Administrator.

- ' Discussion of a Water Alliance Committee
- ' City of Sebring Parkway Phase II agreement

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

A. Carole Leamon, Sebring Relay Chair, American Cancer Society: Request approval of a Proclamation in support of “Relay of Life Days”

County Administrator, Carl Cool, reported that on April 19th and 20th, 2002 the American Cancer Society will hold the *Relay for Life* in Highlands County as a money-raising team effort to help prevent cancer. Mr. Cool read the Proclamation into the record. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Proclamation declaring April 19 and 20, 2002, as “Relay of Life Days.” Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 96.

B. Chairman Bullard: Request approval of a Proclamation recognizing the “Week of the Young Child” in Highlands County

Chair Bullard read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation proclaiming April 7-13, 2002 as the “Week of the Young Child.” Upon roll call, all Commissioners voted aye. Motion carried. See Res. book 15 Page 97.

C. C.B. Shirey, City of Avon Park: Discussion of Avon Park Municipal Airport Capital Improvement Program.

C.B. Shirey, City Manager of Avon Park, and Airport Manager for the Avon Park Municipal Airport, presented the ten-year Capital Improvement Plan for the Avon Park Airport. He requested County assistance in funding of a local match for that plan. John Barben, Avon Park Chamber of Commerce and Chairman of the Avon Park Airport CRA, spoke in support of the Improvement Program. Commissioners discussed the request and stated support for the Program. Staff was directed to bring back a proposed modification to the County CIP for review. See SMB Book 40 Page 177.

D. Lieutenant Benton, Highlands County Sheriff’s Department: Acceptance to continue representing Highlands County as Project Director for the Local Share Edward Byrne Memorial Law Enforcement Assistance Formula Grant Funding FY2003

Lieutenant Benton, Highlands County Sheriff’s Department, presented request. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to allow Lieutenant Benton to continue representing Highlands County as Project Director for the Local Share Edward Byrne Memorial Law Enforcement Assistance Formula Grant Funding FY2003. Upon roll call, all Commissioners voted aye. Motion carried. See SMB Book 40 Page 178.

E. Board Attorney: Request to approve and execute a Voter Tabulation System and Services Agreement with Election Systems & Software, Inc.

Board Attorney, Ross Macbeth, reviewed agreement. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request to execute a Voter Tabulation System and Services Agreement with the Elections Systems & Software, Inc. Upon roll call, all Commissioners voted aye. Motion carried.

Consent agenda item number H-Request to waive performance bond and payment for contractor (s) entering into contract with Highlands County Board of County Commissioners for installation of thermoplastic traffic stripes and markings - Sebring Parkway Phase I - Project #89003, and/ or County Wide installation of Thermoplastic and Painted Traffic

Stripes and Markings (Project No. 01088).

Ross Macbeth outlined procedures for performance bond requirements. He recommended that controls be in place that will limit the risk if the county chooses to waive the bond requirement. Ramon Gavarrete, County Engineer, reported that the contractors will not get paid until the work is certified by the county. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve request to waive bond requirements with adequate provisions in place and follow state statutes for the County's protection for the two projects. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 40 Page 179.

F. County Administrator

1. Consent agenda Item F-Request approval of Lake Josephine Habitat Enhancement Project Cooperative Funding Agreement

Hank Kowalski stated concerns for the protection of limpkin and other wildlife that may be destroyed with the Program. Chair Bullard advised that the project will be done with mechanical harvesters as opposed to chemical treatment on the shoreline. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request. Upon roll call, all Commissioners voted aye. Motion carried.

2. Consent agenda Item K (Budget Amendment 01-02-129)

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the amended budget amendment 01-02-129 for the County Library System, with the correction as noted by the Chairman. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 98.

3. Request to establish Water Use Alliance

County Administrator, Carl Cool, reviewed request from Hardee County Interim County Manager, Lexton H. Albritton, Jr., to establish a formal water alliance between Highlands, Hardee and Polk Counties. It was a consensus of the Board that Chair Bullard, Commissioner Stokes, *as the Water Advisory liaison*, and County Administrator, Carl Cool, attend the first two meetings and determine the direction of the Committee. Thereafter the Board will appoint the Water Advisory liaison to this Committee, as its representative. See SMB 40 Page 180.

4. Interlocal Agreement with the City of Sebring- Sebring Parkway Phase II

County Administrator, Carl Cool, reviewed a copy of the revised proposed Interlocal Agreement. City of Sebring, Councilman, John Griffin, has suggested that the County be responsible for one-half of the maintenance of Sebring Parkway Phase II-A Project. Ross Macbeth advised that the agreement has been approved twice by both parties and there is no way to approve it otherwise. The property is located within the city limits and is the City's maintenance responsibility. The consensus of the Board was to leave the language the way it is in the agreement and send the message to the City that once the project is completed, the Board will be willing to sit down and talk shared maintenance. Public input was received from Clayton Womer in opposition to the County performing the maintenance. See Sebring Parkway file.

7. CITIZENS NOT ON AGENDA

No Participants.

8. COMMISSIONERS

Fewell Property report

County Administrator, Carl Cool, reported that the engineering firm of Chastain Skillman, Inc. has selected Biological Research Associates of Tampa as the new Environmental Consultants to determine if there are any threatened species on the property. A release has been sent to the Clements for signatures. There are no changes in the contract and the amount of the money to perform the study did not change. Commissioner Maxcy suggested that in the future there should be limited contact with the property owner and the consultant.

9. ADJOURN

The Meeting adjourned at 10:55 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD APRIL 9, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by the IDA Chairman, Red Bohanon.

3. **ANNOUNCEMENTS**

A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 9, 2002.

B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of court services for week ending April 4, 2002* for the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 40 Page 182.

C. Upcoming County meetings presented by the County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. **Consent agenda:**

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the Consent agenda with deletion of item number D. Commissioner Jackson inquired about policy on code enforcement for registered mail. Attorney Ross Macbeth stated that it is a requirement of the code to send a registered letter to the last known address according to the tax records. Upon roll call, all Commissioners voted aye. Motion carried.

A. **Request approval to pay all duly authorized bills and employee benefits April 9, 2002.**

Law Library	77.29
General	159,169.06
County Transportation Trust	19,195.42
Legal Aid	2,922.81
Local Government Infra Surtax	702,108.13
Community Development Block	4,500.00
Affordable Housing Assistance	22,841.50
Solid Waste	82,426.66
Placid Utilities	7,361.59
Highway Park Utility	140.46
Employee Benefit	24,011.48

- B. **Request approval of Notice of Nuisance #CE0108-0141.** See SMB 40 Page 183.
- C. **Request approval of Notice of Nuisance #CE 0107-0110.** See SMB 40 Page 184.
- D. **~~Request approval of the Housing Land Bank Policies and Procedures~~**

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

5. ACTION AGENDA:

Motion by Commissioner Jackson, seconded by Commissioner, Flowers to set the Action Agenda with the addition of a Proclamation and Budget amendment 01-02-178 for the Sheriff's Department. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chairman Bullard: Presentation of a Proclamation recognizing County Government Week

Chairman Bullard read Proclamation into the record. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve the Proclamation proclaiming April 7-13, 2002, as National County Government Week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 99.

B. Assistant County Administrator, Tom Portz - Hazardous Materials Response Team Update

Assistant County Administrator, Tom Portz, presented a brief overview of the new developed Hazardous Materials Response Team in Highlands County. Emergency Coordinator, Ben Henley, demonstrated a training suit that will be available in case of a terrorist attack. The Hazmat team should be fully functional by the beginning of the new fiscal year.

C. Proclamation regarding Roxene Riggs -109th Birthday.

Commissioner Jackson read a Proclamation for Roxene Riggs, in commemoration of her 109th Birthday. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Proclamation affirming that congratulations are in order for Roxene Riggs. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 100.

D. Request to approve Budget amendment 01-02-178 for the Sheriff's Department

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve Budget amendment 01-02-178 for the Sheriff's Department to purchase bullet proof vests. Upon roll call, all Commissioners voted aye. Motion carried.

6. WORKSHOP AGENDA:

A. Wade Taveniere, Industrial Development Authority (IDA) Business Campus Task Force Chairman and Robert Massarelli, Project Consultant, Gee & Jenson: Report on Business Campus Feasibility Study

Wade Taveniere, Chairman of Industrial Development Authority Business Campus Task Force, and Bob Massarelli, Project Consultant for Gee & Jenson presented a report on the Business Campus Feasibility Study. See EDC file for copy. Mr. Massarelli reviewed three (3) site plans for consideration. Wade

Taveniere stated that the study was important but with the tight economic times and the cost associated with the development of the business campus, it would not be practical at the present time. Chairman Bullard offered suggestion to use available resources to fill our existing stock and to work with the Airport and private sector to increase the absorption rate rather than to increase the stock.

Break 9:55 a.m. - 10:11 a.m.

B. Industrial Development Authority (IDA) and Economic Development Commission (EDC): General discussion and future direction

Rick Helms, Director of OMB, presented a financial analysis of funding for the Industrial Development Authority. The Commission has increased funding by 46% in the last five years. Spending for business recruitment increased approximately 143% over the same period of time. Administrative expenditures increased by 22%. Public input was received from Lee Schaffer, Secretary and Treasurer of the IDA. Board members, Morris Adams, John Shoop, Red Bohanon, John Payne, and John Haviland. Staff member, Louise England suggested that the county offer incentives to companies wishing to relocate. The Chairman challenged the organizations represented to commit to set up programs or expand existing programs to increase the teamwork and partnering effort to include cost sharing strategies in a cooperative effort, secondly, to set up specific programs to enhance communications and dissemination of information. Lastly, to send to the Chairman any suggestions to improve economic development activities within the next two weeks. Refer to EDC file.

Break 11:21 a.m. - 11:34 a.m.

C. Laurel Land, Senior Research Associate, and Brenda Thompson, Research Assistant with the Center for Urban Transportation Research (CUTR) at the University of South Florida: Update on the Transit Feasibility Study

Laurel Land, Senior Research Associate, presented an update on the Transit Feasibility Study. The Board provided funds to the Regional Planning Council for the Transportation Study. The information gathering has been completed. The next phase will be conducted on population. The results of public opinion surveys will be determined soon.

D. County Administrator: Reconsideration of recycling options

County Administrator, Carl Cool, reviewed a memo from Jerry Leszkiewicz, Solid Waste Director, regarding a plan for bringing back the recycling of glass and plastics for the remainder of the fiscal year and purchase of needed equipment, utilizing a portion of the State Recycling/Education and Small County Solid Waste Grant Funds. Commissioners Flowers and Maxcy spoke in favor of continuing the Recycling Program in the 16 locations for glass and plastics and the consideration of curbside recycling. Commissioners Jackson and Stokes were not in favor of changing the procedure in the middle of the year. Chair Bullard explained the outstanding recycling system with glass and plastic that the County now has in operation. He was not in favor of going back with previous methods of recycling, when the County is now recycling more than ever in the history of Highlands County. Christy Reed, Recycling Coordinator, explained the many methods that staff used for educating the public on recycling. Jack Ritchie, President of the Homeowners Association, offered to help with the education of the public. Vaughan Whitesides, representing the Audubon Society, spoke in support of the Recycling Program. The consensus of the Board was to take no action at this time and request staff bring back recommendations on expenditure of the FY 01/02 State Recycling/Education and Small County Solid Waste Grants. See SMB 40 Page 185.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

County Administrator, Carl Cool, presented a report regarding the Environmental Study for the Fewell Clements Property. No action was taken.

9. ADJOURN

The meeting adjourned at 12:46 p.m.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD APRIL 16, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Tom Portz
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Louise Graham

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Andrew Jackson. The Pledge of Allegiance was led by City Manager of Avon Park, C.B. Shirey.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 16, 2002. The Farm Report for the month of March was also given.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Court Services for Jury Trial Week for the month of April*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 1 for copy of the report.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Chairman Bullard recognized county employees for their participation in the *United Way*. Highlands County was recognized as *a top dollar company*. Additional meetings were announced for the benefit of the public.

- 4. **CONSENT AGENDA:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Consent Agenda as amended with a discussion on budget amendment 01-02-172, Item M. This item to be placed under the County Administrator.

- A. **Request approval to pay all duly authorized bills and employee benefits April 16, 2002**

Law Library	17.57
General	652,980.80
County Transportation Trust	29,245.08
E911 Operations	14,711.16
Conservation Trust	30,000.00
Local Govt Infra Surtax	298,775.07
Community Development Block	1,500.00
Affordable Housing Assistance	17,108.79

- Special Law Enforcement 1,387.79
- Solid Waste 62,419.34
- Placid Utilities 1,425.06
- Highway Park Utility 654.30
- Risk Retention Fund 30.67
- Employee Benefit 5,227.82
- B. Request approval of Board meeting minutes of March 26, 2002 and April 2, 2002
- C. Request approval of sale of Tax Certificate #99-451. See SMB 41 Page 2.
- D. Request to Declare Nuisance #CE 01110077 located at 17446 NW First Lane. See SMB 41 Page 3.
- E. Request for Notice of Nuisance #CE01020152 (Burke). See SMB 41 Page 4.
- F. Request to Release Notice of Nuisance #CE0112-0001. See SMB 41 Page 5.
- G. Request to accept Settlement Offer on Jennifer Chitwood EMS bill. See EMS file for copy.
- H. Request approval of Satisfaction of Mortgage - Soto. See Satisfaction file.
- I. Request approval of Technical & Clarifying Revisions of the Highlands County Local Housing Assistance Plan
- J. Request approval of an amendment to the Highlands County Health Department 2001-2002 Core Contract for the dedication of \$50,000 from the State Trust Fund for the purchase of dental equipment. See Health Dept. file
- K. Request approval of a revision to page #2 of the Highlands County Health Department 2001-2002 Core Contract noting an increase in funding to the Tobacco Program, Family Planning and Healthy Start Programs and a reduction in funding to the School Health Program. See Health Dept. file.
- L. Request approval of Commodity Grant increase and Resolution and Budget Amendment #01-02-181. See Res. Book 15 Page 101.
- M. Request approval of Budget Amendments ~~01-02-172~~ 01-02-173 (Clerk of Court-Criminal (01-02-180) Sebring Library overtime) 01-02-183 (Sheriff- decrease in LLEB Grant).
- N. Request approval of Resolutions & Budget Amendments 01-02-170 (Machinery purchase) 01-02-176 (place insurance funds in proper account to purchase replacement vehicle totaled in accident) 01-02-182 (Lake June Park improvements). See Res. Book 15 Page 102.
- O. Request approval of Budget Amendment 01-02-174 for installation of backup electric generating capacity at the Highlands County Landfill. See SMB 41 Page 6.

5. ACTION AGENDA:

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

- A. **Bill Nielander, President of the Highlands County Bar Association and Walda Farmer, Law Library Advisory Committee Chair: Presentation of Proclamation recognizing "Law Day, 2002" as May 1, 2002**

Bill Nielander, President of the Highlands County Bar Association, read the Proclamation into the record.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt Proclamation, proclaiming Wednesday, May 1, 2002 as Law Day in Highlands County. Upon roll call, all Commissioners voted aye.

Motion carried. See Res. Book 15 Page 103.

B. Ms. Josie Garay, Program Operations Administrator for the Florida Department of Children & Families: Presentation of a Proclamation recognizing “Child Abuse and Neglect Prevention Month”

Commissioner Flowers read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation declaring the month of April 2002 *as Child Abuse and Neglect Prevention Month in Highlands County, Florida*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 104.

C. EMS Director: Special “Character First” recognition

EMS Director, Rick Weigand, and Chairman Bullard presented a *Character First award* to Ed Ezelle. Mr. Ezelle was recognized for not using any hours of sick leave for 21 years, and was commended for dependability and willingness to the County.

D. Chairman Bullard: Presentation of a Proclamation recognizing “National Library Week” April 14-20, 2002

Resolution read into the record by Chairman Bullard. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Proclamation, proclaiming *April 14-20, 2002 as National Library Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 105.

E. Chairman Bullard: Presentation of a Proclamation recognizing May 2002 as “Civility Month”

Proclamation read into the record by Attorney Ross Macbeth. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt Proclamation, *declaring the month of May as Civility Month in Highlands County*, and call upon all citizens to exercise civility toward each other. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 106.

F. Senior Director, Business Services Division, Clerk of Courts: Presentation of Interim Financial Report

Senior Director, Business Services Division, Bob Jamison, and Finance Director, Pam Cross, presented an interim financial report of key operating performance measures as of March 31, 2002 for the Board of County Commissioners. See Financial Report file.

Break - 9:50 a.m. - 10:08 a.m.

G. Lieutenant Susan Benton: Request approval of a grant agreement with Heartland Workforce Investment Board, Inc. for the 2002 First Jobs Adventure program

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a grant agreement with Heartland Workforce Investment Board, Inc. for the 2002 First Jobs Adventure program. Upon roll call, all Commissioners voted aye. Motion carried.

H. Code Enforcement Officer:

1. Request for Notice of Lien regarding #CE01080043 (Lewis)

Code Enforcement Officer, April Hartseil, presented petition and proof of publication into the record. See SMB 41 Page 7. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve

request for Notice of Lien regarding #CE01080043 -Sebring Manor Subdivision (Lewis property). Upon roll call, all Commissioners voted aye. Motion carried.

2. Request for Notice of Lien regarding #CE01080071 (Vandernoot)

Code Enforcement Officer April Hartseil presented petition and proof of publication into the record. See SMB 41 Page 7. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve request for Notice of Lien regarding property #CE01080071, Sebring Manor Subdivision (Vandernoot). Upon roll call, all Commissioners voted aye. Motion carried.

I. Road & Bridge Superintendent: Request for county maintenance of Lake Huckleberry Canal

Road & Bridge Superintendent, Bruce Van Jaarsveld, presented petition. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve request of Road & Bridge Superintendent, Bruce Van Jaarsveld, to provide county maintenance of Lake Huckleberry Canal, contingent upon approval from the homeowners. Public input was received from Richard Abner, who requested that the trees not be removed. Mr. Van Jaarsveld agreed to meet with Richard to work out details. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 8.

J. County Engineer: Request approval of Water Advisory Recommendations

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve appointments of the Water Advisory recommendations as presented by County Engineer, Ramon Gavarrete.

Appointees	Area	Membership Status
Ray Royce	Agriculture	Member
Keith Renish	District 1	Member
George Ryan	District 3	Alternate
Don Bates	District 2	Alternate

Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 9.

K Director, Office of Management & Budget: Request approval to accelerate the payoff of the existing note on the County Jail

Director, Office of Management & Budget, Rick Helms, presented request for an early payoff of the Jail, at the direction of Public Financial Management. The request was to eliminate any liens against the County to secure financing for the next expansion project. The payment will be advanced from the infrastructure funds prior to the offering of the new bond issuance. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to approve the early payoff of the existing note on the County Jail, with necessary budget amendment. Deputy Clerk, Bob Jamison, concurred with the recommendations. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 10 for backup documentation.

L. County Administrator:

1. Request approval of Interlocal Agreement on Recreation with the City of Sebring

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Interlocal Agreement with the City of Sebring on Recreation. Rick Helms advised that the City will submit additional information for reimbursement of expenses associated with the Civic Center. Upon roll call, all Commissioners voted aye. Motion carried. See City of Sebring file.

2. Request approval of Comcast Cable Franchise extension

County Administrator, Carl Cool, presented request of Mr. Walt McHargue, Plant Manager for Comcast Cable to set a public hearing to consider extending the franchise with Highlands County for an additional fifteen years. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to allow a Public Hearing to consider an extension of the non-exclusive franchise. Commissioners discussed the length of the franchise and comparable rates of other counties. Public input was received from Loren Eby regarding exclusive rights of the Cable Company to televise the County Board meetings. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 11.

3. Recommendation on the Capital Improvement Plan regarding the request from Avon Park Municipal Airport

County Administrator, Carl Cool, presented recommendations on taking funds from the CIP to fund projects at the Avon Park Airport. Improvements will include runway repairs and construction of new T-hangers and corporate hangers. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve an Interlocal Agreement with the City of Avon Park for funding per schedule. City Manager, C. B. Shirey, briefed the Commission on the proposed construction. Upon roll call, all Commissioners voted aye. Motion carried. See City of Avon Park file.

4. ~~Recommendations on Recycling and Small County Education Grants~~

5. Request approval of an agreement with the Department of Environmental Protection for the closure and long-term care of the Sebring Landfill

County Administrator, Carl Cool, presented an agreement with the Department of Environmental Protection for the closure and long-term care of the Sebring Landfill. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to execute agreement with Attachment "A" for the reimbursement of expenses from the DEP. Upon roll call, all Commissioners voted aye. Motion carried. See Landfill file.

6. Budget amendment 01-02-172- Purchase of 1974 Dragline

County Administrator, Carl Cool, and Road and Bridge Director, Bruce Van Jaarsveld, explained the budget amendment to assist with the purchase of a dragline for the shellpit maintenance. Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve Budget amendment 01-02-172. Upon roll call, all Commissioners voted aye. Motion carried.

M. CITIZENS NOT ON AGENDA

No participants.

N. COMMISSIONERS

O. ADJOURN

The meeting adjourned at 11:10 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD APRIL 23, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Louise Graham |
| C Guy Maxcy | |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Road and Bridge Director, Bruce Van Jaarsveld.

ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending April 23, 2002. Susan also gave a report on the Dare Program. Special recognition was given to Monica Sauls for her work with the DARE program.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for the week of 4/19/02* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 12 for copy of the report.

C. Upcoming County meeting's presented into the record by County Administrator, Carl Cool.

4. CONSENT AGENDA:

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

A. Request approval to pay all duly authorized bills and employee benefits April 23, 2002

Law Library	58.00
General	273,057.73
County Transportation Trust	138,956.16
E911 Operations	10,428.52
Intergovt Radio Communication	2,060.00
Law Enforcement Education	3,471.82
Legal Aid	2,922.81
Local Govt Infra Surtax	644,593.27
Community Development Block	8,411.41
Affordable Housing Assistance	11,345.49
Solid Waste	90,354.34
Placid Utilities	2,863.54
Highway Park Utility	387.62

Employee Benefit 8,620.00

- B. Request approval of Satisfaction of Mortgage - Gordon. See Satisfaction file**
- C. Request approval to execute Grant Contract for Highlands Art League, Inc. for FY 2001-02. See Grant file.**
- D. Request approval of term extensions of the Placid Utilities Advisory Committee to September 2, 2004. See SMB 41 Page 13.**
- E. Request to approve purchase of out parcel in Sun 'n Lake Preserve for Lot 16, Block 467, Unit 22. See SMB 41 Page 14.**
- F.**

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

5. PUBLIC HEARING: Request to purchase Wilburn property

Proof of Publication entered into the record. See SMB 41 Page 15. County Administrator, Carl Cool and Road and Bridge Superintendent, Bruce Van Jaarsveld presented request to purchase a nine-acre parcel located near the Road and Bridge Complex. Funds will be taken from the amount set aside for the purchase of a motor grader to fund the down payment. The remaining payment will be budgeted through the capital outlay at \$100,000 per year for the next four budget cycles. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve the purchase in the amount of \$550,000 and authorize payment for the same. Upon roll call, all Commissioners voted aye. Motion carried.

6. PUBLIC HEARING: ~~Request to purchase scrub property for recreational uses - Placid Lakes~~

At the request of Commissioners this item was removed to be heard under the Districts

7. PUBLIC HEARING: Request vacation of easement - Lots 1 and 2, Block 8, Harder Hall Country Club II - David E. & Edna S. Hipple, Petitioner

County Engineer, Ramon Gavarrete, presented Petition and Proof of Publication into the record. See SMB 41 Page 16. No one spoke for or against the easement vacation. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution to approve vacation of easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 107.

8. PUBLIC HEARINGS: Proposed small-scale amendments and zoning changes.

Proof of publications and petitions presented by Jim Polatty, Development Services Director. See Proof of Pub Ord Book 3 Page 11.

NEW BUSINESS: HEARING # CPA - 02-180SS - STEVE G. AND LINDA J. HORN - C/O JEFF SCOWDEN

Approximately 8.88 acres located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida. Requesting a small-scale plan amendment from (Agriculture) to (Commercial). See below Hearing #1610 for details

HEARING #1610 - STEVE G. AND LINDA J. HORN - C/O JEFF SCOWDEN

Approximately 8.88 acres located in Sec. 22, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to B-3 (Business district). Applicant desires warehouses, tire store and other commercial uses permitted in the B-3 zoning district. P & Z recommended approval to B-1. Staff recommended denial. Dale Polston, representing the petitioner, presented the request. Steve Horn, Petitioner, spoke in favor of the zoning. Hovas Prevatt, Jan Farmer Jones, W. J. Wilburn, Henry Corbett,

Marcia Penn, and Jim and Irene Summers spoke in opposition.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to deny the petition for rezoning and land use change. Upon roll call, all Commissioners voted aye. Motion carried.

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

HEARING #1612 - DONALD P. AND DONNA M. COCHRAN - C/O CHIP BORING

Approximately 5.84 acres located in Sec. 06, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from B-2 CU (Business district with a Conditional Use district) to R-3 (Multiple Dwelling district). Applicant desires to construct apartments. Chip Boring spoke in favor of the petition. Public input was received from Andrew Mish, Diane Mish, Larry Hunt, Dean Cunningham, Jay Roehm, and Ladonna Waldron in opposition. Jan Breylinger, representing affordable housing, spoke in support. A petition was entered into the record with 224 names in opposition to the housing on Sparta Road. See Zoning file.

Motion by Commissioner Maxcy to table the Hearing and ask if the Petitioner will agree to *change the petition to commit to a senior project only*. The motion died for lack of a second. Chip Boring, representing the Petitioner, was not in favor of the commitment. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the Planning and Zoning Commission recommendation, to approve Hearing # 1612, amending the zoning atlas from B-2 CU (Business district with a Conditional Use district) to R-3 (Multiple Dwelling district) and approving the mandatory findings in the staff report. Larry Hunt asked the Board to assure the citizens that safety is satisfied. Upon roll call, Commissioners Jackson, Stokes and Bullard voted aye. Commissioners Maxcy and Flowers voted nay. Motion carried. See Res. Book 15 Page 108.

Break 11:40 - 11:50 a.m.

HEARING #1613 - FAIRWAY DEVELOPERS LC & SPRING LAKE CLUB, INC. - C/O RICK WHIDDEN

Approximately 65.89 acres located in Secs. 9 & 10, Twp. 35S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from AU CU (Agricultural with a Conditional Use district) to AU (Agricultural) and R-1 (Residential district). Applicant desires single family residential lots and golf course. Rick Whidden, representing the Petitioner, spoke in favor.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the Planning and Zoning Commission recommendation, to approve Hearing # 1613, amending the zoning atlas from AU CU (Agricultural with a Conditional Use district) to AU (Agricultural) and R-1 (Residential district) and approving the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 109.

HEARING #1614 - MESSANA CONSTRUCTION COMPANY, JOE MESSANA, PRESIDENT - C/O RICK WHIDDEN

Approximately 60.35 acres located in Secs. 10 & 11, Twp. 36S, Rge. 29E, Highlands County, Florida. Requesting a zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) and B-2 (Limited Business district) to AU (Agricultural).

Rick Whidden presented the petition. Hank Kowalski entered a photo into the record and spoke in opposition due to the illegal mining operation on the property without a permit. Jim Polatty reported that there was a definite code violation. Clayton Womer and Vaughan Whitesides spoke in opposition to the zoning. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to table until May 28th at 9:00 a.m. or soon thereafter to allow Mr. Messina to address the code violations. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 17 for copy.

HEARING # CPA - 02-182SS - LESLIE FREELAND - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

Approximately 2.50 acres located in Sec. 36, Twp. 35S, Rge. 28E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Agriculture) to (Medium Density Residential). See below Hearing #1615 for details.

HEARING #1615 - LESLIE FREELAND - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

Approximately 2.50 acres located in Sec. 36, Twp. 35S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-2 (Two Family Dwelling district) and AU (Agricultural) to R-1 (Residential district). Applicant desires to construct a residence. No one spoke for or against the zoning.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve CPA - 02-182SS and Hearing # 1615, amending the zoning atlas from R-2 and AU to R-1 and including the mandatory findings in the staff report, and the zoning change is contingent upon approval from DCA of the small-scale plan amendment. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 109.

HEARING # CPA- 02-183SS - ANN WILSON - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

Approximately 2.31 acres located in Sec. 36, Twp. 35S, Rge. 28E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Agriculture) to (Medium Density Residential). See below Hearing #1616 for details.

HEARING # 1616 - ANN WILSON - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR

Approximately 2.31 acres located in Sec. 36, Twp. 35S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from R-2 (Two Family Dwelling district) and AU (Agricultural) to R-1 (Residential district). Applicant desires to construct a residence. The Chair opened the floor to the public. No one spoke for or against the zoning.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission recommendation, to approve Hearing #1616, amending the zoning atlas from R-2 (Two

Family Dwelling district) and AU (Agricultural) to R-1 (Residential district), approving the mandatory findings in the staff report and adopting by Resolution contingent upon CPA - 02-183SS becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 110.

HEARING #1617 - THOMAS C. & SHARON R. BRAGG - AND - CAIDAN INC. - C/O GARY LOWER, ZONING SUPERVISOR

A portion of three lots located in Sec. 10, Twp. 33S, Rge. 28E, Highlands County, Florida, containing approximately 1.79 acres. Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business district). The Chairman opened the floor to the public. No one spoke for or against.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the Planning and Zoning Commission recommendation, to approve Hearing # 1617, amending the zoning atlas from B-2 (Limited Business district) to B-3 (Business district) and approving the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 111.

9. ACTION AGENDA:

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

A. County Administrator: Request approval of Resolution for reimbursement regarding the bond issue construction project 2A to include the courthouse facilities, jail facilities, transportation facilities, solid waste system facilities and water and sewer system facilities.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve as requested. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 112.

B. Request approval of Expenditures for Recycling and Education Grant and Small County Solid Waste Grant for FY01/02 and approval of budget amendment #01-02-185

Commissioners discussed the recommended budget for the Grants as presented by the Solid Waste Management staff. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the expenditures for Recycling and Education Grant and Small County Solid Waste Grant for FY01/02 and approval of budget amendment #01-02-185 to allocate funds to proper accounts. Public input was received from Hank Kowalski, asking that staff get the word out regarding the problem with littering in the county. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 18.

10. CITIZENS NOT ON THE AGENDA

Hank Kowalski presented questions on whether the Board of County Commissioners has the final say on specific zoning issues. Staff was directed to research and report back.

11. COMMISSIONERS

Commissioner Maxcy requested the time line on hiring the new Veterans Service Officer. County Administrator, Carl Cool, reported that the position has been announced.

12. ADJOURN

Board Attorney, Ross Macbeth, requested that the meeting of the Board of County Commissioners remain open to hear request to consider purchase of scrub property in Placid Lakes.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD MAY 7, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by OMB Director, Rick Helms. The Pledge of Allegiance was led by David Perkins, Chairman of the Veterans Services Advisory Board.

- 3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending May 7, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending 5/3/02 and a Monthly Report of Business Services for the month of April 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 83 for copy of the report.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.**

- 4. **CONSENT AGENDA:**

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

- ' Delete item G.
- ' Change item D. to read request to deny release of excess annuity funds - Lake Sebring, Ridge, Inc.
- ' Add Budget amendment number 01-02-193 and 01-02-201 to Consent agenda item number M.
- ' Remove item number H. and place under the County Administrator as Action item M-6.
- ' Remove Budget amendment number 01-02-200 from item N. and place under the OMB Director as K-2.
- ' Remove item K of the Consent agenda and place under the County Administrator as Item M-7.

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

- A. Approval of minutes of the April 9, 16 and 23, 2002 Board meetings**

- B. Request approval to pay all duly authorized bills and employee benefits May 7, 2002**

Law Library	32.10
General	1,931,472.21
County Transportation Trust	51,413.15
E911 Operations	977.48
Local Government Infra Surtax	428,904.41

Community Development Block	17,452.13
Affordable Housing Assistance	10,252.70
Special Law Enforcement	652.81
Sold Waste	100,422.56
Placid Utilities	6,006.40
Highway Park Utility	1,727.78
Employee Benefit	6,815.30

- C. Request approval of appointment of Blackie Ballas as regular voting member and John Bock as alternate to the Recreation & Parks Advisory Committee. See SMB 41 Page 84.
- D. Request to deny release of excess annuity funds - Lake Sebring Ridge, Inc. See Annuity file for copy.
- E. Request approval of Addendum No. 1 to Chastain-Skillman, Inc. CSA No. 44 for Miscellaneous Services at the Landfill. See SMB 41 Page 85.
- F. Request to accept into the record Comcast Cable's annual Independent Auditors' Report. See Cable file.
- G. ~~Request approval of Istokpoga drawdown material spreading agreements.~~
- H. ~~Request approval of extension of Land Acquisition Agreement with the Nature Conservancy~~
- I. Request approval of Highlands County Affordable Housing Land Bank Procedures. See Housing file.
- J. Request approval for deadline extension for developing Terrorism Annex for the Comprehensive Emergency Management Plan (CEMP). See Emergency Management file for copy.
- K. ~~Request approval of Change Order No. 5 - APAC - Florida, Inc. Macasphalt Division - Sebring Parkway Phase I - concrete work - project No. 89003.~~
- L. Request for execution of Town of Lake Placid's Interlocal Agreement for recreation for FY 2001-02. See Town of Lake Placid file.
- M. Request approval of Budget Amendments 01-02-189 (mowing acreage at Arbuckle Site Landfill) 01-02-192 (E911 temporary employees) 01-02-193 (911 Dispatch equipment) 01-02-194(reappropriate grant funds) 01-02-201 (Supervisor of Elections overtime) 01-02-202 (fire district assessment change) 01-02-205 (Clerk to Board, reclassify cost center) and 01-02-209 (Interpreters Circuit Criminal; Guardian Ad Litem, Circuit Juvenile).
- N. Request approval of Resolutions and Budget Amendments 01-02-187(Sebring Landfill) 1-02- 191 (SHIP (to correct Home Repairs Encumbrances) 01-02-196 (Commodity) ~~01-02-200~~ 01-02-207 (move funds for down payment and closing cost) 01-02-208 (First Jobs Adventure Program). See Res. Book 15 Page 113.

5. PUBLIC HEARING: To consider an Ordinance authorizing the issuance of infrastructure sales surtax revenue bonds to finance and/or refinance capital improvements

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 3 Page12. OMB Director, Rick Helms and Dwayne Draper from the Law Firm of Bryant, Miller and Holland, Bond Counsel, presented a short description of the ordinance. The Ordinance will allow the bonds to move forward for the designated projects and pledges a portion of the proceeds of the additional one-cent sales tax. It specifically excludes any

other sources of revenue from the County. Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to adopt Ordinance, authorizing the issuance of infrastructure sales surtax revenue bonds. Deputy Clerk, Bob Jamison, representing the Clerk's Office, spoke in favor of the adoption. Upon roll call, all Commissioners voted aye. Motion carried.

6. ACTION AGENDA:

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

A. Brenda Hornickle, Florida Department of Children & Families: Presentation of a Proclamation on Foster Parent Awareness

Chuck Ullman, Supervisor, Department of Children & Families, introduced Mr. and Mrs. Cloninger, Foster Parents in Highlands County for 19 years. A Proclamation on Foster Parent Awareness was read into the record by Commissioner Stokes. Motion by Commissioner Stokes, seconded by Commissioner Maxcy, to adopt Proclamation proclaiming the month of May 2002 as Foster Parent Awareness in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 114.

B. Chairman Bullard: Request approval of a proclamation observing "Public Service Week," May 6-12, 2002

Proclamation read into the record by County Administrator, Carl Cool. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation recognizing the week of May 6th through May 12th as Public Service Week in Highlands County and to post the Resolution at all work sites within the County and copies be distributed to other local governments. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 115.

C. Emergency Operations Director: Character First presentation to Chief Lex Cauffield, Lake Placid Fire District

Emergency Operations Director, Tim Eures, presented a Character First recognition of decisiveness to Chief Lex Cauffield, of the Lake Place Fire District. Lex used his 4X4 vehicle and chain to pull a burning vehicle away from a structure. The Fire Department, Highlands County Sheriff's Office, and the State Fire Marshal's Office cited Mr. Cauffield for a quick decision in saving the structure from more serious damage and no injuries occurred. See SMB 41 Page 90.

D. Commissioner Flowers: Discussion of expanding the Fire Service Task Force Committee

A meeting was held on April 25, 2002 with the Committee members present. It was a consensus to ask the Board of County Commissioners permission to expand the members of the Task Force from five by adding ten members to incorporate different interest groups to help find a fairness in funding issue. The group will include:

One member from each Chamber of Commerce

Two members from the Highlands County Homeowners Association

One member from the cattle industry

One member from the citrus industry

Three citizens at large

The ten additional members of the Task Force will be dissolved once the decision is completed. The five

members will remain intact for future issues. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to increase the membership as requested. Gabriel Read spoke in favor of the concept. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 86.

E. Lieutenant Benton, Highlands County Sheriff's Department:

1. Request approval of distribution of Local Byrne Grant Funds and transfer from reserve

Lt. Benton presented a report on the grant funds distribution. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve distribution of Local Byrne Grant Funds to the municipalities in the amount of \$103,019 of the Federal fiscal year 2001 Anti-Drug Abuse Act and transfer from reserve. Upon roll call, all Commissioners voted aye. Motion carried. See Anti-Drug Abuse file.

2. Request approval of Equitable Sharing Agreement

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve request of Lt. Susan Benton to update the Federal Equitable Sharing Agreement. The new agreement will be valid through September 30, 2005 and will only need to be modified annually to reflect the change of the Board's Chair. Upon roll call, all Commissioners voted aye. Motion carried.

F. Parks and Recreation Director: Recommendation on Camp Cloverleaf

Parks and Recreation Director, Vicki Pontius, presented recommendation on Camp Cloverleaf. Commissioner Stokes recommended that the local 4-H Foundation be an active partner in the funding. Gary Mikulecky, County Extension Director, advised that no decision has been made on the level of financial assistance. Ray Royce spoke in favor of the funding for Camp Cloverleaf. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve Parks and Recreation Director recommendation that staff provide grounds keepings tasks once every two months, assist with improving beach area, and have Purchasing place the 4-H Foundation on the surplus equipment notification list. The motion was amended to also include the water hook up to the county water system, along with necessary budget amendment. Hank Kowalski and Steve Cooper spoke in favor of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 87.

Break 10:20 - 10:30 A.M.

G. Special Projects Director: Request to accept donated canal

Special Projects Director, Bill Stephenson, presented request to accept canal in Sirena Shores donated by Mrs. Betty Rae Roberts. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to accept the canal donated to the County. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 88.

H. Emergency Management Director: Request to declare FEMA Flood Acquisition Project mobile homes as surplus properties and to waive Purchasing Manual Procedures concerning disposal of surplus properties (Section 10 - Purchasing Manual)

Emergency Management Director, Bill Nichols, presented recommendations. Motion by Commissioner Maxcy, seconded by Commissioner Jackson, to declare FEMA Flood Acquisition Project mobile homes as surplus properties and to waive Purchasing Manual Procedures concerning disposal of surplus properties (Section 10 - Purchasing Manual). Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 89.

I. Human Resources Director: Request approval of the Equal Employment Opportunity Plan 2002

Human Resources Director, Fred Carino, presented recommendations. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve of the Equal Employment Opportunity Plan 2002 with revised language as stated by the Chairman. Upon roll call, all Commissioners voted aye. Motion carried. See Personnel file.

J. Assistant County Administrator: Request approval of a Grant-in-Aid Agreement for Child Dependency Funds

OMB Director, Rick Helms presented request. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to approve the grant-in-aid Agreement for Child Dependency Funds. Upon roll call, all Commissioners voted aye. Motion carried. See State Courts Administrator file.

1. Budget Amendment 01-02-200

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve revised Budget amendment 01-02-200, as presented by OMB Director, Rick Helms. Upon roll call, all Commissioners voted aye. Motion carried.

K. OMB Director: Recommendation on Fund Balance Policy

OMB Director, Rick Helms, presented request to amend the financial policies of the County as directed by County Administrator, Carl Cool and recommended by Hal Canary, Consultant. The consensus of the Board was to direct the OMB Director to bring back corrected language for a plan that will return the fund balance to 10 percent of the General Fund at next week's meeting. See SMB 41 Page 90.

L. Board Attorney:

1. Request for reduction of lien - Mr. and Mrs. Emery Yarbour

Board Attorney, Ross Macbeth, presented recommendations of Emory C. and Christine L. Yarbour for request of reduction of a lien for Lot 46, Holiday Acres, as recorded in Plat Book 9 Page 25 of the Pubic Records. Christine Yarbour, Petitioner, spoke in favor of a reduction of the lien from \$5,005, plus interest to \$2,706.39, which will be covered by the excess sale. Bob Germaine, Senior Director for Court Services, stated that standard procedure was followed by the Clerk's Office. The Tax Collector did a title search in April 2001. The Board placed a lien of \$5,005 on the property in May 2001. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to deny the request. Upon roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to authorize the Chairman to sign the satisfaction of lien on the property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 91.

2. Request approval of contract for sale and purchase with Carl M. Wilburn, Inc.

Board Attorney, Ross Macbeth, presented recommendation for contract for sale and purchase for property owned by Carl M. Wilburn. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve purchase with changes as noted by the attorney. Upon roll call, all Commissioners voted aye. Motion carried.

M. County Administrator:

1. Discussion and consideration of Sebring Jaycees Charities, Inc. request for a thirty-year lease on clubhouse property

County Administrator, Carl Cool reviewed the request of a thirty-year lease on the clubhouse property for the Sebring Jaycees Charities, Inc. His recommendation was that the Commission not approve the lease at this time. Let staff obtain the SFWMD permit and negotiate with the Shrine Club. He will then bring information back to the Board. See SMB 41 Page 94.

2. Request approval of Consultant Service Authorization No. 57 for SWFWMD permit modification on Highlands County Government Center - Highlands County project #95066 and approval of Budget Amendment #01-02-195

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve request as stated with budget amendment 01-02-195, along with a letter to the governor that agencies should be more cooperative, when dealing with matters of this nature. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See SMB 41 Page 95.

3. Request to waive county tag fee for annual rabies clinic May 11, 2002

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve request to waive county tag fee for annual rabies clinic May 11, 2002. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who was unavailable for vote. Motion carried. See SMB 41 Page 92.

4. Request approval of Tourist Development Council appointment

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve request to appoint Margie Rhoades to the Highlands County Tourist Development Council. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 93.

5. Request approval of recommended revisions to the Capital Improvement Plan (CIP)

County Administrator, Carl Cool, advised that the Plan has been updated to include the actual Cash Brought Forward, bringing the total up by \$2.3 million. Pursuant to the changes in the final numbers of the Bond Issue, the initial amount has increased each year. There is a small change in the debt service. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the revision to the CIP. Upon roll call, all Commissioners voted aye. Motion carried. See CIP file.

6. Consent Agenda H. Request approval of extension of Land Acquisition Agreement with the Nature Conservancy.

County Administrator, Carl Cool presented request to partially fund three positions at the Nature Conservancy of \$15,000 each for two years, with at least 70% of their time on projects within Highlands County. The funds (\$90,000) shall come from the Conservation Trust Fund. The Commissioners discussed the request. Public input was received from Ray Royce in opposition to the proposal.

Hank Kowalski spoke in favor of the positions. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to deny NRAC recommendation for three positions and amend the agreement to stay with the one position at \$15,000 for one year for a Highlands County position. Ray Royce spoke in favor of the motion. Hank Kowalski spoke in opposition to the motion. Upon roll call, Commissioners Jackson, Stokes and Maxcy voted aye. Commissioners Flowers and Bullard voted nay. Motion carried. See SMB 41 Page 96.

7. Consent agenda item K- Request approval of Change Order No. 5 - APAC - Florida, Inc. Macasphalt Division - Sebring Parkway Phase I - concrete work -

project No. 89003.

Ramon Gavarrete, County Engineer, explained the Change Order. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve Change Order No. 5 with APAC, Florida, Inc. Macasphalt for concrete work. Upon roll call, all Commissioners voted aye. Motion carried.

7. CITIZENS NOT ON AGENDA

No participants

8. COMMISSIONERS

' Commissioner Stokes reported on the Kissimmee River meeting, where he represented the Board, and spoke in favor of putting the land back on the tax rolls. He also has concerns for the evaluations of the fluctuations of pools. Best Management Practices will be implemented.

' Commissioner Flowers requested action on the Railroad bed between Manatee and Downing Road on the east side of Lake Denton. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to direct staff to place barricades at the north and south access points at the railroad right of way to restrict access and declare the area as a *no trespass area*. Further, Ross Macbeth to bring back a Resolution setting the action in motion. Motion carried. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who was not available to vote. Mr. Jackson left the meeting at 1:15 p.m. for a prior court commitment.

' Chair Bullard made a report on the Heartland Water Alliance with Polk, Hardee and Highlands Counties represented. The meeting was held to formalize the Alliance and it is their hope that DeSoto will also be joining the Alliance.

9. ADJOURN

The meeting adjourned at 1:27 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD MAY 14, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Phil Attinger of the News Sun.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending 5/14/02.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending 5/10/02* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 99 for copy of the report.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. **SPECIAL PRESENTATION**

EMS Director, Rick Weigand, honored two EMS workers, Greg Bash and Mike Rihner, for their acts of bravery in a very serious automobile accident on May 8, 2002 at the intersection of US 27 and Sun'n Lakes Blvd. Chairman Bullard also presented an award of valor for each of the gentlemen on behalf of the Board of County Commissioners.

5. **WORKSHOP AGENDA: Frank Koutnik, Florida Department of Community Affairs: Senior Leadership Briefing on counties' and municipalities' responsibilities regarding disaster preparedness and emergency management. Chris Doyle, Public Information for the State of Florida, report on Action Day. Marcia Garcia, Coordinator, Florida Citizen Corps. Quinton Williams, Coordinator, Pre-Disaster Mitigation Program.**

Staff from Florida Division of Emergency Management briefed agencies of Highlands County on responsibilities regarding disaster preparedness and emergency management. Fred Carino cautioned the Board of the impact to the Insurance Fund. Public input was received from Gabriel Read regarding disaster issues. Refer to tape for details.

Break - 10:40 a.m. -11:00 a.m.

4. **CONSENT AGENDA:**

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

- A. Request approval to pay all duly authorized bills and employee benefits**
 - Law Library 2,528.13
 - General 189,993.86
 - County Transportation Trust 26,723.13
 - E911 Operations 14,830.82
 - Local Govt Infra Surtax 50,068.80
 - Community Development Block 25,623.20
 - Affordable Housing Assistance 42,076.88
 - Solid Waste 8,663.39
 - Placid Utilities 2,362.80
 - Highway Park Utility 60.31
 - Risk Retention 4.96
 - Employee Benefit 1,366.18

- B. Request approval of Satisfaction of Mortgage - Vassell. See Satisfaction file for copy.**

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

7. ACTION AGENDA:

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to set the Action agenda with an addition of a Resolution in support of the Police Awareness Week as item F-3 under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chairman Bullard: Presentation of a Proclamation recognizing Mr. Mike Cavallaro’s 100th birthday

Proclamation read into the record by Chair Bullard. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation recognizing Mr. Mike Cavallaro’s 100th birthday. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 116.

B. Chairman Bullard: Presentation of a Proclamation recognizing “National Historic Preservation Week,” May 12-18, 2002

Former County Commissioner, Audrey Vickers, recognized County Government for participation in preservation of buildings. The Proclamation was read into the record by Commissioner Andrew Jackson. Motion by Commissioner Jackson, seconded by Commissioner Flowers to adopt Proclamation recognizing “National Historic Preservation Week,” May 12-18, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 117.

C. Major Steve Welch, Salvation Army: Presentation of a Proclamation in recognition

of "Salvation Army Week," May 13-19, 2002

Proclamation read into the record by Chairman Bullard. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation recognizing **Salvation Army Week," May 13-19, 2002.** Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 118.

D. General Services Director and Recycling Program Manager: Request for waiver of bidding requirements for recycling billboard rentals

General Services Director, Jed Secory, and Recycling Program Manager, Christy Reed, presented request for waiver of bidding requirements for recycling billboard rentals. Motion by Commissioner Stokes, seconded by Commissioner Flowers, to waive the Board's bidding requirements, approve budget amendment 01-02-214, and approval of purchase order-rental agreements with Billboard Displays or Lamar Outdoor Advertising with understanding that it not exceed \$50,000. Commissioner Jackson spoke in opposition to the motion. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Gabriel Read spoke in favor of the program. Hank Kowalski spoke in opposition to billboards. Motion carried. See SMB 41 Page 100.

E. Director, Office of Management & Budget:

1. Recommendation on Fund Balance Policy and recommendation on Plan for increasing fund balance

County Administrator, Carl Cool, presented recommendation on Fund Balance Policy and recommendation on plan for increasing fund balance. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt language as recommended by staff. Deputy Clerk, Bob Jamison, advised that the Clerk's office supports both the policy and the plan to increase the fund balance. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 101.

2. Request to approve First Amendment to Agreement for Bond Counsel Services

County Administrator, Carl Cool, presented recommendation for approval of amendment to the Agreement for Bond Counsel Services. Deputy Clerk, Bob Jamison, representing the Clerk's office endorsed the approach in the interest of time and efficiency. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the First Amendment to Agreement for Bond Counsel Services. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of Rating Agency selection (Fitch & Moody's) and the insurer for the Bond Issue (AMBAC) memo from Hal Canary - PFM

County Administrator, Carl Cool, presented recommendation of Bond Council for the rating agency selection. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the rating Agency selection (Fitch & Moody's) and the insurer for the Bond Issue (AMBAC) per memo from Hal Canary of Public Financial Management. Deputy Clerk, Bob Jamison, representing the Clerk's office, concurred with the recommendation based on their financial analysis. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 102.

F. County Administrator:

1. Request approval of appointments to the Enterprise Zone Development Agency

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve appointments of Barbara Walker and Karen Stringfield to the Enterprise Zone Development Agency. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 103.

2. Request approval of appointments to the Highlands County Tourist Development Council Board

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the appointment of Mr. Gary Nichols, Mayor of Lake Placid, to the Highlands County Tourist Development Council Board to fill the position of former Lake Placid Mayor, Pauline Dionne. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 104.

3. Proclamation- National Police Week

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation recognizing **National Police Week, May 12-May 18, 2002**. A Peace Officers Memorial Day Ceremony will be held on May 15, 2002 on the Courthouse Lawn, honoring Deputy JoAnn Mansfield, who was wounded in line of duty. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 119.

8. CITIZENS NOT ON AGENDA:

Mr. Hank Kowalski asked that Public Notice language be better defined. Staff advised that the public notices are advertised per Florida Statutes. The agendas are also printed in the newspapers if additional information is needed.

9. COMMISSIONERS

Commissioner Flowers - request for action on trespass notice. The County Administrator to follow through with the Board Attorney for a Resolution.

10. ADJOURN

The meeting adjourned at 12:10 P.M.

Chairperson

Attest: _____
Clerk

The Budget Workshop of the Board, was held on May 13 through May 16, 2002 in the Government Center Boardroom, 600 S. Commerce Ave., Sebring, Florida with the following schedule:

The Workshop was called to order at 8:00 A.M. in the Board of County Commission Chambers, by Asst. County Administrator, Tom Portz. Also present was Terry Gott, Budget Analyst and Angie Bollinger, Budget Technician. The Notice of the meeting was posted on the official bulletin board on 5-10-02. See SMB 41 Page 106.

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 County Administrator or the Board of County Commissioners. Any changes will be incorporated and millage certification is tentatively scheduled.

MONDAY, MAY 13, 2002				
AGENCY	PAGE #	COST CENTER	LOCATION	TENTATIVE TIMES
County Extension-Gary Mikulecky	E-2	6302	Government Center Boardroom	8:00 A.M.
Department of General Services - Jed Secory	D-44	2558		8:30 A.M.
Health Department- Dr. Paula Thaqi	H-8	5101		9:00 A.M.
Peace River Center- Bert Lacey	E-156	5103		9:30 A.M.
Emergency Operations Director- Bill Nichols	E-42; E-44	3211, 3213		10:00 A.M.
Special Tax Districts-Fire - Tim Eures				
Lake Placid Fire District	J-49	7966		
Lorida	J-53	7968		
Sun 'n Lakes Lake Placid	J-64	7981		
DeSoto City	J-68	7982		
Highlands Lakes	J-77	7988		
Leisure Lakes	J-82	7994		
Highlands Park	J-89	7997		
Libraries - Mary Myers	E-101 TO E-120	6209-6212		11:00 A.M.
LUNCH BREAK				
Department of Human Services - Kevin Roberts				2:00 P.M.
Health Care Responsibility Act	E-182	5108		
Human Services Administration	E-184	5220		
Public Assistance Program	E-187	5221		
State-County Assistance Program	E-189	5222		
Commodities	E-192	5223		
Children's Services Council	E-199	5225		
Transportation Disadvantaged	E-202	5226		
Adapt Program	E-207	5227		
Children's Advocacy Center	E-67	3995		
Legal Aid Program	G-78	1046		
Veterans	E-152	2991		2:30 P.M.
Nu-Hope - Sandy Foster	E-195	5224		2:45 P.M.
Human Resources - Fred Carino	D-23	2107		3:00 P.M.
Work Study Program	D-74	5310		
Employee Benefits	D-23	7993		

Insurance - General Claims	D-23	2556		
Insurance - Workers' Comp.	D-23	2557		
Special Projects Director - Bill Stephenson	D-78	7992		3:45 P.M.
AGENCY	PAGE #	COST CENTER	LOCATION	TENTATIVE TIMES
Non-Ad Valorem Districts:				4:00 P.M.
Sun 'n Lakes 1-20 Improvement Trust	N/A	7962		
Highlands Park Estates Special Benefit District	J-2	7963		
Vantage Point Special Benefit District	N/A	7964		
Highway Park Special Benefit District	J-43	7965		
Lake Haven Estates Special Benefit District	J-2	7970		
Orange Blossom Unit 12	J-4	7971		
Sebring Acres	J-8	7972		
Orange Blossom CCC	J-10	7973		
Sun 'n Lakes LP Recreational District	J-12	7974		
Orange Blossom Units 1-19	J-15	7975		
Orange Blossom Unit 6	J-17	7976		
Red Hill Farms Improvement District	J-19	7977		
Sebring Hills Lighting Special Benefit District	J-44	7978		
Orange Blossom Units 8 & 9	J-21	7979		
Lake Placid Sun 'n Lakes Sp. District	J-23	7980		
Sebring Highlands Special Tax District	J-25	7983		
Orange Villa Special Benefit District	J-27	7984		
Placid Lakes Special Benefit District	J-29	7987		
Istokpoga Marsh Improvement District	J-32	7989		
Avon Park Estates Special Benefit District	J-34	7990		
Highlands Park Estates Special Tax District	J-36	7995		
Hickory Hills Special Benefit District	J-38	7996		
Sebring Country Estates Special District	J-46	7998	Adjourn 3:50 p.m.	
WEDNESDAY, MAY 15, 2002				
AGENCY		COST CENTER	LOCATION	TENTATIVE TIMES
County Planning & Development - Jim Polatty	F-120	2700	Government Center Boardroom	8:00 A.M.
Conservation Trust	E-259	6307		
Community Development Block Grant - Housing	E-209	5341		
State Housing Initiatives Program (SHIP)	E-212	5342		
Housing Department	E-217	5344		
Zoning Department	F-129	3439		
Nuisance Abatement	F-137	6306		
Parks & Recreation - Vicki Pontius	E-146	6104		8:30 A.M.
Carpentry Shop	F-31	4103		
Recreation	E-121	6101		
Parks Department	E-131	6102		
Weed Control	E-251	6304, 6305		
County Engineer - Ramon Gavarrete	F-2	4101		9:00 A.M.
Placid Utilities - Water	F-139	7102		
Placid Utilities - Sewer	F-161	7103		
Highway Park	F-150	7102A		
Traffic Operations	F-43	4105		
Road and Bridge - Bruce Van Jaarsveld	F-22	4102		9:30 A.M.
Maintenance Shop	F-39	4104		
Mowing - Right of Ways	F-61	4106		
County Shell Pit	F-64	4108		

Public Information	D-41	2109		10:00 A.M.
LUNCH BREAK				
Landfill - Jerry Leszkiewicz				1:15 P.M.
Refuse Disposal System	F-71	4210		
Recycling Operations/Recovery Facility	F-93	4211		
Solid Waste Administration	F-98	4212		
Waste Tire Processing Grant	F-105	4214		
Landfill Closure	F-107	4215		
Recycling Grant - Christy Reed	F-109	4217		
Highlands Beautiful/Litter and Marine Debris	E-261	6308		
Emergency Medical Services - Rick Weigand	E-70	5105		2:30 P.M.
AGENCY	PAGE #	COST CENTER	LOCATION	TENTATIVE TIMES
Facilities Management - Al Bowles	D-61	2672		3:00 P.M.
Courthouse Facilities	D-2	1031		
Board of County Commissioners - Terry Gott	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-81	2111		
Board Attorney	D-9	2103		
County Administrator	C-5	2104		
County Audits	D-11	2105		
Office of Management & Budget	D-13	2106		
Non-Ad Valorem Assessment	D-36	2108		
Circuit Court	G-2	1000		
County Court	G-7	1001		
State Attorney	G-10; G-12	1002, 1002A		
Public Defender	G-23; G-25	1003, 1003A		
Law Library	G-61	1033		
Historic Preservation Commission	D-76	6213		
Court Reporter	G-30; G-46; G-64; G-74	1009, 1021, 1035, 1042		
Appeals	G-28	1005		
Clinical Evaluation Circuit Criminal	G-32	1010		
Interpreters Circuit Criminal	G-34	1011		
Expert Witness Circuit Criminal	G-28	1012		
PD Conflicts Circuit Criminal	G-40	1013		
WEDNESDAY, MAY 15, 2002				
AGENCY		COST CENTER	LOCATION	TENTATIVE TIMES
Clinical Evaluation Circuit Juvenile	G-48	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-50	1023		
Expert Witness Circuit Juvenile	G-52	1024		
PD Conflicts Circuit Juvenile	G-54	1025		
Guardian Ad Litem Circuit Juvenile	G-56	1026		
Clinical Evaluation Circuit Probate	G-59	1028		
Clinical Evaluation County Criminal	G-66	1036		

Interpreters-County Criminal	G-68	1037	
Expert Witness-County Criminal	G-70	1038	
PD Conflicts County Criminal	G-72	1039	
Attorney Fee Circuit Probate	G-76	1044	
Interpreters Circuit Civil	G-80	1047	
Community Traffic Safety	E-28	3105	
Florida Highway Patrol	G-82	3102	
Division of Forestry	E-61	3214	
Medical Examiner	H-2	3990	
Mental Health	E-155	5103	
Tubercular Care	E-180	5104	
Highlands County Housing Authority	H-36	5343	
Community Redevelopment Agency-Sebring	H-39	5346	
Community Redevelopment Agency-Avon Park	H-41	5347	
Sebring Regional Airport/Industrial Park	H-43	5348	
Highlands Park Estate Improvement Trust Fund	J-40	7999	
Interfund Transfer		9101	
Reserve for Contingency	D-109; F-69; K-62; F-173	9990	

THURSDAY, MAY 16, 2002

AGENCY		COST CENTER	LOCATION	TENTATIVE TIMES
Animal Control - Keith Albritton	E-91	5106	Government Center Boardroom	8:00 A.M.
Convention Visitors Bureau - Allon Fish	D-81	2111		8:15 A.M.
Building Department- S.Y. Moseley	F-132	3440		8:30 A.M.
Local Emergency Management - Bill Nichols	E-7	3991		8:45 A.M.
Natural Resources - Larry Sharpe- Clell Ford	E-219	6303		9:00 A.M.
Circuit Court (Court Administrator) Chief Judge Curry	G-2	1000		9:15 A.M.
Industrial Development Authority - Louise England	H-32	5300		9:30 A.M.
Pre-Trial Release - Sandra Gonzalez	G-42	1014		1:30 P.M.
E911 Operations - Ben Henley	E-20; E-17	3998, 3998A		1:45 P.M.
Star Outreach Program - Theresa Williams	D-81	2111		2:45 P.M.
			Adjourned 4:40 p.m.	

REGULAR MEETING OF THE BOARD MAY 21, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Attorney Ross Macbeth. 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 May 21, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of *Jury Trial Week for the month of May, as* provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page107 for copy of the report.

- C. Upcoming County meeting's presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

- 4. **CONSENT AGENDA:**

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

- A. **Request approval to pay all duly authorized bills and employee benefits May 21, 2002**

Law Library	1.73
General	499,681.68
County Transportation Trust	19,131.18
E911 Operations	473.02
Legal Aid	2,922.81
Local Govt Infra Surtax	33,204.10
Community Development Block	5,770.00
Affordable Housing Assistance	5,320.71
Special Law Enforcement	1,612.77
Solid Waste	68,116.48
Placid Utilities	3,361.16
Highway Park Utility	366.49

Risk Retention **66.35**

- Employee Benefit 11,330.35**
- B. Request approval of Board meeting minutes of May 7, 2002**
- C. Request approval of CDBG bid awards. See SMB 41 Page 108.**
- D. Request to waive the fee on the rental of Bishop Park for the Leisure Lakes Home Owners Civic Association for various dates as noted in the attached memo. See SMB 41 Page 109.**
- E. Request for approval of Consultant Service Authorization No. 60 for the environmental study on the Wilburn property. See SMB 41 Page 110.**
- F. Request to transfer sick leave. See SMB 41 Page 111.**
- G. Request to write-off balance of EMS bill. See SMB 41 Page 112.**
- H. Request approval of Satisfaction of Mortgage - Murray. See Satisfaction file.**
- I. Request approval of a plat recording for Hampton Woods Subdivision. See Hampton Woods file.**
- J. Request to waive tipping fee for the Caladium Festival. See SMB 41 Page 113.**
- K. Request approval of Resolutions & Budget Amendments 01-02-171(Public Information salaries) 01-02-210 (Road and Bridge Infrastructure) 01-02-211 (Sheriff LLEB Grant) 01-02-219 (Cherry Road). See Res. Book 15 Page 119.**

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

5. PUBLIC HEARING: Proposed one small-scale plan amendment and one zoning change

Development Services Director, Jim Polatty, presented petition and Proof of Publication into the record. See Proof of Pub Book 3 Page 13.

OLD BUSINESS: HEARING # CPA - 01-170SS - VIRGINIA FRYMAN TRUST - C/O MICHAEL JOACHIM

10 acres located on US 27 across from the Home Depot in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a modification of Ordinance 01-02-10 that adopted a small-scale plan amendment from (Medium Density Residential) and (Commercial) to (High Density Residential). The amendment would limit the maximum density to 10 units per acre.

HEARING #1600 - VIRGINIA FRYMAN TRUST - C/O MICHAEL JOACHIM

10 acres located on US 27 across from the Home Depot in Sec. 23, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting an amendment to Resolution 01-02-61 that adopted an R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). The amendment will limit the density to 10 units per acre. The proposed site plan would remain unchanged. Applicant desires to construct multi-family apartments. Mr. Michael Joachim and Mr. Chris New, representing the Petitioner, presented the requests to lower the units to 100. Public input was received in favor of the development from Ms. Gigi Cabera-Dibble, Ms. Ruth K. Davis, Ms. Dorothy Lyons and Mr. Clayton Womer. Speaking in opposition to the development was Mr. Bob Hesselink, Mr. Paul Kiser, Mr. Hank Eures, Mr. George Smith, and Mr. Lenard Carlisle.

Motion by Commissioner Stokes, seconded by Commissioner Flowers, to adopt by Ordinance CPA-01-170SS amending the FLUM from Medium Density Residential and Commercial to High Density Residential for 10 acres, with a maximum cap of 10 dwelling units per acre, for a total of 100 units, for transmittal to the

Florida Department of Community Affairs. Upon roll call, Commissioners Stokes, Flowers, Jackson and Bullard voted aye. Commissioner Maxcy voted nay. Motion carried.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to adopt Resolution P&Z No. 1600 amending the Zoning Atlas from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development), including the previous 12 conditions that were included on the last Resolution except for the density of 10 units per acre and the revised site plan effective upon the small scale development amendment becoming effective. Upon roll call, Commissioners Stokes, Jackson and Bullard voted aye. Commissioners Maxcy and Flowers voted nay. Motion did not carry, due to the requirement of a 4-to1 vote, that becomes a necessity when more than 50% of the property owners to the rear of the property, placed an objection in writing.

11:45 - 11:55 a.m.

6. ACTION AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve the Action agenda as amended.

- ' Delete item 6-C
- ' Add revised Resolution as D-1

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

A. Human Resources Director: Request approval of one grant dependant, temporary, full-time equivalent position for Human Services - Commodity Program support

Human Resources Director, Fred Carino and Asst. Human Services Director, Mary Foy, presented request. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Personnel actions as recommended by staff. Rick Helms cautioned the Board that if the grant does not come in, the money will have to come out of the Reserve. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 114.

B. Director, Office of Management & Budget:

1. Request approval of the Authorizing Resolution and approval of the Parameters Resolution regarding the Infrastructure Sales Surtax Revenue Bonds, Series 2002

County Administrator, Carl Cool, presented an overview of the Bond Issuance. The bond issue amount is \$23,205,000 to be totally supported by the one cent sales tax. The interest rate is estimated at 4.9 percent. Director, Office of Management & Budget, Rick Helms presented Resolutions for the issuance of the Infrastructure Sales Surtax Revenue Bonds. Duane Draper, Bryant, Miller and Olive reviewed changes to the Resolutions. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve the Authorizing Resolution, and the Parameters Resolution regarding the Infrastructure Sales Surtax Revenue Bonds, Series 2002, including amendments as presented. Deputy Clerk, Bob Jamison, spoke in support of the motion. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

C. ~~Board Attorney: Request approval of a Resolution on Sebring Parkway Phase III regarding right-of-way no trespassing~~

D. County Administrator:

1. Request approval of an Interlocal Agreement with the Sebring Airport Authority

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve Interlocal Agreement with the Sebring Airport Authority. Ross Macbeth reviewed changes to the document. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. See Res. Book 15 Page 120.

2. Request approval of a Consultant Service Authorization No. 58 and Budget Amendment #01-02-215 for SWFWMD Permit Modification - SW Vista Drive - Highlands County Project #98077 - Chastain-Skillman, Inc.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve Consultant Service Authorization No. 58 and Budget Amendment #01-02-215 for SWFWMD Permit Modification - SW Vista Drive - Highlands County Project #98077 - Chastain-Skillman, Inc. Upon roll call, all Commissioners voted aye. Motion carried.

3. Discussion regarding a request from Florida Heartland Heritage Foundation, Inc.

County Administrator, Carl Cool, submitted a request from Florida Heartland Foundation for assistance on the site development of the Florida outdoor drama. Bruce Van Jaarsveld shared a cost estimate for the paving of road and parking area for the Amphitheater for a total of \$170,765.68. Theresa Stein and Doris Gentry, representing the Foundation, spoke in favor of in kind contributions and shell for the road. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to give a letter of commitment up to \$125,000 for in kind services as our manpower and equipment becomes available within the next two years. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 115.

4. Request approval of a corrective deed and a conveyance of land - Falla property - Arbuckle Branch Road

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve a corrective deed and a conveyance of land regarding Falla property - Arbuckle Branch Road. Upon roll call, all Commissioners voted aye. Motion carried.

5. Request approval of a Lease with Nu-Hope for the Avon Park Tax Collector's Office

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve lease with Nu-Hope for a portion of the Avon Park Tax Collector's office with amendment of language as specified by Ross Macbeth. Upon roll call, all Commissioners voted aye. Motion carried. See Nu-Hope file.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

' Commissioner Bullard - Resolution in support of Canker Eradication Program

Commissioner Maxcy read the Resolution into the record. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve Resolution in support of Citrus Canker Eradication Program and request for copies of the Resolution to be sent to the Governor of Florida, the Florida Department of Agriculture, and each citrus producing county in Florida along with the attached letter from the Citrus Growers Association.

Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 120.

- ' **Commissioner Jackson - Report on FHREDI**
- ' **Carl Cool - Report on Water Alliance**

Refer to tape for further detail.

9. ADJOURN

The meeting adjourned at 12: 10 p.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD MAY 28, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Louise Graham |
| C Guy Maxcy | Jodi Giguere |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Guy Maxcy. The Pledge of Allegiance was led by John Nettles of the Avon Park Veterans Honor Guard.

3. ANNOUNCEMENTS

Deputy Clerk, Bob Jamison, welcomed Jodi Giguere, new employee, with the Clerk of Courts office.

A. Sheriff:

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending May 28, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services as* provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page117 for copy of the report.

C. Upcoming County meeting's presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

4. CONSENT AGENDA:

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

Remove Budget amendment 01-02-228 (Item 4-C) and place under the County Administrator as Item 6-B.

A. Request approval to pay all duly authorized bills and employee benefits May 28, 2002

General	235,141.75
County Transportation Trust	27,078.78
E911 Operations	1,925.89
Local Govt Infra Surtax	416,473.15
Community Development Block	6,350.00
Affordable Housing Assistance	18,303.00
Special Law Enforcement	16,000.00
Solid Waste	66,015.54
Placid Utilities	4,929.82

	Highway Park Utility	2,144.74
	Risk Retention Fund	233.51
	Employee Benefit	1,504.10
B.	Request approval of Satisfaction of Mortgage - Payne	
C.	Request approval of Resolution and budget amendment #01-02-228	

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

4. PUBLIC HEARING: Public Hearing on proposed small-scale plan amendment and zoning change

Development Services Director, Jim Polatty, presented petition and proof of publication into the record. See Proof of Pub. Ord. Book 3 Page 14.

This hearing was tabled to allow Mr. Joe Messina to be present and explain the mining on the property.

OLD BUSINESS: HEARING #1614 - MESSANA CONSTRUCTION COMPANY, JOE MESSANA, PRESIDENT - C/O RICK WHIDDEN

Approximately 60.35 acres located on US Highway 27 and Palmetto Drive, and in Secs. 10 & 11, Twp. 36S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) and B-2 (Limited Business district) to AU (Agricultural).

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to remove the zoning hearing from the table for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

Rick Whidden, representing the petitioner, advised that the applicant did have a mining permit at the time of the mining. Joe Messina, petitioner, spoke in favor and answered questions concerning the issue. Hank Kowalski spoke in opposition to the rezone application. Gary Lower, Zoning Supervisor, provided additional information. John Medlock, resident, spoke in favor of the zoning to AU as long as the stipulations were followed. Joe Heston, resident, spoke in favor of the zoning.

Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the Planning and Zoning Commission recommendation, to approve Hearing # 1614, amending the zoning atlas from R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) and B-2 (Limited Business district) to AU (Agricultural) and approving the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained due to perceived conflict as Mr. Joe Heston is a relative, and testified in favor of the petitioner. See SMB 41 Page 118 for copy. Motion carried. See Res. Book 15 Page 124.

NEW BUSINESS: HEARING # CPA - 02-185SS - MARY C. SHIELDS - C/O MICHAEL J. SHIELDS

An approximate one-half acre Parcel on the Northside of CR 621 between Carter Avenue and Monroe Avenue in Highland Park Estates Subdivision, and legally described as follows: Lots 6 and 7, Block 18,

Highlands Park Estates, as recorded in P.B. 4, Pg. 68 of the Public Records of Highlands County, Florida.

Mike Shields presented the petition. Public input was received from Hank Kowalski in opposition due to possible endangered species on site. Gabriel Read of Avon Park Lakes, stated concerns for future generations due to development. Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the Local Planning Agency recommendation, to approve and adopt by Ordinance Hearing # CPA -02-185SS, including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried.

5. ACTION AGENDA

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. County Administrator: Request approval of Budget Amendment #01-02-223 transferring Sheriff’s contingency funds to their 51001 and 53001 accounts.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve Budget amendment 01-02-223 transferring Sheriff’s contingency funds to their 51001 and 53001 accounts. Upon roll call, all Commissioners voted aye. Motion carried.

B. Request approval of Resolution and budget amendment #01-02-228

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve Resolution and Budget amendment 01-02-228, transferring funds for the Law Enforcement Block Grant and to allocate interest earnings. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 125.

6. CITIZENS NOT ON THE AGENDA

Ray Royce, representing the Citrus Growers Association, advised the public on steps to follow in reporting citrus canker. County Administrator, Carl Cool, presented recommendation of County staff to curtail road work in order to lessen the threat of citrus canker

7. COMMISSIONERS

- ' Commissioner Maxcy suggested a Board workshop to discuss the completion of the Phase III project before the budget is finalized.
- ' Commissioner Maxcy also requested that staff look into a future plan for creating an alternate route for Sparta Road after the budget completion.
- ' Commissioner Bullard announced the dedication of the Hopton Rodgers Building in Avon Park.

ADJOURN

The meeting adjourned at 10:23 a.m.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JUNE 4, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Louise Graham |
| C Guy Maxcy | Jodi Giguere |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Stokes. The Pledge of Allegiance was led by John Nettles of the Avon Park Veterans Honor Guard.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending June 4, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *Weekly Report of Court Services for the week ending May 31, 2002* and a *Monthly Report of Business Services for the month of May 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 119.

C. Upcoming County meeting's presented into the record by County Administrator, Carl Cool.

Don Hansen presented a request for a traffic light to be installed at George Blvd. Upon discussion, Commissioners reached a consensus once again to address the issue with the Department of Transportation. Commissioner Flowers advised that he will bring the issue before the Traffic Safety Team at their next meeting regarding the possibility of adopting a resolution. Additional meetings were announced for the benefit of the public

4. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the Consent Agenda with minutes as corrected. Upon roll call, all Commissioners voted aye. Motion carried.

A. Approval of minutes of the May 21, 2002 Board meeting minutes

B. Request approval to pay all duly authorized bills and employee benefits June 4, 2002

Law Library	58.00
General	1,518,980.64
County Transportation Trust	17,897.40
E911 Operations	2,374.77
Local Government Infra Surtax	156,968.36
Community Development Block	12,277.80

Solid Waste	36,823.08
--------------------------	------------------

- Placid Utilities 835.14
 - Employee Benefit 4,355.40
- C. Request approval of appointment of Mr. Johnnie Nettles to fill the unexpired term of Steve Worley to the Veteran’s Advisory Board and to serve a full term afterward, with term to expire December 31, 2005. See SMB 41 Page 120 for copy of resume. David Perkins, chairman of the Veterans Advisory Board, spoke in favor of the appointment.
- D. Request approval to reappoint Ms. Christi Burrows to serve a 4-year term on the Highlands County Health Facilities Authority to represent District 5. See SMB 41 Page 121.
- E. Request approval to accept purchase offer from Liberty Election Supplies on surplus election equipment. Reference fixed asset numbers SR368 (Gang Mask Punch), SR247 (Crimper), and SR243 (Demonstrator Model 4). See SMB 41 Page 122.
- F. Request to accept into the record Quarterly Report, April 2002 - 1st Quarter
- G. Request approval of a Subordination Agreement - Dunham.
- H. Request approval of appointment of Gary Freeman and Jeff Kennedy as replacement members and change the composition of the Central Sewer Study Committee. See Central Sewer Study file.
- I. Request adoption of Resolution authorizing the Board of County Commissioners participation in the Small Counties Coalition’s draft State Water Policy. See Res. Book 15 Page 126.
- J. Request approval of Budget Amendments 01-02-217 (Purchase land for Road & Bridge expansion property), 01-02-222 (Replace carpet and tile in EMS Headquarters and George Blvd crew quarters), 01-02-224 (Cover unemployment expenses in Veterans Services) 01-02-229 (Cover additional cost for larger propane tanks for landfill generators) and 01-02-232 (Transfer funds for purchase of lots in Sun ‘n Lake Preserve).
- K. Request approval of Resolutions and Budget Amendments 01-02-230 (Correct budget amendment #01-02-219). See Res. Book 15 Page 127.

5. ACTION AGENDA:

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to set the action agenda with Item B to be heard before Item A. Upon roll call, all Commissioners voted aye. Motion carried.

E. Chairman Bullard: Request approval of a Resolution opposing the construction and operation of a statewide high speed rail system.

Chairman Bullard suggested an amendment to be placed on the ballot, giving citizens the right to vote to repeal the provision that requires the development of a high speed rail. Gabriel Reed presented comments on the issue, stating the need for growth. Jack Ritchie, Chairman of the Highlands County Homeowners Association spoke in support of the resolution. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Resolution opposing the construction. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 128.

B. Human Resources Director: Presentation of Veteran Services Officer for

confirmation - Charles David Simpson, Jr., Captain, US Army.

Fred Carino, Human Resources Director, requested the confirmation of Mr. Charles David Simpson, Jr. for the position of the new Veteran Services Officer. David Perkins, president of the Veterans Services Advisory Council, introduced Mr. Simpson and gave a brief summary of his family military background. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the employment of Mr. Simpson as the new Veteran Services Officer. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 123.

C. County Engineer:

- 1. Request approval of a Resolution to establish a Public Hearing for the closing of a portion of Fourth Avenue West lying between Blocks 138 and 139, Northside Subdivision, as recorded in Plat Book 3, Page 32 of the Public Records of Highlands County, Florida, City of Sebring as petitioners**

Richard Reinhart, Transportation Engineer, presented request for adoption of Resolution to set Public Hearing date for June 25, 2002. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 129.

- 2. Request approval of a Resolution to establish a Public Hearing for the closing of a portion of Santa Rosa Avenue, lying between Blocks 5 & 6 of Lake Letta Estates as recorded in Plat Book 1, Page 70-B, of the Public Records of Highlands County, Florida.**

Richard Reinhart, Transportation Engineer, presented request for adoption of resolution to set Public Hearing date for June 25, 2002. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 130.

D. Development Services Director:

- 1. Report on Noise Ordinance enforcement from other counties**

Development Services Director, Jim Polatty, presented information obtained from visits to Osceola, Orange, and Indian River counties concerning noise ordinance enforcement. Commissioner Flowers inquired about the success rate of the visited counties. Jim Polatty could not provide actual numbers, but advised the counties did have a successful compliance rate. Commissioner Flowers suggested the possibility of doing a telephone poll with the counties, before the Public hearing, to obtain the requested information. County Attorney, Ross Macbeth, presented information concerning the revised noise ordinance. Clyde Sparks spoke in favor of setting a Public hearing. John Bock spoke in favor of the Public hearing, requesting the possibility of setting up a specific office and telephone number for handling noise complaints. County Administrator, Carl Cool, recommended setting the Public hearing for July 23, 2002. Motion by Commissioner Flowers, seconded by Commissioner Jackson to set the hearing as stated. Upon roll call, all Commissioners voted aye. Motion carried.

- 2. Discussion of an Interlocal Agreement with Town of Lake Placid, City of Sebring, Highlands County School Board and City of Avon Park for Planning and Information Sharing**

Development Services Director, Jim Polatty, submitted a model agreement for review. Commissioner Bullard spoke in support of the agreement and recommended the Board move forward and put the agreement on the

agenda for adoption. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to move forward with the proposal. Upon roll call, all Commissioners voted aye. Motion carried.

E. Board Attorney

No report.

F. County Administrator:

1. Request approval of a Resolution regarding the "Heartland Water Alliance"

County Administrator, Carl Cool, presented a brief description of a Resolution asking that Highlands County participate in a cooperative water resource planning via a Water Planning Alliance. Don Hansen and Clyde Sparks also spoke in favor of the Resolution. Jack Ritchie, member of the Water Advisory Committee, spoke in support of the Resolution and presented a request for appointing someone as a representative to the Alliance. Commissioner Maxcy made a motion to nominate Commissioner Stokes as representative for the Water Alliance Board, seconded by Commissioner Flowers to approve the nomination. Upon roll call, all Commissioners voted aye. Motion carried. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to adopt Resolution co-establishing and joining the Heartland Water Alliance as a mechanism of regional Water Resource Planning. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 131.

6. CITIZENS NOT ON AGENDA:

Ms. T. Snodgrass spoke regarding animal control services, stating the problem of over population and the shortage of cages for trapping the animals.

Fred Carino, Human Resources Director, informed the Board of employee Harold Roebucks' activation in the Florida Coast Guard Reserve, and his deployment to Cuba.

7. COMMISSIONERS

No reports.

8. ADJOURN

The meeting adjourned at 10:48 A.M.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD JUNE 11, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	Jodi Giguere

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Engineer, Ramon Gavarrete. The Pledge of Allegiance was led by Commissioner Andrew Jackson.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Sgt. Frank Worden presented the daily jail log of inmate count for the period ending June 11, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending June 7, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 125 for copy of the report.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Mr. Cool also announced the meeting of the Highlands County Traffic Safety Committee scheduled for Wednesday, June 12, 2002 at 10:00 A.M. at the Highlands County Agri Civic Center Room #3. Additional meetings were announced for the benefit of the public. Commissioner Bullard read a letter received from Charles Bennett, Chief, Bureau of Emergency Medical Services, Florida Department of Health. Mr. Bennett congratulated Rick Weigand on the outstanding service inspection conducted on April 9, 2002, and for being a role model of excellence as an EMS provider.

- 4. **CONSENT AGENDA:**

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

- A. **Request approval to pay all duly authorized bills and employee benefits June 11, 2002**

Law Library	16.20
General	480,818.54
County Transportation Trust	17,752.10
E911 Operations	1,682.53
Legal Aid	2,922.81

Local Government Infra Surtax	23,869.97
Community Development Block	23,918.00
Affordable Housing Asst	4,332.02
HCISSRB Construction Fund	12,000.00
Solid Waste	8,678.92
Placid Utilities	3,868.48
Highway Park Utility	1,969.80
Risk Retention Fund	5.40
Employee Benefit	1,660.55

5. ACTION AGENDA:

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

A. Louise England, Tourist Development Council Staff: Request approval for Local Option Tourist Tax Revenue amendment to be placed on the November ballot

Louise England, representing the Tourist Development Council, resented request for approval of the Local Option Tourist Tax amendment to be placed on the November ballot to support a two-year Plan for Tourist Development. When questioned by Commissioner Maxcy about their plans for informing the public and promoting the tourist tax, Mrs. England stated there would be an extensive education program for the people of Highlands County. The following spoke in support of the amendment: Allon Fish, Executive Vice President of Greater Sebring Chamber of Commerce, Clyde Sparks, Red Bohanon, chairmen of Economic Development Commission, Ronnie Carter, President of Greater Sebring Chamber of Commerce, David Greenslade, Executive Director of Avon Park Chamber of Commerce, Jack Ritchie, chairmen of the Highlands County Homeowners Association, Madge Stewart, owner of Kenilworth Lodge and Marketing Chairperson of Convention and Visitors Bureau, Don Linton, President of Highlands County Lakes Association, and Ray Royce, past president of Convention and Visitors Bureau. Gabriel Reed expressed a concern for the need of a provision on limitations of the tax. Clayton Womer spoke in opposition of the tax. A consensus was reached by the Board to set the issue for a Public Hearing on June 25, 2002, upon receipt of information from County Attorney, Ross Macbeth, concerning the possibility of including a Sunset provision, and not allowing an increase in the tax without a vote by the people. Motion by Commissioner Jackson, seconded by Commissioner Flowers to set the Public Hearing as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 126.

Break 9:50 - 10:00 A.M.

B. OMB Director, Rick Helms: Approval of closing documents for infrastructure sales surtax revenue bonds, series 2002

OMB Director, Rick Helms, presented closing documents for the infrastructure sales surtax revenue bonds, series 2002. Mr. Helms stated the overall interest cost is estimated at 4.66 percent on the bond issue, the final closing set for June 13, 2002. Ross Macbeth, Board Attorney, advised documents are drafts distributed for comments and corrections. Deputy Clerk, Bob Jamison stated that members of

the Clerks' office have been very vigilant in reading the documents to make them consistent and accurate. No action was taken by the Board.

C. County Administrator

1. Request approval of the Resolution for the Avon Park Construction Grant Application

County Administrator, Carl Cool, presented request for approval of a Resolution for inclusion into the Avon Park Construction Grant Application. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the Resolution as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 133.

2. Request approval of Non-Disturbance Agreement, 6403 CR 17 South

County Administrator, Carl Cool, presented a request from Ramon Gavarrete, County Engineer, to approve a Non-Disturbance Agreement for 6403 CR 17 South, in Sebring, Fl. The agreement will grant the land owner a Temporary Use/Construction Permit for Public Right of Way/Public Lands. Ross Macbeth, Board Attorney, noted that the agreement was not consistent with Florida Building Codes, stating the need to include Florida Building Code 3401.8.3.5 in the agreement. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the Non-Disturbance Agreement, with changes as stated. Upon roll call, all Commissioners voted aye. Motion carried.

6. CITIZENS NOT ON AGENDA

John Kalaf, representing A.D. Morgan Corporation, raised concerns about the bids for the courthouse and jail expansion, stating that the lowest bidder, Dooley & Mack Constructors Inc., did not include a list of subcontractors in their bid packet. Ramon Gavarette, County Engineer, stated that in the pre bid conference, possible bidders were encouraged to use local contractors, but was not a requirement of the bid. Carl Cool, County Administrator, advised the bids have been opened, and are to be submitted to the Board for consideration next week. Mr. Cool also reminded the board of the importance of being under a contract and having construction started by the end of June 2002 or forfeit the \$1.4 Million grant from the State of Florida.

Public input was received from Gabriel Reed, regarding the Local Option Tourist Tax. No action was taken by the Commission.

7. COMMISSIONERS

' Commissioner Maxcy and Stokes commented on letters and phone calls from local contractors, regarding not being used by the firm that received the low bid on the courthouse and jail expansion project.

' Commissioner Bullard commented on the positive feedback he has received regarding the work A.D. Morgan Corporation has done for the school board.

8. ADJOURN

The meeting adjourned at 10:29 A.M.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD JUNE 18, 2002

- 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:

Bob Bullard	Thomas Portz
Edgar Stokes	I.V. Buddy McKenzie
David Flowers	J Ross Macbeth
Andrew Jackson	Louise Graham
C Guy Maxcy	Jodi Giguere

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Gerald Secory, Purchasing Director. The Pledge of Allegiance was led by Commissioner Andrew Jackson.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending June 18, 2002. The Farm Report was also given for the month of May 2002.

- B. **Clerk**

Chief Deputy Clerk, Buddy McKenzie, presented a *weekly report of Court Services for week ending June 14, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 127 for copy of the report.

- C. Upcoming County meetings presented into the record by Assistant County Administrator, Thomas Portz.

- 4. **CONSENT AGENDA:**

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

Removal of Item K, to be placed on the following weeks' agenda. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits June 18, 2002**

Law Library	2.31
General	455,138.27
County Transportation Trust	8,095.27
E911 Operations	13,672.58
Local Government Infra Surtax	363,203.23

- Special Law Enforcement 1,316.70
- HCISSRB Construction Fund 66,838.01
- Solid Waste 21,578.00
- Placid Utilities 1,641.05
- Highway Park Utility 5.20
- Risk Retention Fund 20.73
- Employee Benefit 4,100.94
- B. Request approval of Board meeting minutes of May 28, 2002 and June 4, 2002
- C. Request approval of allowance of trade in of a Minolta 605z printer currently being used by the Clerk of Courts. Reference fixed asset number CL1151. See SMB 41 Page 128.
- D. Request to approve sale of Tax Certificate 99-10412. See SMB 41 Page 129.
- E. Request for approval of the Revised Ranking List for the CDBG Housing Grant. See SMB 41 Page 130.
- F. Request to Release of Notice of Nuisance CE 01020152-Charles Burke, 6905 CR17, Sebring, FL. See subdivision file for copy.
- G. Request to approve sale of Tax Certificates 99-11547, 99-11548 and 99-11550. See SMB 41 Page 131.
- H. Request execution of Landowner Agreements regarding the Istokpoga draw down material spreading. See file for copy.
- I. Request approval for acceptance of License & Guarantee Bond - Christine Mitchell, Psychic Reader. See file for copy.
- J. Request approval of Adopt-A-Highway Agreement with the Sebring Elks Lodge #1529. See file for copy.
- K. ~~Request approval of a Sub-Lease Agreement and a Cooperators Agreement with the Florida Fish and Wildlife Conservation Commission regarding Windy Point Park and Cowhouse Road Park~~
- L. Request approval and execution of Recycling & Education Grant, Waste Tire Grant, Small County Grant and Litter Control Grant. See file for copy.
- M. Request approval of Amendment to the Lease Agreement with the YMCA for the BMX Bicycle Racing Track to adjust the location of the easement for site access. See file for copy.
- N. Request to approve Budget Amendment #01-02-241
- O. Request approval of Resolutions & Budget Amendment #01-02-248. See Res. Book 15 Page 134.

5. ACTION AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Flowers to set agenda as amended. Remove Item C-1, add Item C-3 under Assistant County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Engineer:

1. Request approval of State Highway Lighting, Maintenance, and Compensation Agreement

County Engineer, Ramon Gavarrete, presented a request to approve the State Highway Lighting, Maintenance, and Compensation Agreement with Florida Department of Transportation. This agreement would allow Highlands County to be reimbursed for expenses incurred during the maintenance of lighting on state highways within the county. Board Attorney, Ross Macbeth, advised staff that they could legally sign the agreement, but raised concerns, stating the need for the provisions pertaining to the maintenance responsibilities to be mutual. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the agreement as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Florida Department of Transportation file for copy.

2. Request approval of the Standard Form of Agreement between owner and contractor for Courthouse restore/repair project and Corrections Facility expansion

County Engineer, Ramon Gavarrete, presented a request to approve the Standard Form of Agreement between Owner and contractor for the Courthouse Restore/Repair project and Corrections Facility expansion, with staff recommendation to enter into a contract with Dooley & Mack Constructors, Inc. Mr. Gavarrete also presented to the Board a modification to the contract documents listing the insurance requirements. Board Attorney, Ross Macbeth, advised the Board, that due to their lack of having a local preference ordinance, under Florida law, they are required to accept the lowest bid. Gabriel Reed questioned the Board about the possibility of adopting a local preference ordinance. Chairmen Bullard directed staff to look into samples of other local preference ordinances. John Kalif, representing A.D. Morgan Corporation, stated that all previous comments presented to the Board were not meant to confuse the bid process, only to ask questions and bring attention to the issues of local participation. Commissioner Maxcy expressed to the staff to encourage bidding contractors to use local subcontractors whenever possible. Audrey Vickers, trustee of South Florida Community College, spoke in favor of the motion. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve the agreement, including the addendums and revisions submitted as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Courthouse Expansion file for copy.

B. Parks and Recreation Director: Request approval of Recreation and Parks Advisory Committee's recommendation for lights at Ballfields & Budget Amendment #01-02-239

Parks and Recreation Director, Vicki Pontius, presented a request for approval of an expenditure not to exceed \$60,000.00 from the recreational infrastructure funds for the purchase of lights and poles to be installed at Head Field in Avon Park and Fireman's Field in Sebring. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

C. Assistant County Administrator

1. Request approval to retroactive intergovernmental funds to this fiscal

~~year's activity.~~

2. Request for direction on park concessions on County property

Assistant County Administrator, Thomas Portz, presented a request seeking the direction of the Board on the subject of having vending operations on county premises, stating the inquiry by a local citizen to operate a portable vending facility at county parks. Commissioner Jackson stated his approval, as long as the vendor is properly controlled and maintains the proper permits. Board Attorney, Ross Macbeth, stated the need to consider the liability issues, and the possibility of having a written franchise agreement with the vendor. Commissioner Flowers raised concerns about the possibility of the vending becoming a permanent fixture, with the owner operating a restaurant type establishment. Chairmen Bullard suggested limiting the operation to only special events. Commissioner Stokes expressed concerns about these vendors competing with organizations that operate for nonprofit or fund-raising. Commissioner Bullard instructed staff to research the rules and regulations established in other counties, as well as researching local regulations already in effect, then schedule a workshop to discuss the issue. See SMB Book 41 Page 132.

3. Victims of Crime Act Grant Modification

Assistant County Administrator, Thomas Portz, presented a request from the Highlands County Sheriffs Office for authorization to move approximately \$2,500.00 in funds within the grant from training to operations to make expenditures for office supplies. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the request as stated. Upon roll call, all commissioners voted aye. Motion carried. See file for copy.

D. Board Attorney: Report on questions regarding Tourist Tax ballot

Board Attorney, Ross Macbeth, reported on questions that arose concerning the Tourist Development Tax, with regards to adopting a tourist tax with a time limit and placing it before the voters. Mr. Macbeth stated there is no need for a sunset provision that if the voters approve the tax, it would remain in place for 15 years, but could be replaced at any time by the voters. A Public hearing is set for June 25, 2002, to determine if the tax will be placed on the November ballot.

E. County Administrator: Request approval of Budget Amendment #01-02-249 decreasing the Reserve for Contingency

Office of Management and Budget Director, Rick Helms, presented a request to approve Budget Amendment #01-02-249, to transfer of \$15,000 from Reserve for Contingency into Accounting & Auditing for preliminary audit expenses. Mr. Helms also distributed to the Board a history of the Reserve for Contingency accounts, to show what has been utilized for the year. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all commissioners voted aye. Motion carried. See file for copy.

6. CITIZENS NOT ON AGENDA

No participants.

7. COMMISSIONERS

- ' Commissioner Stokes reported on the Heartland Water Alliance meeting yesterday, attended by representatives from Highlands, Hardee, DeSoto, and Polk Counties.
- ' Commissioner Flowers reported on the receipt of several applicants to serve on the expansion of the Fire Services Task Force. A report will be compiled for agenda placement the first meeting in July 2002, with the first meeting of the committee to take place during the third or fourth week of July.

8. ADJOURN

The meeting adjourned at 10:07 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JUNE 25, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Louise Graham |
| C Guy Maxcy | Jodi Giguere |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner Edgar Stokes. The Pledge of Allegiance was led by Eddie LeBlanc, Commandant of the Marine Corps League of Highlands County.

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending June 25, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending June 21, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 135 for copy of the report. Mr. Jamison also announced the upcoming retirement of Louise Graham, with a special ceremony at the July 9, 2002 board meeting.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Chairman Bullard announced the receipt of an award from the National Association of Counties for Excellence and Innovation in Government for expanding service hours to the public without increasing costs.

2. CONSENT AGENDA:

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

Add Item C. Upon roll call, all Commissioners voted aye. Motion carried.

A. Request approval to pay all duly authorized bills and employee benefits June 25, 2002

Law Library	86.24
General	256,401.45
County Transportation Trust	18,371.04
E911 Operations	6,553.50
Conservation Trust Fund	2,879.88
Intergovernment Radio Communication	11,492.00
Local Government Infra Surtax	46,973.08

Community Development Block	50,929.99
Affordable Housing Asst	27,306.43
HCISSRB Construction Fund	5,927.22
Solid Waste	37,605.59
Placid Utilities	11,073.02
Highway Park Utility	4,415.76
Risk Retention Fund	15,726.37
Employee Benefit	2,915.08

B. Request approval to pay invoice in the amount of \$5,000.00 to Standard & Poor’s for rating of the insured bonds without a purchase order. See SMB Book 41 Page 136.

C. Request approval of execution of closing documents for purchase of property from Carl Wilburn.

5. PUBLIC HEARING: To consider the levy and imposition of a Tourist Development Tax. Petition and Proof of Publication entered into the record. See Proof of Pub Ord. Book 3 Page 15. Louise Englund, representing the Tourist Development Council, presented a request to consider the levy and imposition of a Tourist Development Tax to be placed on the November ballot. Commissioner Maxcy raised questions about the possibility of including a sunset provision. Board Attorney, Ross Macbeth, advised the board that Allon Fish has done a survey with other counties that have a tourist tax in effect. Allon Fish, Executive Vice President of Sebring Chamber of Commerce, stated, that out of 47 counties in the State of Florida that he surveyed, over two-thirds of those have never used or heard of anyone using a sunset provision. The following people spoke in support: Tim Blackman, Gabriel Reed, Hank Kowalski, Don Linton, President of Highlands County Lakes Association, Jack Ritchie, chairman of Highlands County Homeowners Association, Daniel Littlefield, Wade Tavenier, Vice Chairman of Industrial Development Agency/Economic Development Committee, Jean Brenner, chairman of Community Redevelopment Agency, Jim Brooks, President of Avon Park Chamber of Commerce, Madge Stewart, marketing chairperson for Convention and Visitors Bureau, Mark Baker, local hotel owner, Rose Bell, secretary for Heartland Cultural Alliance, and Ray Royce, past President of Convention and Visitors Bureau. Ray Napper spoke in opposition, stating the need for the public to know where the money would be spent. Mike Tellschow, representing Spring Lake Golf Resort, also spoke in opposition. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt the Ordinance placing the Tourist Development Tax on the November ballot. Upon roll call, all Commissioners voted aye. Motion carried.

6. Resolution to conduct a referendum on the Tourist Development Tax
 Ray Napper spoke in support of placing the Tourist Tax on the November ballot, with the inclusion of a sunset provision. Chairman Bullard stated the Commission did not vote to add a sunset provision, but that the public can sunset the tax at any time. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the referendum to place the tax on the November ballot. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 136.

Break 10:15 - 10:25 A.M.

7. PUBLIC HEARING: Resolution to vacate an easement and the dedication of a drainage easement in the Country Club of Sebring, Phase Two, Section Three “Enchanted Oaks” as shown on the Plat recorded in Plat Book 16, Page 32 of the Public Records of Highlands County Florida.

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 41 Page 137. Motion by Commissioner Flowers, seconded by Commissioner Stokes to adopt Resolution to approve vacation as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 137.

8. PUBLIC HEARING: Approval of Resolution to close a portion of Fourth Avenue West lying between Blocks 138 and 139, Northside Subdivision, as recorded in Plat Book 3, Page 32 of the Public Records of Highlands County, Florida, City of Sebring as Petitioners

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 41 Page 138. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution to close a portion of Fourth Avenue as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 138.

9. PUBLIC HEARING: Approval of Resolution to close a portion of Santa Rosa Avenue, lying between Blocks 5 & 6 of Lake Letta Estates as recorded in Plat Book 1, Page 70-B, of the Public Records of Highlands County, Florida

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 41 Page 139. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to adopt Resolution to approve closing a portion of Santa Rosa Avenue as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 139.

10. ~~PUBLIC HEARING: Request to consider the possible purchase of land (Davis) located at the corner of Sebring Parkway and Ben Eastman Road~~

At the request of County Administrator, Carl Cool, this item has been pulled from the agenda.

11. ~~PUBLIC HEARING: Request to consider the possible purchase of land (Thurston) located at the corner of Sebring Parkway and Ben Eastman Road~~

At the request of County Administrator, Carl Cool, this item has been pulled from the agenda.

12. PUBLIC HEARING: Proposed small-scale plan amendments, large-scale plan amendments, a large-scale plan amendment (Comprehensive Plan Text and FLUM amendments), and zoning changes, as follows:

Development Services Director, Jim Polatty, presented Petitions and Proof of Publications for the following Hearings. See Proof of Pub Ord. Book 3 Page 16.

1A. HEARING # CPA - 02-187SS - RICHARD M. WAGNER AND FLORENCE WOLINSKAYA AND VIOLETA R. WAGNER - C/O ROGER DALE POLSTON:

Approximately 2.785 acres located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida, located on the East side of State Road 17 S, and approximately 800 feet South of Lake Bonnet Road, Avon Park.

Requesting a small-scale plan amendment from (Agriculture) to (Commercial). See below Hearing #1619 for details.

- 1B. HEARING # 1619 - RICHARD M. WAGNER AND FLORENCE WOLINSKAYA AND VIOLETA R. WAGNER - C/O ROGER DALE POLSTON:** Approximately 2.785 acres located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida, located on the East side of State Road 17 S, and approximately 800 feet South of Lake Bonnet Road, Avon Park.

Requesting a zoning change from R-1 (Residential district) to B-3 (Business district). Applicant desires to operate a restaurant.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the Local Planning Agency and the Planning and Zoning Commission recommendation, approve to table Hearing #CPA - 02-187SS and P&Z 1619 until July 23, 2002, at 9:00 A.M. or soon thereafter as possible in the Government Center Building, Board of County Commissioners Meeting Room. Upon roll call, all Commissioners voted aye. Motion carried.

- 2A. HEARING # CPA - 02-188LS - IVAN S. PARSON AND RUTH M. PARSON - C/O TIM BLACKMAN:** Approximately 21.12 acres located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida, located West of U.S. 27 South, North of Howey Road, and South of the Lakeshore Mall, Sebring, Florida.

Requesting a large-scale plan amendment from (Low Density Residential) to (High Density Residential). See Below Hearing #1620 for details.

- 2B. HEARING # 1620 - IVAN S. PARSON AND RUTH M. PARSON - C/O TIM BLACKMAN:** Approximately 21.12 acres located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida, located West of U.S. 27 South, North of Howey Road, and South of the Lakeshore Mall, Sebring, Florida.

Requesting a zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district). Applicant desires to construct apartment complex.

Dale Polston spoke on behalf of the petitioner. Commissioner Maxcy raised questions concerning the possible extension of Howey Road, creating public access to the mall. Ramon Gavarrete, County Engineer, advised the Board that they will be asking for a Right-of-Way along the south property line for the possible extension of Howey Road. Commissioner Flowers recalled past statements made by representatives from the mall that they were not interested in another access road to the mall. Tim Blackman, Petitioner, advised the Board of the amount of research that has been done to insure the success of the project. Chip Boring, representing petitioner, spoke in support of the zoning change. Hank Kowalski raised questions about public safety with a fireworks factory located nearby. The following people spoke in opposition to the zoning change: Daniel Littlefield, Gordon Spaulding, Elizabeth Spaulding-Wolfe, and Ed Collis, owner of the fireworks factory. Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-188LS, amending the FLUM from Low Density Residential to High Density Residential for transmittal to the Florida Department of Community Affairs, and in accordance with the recommendation of the Planning and Zoning Commission, to adopt P&Z Case No. 1620, a zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district) by Resolution, including the

mandatory findings in the staff report, contingent upon the large scale plan amendment becoming effective, and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 140.

3A. HEARING # CPA - 02-189LS - THE WOODLANDS OF LAKE PLACID, L.P. - C/O JOHN H. LOVELETTE: Approximately 16 acres located in Sec. 17, Twp. 37S,

Rge. 30E, Highlands County, Florida, located East of U.S. 27 South, and South of Lake Placid Camp Florida Resort, Lake Placid, Florida.

At the request of Development Services Director, Jim Polatty, this item has been withdrawn.

3B. HEARING # 1621 - THE WOODLANDS OF LAKE PLACID, L.P. - C/O JOHN H. LOVELETTE: Approximately 16 acres located in Sec. 17, Twp. 37S, Rge. 30E, Highlands County, Florida, located East of U.S. 27 South, and South of Lake Placid Camp Florida Resort, Lake Placid, Florida.

At the request of the Development Services Director, Jim Polatty, this item has been withdrawn.

4. HEARING # CPA - 02-190SS - THE WOODLANDS OF LAKE PLACID, L.P. - C/O JOHN H. LOVELETTE: Approximately 4 acres located in Sec. 17, Twp. 37S, Rge. 30E, Highlands County, Florida, located East of U.S. 27 South, and South of Lake Placid Camp Florida Resort, Lake Placid, Florida.

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

John Lovelette, petitioner, requested approval of the zoning change for the future commercial use of the property. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve and adopt by Ordinance CPA-02-190SS, amending the FLUM from Agriculture to Commercial, including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye except Commissioner Jackson, who abstained due to his legal representation to the petitioner. Motion carried. See SMB 41 Page 140.

5A. HEARING # CPA - 02-191LS - JOSEPH A. & JANICE K. CROWLEY - C/O RICK WHIDDEN: Approximately 10.40 acres located in Secs. 27 & 34, Twp. 30S, Rge. 30E, Highlands County, Florida, located East of Highlands Lake Drive, and one mile North of C.R. 621, Highlands Lake Road and Knox Lane, Lake Placid, Florida.

Requesting a large-scale plan amendment from (Agriculture) to (High Density Residential). See below Hearing #1622 for details.

5B. HEARING # 1622 - JOSEPH A. & JANICE K. CROWLEY - C/O RICK WHIDDEN: Approximately 10.40 acres located in Secs. 27 & 34, Twp. 30S, Rge. 30E, Highlands County, Florida, located East of Highlands Lake Drive, and one mile North of C.R. 621, Highlands Lake Road and Knox Lane, Lake Placid, Florida

Requesting a zoning change from AU (Agricultural) to RV FUD (RV Park with a Flexible Unit Development). Applicant desires a R.V. fishing resort.

Rick Whidden, representing the petitioner, spoke in favor. Motion by Commissioner Jackson, seconded by

Commissioner Stokes, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-191LS, amending the FLUM from Agriculture to High Density Residential for transmittal to the Florida Department of Community Affairs, and adopt P&Z Case No. 1622, a zoning change from AU (Agricultural) to RV FUD (RV Park with a Flexible Unit Development), by Resolution, including the mandatory findings in the staff report, contingent upon the large scale plan amendment (CPA-02-191LS) becoming effective. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 141.

6. HEARING # 1623 - GRAND PLACID RESORT INC. - C/O RICK WHIDDEN:

Approximately 2.45 acres located in Sec. 30, Twp. 36S, Rge. 30E, Highlands County, Florida, located Southwest at the intersection of U.S. 27 South and Lake June Road (C.R. 621), Lake Placid, Florida.

Requesting a zoning change from M-2 (Mobile Home Parks district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development). Applicant desires to construct townhouses.

Rick Whidden spoke on behalf of the petitioner. Chairmen Bullard stated concerns expressed to him by area residents about the effect the property will have on traffic, as well as potential hazards to Lake June. Jeff Kennedy, site engineer, stated the landscape buffers will be according to land development regulations. Greg Seigert, who owns a residence adjacent to the property, requested to have the access road be moved to the center of the development, or have a buffer wall erected on the edge of the property. Hank Kowalski stated concerns about the engineers' plan to construct the development above underground retention ponds. Jim Hinkle, representing Paul & Donna Thompson, landowners south of the project, expressed concerns about the location of the boat docks on the property. Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the recommendation of the Planning and Zoning Commission, to approve and adopt P&Z Case No. 1623, a zoning change from M-2 (Mobile Home Parks district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) by Resolution including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 142.

7A. HEARING #CPA- 02-192LS - CREED FAMILY LTD PARTNERSHIP/ WAREHOUSE AMERICA INC. - C/O RICK WHIDDEN:

Approximately 23.90 acres located in Sec. 4, Twp. 35S, Rge. 29E, Highlands County, Florida, located East of U.S. 27 South, and approximately 640 feet North of Raley Road, Sebring, Florida.

Requesting a large-scale plan amendment from (Commercial) and (Agriculture) to (Industrial). See Hearing #1624 below for details.

7B. HEARING # 1624 - CREED FAMILY LTD PARTNERSHIP/WAREHOUSE AMERICA INC. - C/O RICK WHIDDEN:

Approximately 23.90 acres located in Sec. 4, Twp. 35S, Rge. 29E, Highlands County, Florida, located East of U.S. 27 South, and approximately 640 feet North of Raley Road, Sebring, Florida.

Requesting a zoning change from AU (Agricultural) and B-3 (Business district) to I-1 (Industrial district) and I-2 (Industrial district). Applicant desires multiple permitted uses in the two Industrial zoning districts.

Rick Whidden, representing the petitioner, spoke in favor. Board Attorney, Ross Macbeth, questioned Rick

Whidden on the correct name of the business, pointing out that it was stated three different ways in the easement. Mr. Whidden advised he would obtain the correct name for the Board. Development Services Director, Jim Polatty, advised the Board that staff recommendation was to deny the I-2 (Industrial district) zoning change, stating the failure of the developer to meet the criteria set up for industrial parks in the comprehensive plan. Mark Gose, a partner of Warehouse America, spoke in support of the zoning change, stating it was needed to bring new business into Highlands County. Ray Royce also spoke in support of the zoning change. Motion by Commissioner Jackson, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-192LS, amending the FLUM from Commercial and Agriculture to Industrial for transmittal to the Florida Department of Community Affairs, becoming effective as provided by law, and adopt P&Z Case No. 1624, an amendment from AU (Agricultural) and B-3 (Business district) to **I-1 (Industrial district)** by Resolution including the mandatory findings in the staff report, contingent upon the large scale plan amendment (CPA-02-192LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who abstained due to Mark Gose being a business client. Motion carried. See SMB Book 41 Page 141. See Res. Book 15 Page 143.

Break 12:50 - 1:10 P.M.

8A. HEARING # CPA - 02-193SS - COUNTRY RV INC. - C/O RICK WHIDDEN:

Approximately 9.1 acre parcel located in Sec. 4, Twp. 35S, Rge. 29E, Highlands County, Florida, located North of Raley Road and approximately 290 feet East of U.S. 27 South, Sebring, Florida.

Requesting a small-scale plan amendment from (High Density Residential) to (Commercial). See Hearing #1625 below for details.

8B. HEARING # 1625 - COUNTRY RV INC. - C/O RICK WHIDDEN: Approximately 9.1 acre parcel located in Sec. 4, Twp. 35S, Rge. 29E, Highlands County, Florida, located North of Raley Road and approximately 290 feet East of U.S. 27 South, Sebring, Florida.

Requesting a zoning change from RV FUD (RV Park with a Flexible Unit Development) to B-4 (Business district).

Rick Whidden spoke on behalf of the petitioner. Motion by Commissioner Jackson, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve and adopt by Ordinance CPA-02-193SS, amending the FLUM from High Density Residential to Commercial including the mandatory findings in the staff report, and adopt P&Z Case No. 1625, a zoning change from RV FUD (RV Park with a Flexible Unit Development) to B-4 (Business district), by Resolution, including the mandatory findings in the staff report, contingent upon the small scale plan amendment (CPA-02-193SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 144.

9A. HEARING # CPA - 02-194LS - MOSS HAMMOCK INC. - RICK WHIDDEN:

Approximately 31.95 acres located in Sec. 34, Twp. 34S, Rge. 28E, Highlands County, Florida, located North of C.R. No. 634 (Hammock Road) and East of the entrance to Highlands Hammock State Park.

Requesting a large-scale plan amendment from (Agriculture) to (Commercial) and (Medium Density Residential). See Hearing #1626 below for details.

- 9B. HEARING # 1626 - MOSS HAMMOCK INC. - RICK WHIDDEN:** Approximately 31.95 acres located in Sec. 34, Twp. 34S, Rge. 28E, Highlands County, Florida, located North of C.R. No. 634 (Hammock Road) and East of the entrance to Highlands Hammock State Park.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) and B-2 (Limited Business district). Applicant desires single family dwellings and all permitted uses in the B-2 zoning district. Jim Polatty, Development Services Director, advised the Board that staff recommendation was to deny the zoning change to Commercial. Jeff Parker, a partner of Moss Hammock Inc., spoke in support of the zoning change. Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-194LS, amending the FLUM from Agriculture to Commercial and Medium Density Residential for transmittal to the Florida Department of Community Affairs, becoming effective as provided by law, and including the mandatory findings in the staff report. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve P&Z Case No. 1626, a zoning change from AU (Agricultural) to R-1 (Residential district) for Tract A, by Resolution, including the mandatory findings in the staff report, contingent upon the large scale plan amendment (CPA-02-194LS) becoming effective as provided by law. Motion by Commissioner Flowers, seconded by Commissioner Jackson to table P&Z Case No. 1626, a zoning change from AU (Agricultural) to B-2 (Limited Business district) for Tract B, with the addition of a conditional use, to be heard on July 23, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 145.

- 10. HEARING # CPA-02-195LS AND P&Z 1627 - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR:**

SITE 1 - LEUCADIA INC. - Lot 23, Block 68, and approximately 2.31 acre portion of Tract U, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 2 - STEWART W. HAYNER - Lot 9, Block 69, and approximately 2.38 acre portion of Tract U, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 3 - LESLIE A. & CARMEN LAING - Lot 14, Block 69, and approximately 2.38 acre portion of Tract U, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 4 - LEUCADIA INC. - Lot 18, Block 69, and approximately 1.87 acre portion of Tract U, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 5 - GREENSTAR LANDSCAPING CO. & PETER E. MASI - Lot 2, Block 74, and approximately 2.02 acre portion of Tract T, Orange Blossom Country Club Community,

Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 6 - LESLIE A. GIBSON & BRENDA L. PADGETT - Lot 6, Block 74, and approximately 2.04 acre portion of Tract T, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 7 - BRYCE & BARBARA L. TAYLOR - Lot 10, Block 74, and approximately 2.42 acre portion of Tract T, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 8 - HARRY WHITSON - Lot 20, Block 74, and approximately 2.03 acre portion of Tract T, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 9 - LEUCADIA INC. - Lot 23, Block 74, and approximately 2.24 acre portion of Tract T, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

SITE 10 - GIRVAN M. & CLAUDETTE SINGH - Lot 14, Block 74, and approximately 2.41 acre portion of Tract T, Orange Blossom Country Club Community, Unit 17, as recorded in P.B. 10, Pg. 6 of the Public Records of Highlands County, Florida.

John Humanez, counsel to Leucadia Inc., spoke in favor. Ross Macbeth, Board Attorney, stated that there is no requirement for the land to be replated. Marilyn Beam, landowner, expressed concerns about water management and possibility of over development. Curtis DeYoung spoke in opposition. Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-195LS, amending the FLUM from Agriculture to Medium Density Residential for transmittal to the Florida Department of Community Affairs, becoming effective as provided by law, and including the mandatory findings in the staff report, and adopt P&Z Case No. 1627, a zoning change from R-2 (Two Family Dwelling district) and AU (Agricultural) to R-1 (Residential district), by Resolution, including the mandatory findings in the staff report, contingent upon the large scale plan amendment (CPA-02-195LS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 145.

11. HEARING # CPA - 02-174LS - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR - COMPREHENSIVE PLAN TEXT AND FLUM AMENDMENTS:

- 1) Amending Table 1.2.A of FLU Policy 1.2 to reflect the actual 2000 Census count.
- 2) Amending Table 1.3 of FLU Policy 1.3 to include a specific density cap for High Density Residential small scale development and a Public Water Supply land use category; and the implementing BC-1 & BC-2 Business Campus districts, PW: Public Water Supply district and the TND: Traditional Neighborhood Development district; and clarifying the implementing districts for the MU and E categories.
- 3) Amending FLU Policy 1.3.E.3: Medium Density Residential category to clarify permitted

- housing types.
- 4) Amending FLU Policy 1.3.E.4: High Density Residential category to recognize the density cap for small scale FLUM amendments.
 - 5) Amending FLU Policy 1.3.E.5: Public and Quasi Public category for public airports.
 - 6) Amending FLU Policy 1.3.E.6: Conservation/Management Lands category for boat-ramps.
 - 7) Amending FLU Policy 1.3E.12: Mixed Use to include the TND: Traditional Neighborhood Development district.
 - 8) Amending FLU Policy 1.3.G. to accommodate FLU Policy 9.3: Density and/or Intensity in Wetlands.
 - 9) Deleting FLU Policy 9.3.
 - 10) Add new NRE Policy 1.7: Review Process for an Archaeological Reconnaissance Survey and Historic Significance Survey Report.
 - 11) Amending NRE Policy 3.3: Environmental Clearance.
 - 12) Amending NRE Policy 3.4: Mitigation Fee for Exempt Lots.
 - 13) Amending NRE Policy 3.5: Measures for Environmental Conservation.
 - 14) Amending NRE Policy 3.12: Parks for Resource Preservation.
 - 15) Amending NRE Policy 3.13: Land Clearing.
 - 16) Amending NRE Policy 3.17: Natural Resource Advisory Commission (NRAC)
 - 17) Amending NRE Policy 3.18: NRAC's Mission Objectives
 - 18) Amending NRE Policy 4.5: LDRs for Cutthroatgrass Seeps and Wetlands
 - 19) Amending the FLUM consistent with recent annexations by the incorporated communities.
 - 20) Amending the FLUM, adding lands determined to be Conservation/Management Lands.
 - 21) Amending the Glossary of Terms
 - 22) Amending the Ten-Year Schedule of Capital Improvements Summary.

Curtis DeYoung, representing NRAC, spoke in support. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-174LS, amending the text of the Future Land Use Element, amending the text of the Natural Resources Element, amending the Future Land Use Map consistent with recent annexations by the various incorporated communities within the County and adding lands determined to be Conservation/Management Lands, amending the Glossary of Terms, and amending the Capital Improvement Element for transmittal to the Florida Department of Community Affairs, becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

12. HEARING # CPA - 02-184LS - C/O JIM POLATTY, DEVELOPMENT

SERVICES DIRECTOR - Previous small-scale FLUM amendment requests for "High Density Residential" resubmitted as a large-scale FLUM amendment as follows:

SITE 1 - CPA - 96-025SS; Ord. No. 96-02, Jack Paps and Mary F. Paps - Sebring Shores Golf & Country Club - Located in Sec. 14, Twp. 34, Rge. 28, Sebring, Florida, an approximate 1.3 acre parcel on the south side of Lake Sebring on Lake Sebring Drive approximately 4 tenths of a mile north off of Fairmount Drive on Eastview Road to Northwood Road to Lake Sebring Drive.

Requesting a FLUM amendment from "Medium Density Residential" to "High Density Residential".

SITE 2 - CPA - 96-057SS; Ord. No. 97-8, Douglas Krueger - Approximately 5.9 acres located in Section 20 and 21, Township 37S, Range 30E, of Highlands County, Florida, located Approximately ½ mile North of the entrance to Sun 'N Lake at Lake Placid, on U.S. Highway 27, immediately North of the entrance to the DeAnn Apartments.
Requesting a FLUM amendment from “General Agriculture” to “High Density Residential”.

SITE 3 - CPA - 97-071SS; Ord. No. 97-28, Rick Chartier - West side of Berton Drive, approximately 100 feet north of Harris Drive and legally described as follows: Harris Lake Placid Campsite, Lots 2 thru 9, Block 2, of Replat per Plat Book 4, Page 35 of the Public Records of Highlands County, Florida.
Requesting a FLUM amendment from “Medium Density Residential” to “High Density Residential”.

SITE 4 - CPA - 97-076SS; Ord. No. 97-83, Charles & Luann Roberts - Tract C, Stump Subdivision, as recorded in Plat Book 4, Page 12, of the Public Records of Highlands County, Florida, located on the West side of S.R. 17 and East of South Lake Letta Drive.
Requesting a FLUM amendment from “General Agriculture” to “High Density Residential”.

SITE 5 - CPA - 99-101SS; Ord. No. 99-4, Sandra Moore and Scott Rickerd - An approximate 1.11 acre tract located in Sec. 30, Twp. 36S, Rge. 30E, Highlands County, Florida, located on the Western edge of Tropical Harbor Mobile Home Estates, Lake Placid, Florida.
Requesting a FLUM amendment from “Medium Density Residential” to “High Density Residential”.

SITE 6 - CPA - 99-106SS; Ord. No. 99-10, James Wohl - Approximately 9.92 acres located in Sec. 33, Twp. 34S, Rge. 29E, Highlands County, Florida, located on the South side of Youth Care Lane, approximately 1/3 of a mile East of Highlands Avenue.
Requesting a FLUM amendment from “Medium Density Residential” to “High Density Residential”.

SITE 7 - CPA - 99-126SS; Ord. No. 20-3, Cary & Colleen Loewy - Approximately 3.23 acre tract located in Sec. 14, Twp. 34S, Rge. 28E, Highlands County, Florida, located on the North side of Fairmount Drive, approximately 400 feet east of the intersection with Longview Road, Sebring, Florida.
Requesting a FLUM amendment from “Medium Density Residential” to “High Density Residential”.

SITE 8 - CPA - 00-139SS; Ord. No. 2000-11, Leza Aircraft Corporation/Anotnio Leza - Lots 1, 2, 3, 4, 5, and 6, Quail Cove Subdivision as recorded in P.B. 15, Pg. 49 of the Public Records of Highlands County, Florida, located on the South side of Lake June Road just West of the intersection of Cove Road and Lake June Road at the entrance to Quail Cove Subdivision.
Requesting a FLUM amendment from "Medium Density Residential" to "High Density Residential".

SITE 9 - CPA - 97-066SS; Ord. No. 97-21, Don Brooks - Approximate 8.66 acres located in Section 3, Township 35 South, Range 29 East, Highlands County, Florida, located on the South side of DeSoto Road, 4/5 mile west of its intersection with State Route 17.
Requesting a FLUM amendment from “Low Density Residential” to “High Density Residential”.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in accordance with the recommendation of the Local Planning Agency, to approve CPA-02-184LS, amending the FLUM from various FLUM categories, previously approved as High Density Residential by small scale plan amendments to High Density Residential by this large scale amendment for nine (9) properties (Sites 1 through 9) totaling 40.31 acres for transmittal to the DCA, effective upon the large scale development FLUM amendment becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried.

13. CITIZENS NOT ON THE AGENDA:

Hank Kowalski reported that on June 11, 2002, he sent a letter to Code Enforcement about the mining being conducted by Messana Construction. According to an agreement, the construction company was to put up a wire fence around the property. Mr. Kowalski stated that it has not been done to this date. Chairman Bullard instructed Jim Pollatty to research the issue and provide answers to Mr. Kowalski.

14. COMMISSIONERS

No reports

15. ADJOURN

The meeting adjourned at 2:23 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JULY 2, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J. Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner Flowers. The Pledge of Allegiance was led by Eddie LeBlanc, Commandant of the Marine Corps League of Highlands County, and Helen LeBlanc, President of the Marine Corps League of Highlands County.

- 3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 2, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending June 28, 2002*, and a *monthly report of Business Services for the month of June 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. Mr. Jamison also announced that Mia Robertson, Director of Compliance and Internal Audit, has received designation as a Certified Internal Auditor (CIA) by the Institute of Internal Auditors. See SMB 41 Page 142 for copy of the report.

- C.** Upcoming County meetings presented into the record by County Administrator, Carl Cool. Lowell "Blackie" Balis announced the upcoming meeting of the Highlands County Homeowners Association to be held July 8, 2002, at 9:30 A.M. at the Sebring Country Estates Clubhouse.

- 2. **CONSENT AGENDA**

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

Remove Item L, to be placed under County Administrator as Item F-2. Upon roll call, all Commissioners voted aye. Motion carried.

- A. Request approval to pay all duly authorized bills and employee benefits July 2, 2002**

General	2,245,250.94
County Transportation Trust	34,981.10
E911 Operations	582.75
Local Government Infra Surtax	315,329.17
Community Development Block	1,885.41
HCISSRB Construction Fund	5,000.00

Solid Waste	14,484.34
Placid Utilities	1,485.50
Risk Retention Fund	280,423.25
Employee Benefit	4,036.83

- B. Approval of minutes of the June 11, 2002 and June 18, 2002 Board meetings
- C. Request approval of Satisfaction of Mortgage - Cortes. See Satisfaction file.
- D. Request approval of Satisfaction of Mortgage - Moore. See Satisfaction file.
- E. Request approval of transfer or sale of Tax Certificates #00-15908 and 00-15762. See SMB 41 Page 143.
- F. Request approval of transfer or sale of Tax Certificates # 01-6699; 01-6673; 02-6659; 02-6693; 02-6665; 02-6775; 02-6754; 02-6646 and 02-6687. See SMB 41 Page 144.
- G. Request approval of transfer or sale of Tax Certificates per attached list. See SMB 41 Page 145.
- H. Request approval of Capital Purchase and Journal Entry. See SMB 41 Page 146.
- I. Request approval of the State of Florida Department of Transportation Resolution for State Highway light, maintenance, and compensation Agreement. See FDOT File.
- J. Request approval of Budget Amendments 01-02-256; 259; 267 & 268
- K. Request approval of Resolutions and Budget Amendment 01-02-261. See Res. Book 15 Page 146.
- L. Request approval of EMS write-offs

5. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Special Projects Director: Request to declare surplus property & disposal

William Stephenson, Special Projects Director, presented a request to declare the condemned building located at 628 Fernleaf Avenue surplus property, and have it removed from the lot. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 147.

B. Parks & Recreation Director: Request approval of a Sub-Lease Agreement and a Cooperators Agreement with the Florida Fish and Wildlife Conservation Commission regarding Windy Point Park and Cowhouse Road Park

Vicki Pontius, Parks & Recreation Director, presented a request for approval of a Sub-Lease Agreement and a Cooperators Agreement with the Florida Fish and Wildlife Conservation Commission. Approval of the agreement would grant Highlands County the use of two parcels of land, located on Lake Istokpoga, owned by the Florida Fish and Wildlife Conservation Commission. Ms. Pontius stated that the projects, which will be all grant funded, would create picnic and parking areas at both locations. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See FWC file for copy.

C. Jeffrey L. Roth, Children’s Advocacy Center Director & Susie Bishop, United Way of

Central Florida: Presentation of a United Way plaque

Jeffery Roth, Director of the Children's Advocacy Center, along with Susie Bishop, Executive Director for Highlands County United Way, and Sherri Gunthorp, Chairman of the Board of the Children's Advocacy Center, presented the Board of County Commissioners with a plaque recognizing the achievements and philanthropy of the employees of Highlands County for their contributions to the United Way. County Administrator, Carl Cool, accepted the plaque on behalf of all Highlands County government employees.

D. General Services Director & Risk Manager: Request for direction on award of RFP 02-039 Insurance Consultant or Agent of Record for Employee Health Benefits

Gerald Secory, General Services Director, presented a request asking for Board direction on award of RFP02-039, Insurance Consultant or Agent of Record for Employee Health Benefits. Wayne Fiyalko, Risk Manager, stated the recommendation made by the Selection Committee was to award the RFP to Marsh USA Inc. The Insurance Committee went against that recommendation, voting to retain Heacock Insurance as the Agent of Record. Commissioner Maxcy thanked the staff for a job well done. Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve the Insurance Committee's recommendation, and retain the incumbent, Heacock Insurance, as the Agent of Record. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. See Employee Benefit file.

E. Board Attorney

No report

F. County Administrator:

1. Request approval of FY 2002 Local Law Enforcement Block Grant Award

Carl Cool, County Administrator, presented a request for approval of the FY 2002 Local Law Enforcement Block Grant Award. According to Lt. Susan Benton, representing the Highlands County Sheriffs Office, the grant would be used to upgrade communications equipment. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Grant file for copy.

2. Request approval of EMS write offs.

Carl Cool, County Administrator, presented a request to approve the write off of uncollectible EMS accounts. Deputy Clerk, Bob Jamison, expressed concerns regarding the different interpretations of write offs between the Clerks' office and EMS, stating that the balances should not be written off, but rather go into an inactive file while still being handled by a private collection agency. Rick Weigand, EMS Director, stated that the requested write offs are not to be considered a forgiveness of a debt. Chairman Bullard also expressed concerns about the confusion between write offs and inactive, stating the need for a policy change to satisfy all parties involved. He recommended that EMS, the Clerks Office, and the external auditors get together and create a common policy that all parties can agree on, then come back before the Board for the approval of the policy and/or write offs.

6. CITIZENS NOT ON AGENDA

Ray Royce raised questions about non resident farm buildings being exempt from state, federal, and county building codes. He stated that the public keeps getting conflicting answers from the employees within the building department. County Administrator, Carl Cool, advised Mr. Royce that he would look into the problem, and get some answers.

7. COMMISSIONERS

- ' Commissioner Flowers advised that he will be compiling a report from the activities at the Florida Association of Counties (FAC) conference held last week, to be presented next week.
- ' Chairman Bullard announced that Commissioner Maxcy was named President Elect of the FAC. Ramon Gavarrete, County Engineer, was installed as President of Florida Association of County Engineers and Road Superintendent, and Commissioner Flowers was installed on the Board of Directors to the FAC.
- ' Commissioner Maxcy stated that water problems and terrorism were very important topics addressed at the FAC conference.

8. ADJOURN

The meeting adjourned at 10:21 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JULY 9, 2002

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:

- | | |
|-----------------------|------------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J. Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Vice Chairman Edgar Stokes. The Pledge of Allegiance was led by Clerk of Courts, L.E. "Luke" Brooker.

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 9, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending July 5, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 148.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Carl Cool also announced that Richard Conover has been admitted to the hospital. Chairman Bullard invited the public to attend the monthly "Community and Coffee" meeting to be held Thursday, July 11, 2002 from 7:15 to 9:00 A.M. at the Lake Placid Chamber of Commerce.

2. CONSENT AGENDA

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

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

A. Request approval to pay all duly authorized bills and employee benefits July 9, 2002

Law Library	4,121.50
General	120,573.97
County Transportation Trust	15,861.47
E911 Operations	15,152.08
Local Government Infra Surtax	13,360.05
Community Development Block	4,500.00
Affordable Housing Asst	14,644.00
Special Law Enforcement	26,883.80
Solid Waste	8,975.64

Placid Utilities	682.75
Highway Park Utility	169.26
Employee Benefit	4,108.70

5. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers set action agenda as amended. Add Item C, approval of Budget Amendment 01-02-271 and Resolution. Upon roll call, all Commissioners voted aye. Motion carried.

A. Chairman Bullard: Special Presentation to Louise Graham

L.E. "Luke" Brooker, Clerk of Courts, presented a plaque to Louise Graham honoring her, upon her retirement, for 32 years of dedication and excellent performance of all duties for the Clerk of Courts, and all other county agencies. Chairman Bullard presented a resolution from the Board of County Commissioners recognizing Mrs. Graham for 32 years of loyal service given to the citizens of Highlands County. Motion by Commissioner Flower, seconded by Commissioner Stokes to adopt Resolution commending Louise Graham upon her retirement on June 28, 2002. Upon roll call, all Commissioners voted aye. Motion carried. See Res. 15 Page 148.

Break 9:15 - 9:20 A.M.

B. Commissioner Maxcy: Special Character First Presentation to Lutrell Strong & Annie Campbell

Commissioner Maxcy presented Lutrell Strong and Annie Campbell, employed in the Facilities Management Department, with *Character First* awards recognizing them for the character trait of *Virtue*. Both Lutrell Strong and Annie Campbell were responsible for returning Commissioner Maxcy's wallet to him after it was lost.

C. Request approval of Budget Amendment 01-02-271 and Resolution

Carl Cool, County Administrator, presented a request from Bill Nichols, Emergency Management Director, to approve Budget Amendment 01-02-271 and Resolution, placing the Terrorism Annex Agreement funds into the budget for disbursement. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. 15 Page 149.

6. WORKSHOP AGENDA:

A. Dr. Paula Thaqui, Director, Highlands County Health Department and Dr. James Studnicki, Director of the Health Outcomes Research Center at the University of South Florida: Presentation of the results of the Highlands County Comprehensive Assessment for Tracking Community Health (CATCH)

Dr. Paula Thaqui, Director of the Highlands County Health Department, presented the results of the Highlands County Comprehensive Assessment for Tracking Community Health (CATCH), stating that the study was

funded by a public-private partnership consisting of various agencies and organizations in Highlands County. Dr. Thaqi also added that the study provided a base line of the county's health status, supplying the data needed to plan strategies for improving the health of the entire community. Dr. James Studnicki, Director of the Health Outcomes Research Center at the University of South Florida, presented a summary of the study findings, pointing out Highlands County's achievements and challenges in different health-related areas. Dr. Thaqi added that the next step is to provide the community with the study findings, identify the top priorities, and develop strategies to address the issues. Commissioner Maxcy expressed concerns about the growing need for mental health services and facilities within Highlands County. Chairman Bullard commented on the serious challenges and problems identified in the study, and encouraged the committee to keep the commission well informed on all efforts and progress. See Health Dept. file for copy of report.

Break 10:00 - 10:15 A.M.

B. County Administrator: Presentation of the recommended budget for FY2002-03

County Administrator, Carl Cool, presented three different options for a proposed balanced budget for FY 2002-03. OMB Director, Rick Helms, presented an overhead presentation, with all three budget option highlights. The options are based on a no tax increase, one-half mil increase, and one mil increase. Staff has made no recommendations for the proposed budget, and the final budget adoption does not need to happen until the Budget Hearings to be held in September. Commissioner Flowers stated that he would support the one-half mil increase. Mr. Cool advised the Board that they will have to certify the millage no later than July 30, 2002. He also added that due to recent policy changes, staff was instructed to not spend more than they are taking in. He commended all of the constitutional officers for not padding their requested budgets.

Carl Cools' greatest concern was the decrease in the Transportation Trust Fund, which is due to the decrease in the amount of gas sold in Highlands County, resulting in less gas tax revenue being received from the state. With gas prices in surrounding counties considerably less than Highlands county, residents are going out of the county to purchase their gas. Commissioner Flowers expressed his disbelief, considering the volume of customers being seen at area gas stations. Chairman Bullard suggested taking money from the 10-year CIP to increase the Transportation Trust Fund.

Carl Cool advised the Board that out of the 30 new positions being requested by the Board, the proposed budgets are only allowing funds for two positions, to be filled within the EMS division. He also pointed out that the Clerks' office has not requested any new positions for the third year in a row. The sheriffs' office will have a need for new positions in the future upon the completion of the jail expansion.

Commissioner Maxcy asked the Board to consider hiring someone to work with the Water Advisory Committee, as a part time employee. He requested staff to work some numbers to come up with the funding for this position. Commissioner Stokes agreed with Commissioner Maxcy, stating the need for someone to work on area water issues, but suggested hiring someone on an on-call basis. Public input was received in support of the position from Jack Ritchie, member of the Water Advisory Committee, and Don Hansen, with Mr. Ritchie recommending Wendell Whitehouse for the job. Chairman Bullard stated he has a hard time supporting the addition of this position, but suggested staff look into the Conservation Trust Fund or grants for funding.

Commissioner Jackson questioned the approximately \$10 million difference in the Local Government Infrastructure Fund from FY 2001-02 to FY 2002-03. OMB Director, Rick Helms, stated the difference is due to capital projects varying from year to year. Carl Cool also added that \$10.5 million in contracts issued by the board went to the courthouse/jail expansion projects, and that any remaining amounts will carry forward to the next fiscal year.

Carl Cool stated that the amount of taxable land in Highlands County is going down, causing a decrease in revenue. This is a result of federal, state, and local government buying up land to preserve and protect the environment. Rick Helms added another reason for the decrease in revenue is due to the additional homestead exemption granted to senior citizens below a certain income level. This resulted in \$4 million loss in taxable land value. Both Commissioner Jackson and Chairman Bullard stated that other sources of revenue should be explored. See SMB 41 Page 149 for copy of proposed budget.

7. CITIZENS NOT ON AGENDA:

No participants

8. COMMISSIONERS

Commissioner Stokes reported on the Okeechobee Coalition meeting he attended yesterday, with discussion on the topics of water quality, recreation, storm water treatment, and water levels.

3. ADJOURN

The meeting adjourned at 11:35 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JULY 16, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J. Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Commissioner C Guy Maxcy. The Pledge of Allegiance was led by former Commissioner, Audrey Vickers.

Chairman Bullard accepted a check on behalf of Highlands County from State Representative Joe Spratt, in the amount of \$200,000.00 from the Florida Recreation Development Assistance Program (FRDAP). The grant money will be used toward the construction of the Hammock Trail.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending July 16, 2002. The Farm Report for the month of June 2002 was also given.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending July 12, 2002, and a Jury Trial Week Report for week ending July 12, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 150 for copy of the report.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Mr. Cool announced that the meeting of the Historic Preservation Commission that was scheduled for July 17 has been canceled and will be rescheduled in two weeks. He also announced that Richard Conover has been released from the hospital, and is now residing at Royal Care Nursing Center.

2. **CONSENT AGENDA**

Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the Consent agenda as amended:

- ' Remove Item C and Item I and place under County Administrator
- ' Add Item I - Request for approval of agreement between Highlands County and Valenica Community College for EMS student internship

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

- A. Request approval to pay all duly authorized bills and employee benefits July 16, 2002
 - Law Library 75.35
 - General 504,406.65
 - County Transportation Trust 15,299.69
 - E911 Operations 22,419.55
 - Local Government Infra Surtax 270,928.16
 - Community Development Block 37,015.01
 - Affordable Housing 20,079.64
 - Solid Waste 24,947.63
 - Placid Utilities 2,019.21
 - Highway Park Utility 344.93
 - Risk Retention Fund 10.05
 - Employee Benefit 6,472.31
- B. Request approval of Board meeting minutes of July 2, 2002
- C. ~~Request approval of Consultant Service Authorization No. 53C with Chastain Skillman, Inc. for preliminary site planning for recreational facility - Clements-Fewell Property and budget amendment #01-02-274.~~
- D. Request to approve sale of Tax Certificate 98-7040. See SMB 41 Page 151.
- E. Request to approve sale of Tax Certificates per attached list. See SMB 41 Page 152.
- F. Request to approve sale of Tax Certificates per attached list. See SMB 41 Page 153.
- G. Request approval of a Resolution approving the issuance by the Highlands County Health Facility Authority of its Revenue Bonds (Adventist Health System/Sunbelt). See Res. 15 Page 150.
- H. Request to approve Budget Amendment #01-02-273
- ~~I. Request approval of Resolutions & Budget Amendment #01-02-269.~~
- I. Request approval of an agreement between Highlands County and Valencia Community College for Paramedic student internship - Nathan Nichols. See EMS file for copy.

5. ACTION AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Jackson to approval action agenda as amended, with the deletion of Item F-3 under County Engineer.

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

- A. **Chairman Bullard: Request approval of a Proclamation submitted by the Muscular Dystrophy Association in support of "Highlands County Fire Fighter Appreciation Week"**

Chairman Bullard read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, to adopt Proclamation declaring the week of August 5 - 12, 2002 as Highlands

County Fire Fighter Appreciation Week. Upon roll call, all Commissioners voted aye. Motion carried. See Res. 15 Page 151.

B. Mr. James Preston: Request review of Ordinance #12-195 concerning Recreational Vehicles

James Preston presented a request to the Board to review County Ordinance #12-195 concerning Recreational Vehicles, stating that the ordinance needs to be either amended or abolished to accommodate the citizens that own recreational vehicles. Mr. Preston stated that he has parked his RV on his driveway because of the lack of access to his backyard. After an anonymous complaint was received by code enforcement, he was issued a code violation for parking his RV on his driveway. In an attempt to comply with the ordinance, he arranged for off-site parking, but ended up with an infestation of Asian cockroaches inside his vehicle. He suggested that code enforcement become pro-active instead of complaint driven. Public input was received in support of the ordinance change from David O'Block, Gabriel Reed, Von Whitesides, and Marge Jernigan. Clayton Womer spoke in opposition, stating that the ordinance is enforceable and should be left as it is. Jack Ritchie, president of the Sun n' Lakes Recreation District, also spoke in opposition. Chairman Bullard read into the record a letter received from an anonymous citizen in opposition to the change. Development Services Director, Jim Polatty, gave a brief history of the ordinance, stating that it has been three years since it has been reviewed. Commissioner Maxcy suggested reviewing the City of Sebring's ordinance and amending the County's to make exceptions for those RV owners that are unable to comply with current laws. Commissioner Jackson stated that the ordinance needs to be enforced. Commissioner Flowers suggested that citizens should review local laws before making large purchases. Chairman Bullard instructed staff to review the county ordinance, come up with some proposed changes and solutions, then send their proposals to Planning & Zoning before any action can be taken by the Board. See SMB 41 Page 154.

Break 10:15 - 10:30 A.M.

C. Commissioner David Flowers: Request to ratify recommendation for the Fire Services Task Force and choose three Citizens-at-Large members

Commissioner Flowers presented a request to ratify the appointments to the Fire Services Task Force and choose three to serve from the Citizens-at-large group. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve request as stated, approving recommendations from the local associations as listed, as well as Richard A. Quinby, Alan W. Kent, and James Carroll, representing the citizens-at-large. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 155.

D. Clerk of Courts' Director, Compliance and Internal Audit: Sebring Airport Authority Financial Report briefing

Senior Director, Bob Jamison, presented the Board with a brief summary of the Financial Report for Sebring Airport Authority. Mia Robertson, Director of Compliance and Internal Audit for the Clerks' office, presented an overhead presentation of the report. See Sebring Airport file for copy.

E. EMS Director: Request approval of proposed billing and collection policy

Rick Weigand, EMS Director, presented a request for approval of a proposed policy for billing, collection

and write-offs of EMS patient accounts. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See EMS file for copy.

F. County Engineer:

1. Request approval of and prioritization of FDOT Transportation Equity Act for the 21st Century (TEA-21) Program

Ramon Gavarrete, County Engineer, presented a request for approval of the three applications for Transportation Enhancement Projects submitted. He also advised the Board that, historically, the county only receives \$300,000.00 every year. Chairman Bullard stated that out of the four applications received, only one of them will get funded. City Manager of Avon Park, C.B. Shirey and Jim Brooks, President of the Avon Park Chamber of Commerce, spoke on behalf of the Avon Park Qualifying Enhancement Activities. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated, ranking the Avon Park Enhancement Project No. 1 on the priority list, with Kenilworth Boulevard/Airport Road Multi-Use Path, Sebring Parkway Phase 1 Landscaping, and NE Lakeview Drive Streetscape Project, as No. 2, 3, and 4, respectively. Upon roll call, all Commissioners voted aye. Motion carried. See FDOT file for copy.

2. Request approval of the 2002 candidates for the FDOT 2007/2008 Work Program

Ramon Gavarrete, County Engineer, presented a request for approval of the candidates for the 2007/2008 FDOT Work Program. He also presented a last minute request made by Avon Park City Manager, C.B. Shirey, to add a Railroad Crossing Rehabilitation Project for SR 64 and Central Avenue to the list of candidates. C.B. Shirey and Jim Brooks both spoke in support of the Railroad Project. Carl Cool, County Administrator, expressed his concerns about the poor conditions of the railroad crossing, stating that if the Board makes it their first priority, nothing will be done for the next five years. He added that the problem needs to be solved this year, and believes it can be. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated, not including the Railroad Crossing Rehabilitation Project. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 156.

3. Request approval of vacation of plat - Lots 50 to 67 inclusive, including all side lot easements, rights of way for "Center Court" and "Oak Ridge Way" and the easements which run adjacent to the rights of way of said "Center Court" and "Oak Ridge Way" all being in Block A, Fairway Lakes as per plat recorded in Plat Book 12, Page 43, of the Public Records of Highlands County, Florida

G. Human Resources Director: Request for temporary position (Engineering Department)

Fred Carino, Human Resources Director, presented a request for approval of a temporary position within the Engineering Department to fill the absence of an employee that was called to active duty with the military for up to one year. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 157.

H. Development Services Director: Request approval of Land Acquisition Agreement with the Nature Conservancy (TNC)

Jim Polatty, Development Services Director, presented a request for approval to partially fund a second full-time staff person to negotiate the purchase of properties in Highlands County as part of the Lake Wales Ridge Ecosystem CARL Project. Mike Izzarone, Senior Field Representative for The Nature Conservancy, spoke on behalf of the Conservancy. Public input was received from the following in support of the agreement: Dr. Hilary Swain, member of NRAC, Curtis DeYoung, Chairman of NRAC, Don Trippensee, and Von Whitesides, President of the Highlands County Audubon Society. Board Attorney, Ross Macbeth, recommended that the contract be amended so that the funding for both positions run concurrently. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

I. Board Attorney

No report.

J. County Administrator:

1. Request approval of Budget Amendment #01-02-272 and Consultant Authorization #59 for vertical control survey for Lake Placid Structures - Chastain Skillman, Inc. - CSI File number 7160.59

Carl Cool, County Administrator, presented a request for approval of a budget amendment and Consultant Services Authorization. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Chastain Skillman file for copy.

2. Resolutions & Budget Amendment #01-02-269 from Reserve account

Carl Cool, County Administrator, presented a request for approval of the Resolution and budget amendment to place EMS Trust grant funds in budget that were inadvertently overlooked during the budget process, and to increase the funding to the actual amount received for the grant. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. 15 Page 152.

3. Request approval of Consultant Service Authorization No. 53C with Chastain Skillman, Inc. for preliminary site planning for recreational facility - Clements-Fewell Property and budget amendment #01-02-274

Carl Cool, County Administrator, presented a request for approval of the Consultant Services Authorization and a budget amendment. Commissioner Stokes expressed concerns about spending \$8,800.00 for a site plan that he thought had already been done. Carl Cool clarified that the consultant for Chastain Skillman did a study on the property but did not submit a drawing, emphasizing the need for a preliminary site plan to determine the environmental impact of the project on the property. Dee McDonald, Vice Chairman of RPAC, spoke in favor of the agreement, presenting the Board with a site plan from an Osceola County recreational facility that is similar to the project being proposed. Commissioner Jackson suggested reviewing the minutes on the discussion with the Sebring City Council concerning the purchase of the land, and where the money was going to come from. Motion by Commissioner Flowers, seconded by Commissioner Maxcy

to approve the request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See Chastain Skillman file for copy.

County Administrator, Carl Cool, advised the Board that County Engineer, Ramon Gavarrete, representing the Board of County Commissioners, attended a meeting with the Florida Department of Transportation, concerning a proposed new Weight-in-Motion project by FDOT. The weight scales would require trucks to drive over the scales, without stopping, to be weighed. FDOT is doing a preliminary design and environmental study on US 27 between SR 70 in Highlands County south to SR 29 in Glades County, and would like to come before the Board the last meeting in August to present their proposal. Mr. Cool's concern with this area is that it provides truck drivers with an easy bypass, by using Old SR 8. He is requesting to meet with the Board the first meeting in August to discuss the possible alternative of placing the scales south of SR 17 in Glades County. Chairman Bullard advised staff that they will need to provide the Board with maps to review.

6. CITIZENS NOT ON AGENDA

No participants.

7. COMMISSIONERS

Commissioner Flowers shared with the Board his sighting of a bobcat sitting on the inside of the fence on the Sebring Parkway yesterday.

8. ADJOURN

The meeting adjourned at 12:33 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD JULY 23, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J. Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- 3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Alex Whitbeck presented the daily jail log of inmate count for the period ending July 23, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *weekly report of Court Services for week ending July 19, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 158 for copy of the report.

- C.** Upcoming County meetings presented into the record by County Administrator, Carl Cool. He also announced that Bert & Lisa Harris are the proud parents of a new baby girl born yesterday. Carl Cool also announced his attendance at the staff meeting held yesterday for the Heartland Water Alliance Committee. Commissioner Flowers announced the District 1 meeting to be held on Thursday, July 25, 2002 at 7 P.M. at the Avon Park County building.

- 2. **CONSENT AGENDA**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the Consent agenda as listed with corrected minutes.

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

- A. Request approval to pay all duly authorized bills and employee benefits July 23, 2002**

General	220,049.71
County Transportation Trust	9,866.08
E911 Operations	4,448.79
Intergovt Radio Communications	275.00
Legal Aid	2,922.81
Local Government Infra Surtax	21,586.77
Affordable Housing	22,735.00
Solid Waste	31,496.17
Placid Utilities	7,640.06

Highway Park Utility	584.86
Risk Retention Fund	11.51
Employee Benefit	9,330.58

- B. Request approval of minutes dated June 25, 2002**
- C. Request approval of Budget Amendments 01-02-276; 280; 283 & 284**

5. PUBLIC HEARING: Changes to Land Use, Zoning District/Small Scale Large Scale Objections, Recommendations, and Comments response

Development Services Director, Jim Polatty, presented the Petition and Proof of Publication for the following hearings. See Proof of Pub Ord. Book 3 Page 17.

1. OLD BUSINESS: HEARING # 1626 - MOSS HAMMOCK INC. - RICK WHIDDEN

Approximately 31.95 acres located in Sec. 34, Twp. 34S, Rge. 28E, Highlands County, Florida, located North of C.R. No. 634 (Hammock Road) and East of the entrance to Highlands Hammock State Park.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district) and B-2 (Limited Business district).

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to remove the zoning hearing from the table for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

Development Services Director, Jim Polatty, advised the Board that the petitioner’s original request was a zoning change from AU (Agricultural) to B-2 CU (Limited Business district). The petitioner has rejected the Conditional Use, and are now requesting a re-zone to B-1 (Neighborhood Business district) with a restrictive easement. The easement would allow them to use the property for the purpose of real estate sales office, building contractors office or convenience store with retail fuel sales. He also stated that staff still recommended denial of the zoning change, adding that real estate offices are not allowed in B-1. Rick Whidden, representing the petitioner, stated that the owners are requesting to have fuel sales, but not a service station or convenience store. Commissioner Flowers and Commissioner Stokes objected to having gas pumps on the property, but were open to the idea of placing the pumps on the rear of the property. Chairman Bullard expressed concerns regarding the placement of underground fuel tanks, and the possible threat to the ecosystem. Mike Tubbs, property owner, stated that laws regarding fuel tanks are very strict, and very closely monitored by the State. Eddie Freeland spoke in support of the re-zoning, but was opposed to the sale of fuel. Gabriel Read spoke in opposition to the re-zoning. Commissioner Stokes made a motion to approve the re-zone as originally requested, with the change from AU to B-2. Commissioner Jackson seconded the motion, but requested a language change in the easement to allow for the fuel sales to be compatible with the entrance to a state park. Commissioner Flowers and Maxcy added that the sale of fuel would not be appropriate for the area. Rick Whidden advised the Board, that due to their opposition, the petitioner has agreed to eliminate fuel sales from the easement. Board Attorney, Ross Macbeth, questioned the Board about their ideas on the appearance of the building, and if the restrictions listed in the easement are acceptable. Chairman Bullard requested that the use of hardy board type siding material to be added to the easement. Commissioner Jackson made a recommendation to amend the original motion. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to amend the motion with the following changes to the easement:

- ’ Elimination of the retail fuel sales

- ' Addition of the use of hardy board type siding for the building
- ' Allowing for the 100 foot setback from the right of way on Hammock Road

Upon roll call, Commissioner Flowers, Maxcy, and Bullard voted aye. Commissioner Stokes and Jackson voted nay. Motion carried.

Board Attorney, Ross Macbeth, read into the record, the proposed language changes for the easement. Rick Whidden stated that the changes are acceptable to the applicant. Motion by Commissioner Stokes, seconded by Commissioner Jackson, in accordance with the recommendation of the Planning and Zoning Commission, to approve and adopt P&Z Case No. 1626, a zoning change from AU (Agricultural) to B-2 (Limited Business district) by Resolution, including the mandatory findings in the staff report, contingent upon the large scale amendment (CPA-02-194LS) becoming effective as provided by law and approval of a restrictive easement, with amendments, describing the appearance and construction of a “cracker style country store that would include a tin roof and a front porch.” Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 153.

2A. OLD BUSINESS: HEARING # CPA - 02-187SS - RICHARD M. WAGNER AND FLORENCE WOLINSKAYA AND VIOLETA R. WAGNER - C/O ROGER DALE POLSTON

Approximately 2.785 acres located in Sec. 6, Twp. 34S, Rge. 29E, Highlands County, Florida, located on the East side of State Road 17S, and approximately 800 feet South of Lake Bonnet Road, Avon Park.

Requesting a small-scale plan amendment from (Agricultural) to (Commercial). See below hearing #1619 for details.

2B. HEARING #1619 - RICHARD M. WAGNER AND FLORENCE WOLINSKAYA AND VIOLETA R. WAGNER - C/O ROGER DALE POLSTON

Approximately 2.785 acres located in Sec.6, Twp. 34S, Rge. 29E, Highlands County, Florida, located on the East side of State Road 17S, and approximately 800 feet South of Lake Bonnet Road, Avon Park.

Requesting a zoning change from R-1 (Residential district) to B-3 (Business district). Applicant desires to operate a restaurant.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to remove the zoning hearing from the table for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

Development Services Director, Jim Polatty, advised the Board that the petitioner is now requesting a zoning change to B-3 CU (Business district with a Conditional Use district), with the Conditional Use being for a restaurant only. Dale Polston spoke on behalf of the petitioner. Carl Cool, County Administrator, informed the Board of the county drainage ditch that is located on the West side of SR 17S, that flows through the petitioners' property, adding that a flowage easement will need to be obtained by the County.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve and adopt by Ordinance CPA-02-187SS, amending the FLUM from Agricultural to Commercial, including the mandatory findings in the staff report, and adopt P&Z Case No. 1619, a zoning change from R-1 (Residential district) to B-3 CU (Business district with a Conditional Use district) by Resolution, including the mandatory findings in the staff report, contingent upon the small scale plan amendment (CPA-02-187SS) becoming effective as provided by law. The Conditional

Use being for a restaurant only. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 154.

3A. NEW BUSINESS: HEARING # CPA - 02 196SS - GREGORY A. AND KIMBERLY L. SAPP

Approximately 5.02 acres located South of Catfish Creek Road and approximately ½ mile East of Jefferson Avenue, Lake Placid. Located in Sec. 11, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Agricultural) to (Medium Density Residential). See below Hearing #1628 for details.

3B. HEARING # 1628 - GREGORY A. AND KIMBERLY L. SAPP

Approximately 5.02 acres located South of Catfish Creek Road and approximately ½ mile East of Jefferson Avenue, Lake Placid. Located in Sec. 11, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct approximately 20 to 25 single family dwellings.

Development Services Director, Jim Polatty, presented the requests, pointing out that the petitioners' request has changed to allow construction of 15 to 20 single family dwellings. Kimberly Sapp, representing the potential property buyer, Chris Paoli, stated that Mr. Paoli is looking to build approximately 10 to 15 three bedroom/two bath homes starting at about \$200,000.00. Public input was received in opposition from the following: Scott Forsyth, Mike Wudtke, Dick Gibbs, Ray Clark, and Ina Wachman. Scott Forsyth clarified for the Board that the area homeowners are not opposed to the re-zoning, but rather the proposed number of houses to be built. A petition with 37 signatures from the area homeowners was entered into the record. Board Attorney, Ross Macbeth, suggested changing the zoning to EU (Estate district), which would limit the number of houses allowed on the property. Commissioner Maxcy made a motion to approve the Hearing, with amendments, changing the land use to Low Density Residential and the zoning to EU (Estate district). Kim Sapp, representing the land buyer, requested to table the hearing until she could meet with Mr. Paoli, and he could be present at a Board meeting. Commissioner Maxcy withdrew his motion. Chairman Bullard requested the petitioner to come back with a preliminary site plan at the August 27th meeting.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve to table Hearing # CPA-02-196SS and P&Z Case No. 1628 until August 27, 2002, at 9:00 A.M. or soon thereafter as possible in the Government Center Building, Board of County Commissioners Meeting Room. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 159 for copy of petition.

4. ADOPTION HEARING FOR AMENDMENT DCA 02-1, AMENDING THE FLUM:

CPA - 01 - 155LS, Changing the FLUM for a 186 acre parcel from General Agricultural to Commercial/Industrial Mixed Use.

CPA - 01 - 168LS, Changing the FLUM for a 15.15 acre parcel from High Density Residential to Commercial/Industrial Mixed Use.

CPA - 02 - 173LS, Changing the Mixed Use FLUM designation for Sun 'N Lake Estates of

Sebring to Conservation/Management Lands, Medium Density Residential, High Density Residential, Public/Quasi-Public Lands and Commercial

Development Services Director, Jim Polatty, presented the requests, along with an amendment to CPA-01-155LS, changing the landscaped buffer along US 27 from 150 feet to 75 feet, to be maintained by the property owner or property owners association. Chairman Bullard questioned the lot sizes on the business campus. Dale Polston, representing the petitioner, advised the Board that they were just trying to show a variety in lot sizes. Mike Gallagher, attorney for the landowner, Bryan Paul, added that the site plan is open for changes.

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, in accordance with the recommendation of the Local Planning Agency, to approve and adopt by Ordinance Amendment DCA 02-1. Upon roll call, all Commissioners voted aye. Motion carried.

Break 11:25 - 11:35 A.M.

6. PUBLIC HEARING: Adoption Hearing for Noise Ordinance and Civil Citations Ordinance

Development Services Director, Jim Polatty, presented Proof of Publication for adoption of Noise Ordinance and Civil Citations Ordinance. See Proof of Pub Ord. Book 3 Page 18.

A. Adoption of Civil Citations Ordinance

Development Services Director, Jim Polatty, read captions of the Ordinance into the record. Board Attorney, Ross Macbeth, briefly explained the procedures for issuance and enforcement of civil citations. Motion by Commissioner Jackson, seconded by Commissioner Flowers to adopt the Ordinance as presented. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

B. Adoption of Noise Ordinance

Captions of the Ordinance were read into the record. Development Services Director, Jim Polatty, advised the Board that there would be some costs associated with the adoption of this ordinance. The county would have to purchase two decibel meters and ticket books. The estimated cost between the County and the Sheriff's Office would be approximately \$5000.00, without paying overtime to staff, plus the cost of the ticket books. A comparison of noise complaints was completed by the Sheriff's Office, listing the number of calls for service received for noise complaints for the year of 2001 and 2002. According to the tables, a total of 678 calls were received in 2001 for noise related calls, 561 of those calls being for loud music, and 117 being for other noise complaints. Commissioner Flowers stated that most of those complaints were received at night between the hours of 6:00 P.M. and 12:00 A.M., leaving the responsibility of response and investigation to the Sheriff's Office. He added that enforcement of the Ordinance will not be effective with existing staff, suggesting that Code Enforcement become more pro-active instead of complaint driven. Chairman Bullard stated that adoption of this Ordinance will give the Sheriff's Office an added tool to effectively enforce it, adding that Code Enforcement and Animal Control will have to become more involved in the enforcement. When questioned about the definition of "real property lines" by Commissioner Jackson, Board Attorney, Ross Macbeth, answered by clarifying it to mean lot lines.

Lonnie Tucker, President of the Florida Airboat Conservation Trust, questioned the special exception already provided to him for his business, stating that an exception was built into the zoning for his airboat repair business, allowing him to work on the engines at certain times during the day. Jody Hoeffner, a kennel owner, also raised concerns, stating that noise at night is not the problem with her business, but rather the daytime when customers are dropping off or retrieving their pets. Adoption of the ordinance would give her neighbors

ammunition to complain against her. Development Services Director, Jim Polatty, advised the Board that special exceptions are granted for land uses that often have characteristics that include loud noises, examples being sand mining and kennels. He recommended that a provision be added to “grandfather” previously approved special exceptions. Ross Macbeth and Chairman Bullard disagreed. Bullard added that questions of exceptions will have to be handled on a case-by-case basis, and any special exceptions dealing with specific sound levels, issued prior to the noise ordinance becoming effective, will remain in effect. Ross Macbeth added that the language will be changed to accommodate this. Additional public input was received in support of the noise ordinance from the following: Joel Rafcal, Ruth Hewitt, John Boch, Lowell “Blackie” Ballas, and Clyde Sparks.

After questions arose from the public and the Commissioners regarding several different sections of the Ordinance, a consensus was reached by the Board to make the following amendments:

Section 5.6 - 105 (e): repair, rebuild, or test any motor vehicle, vessel, or motor between the hours of 9:00 P.M. of one day and 6:00 A.M. of the next day.

Section 5.6 - 105 (f): unreasonably interferes with workings of such institution or which unduly disturbs or annoys patients in a hospital.

Section 5.6 - 105 (g): amend to allow for the addition of time limits, between the hours of 9:00 P.M. of one day and 6:00 A.M. of the next day.

Section 5.6 - 107 (j): Noise from work in a public right-of-way authorized by the County Engineer or State of Florida Department of Transportation.

Section 5.6 - 108 (a)(2): delete within an industrial or commercial zone

Section 5.6 - 108 (a)(3): amend to read Waivers may be issued for no longer than 365 days

Motion by Commissioner Flowers, seconded by Commissioner Stokes to adopt the Noise Ordinance with amendments. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

7. PUBLIC HEARING: Request approval of vacation of plat - Lots 50 to 67 inclusive, including all side lot easements, rights of way for “Center Court” and “Oak Ridge Way” and the easements which run adjacent to the rights of way of said “Center Court” and “Oak Ridge Way” all being in Block A, Fairway Lakes as per plat recorded in Plat Book 12, Page 43, of the Public Records of Highlands County, Florida

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 41 Page 160. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 155.

8. ACTION:

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

A. Finance Officer, Clerk of Courts: Presentation of Interim Financial Report for the Board of County Commissioners as of June 30, 2002

Senior Director of Clerk of Courts, Bob Jamison, presented the Board with a brief summary of the Interim Financial Report for the Board of County Commissioners as of June 30, 2002. Pamela Cross, Finance Officer for the Clerk’s Office, presented an overhead presentation of the report. See SMB 41 Page 161.

Refer to tape for further detail.

B. County Administrator:

1. Request approval of Transfer from Reserve for Contingency Fund 005, Budget Amendments 01-02-277; 278 and 282

County Administrator, Carl Cool, presented a request for approval of budget amendments for the transfer of funds to the Reserve for Contingency Fund. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Establish project for 2002 Local Law Enforcement Block Grant with Budget Amendment #01-02-285 and Resolution

County Administrator, Carl Cool, presented a request for approval of a budget amendment and resolution, to establish a new project account for the 2002 Local Law Enforcement Block Grant. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 156.

C. Budget Officer: Presentation of additional revenue options

Rick Helms, Director Office of Management and Budget, presented the Board alternatives for additional revenue sources for consideration. County Administrator, Carl Cool, advised the Board that a large percentage of the alternatives will not be available to assist with the upcoming budget year, but they do offer opportunities the Board may want to consider for future revenue sources. He added that no action is required by the Board today, but they will be asked to certify the millage at next weeks' meeting. See SMB 41 Page 162.

9. CITIZENS NOT ON THE AGENDA:

Don Hansen expressed concerns regarding the importance of addressing water issues.

10. COMMISSIONERS

Commissioner Maxcy thanked staff for responding to problems occurring within the county, and getting them rectified.

11. ADJOURN

The meeting adjourned at 1:44 P.M.

Chairperson

Attest:

Clerk

REGULAR MEETING OF THE BOARD JULY 30, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. ANNOUNCEMENTS

County Administrator, Carl Cool, advised the Board that this meeting was announced as a Special Meeting of the Board of County Commissioners. Proof of Publication was entered into the record. See Proof of Pub Ord Book 3 Page 19.

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending July 30, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended July 26, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 163 for copy of the report.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Commissioner Maxcy announced that Governor Jeb Bush will be in town on Friday, August 2, 2002, about 2:00 P.M. A reception will be held at the Sebring Civic Center at 2:30 P.M.

4. CONSENT AGENDA:

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

A. Request approval to pay all duly authorized bills and employee benefits July 30, 2002

Law Library	121.67
General	122,244.93
County Transportation Trust	17,371.32
E911 Operations	8,062.75
Local Govt Infra Surtax	47,774.57
Community Development Block	1,660.00
Affordable Housing Assistance	18,590.00
Solid Waste	5,328.27
Placid Utilities	3,742.15
Highway Park Utility	1,391.69
Risk Retention Fund	12.54

Employee Benefit 2,796.39

5. ACTION AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Stokes to set agenda as amended
Add Item 1 and 2 under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

A. Director, Office of Management & Budget: Request approval of Certification of the Millage Rate and the First Public Hearing set for September 3, 2002

Director of Office of Management and Budget, Rick Helms, presented a request for approval of the Certification of the Millage Rate. He presented an overhead presentation of the recommended budget options, stating that the primary objective today is to set the millage rate that will be included on the TRIM notices to be mailed out in August to all property owners. Another objective that needs to be accomplished prior to the public hearings is the direction for staff regarding the funding levels for the elected officials, Board departments, cities, and various agencies and nonprofit organizations that receive funding from the Board. If the Board decides to stay with the current rate of 8.5 mils, staff would have to reduce expenditures by approximately \$500,000.00 to match the current estimated Revenues, or find alternative revenue solutions. Rick Helms also added that there has only been one increase in the millage in the last 13 years, with the current rate of 8.5 being in place for the past 9 years. An increase of 1 mil would generate approximately \$2.9 million in revenue.

Commissioners Flowers and Stokes stated they would support a one-half mil increase. Commissioner Jackson and Commissioner Maxcy agreed that an increase was not the answer, but encouraged staff to search for other sources of revenue. Chairman Bullard advised he would yield to the majority of the Board, but proposed going with a 1 mil increase, while working on bringing the budget back down. Commissioner Flowers made a motion to approve a one-half mil increase. The motion died for lack of a second. Commissioner Jackson then made a motion to set the millage at the current level of 8.5. This motion also died for lack of a second. Commissioner Maxcy suggested listening to public input before making any decisions. The Chair opened the floor to the public. Ray Royce spoke in opposition to a tax increase. Kelsey Payne also spoke in opposition, suggesting the County look into the privatization of certain county agencies. Hank Kowalski, Clyde Sparks, and Don Linton spoke in support of an increase.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to advertise an increase to 9.0 mils. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See SMB 41 Page 164.

Break 11:20 - 11:30 A.M.

Motion by Commissioner Flowers, seconded by Commissioner Stokes to set the Public Hearing for September 3, 2002 at 5:30 P.M. in the Government Center Board Room. Upon roll call, all Commissioners voted aye. Motion carried.

B. Board Attorney: Request approval and execution of a Non-disturbance Agreement - Ruley

Board Attorney, Ross Macbeth, advised the Board that this agreement came before the Board on June 11, 2002. The property, located in Desoto City, is being sold, and the buyer had some concerns pertaining to the small portion of the building that is on county right-of-way. The agreement has been amended to comply with Florida Building Codes, and the changes are acceptable to the buyer and the seller. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all

Commissioners voted aye. Motion carried. See Subdivision file for copy.

C. County Administrator

1. Report on Avon Park Railroad Crossings

Carl Cool, County Administrator, gave a brief report on the improvements of the Avon Park Railroad Crossings. As of this date, improvements have been made to the crossings at Home Juice Road, Lake Damon Drive, and the Truck Route. The remainder of the crossings are scheduled to be finished by this coming Friday. Chairman Bullard thanked staff for their efforts in working with FDOT to get the improvements done.

2. Report on 4 - 10 hour work week

County Administrator, Carl Cool, gave the Board a brief report on the benefits to the 4 -10 hour work week. Since its inception last October, the engineering, building, and planning and zoning departments have been working in the Government Center on Fridays. This has resulted in enormous energy savings, and the public has responded well to the extended service hours. Staff is proposing a slight change, to allow the employees to work back across the street on Fridays, and although the energy savings would be lost, this would give staff access to the resources they need to better serve the public. Carl Cool advised the change will take effect this Friday, with the Boards' approval. All Commissioners agreed to the change.

6. CITIZENS NOT ON AGENDA

No participants

7. COMMISSIONERS

Commissioner Flowers and Maxcy expressed their congratulations to Chairman Bullard and Commissioner Stokes for their reelection.

8. ADJOURN

The meeting adjourned at 11:51 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD AUGUST 6, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Jed Secory, General Services/Purchasing Director. The Pledge of Allegiance was led by Eddie & Helen LeBlanc, Commandant and President of the Marine Corp League of Highlands County.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 6, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended August 2, 2002 and a Monthly Report of Business Services for July 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 165.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool.

4. **CONSENT AGENDA:**

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

A. Approval of minutes of the July 16, 2002 and July 23, 2002 Board meetings

B. Request approval to pay all duly authorized bills and employee benefits August 6, 2002

General	1,815,591.17
County Transportation Trust	33,627.02
E911 Operations	52.84
Intergovt Radio Communications	20,550.00
Local Govt Infra Surtax	281,184.02
Community Development Block	30,875.21
Affordable Housing Assistance	54,658.74
Solid Waste	106,155.95

Placid Utilities	161.80
Highway Park Utility	40.69
Employee Benefit	3,667.20

- C. Request approval and execution of an Interlocal Agreement with the Highlands County School Board for the purchase of lights and poles to be installed at Head Field and Fireman’s Field. See School Board file.
- D. Request approval of Memorandum of Understanding for Nu-Hope of Highlands County RSVP Volunteers. See Nu-Hope file.
- E. Accept into the record Spring Lake Improvement District Audited Financial Statements for the Year Ended September 30, 2001. See file for copy.
- F. Accept into the record the Salvation Army’s External Audit for fiscal year ended September 30, 2001. See file for copy.
- G. Request approval of transfer or sale of Tax Certificate #00-13054. See SMB Book 41 Page 166.
- H. Request approval of transfer or sale of Tax Certificates per attached list. See SMB Book 41 Page 167.
- I. Request approval of transfer or sale of Tax Certificate #00-11356. See SMB Book 41 page 168.
- J. Request approval of transfer or sale of Tax Certificates #01-9804 and 02-10264. See SMB 41 Page 169.
- K. Request approval of transfer or sale of Tax Certificate #99-10396. See SMB 41 Page 170.
- L. Request approval of Lake Placid Library Construction Grant Agreement. See Library file.
- M. Request approval of the Specifications and Contract documents for the County wide Traffic Striping and Markings Project # 01088. See Countywide Traffic file.
- N. Request approval of execution of Contract documents for the installation of Thermoplastic Striping and Marking for the Sebring Parkway Phase I Project #89003. See Sebring Parkway file.
- O. Request to release a Declaration of Unity of Title Agreement - Deveaugh. See Placid Ridge subdivision file.
- P. Request approval of Satisfaction of Mortgage - Grindle. See Satisfaction file.
- Q. Request approval of Satisfaction of Mortgage - Guardado. See Satisfaction file.
- R. Request approval of Satisfaction of Mortgage - Stock. See Satisfaction file.
- S. Request approval of Adopt a Highway Agreement - Young Republicans of Highlands County. See file for copy.
- T. Request approval for Chastain-Skillman, Inc. CSA No. 61 to prepare a consolidated as-built plan for the waste water treatment plant area. See file for copy.
- U. Request approval of CDBG Bid Awards. See SMB 41 Page 171.
- V. Request approval of a contract with Florida Non Profit Housing, Inc. See file for copy.
- W. Request approval of allowance of trade-in of EOC two satellite telephones.

- Reference fixed asset numbers CD853 and CD923. See SMB 41 Page 172.**
- X. Request approval & execution of Voting Systems Assistance Agreement and Resolution. See Supervisor of Elections file.**
 - Y. Request approval of DEP Contract regarding the Aquatic Plant Program & Resolution & Budget Amendment 01-02-299. See Aquatic Plant file and Res Book 15 Page 157.**
 - Z. Request approval of Budget Amendments 01-02-292; 293; 294; 296; 298; 303; 304; 305; 306 and 307**
 - AA. Request approval of Resolutions and Budget Amendments 01-02-300 & 309. See Res Book 15 Page 158.**
 - BB. Request approval of 911 Resolution. See Res Book 15 Page 160.**

5. ACTION AGENDA:

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

A. Mr. Keith Lockett: Presentation of a proposal to construct a remote-controlled car track facility near the Community Center in DeSoto City

Keith Lockett presented a request to construct a remote control car track in Desoto City near the Community Center. Assistant County Administrator, Tom Portz, stated the project would have minimal impact to the property. He added that the applicant plans to provide his own resources to build the tract, but requested the County provide water and electricity access. Gary Mikulecky, Highlands County Extension Director, stated that the 4-H Club is willing to stand behind the lease agreement. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the request, with staff to work out the details of the lease agreement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 173.

B. Economic Development Commission Director: Request approval of Enterprise Zone Amendment Application & Resolution

On behalf of the Commission, Chairman Bullard congratulated Louise England on her appointment as Executive Director of the Economic Development Commission. Louise England expressed her thanks to the Board.

Louise England, Enterprise Zone Development Agency Coordinator, presented a request to approve a Resolution amending the boundaries for the current Enterprise Zone. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 161.

C. Clerk of Courts' Director, Compliance & Internal Audit: EMS Billing & Collections Follow-Up Audit Report

Bob Jamison, Senior Director of Business Services for the Clerks' office, gave a brief summary of the EMS Billing and Collections Follow-Up Audit Report, pointing out that the report does reflect some improvements, but the progress still falls short of where EMS needs to be. Mia Robertson, Director of Compliance and Internal Audit for the Clerks' office, gave an overhead presentation of the report, stating that, despite the improvements, there is still a lack of strong internal controls and policies and procedures. Upon the

termination of Sky Asset Management, a third party billing vendor, in February of 2000, EMS began reprocessing old Sky cases. Since March of 2000, out of over \$2.1 million in reprocessed cases, the County has only collected approximately \$100,000.00. Bob Jamison stated that the Board reconsider continuing the effort and the litigation. Mia Robertson also concluded that another follow up audit would be performed. With the expense of reprocessing reaching over \$70,000.00, the cost is getting close to exceeding the benefit.

County Administrator, Carl Cool, recommended that the Board consider a motion asking the Clerks' Office to study the feasibility of transferring the receivables for EMS to the Clerk's Office, with an effective date of October 1, 2002. Bob Jamison stated that he did not believe the Clerk's Office would be able to take over the transfer by October 1st, even if they began the cost analysis today. In order to prepare for the transfer, the Clerks' office will have to develop policies and procedures, as well as determine cost estimates, staffing requirements, and possible software modifications. Chairman Bullard expressed a concern that a decision to turn over the receivables to the Clerk's Office would bring a stop to the progress being made in correcting the EMS problems. He continued by instructing EMS and requesting the Clerk's Office to submit proposals for the handling of the billing. Rick Wiegand, Director of EMS, assured the Board that, regardless of the outcome, they will continue to make improvements to problem areas, but warned them of the possibility of "sticker shock" from the Clerks' proposal. Ross Macbeth, Board Attorney, advised the Board he discouraged the filing of a lawsuit against Sky at this time, due to the lack of progress by EMS in compiling information to make his case, adding that he would need a motion to cease the filing of the lawsuit. Rick Weigand proposed discontinuing the reprocessing of all new Sky bills.

Commissioner Maxcy made a motion to discontinue the gathering of information for the lawsuit, discontinue the reprocessing of remaining claims under Sky bills, and to not pursue the lawsuit. Commissioner Flowers seconded the motion. Chairman Bullard stated that he wanted to avoid saying they were not going to file right now, but, rather discontinue the gathering of the information for the lawsuit. Ross Macbeth advised the Board that the statute of limitations for filing will run out soon. Commissioner Maxcy withdrew his motion.

Commissioner Flowers stated that now is the time to cut our losses and move forward. He also inquired if Sky Asset is still in business. Commissioner Jackson was opposed to filing a lawsuit, if they had no intention of pursuing it. Ross Macbeth said, with a little bit of research, that he could determine if Sky was still in business and whether or not they had any assets available.

Motion by Commissioner Maxcy, seconded by Commissioner Jackson to discontinue the gathering of information for the lawsuit, discontinue reprocessing any remaining claims under Sky, obtain proposals from both EMS and the Clerks' office, and also EMS to adopt policies and procedures and continue to address the problems. Public input was received from Clayton Womer in opposition to the billing being turned over to the Clerks' office. Upon roll call, all Commissioners voted aye. Motion carried.
See EMS file for copy.

Break 10:45 - 11:00 A.M.

D. County Engineer:

1. Request approval of the Transportation Operational & Safety Improvements Program

County Engineer, Ramon Gavarrete, presented a request for approval to change the name of the project shown on the Highlands County 10 year Capital Improvement Plan from Push Button Contracts to Transportation Operational & Safety Improvements Program (TOSIP). Ramon Gavarrete also requested approval to relocate the TOSIP from Other Transportation Projects to Annual Projects, and approval of the projects identified for TOSIP in fiscal years 2001/2002, 2002/2003, and 2003/2004. An overhead presentation was given detailing the various projects identified. Public input was received from Ray Napper, questioning the cost of the county wide pavement striping and marking. Ray Royce requested clarification regarding the traffic loops, and the possibility of lengthening the loop on Tower Street in Lake Placid at the intersection of US 27. Chairman Bullard advised him that the loop is in the process of being lengthened. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

2. Discussion of Weigh in Motion Station item

Andrew Phillips, Environmental Project Manager for the Florida Department of Transportation (FDOT) introduced Roy Chapman of Reynolds, Smith & Hills, a consulting firm for Florida Department of Transportation, that was brought in to assist with the Project Development & Environment (PD&E) Study. Roy Chapman gave an overhead presentation detailing the various aspects of the Weigh in Motion (WIM) stations, and the five possible locations for Highlands and Glades Counties. FDOT proposes the study to be completed by February 2003, with construction to be underway by fiscal year 2005/2006. The stations would cost anywhere between \$9 million and \$16 million each. Pros and cons were discussed regarding location, design, environmental impact, and bypass vulnerability. Carl Cool encouraged FDOT to consider the center station design alternative. See FDOT file. Refer to tape for further detail.

3. Request approval of limited change order authority on Jail/Courthouse Project

Ramon Gavarrete, County Engineer, presented a request for approval of limited change order authority on the Jail/Courthouse Project. As construction begins, staff will be working with the contractors on direct purchase orders, and making purchases that will save taxpayers money. Staff is requesting authority to approve change orders not to exceed sales tax savings rather than have to agenda every item, and to report to the Board weekly of such changes. Motion by Commissioner Jackson, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 174.

E. General Services Director: Presentation of suggested revisions to the Board's Adopted Purchasing Manual and request for approval of new Purchasing Card Manual

General Services Director, Jed Secory, presented the suggested revisions to the Board's Adopted Purchasing Manual, with the inclusion of a new Purchasing Card Manual. He advised the Board, that for clarification, the term *Finance Department* has been replaced with *Clerk's Office* throughout the manual, at the request of Bob Jamison. Chairman Bullard requested a few minor changes to the manual.

Sec 3.6 - 45.30 Disallowance- shall be disallowed and may require the user to reimburse the County for the purchase.

Sec 3.8 - 50.30(2) Outside Purchases - A Purchase Order may then be issued by the Purchasing Dept.

Jed Secory pointed out one change that he had to the Purchasing Card Manual. In Section 6, page 9, under section 3.3.1, change *Telephone Purchase Order* to *Telephone Order Form*. Chairman Bullard questioned the term Card Program Administrator, wanting to know who is going to be designated to the position, or if it will be a new position. Jed Secory advised him that Johanna Feickert, Purchasing Supervisor, will be the Card Administrator, with Jed being her backup. Board Attorney, Ross Macbeth, advised the Board of one change that he would like to see to the Policy section. In section 2.6, under 90.20 Performance Bond - Construction, he stated that in Subsection (1), there needed to be an addition that included *following the Board's adopted policies*. Jed Secory advised the Commissioners that the suggested changes would be made and brought back in front of the Board at next week's meeting.

F. Board Attorney

Board Attorney, Ross Macbeth, advised he will follow up on trying to find any information pertaining to Sky Asset, whether they are still in business, and report back to the Board at next week's meeting. Chairman Bullard suggested checking with other counties that have had the same problem, and whether or not they have any information.

G. County Administrator:

1. Request approval of Budget Amendment #01-02-291 from Reserve, and Addendum No. 2 to Supplemental Agreement for SWFWMD General Permit - Chatterpaul drainage - Highlands County Project No. 00100 - Chastain Skillman, Inc. - CSI File No. 7565.57

County Administrator, Carl Cool, presented the request for approval of the budget amendment and Addendum No. 2 to Supplemental Agreement for SWFWMD General Permit on the Chatterpaul drainage. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of Budget Amendment 01-02-308 - decreasing fund 005 Reserve for Contingency

County Administrator, Carl Cool, presented a request for approval of the Budget Amendment to transfer funds from the Reserve for Contingency to cover deficiencies in the Interpreters and Clinical Evaluation cost centers. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

6. CITIZENS NOT ON AGENDA:

- ' Donald Frisbie gave a brief report describing his past problems with a local roofing contractor that was in operating in violation of County Building Codes. He requested some answers concerning determining the purpose and procedures for Construction Licensing, Enforcement and Appeals Board. Chairman Bullard advised Mr. Frisbie that Carl Cool is working with the Building Inspector and Jim Polatty to obtain some answers for him.
- ' Ray Royce urged the Board to instruct staff to utilize any potential cost savings and consider alternate budgets using the 8.5 millage rate.

7. COMMISSIONERS

- ' Commissioner Maxcy announced he will be attending the Small Counties Coalition Conference and will bring back a report.
- ' Commissioner Stokes advised the Board about Sandy Terrell attempting to receive a "special exception" for things that she has already been doing. The Hearing is scheduled for August 13, 2002 at 3:00 P.M. in the Government Center Board Room. He wanted to let the Board know that he is aware of what is going on, and is also going to make the community aware of it.

8. ADJOURN

The meeting adjourned at 12:55 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD AUGUST 13, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner David Flowers.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 13, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended August 9, 2002 and a report on the Teen Court Program* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 175.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool.

- 4. **CONSENT AGENDA:**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve Consent Agenda as listed. Upon roll call, all Commissioner voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits August 13, 2002**

Law Library	15.00
General	156,573.53
County Transportation Trust	44,093.89
E911 Operations	13,914.05
Local Govt Infra Surtax	360,922.22
Community Development Block	50,422.00
Affordable Housing Assistance	22,903.14
HCISSRB Construction Fund	19,506.18
Solid Waste	440.29
Placid Utilities	1,561.55
Highway Park Utility	27.81
Risk Retention Fund	5.00
Employee Benefit	167.45

- B. Request approval of revisions to the Board's 04/06/99 Adopted Purchasing Manual, new section six, "Purchasing Card", and Bank of America's Purchasing Card Application. See SMB 41 Page 176. See Bank of America file for copy.**
- C. Request approval of Grant Agreement Award from the Office of the Attorney General regarding the Vitamins Settlement Grant. See file for copy.**
- D. Request approval of the Commodity Grant Contract for FY02-03. See file for copy.**
- E. Request approval of the Commodity Grant Amendment No. 6642. See file for copy.**
- F. Request approval of Budget Amendments 01-02-311 and 312**
- G. Request approval of Budget Amendments 01-02-313 and 314**
- H. Request approval of Resolution and Budget Amendments 01-02-316 and 317. See Res. Book 15 Page 162 & 163.**

1. PUBLIC HEARING: To levy a non-ad valorem assessment and to certify the assessment roll - Leisure Lakes Special Tax District.

Chairman Bullard read the Public Hearing statement into the record. Proof of Publication and Petition entered into the record by Ms. Treasa Handley, Assessment Coordinator. See SMB 41 Page 177. She also gave a brief report of the number of calls and letters received from the public concerning the assessment. Emergency Operations Director, Tim Eures, presented the recommendations to the Board, stating the assessment increase would provide Leisure Lakes Fire District with an additional \$27,204.00 in revenue. In response to a question raised by Commissioner Stokes, Tim Eures went on to add that the district will lose between \$9,000.00 and \$11,000.00 due to the state buying land under the CARL project, but will still give protection to those lands. Leisure Lakes will also lose an additional \$4,475.00 due to a new state law that does not allow assessments on recreational vehicle lots. Tim Eures stated a concern that was brought to his attention by a landowner in Sebring Lakes, advising him of a large number of unimproved lots that are only 40 feet wide, and will be assessed the same rate as larger lots.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to adopt the Resolution approving the assessment, approving the contracts with the Tax Collector and Property Appraiser, and certifying the assessment roll. Board Attorney, Ross Macbeth, stated that the motion could be amended to include an exception for the unimproved lots 40 foot or less, suggesting they be assessed at \$2.50, half of the rate of larger lots. Commissioner Maxcy and Stokes agreed to the amendment to the motion. Commissioner Jackson stated his opposition, adding that there is no justification for the increase. The Chairman opened up the floor to the public. James Carroll suggested leaving the assessment rate for unimproved lots 40 foot or less at \$3.00, and increasing the rate for the larger lots to \$5.00. Commissioner Maxcy and Stokes agreed to amend the motion to include the change. John Barben questioned the rate being assessed on platted lots in agricultural zones. Ross Macbeth stated it is not a matter of agriculture, adding that in platted subdivisions, the assessment is based on platted lot, not by what is on the land. If the land is not platted, it is not assessed. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See Res. Book 15 Page 164.

2. PUBLIC HEARING: To levy a non-ad valorem assessment and to certify the assessment roll - Highlands Lakes Special Tax District.

Chairman Bullard read the Public Hearing statement into the record. Proof of Publication and Petition entered into the record by Ms. Treasa Handley, Assessment Coordinator. See SMB 41 Page 178. She also gave a brief report of the number of calls and letters received concerning the assessment. Emergency Operations Director, Tim Eures, presented the recommendations to the Board, stating the assessment increase would provide Highlands Lakes District with an additional \$85,999.00 in revenue. He added that the district will lose approximately \$16,710.00 on the recreational vehicle lots, and an undetermined amount to the state for the CARL project. There has been no increase for this district since 1984. No increase has been proposed for improved lots in Avon Park Lakes that are 40 foot lots. The method for assessing these lots has been changed. These lots will now be assessed per residential unit to coincide with the rest of the fire districts.

Public input was received in support of the increase from: Clyde Sparks, Charlie Hoppes, president of the Board of Directors for Highlands Lakes Fire District, and Carson Peters. Jess Leon, Earnest Woods Sr., Kevin Campbell, Claude Morris, Harry Robinson, Jose Guzman, and Joanne Elliot spoke in opposition to the increase. Commissioner Jackson expressed his opposition, stating that he was not convinced the rates are a fair allocation of the costs involved in performing the services provided.

Motion by Commissioner Stokes, seconded by Commissioner Flowers to adopt the Resolution approving the assessment, approving the contracts with the Tax Collector and Property Appraiser, and certifying the assessment roll. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See Res. Book 15 Page 165.

3. PUBLIC HEARING: To levy a non-ad valorem assessment and to certify the assessment roll - West Sebring Special Benefit Fire District

Chairman Bullard read the Public Hearing statement into the record. Proof of Publication and Petition entered into the record by Ms. Treasa Handley, Assessment Coordinator. See SMB 41 Page 179. She also gave a brief report of the number of calls and letters received concerning the assessment. Tim Eures, Emergency Operations Director, presented the recommendations, adding that this is the first year that the district has requested an assessment. If the assessment is approved, it will generate approximately \$380,972.00 in revenue, with the district losing \$17,430.00 from the recreational vehicle lots. Steve Robertson, Assistant Chief of the West Sebring Fire Department, gave a brief background of the fire department, stating that, in the past, they have raised their money through donations, and holding barbeques. Commissioner Stokes requested staff to provide the Board with a report of the amount of lands in the county being lost to the state under the CARL project.

The Chair opened the floor to the public. Bob Sherwood, Tom Griffin, Kathleen Diamond, and Dennis Mosely spoke in support of the assessment.. Dan Littlefield said the assessment should be billed directly to mobile home owners. Earl Crutchfield questioned the amount being assessed on grove owners, stating he is being charged for unimproved lots. Chairman Bullard advised him that his property was most likely platted as a subdivision, and that he could abandon the subdivision to avoid paying a large assessment. Allon Fish spoke in support of the assessment, but questioned how the districts will be assessed if the county decides to set up a countywide fire district. Commissioner Flowers stated that all assessments currently in place will be replaced by a new assessment under the countywide district. Daniel Selph spoke in opposition to the

assessment. Commissioner Jackson expressed his opposition, stating that the Board has increased taxes by over \$500,000.00 today between the three fire districts, adding that the increase has not been justified.

Motion by Commissioner Stokes, seconded by Commissioner Flowers to adopt the Resolution approving the assessment, approving the contracts with the Tax Collector and Property Appraiser, and certifying the assessment roll. Upon roll call, all Commissioners voted aye except Commissioner Jackson, who voted nay. Motion carried. See Res. Book 15 Page 166.

Break 11:40 - 11:50

4. PUBLIC HEARING: On a Resolution to vacate a fifteen foot utility easement along the rear lot line of lots 14 & 15, Block "F", Spring Lake Village VIII, According to the plat thereof as recorded in Plat Book 11, page 8, of the Public Records of Highlands County, Florida, excluding the westerly fifteen feet of lot 14.

County Engineer, Ramon Gavarrete, presented Proof of Publication and Petition into the record. See SMB 41 Page 180. No one spoke for or against the easement vacation. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 167.

5. PUBLIC HEARING: Public Hearing and request to approve the application for a Florida Recreation Development Assistance Program (FRDAP) grant for the development of the Windy Point Park.

Proof of Publication and Petition were entered into the record. See SMB 41 Page 181. Parks and Recreation Director, Vicki Pontius, presented a request for approval to proceed with the application for the FRDAP grant for the development of Windy Point Park.. An overhead presentation was given, with the proposed site plan of Windy Point Park. Vicki Pontius stated that development of this park will provide the parking needed to accommodate the number of people that use Lake Istokpoga.

The Chair opened up the floor to the public. Dan Clark questioned the precautions taken to preserve the way of life for the residents, suggesting some type of barrier for the area residents. He also inquired about who would be responsible for policing and maintaining the park. Vicki Pontius stated that the county will provide the appropriate staff to maintain the facilities. Sue Clark stated her concern for the large population of gopher tortoise nests on the property, and the increase of vehicle traffic that will be created on Windy Point Road. Lt. Susan Benton, with the Sheriff's Office, stated that if the park is fenced, it will allow deputies to arrest people that are trespassing on the property. She also suggested putting restrictions on the operating hours for the park. Chairman Bullard advised the public that they are not bound to the site plan presented, and that staff will have to do some additional studies on the property to determine the best use.

Commissioner Flowers inquired about the possibility of alternative locations for the park. Commissioner Maxcy questioned the possibility of building additional boat ramps. Vicki Pontius said additional property would have to be purchased in order to have more than two boat ramps. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

Chairman Bullard requested to have Item 11-A be heard before Item 10 Workshop Agenda, due to Joe Campbell having another appointment.

11 - A. Supervisor of Elections: Request approval of precinct boundaries

Supervisor of Elections, Joe Campbell, presented a request for approval of precinct boundary changes, along with the addition of one new precinct, and the relocation of three polling places in Highlands County. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Break 12:35 - 12:45

10. WORKSHOP AGENDA:

A. Workshop on proposed budget

County Administrator, Carl Cool, presented two different budget options to the Board for their consideration. The first option shows the budget with no increase in the millage. The second shows the budget with ½ mil increase. An increase of ½ mils would generate approximately \$1.4 million in revenue. At the direction of staff, the Sheriff's Department and the Clerk's Office were asked to look at their budget for any other possible cuts that could be made. The Sheriff ended up cutting nearly \$1.2 million from his requested budget, cutting out all capital items for next year, as well as, cutting out jail personnel for the new jail next year. Staff once again recommended to the Board to consider the possibility of imposing a 6% franchise fee on utilities. This fee would generate approximately \$2,175,000.00 in new revenue. Carl Cool added that the franchise fee could be implemented, with a public hearing, by October 1st. Other possibilities for additional revenue would be to increase fees for the building department, zoning department, as well as, increasing fees for the Clerk's Office. Carl Cool stated that the Clerk's Office is doing a survey using other counties to determine the possibility of raising court fees. Commissioner Jackson encouraged staff to continue looking for other sources of revenue. Commissioner Flowers stated he didn't think that creating a new tax was the answer, that adding 6% to utilities was unfair to residents when they were not getting anymore service in return. He suggested staff look inward by trying to restructure county administration, and come up with a balanced budget. One possible suggestion he presented was hiring a staff attorney instead of contracting one out.

Carl Cool stated that in order to balance the budget with no millage increase, staff had to cut funding to agencies that they like, but fell under the category of optional. Some agencies proposed to be cut are the Health Department, Ridge ARC, Nu-Hope, and the Convention and Visitors Bureau. The Chair asked for input from these agencies.

Health Department

Dr. Paula Thaqi presented a overview of the services that are provided by the Health Department. With the cuts proposed, the Health Department would lose approximately \$446,500.00. This large of a loss would result in cutting 10 jobs, including physicians and nurses; eliminating the environmental health office in Avon Park, as well as the clinic in Lake Placid, which served 4,203 people last year. The loss of funding would also severely impact the health and safety of the community.

Nu-Hope

Sandy Foster, Director of Nu-Hope of Highlands County, pleaded with the Board not to cut their budget. The requested \$58,680.00 represents the deficit in the \$162,000.00 the agency needs to get the \$1.5 million in state and federal grants in order to operate. Nu-Hope has been providing home and community based care for the frail and elderly of Highlands County for the past 27 years. The agency provides services to approximately 1,100 residents each year, with that number increasing during the winter months. Without funding from the county, these residents would possibly end up in nursing homes, were Medicaid and Medicare would take over. In the long run, this would be more costly to the county.

CVB

Allon Fish, Administrator for the CVB, advised the Board that without their funding, the agency would inevitably close down.

Commissioner Jackson did not agree with cutting the funding to these agencies. Commissioner Stokes stated that the county has had only one millage increase in 13 years, adding that the county has been making cuts every year. Gabriel Reed expressed his concerns for cutting funding to services geared toward the children of Highlands County. He suggested staff look at the possibility of increasing impact fees. Don Linton questioned the cutting of funding for Non-Grant Aquatic Weed Control. Carl Cool stated that the funding would only be eliminated if there was no increase in the millage. If the funding is cut, it would affect the canals in Highlands County that are county maintained. John Tallent, representing Lykes Bros. stated that the proposed increases will result in a \$30,000.00 increase for his company. That's about one hourly employee. He suggested staff develop a budget based on the roll-back millage. Carl Cool requested the Board's opinion for the next workshop concerning the millage, whether to increase it or leave it at the current rate. See SMB 41 Page 182.

11. ACTION AGENDA:

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

A. ~~Supervisor of Elections: Request approval of precinct boundaries~~

Moved to be heard before Budget Workshop at the Chairman's request.

B. Assistant County Administrator: Presentation of draft options for concessionaire activity at County-owned parks

Assistant County Administrator, Tom Portz, presented the Board with two options for providing concessions at county parks. The first option is a proposed ordinance disallowing any vending in public parks and recreational facilities. The second option is an agreement allowing vending during special events only at county facilities. A daily rate would be charged. Chairman Bullard inquired about the thoughts of the Building Use Committee. Tom Portz advised that this proposal has not been brought before them yet. Staff was instructed to take it before the Building Use Committee, then bring it back before the Commission. See SMB 41 Page 183 for copy of proposals.

C. Board Attorney

Due to time constraints, Ross Macbeth advised he will report on Sky Asset Management at next week's meeting.

D. County Administrator

County Administrator, Carl Cool, advised the Board that Assistant County Administrator, Tom Portz, attending the Article IV Seminar in Orlando, sponsored by the Florida Association of Counties (FAC). Former President of the FAC, Karen Markus, warned to watch out for the judges that will be coming before the Board asking for money. Chief Judge Charles Curry and Nick Sudzina, State Courts Administrator, will be here next week asking for that money.

12. CITIZENS NOT ON AGENDA

No participants.

13. COMMISSIONERS

No reports.

14. ADJOURN

The meeting adjourned at 2:51 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD AUGUST 20, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 20, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended August 16, 2002, a report of Jury Trial Week for the month of August 2002, and a brief report on the training session for Teen Court held last night* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 184.

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

4. **CONSENT AGENDA:**

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

- ' Remove Item G, to be placed under County Administrator as Item F-4.
- ' Remove Item J, to be placed under County Administrator as Item F-5.

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

A. Request approval to pay all duly authorized bills and employee benefits August 20, 2002

Law Library	2,142.00
General	594,394.92
County Transportation Trust	10,821.17
E911 Operations	1,540.00
Legal Aid	2,922.81
Local Govt Infra Surtax	136,502.08
Community Development Block	3,276.00
Affordable Housing Assistance	23,820.94

Solid Waste	9,998.85
Placid Utilities	1,686.88
Highway Park Utility	548.30
Risk Retention Fund	11.51
Employee Benefit	11,866.02

- B. Request approval of Board meeting minutes of July 30, 2002 and August 6, 2002
- C. Request approval of Satisfaction of Mortgage - Hunter. See Satisfaction file.
- D. Request to approve sale of Tax Certificates 00-9571 (Crouch #1223), 02-7326 (Jackson), 00-11378 and 00-11413 (Calvete). See SMB 41 Page 185.
- E. Request approval of Highlands County Land Bank parcel designation and sale (parcel located at 3916 Simca Street). See Housing file.
- F. Request approval of appointments to the Water Advisory Committee. See file for copy.
- G. Request approval of a Utility Easement for Lake Persimmon restoration
- H. Request approval to accept Emergency Management Hazardous Grant funds. See file for copy.
- I. Request approval of a Release of Notice of Nuisance Case #CE0107-0110 (property located at 1531 Second Terrace, Lake Placid). See Subdivision file for copy.
- J. Request approval of funding for BMX Track improvements and funding for playground slides and approval of Budget Amendment 01-02-319
- K. Request to approve Budget Amendments #01-02-320-323 and 326
- L. Request approval of Resolution and Budget Amendment #01-02-328 (State Housing Initiatives Partnership Eleventh Year Grant - Project #01095). See Res. Book 15 Page 167.
- M. Request approval of Resolution and Budget Amendment #01-02-327 (State Housing Initiatives Partnership Ninth Year Grant - Project #99071). See Res. Book 15 Page 168.
- N. Request approval of Resolutions & Budget Amendment #01-02-01-02-318. See Res. Book 15 Page 169.

5. ACTION AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to set agenda as amended.
 Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Marcia Staszko, Senior Program Manager with the Central Florida Regional Planning Council, and Laurel Land, Senior Research Associate with the University of South Florida Center for Urban Transportation Research (CUTR): Presentation of the Highlands County Transit Feasibility Study**

Marcia Staszko for the Central Florida Regional Planning Council gave a brief summary of the Transit Feasibility Study done for Highlands County. Laurel Land with the University of South Florida Center for Urban Transportation Research gave an overhead presentation detailing the demographics used to create the study, service recommendations, costs associated with the development and implementation of the system, and funding options available. Laurel Land stated that CUTR is requesting the Board to adopt the Transit Development Plan, but added that adoption of the plan does not obligate the Board to proceed with the Operational Plan. County Administrator, Carl Cool, expressed concerns about the costs, stating that the

transit plan is feasible if the county is willing to put money into it. Chairman Bullard stated that all the Board is being asked to approve today is the adoption of the feasibility study. The next step would be to determine the costs of an operation study, fund the study, if approved, and move forward with the project of developing a transit system. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to adopt the Transit Feasibility Study. Upon roll call, all Commissioners voted aye. Motion carried. See Transit Development file for copy of report.

**B. ~~Chief Judge Charles B. Curry, and Nick Sudzina, State Courts Administrator:~~
Budget issue request**

Rescheduled for September 3, 2002.

C. County Engineer: Request approval of the Addendum No. 1 to Consultant Service Authorization No. 49 between Highlands County Board of County Commissioners and Chastain-Skillman, Inc. for construction material testing services and threshold building inspection services in the amount of \$48,580

Carl Cool, County Administrator, presented the request for approval of Consultant Service Authorization No. 49. Commissioner Jackson questioned if this amount was anticipated in the original contract. Ramon Gavarrete, County Engineer, stated that a threshold inspection is required when constructing a four or more story building. Staff's original interpretation of the Building Code was that they were constructing three stories plus a basement, but the Building Department informed them of the requirements. Costs for the construction material testing services have been backed out of the original contract. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Chastain Skillman file for copy.

D. Development Services Director:

1. Recommendation on parking of recreational vehicles

Development Services Director, Jim Polatty, presented Staff's recommendations concerning the regulation of recreational vehicles. Staff recommendation is to (1)retain the present language regulating RV's and amend the county ordinance restricting RV parking in residential areas to two weeks in any one year period for visitors, and (2)add a provision to the parking of abandoned or distressed vehicles in residential areas allowing them as long as they are screened from view of neighboring homes and properties. Chairman Bullard proposed leaving the current regulations intact. Commissioner Flowers suggesting posting the county ordinance in RV sales establishments, and possibly in the Tax Collector's office, where the public would be made aware of the restrictions. Bill Jernigan spoke in support of loosening the restrictions. Jack Ritchie and Gabriel Reed spoke in support of tightening the restrictions. The Commissioners were in agreement to leave the current regulations in effect, allowing RV's to be parked in residential areas for one week per month. Jim Polatty advised that Staff will refer the issue to the Planning and Zoning Commission for their recommendation and amendment of the Zoning Code. See SMB 41 Page 186.

2. Discussion and recommendation regarding pro-active Code Enforcement

Development Services Director, Jim Polatty, presented Staff recommendations regarding pro-active Code Enforcement. Staff proposed four alternatives for the Board's consideration. Jim Polatty advised that if the Board decides to adopt pro-active code enforcement, then Staff is recommending Alternative 3. This alternative would include the hiring of a new Building Inspector/Code Officer at an estimated cost of \$45,489.00, and the hiring a Code Enforcement Clerk at an estimated cost of \$33,643.00. The Building Inspector position would be funded by an increase in building fees.

Commissioner Flowers spoke in favor of choosing Alternative 3, but suggested the possibility of the officers working nights and weekends to assist the Sheriff's Department with complaints. Bob Jamison, Senior Director of Business Services for the Clerk's Office, questioned the difference in salary amounts for the new Code Officer and the Code Enforcement Clerk, pointing out that the salary for the Clerk is higher than that for the Code Officer. Jim Polatty stated that Staff would have to look into it, adding that the amount for the Clerk's salary might be too high.

Dan Littlefield spoke in opposition to Code Enforcement becoming pro-active. Jack Ritchie, Chairman for the Highlands County Homeowners Association, spoke in support of some kind of pro-active code enforcement. Ray Napper spoke in opposition, stating concerns for hidden costs that might arise with the issuance of more citations. See SMB 41 Page 187.

E. Board Attorney

No report.

F. County Administrator:

1. Request approval of holidays for 2003 as observed by the State Courts System

Carl Cool, County Administrator, presented for approval the holidays for 2003 as observed by the State Courts System. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 188.

2. Request approval of an Amendment to Interlocal Agreement with Sebring Airport Authority

County Administrator, Carl Cool, presented the request for approval of the amendment to the Interlocal Agreement with Sebring Airport Authority. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

3. Request approval of Budget Amendment #01-02-338

County Administrator, Carl Cool, presented a request for approval of a budget amendment providing for additional funds necessary due to the revised retirement plans of the Special Projects Director. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

4. Request approval of a Utility Easement for Lake Persimmon restoration

County Administrator, Carl Cool, presented the request for approval of the utility easement. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to Glades Electric being a client. A Memorandum of Voting Conflict was entered into the record. See SMB 41 Page 189. Motion carried. See Lakes Program file for copy.

5. Request approval of funding for BMX Track improvements and funding for playground slides and approval of Budget Amendment 01-02-319

Parks and Recreation Director, Vicki Pontius, presented the request for approval of the budget amendment that would allow for improvements to the BMX Track and the purchase of new playground slides for three county playground areas. Dee McDonald, Vice Chairman of RPAC, and Jeff Carlson spoke in support of the funding. Ray Napper encouraged Staff to find ways to save money, instead of spending. Commissioner Maxcy suggested posting signs at the Track listing Highlands County as a contributor. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 190.

Break 11:10 - 11:25 A.M.

6. WORKSHOP: Workshop on proposed budget

County Administrator, Carl Cool, presented to the Board a balanced budget with a proposed increase of ½ mils. With the changes recommended by Staff and the millage increase, there will be a surplus of \$423,735.00. One of the changes being proposed is the reduction of the additional amount budgeted for health insurance costs next year. Health insurance costs are going up an average of 14% nationwide each year. Staff is looking at a possible 6 - 8% increase through Blue Cross Blue Shield for the upcoming year, and recommend holding the surplus money in case the increase is greater than expected.

Commissioner Flowers stated that the budget presented today is a much more workable plan than previous budgets, adding that he is opposed to eliminating the merit increases for all Board employees, and reducing the budget amount for health insurance for next year. Tax Collector, Charles Bryan, questioned what kind of impact the reduction of budgeted health insurance costs will have on dependant and retiree coverage. Carl Cool advised that the coverages will most likely go up, but it depends on the contract with BCBS. He added that Highlands County's costs are low compared to industry standards. The Constitutional officers could get the same benefit package next year if they increase dependant coverage costs for the employees. Bob Jamison, representing the Clerk's office, stated that the Clerk eliminated employee merit raises based on the assumption that there would be no increase in dependant insurance coverage. Commissioner Maxcy expressed his opposition to the elimination of the current position in Administration, stating that the employee is currently in the DROP program and is possibly going to retire sometime next year. Carl Cool stated that the duties held by this employee will be reassigned to the Assessment Coordinator's office.

At Commissioner Maxcy's request, Staff created a list of comparisons between the ½ mill increase and a 6% franchise fee. Commissioner Maxcy stated his support of the franchise fee, adding that the county needs to look at new revenue sources. Chairman Bullard inquired since the fee would be collected in the unincorporated areas of the county, could the money only be spent on services to those areas. Carl Cool advised him that the funds could be included in the general fund as revenue. Commissioner Flowers expressed his opposition to the franchise fee, adding that the county needs to learn to live within its means. Commissioner Jackson questioned if anyone has looked into increasing the fees for the Clerk's office. Bob Jamison stated that a study is being done, but an increase is not going to balance the budget.

The Chair opened the floor to the public. Jack Ritchie spoke in opposition to both a franchise fee and a millage increase. Ken Hall spoke in support of a franchise fee. Bob Clogston spoke in opposition to the fee and the millage increase, encouraging each individual Commissioner to devise their own plan to reduce the budget. Dan Littlefield suggested cutting funding for recreation. Don Hansen expressed his pleasure with the work that has been done on the budget. Rhonda Beckman of Ridge Area ARC, Allon Fish of the CVB, and Sandy Foster of Nu-Hope, all thanked Staff and the Commissioners for having their funding restored.

Chairman Bullard stated that all Commissioners were in agreement with Staff recommendations, including reinstating employee merit raises and the amount budgeted for next year's health insurance costs. He added that additional research needed to be done concerning the franchise fee. Carl Cool requested some input from Board Attorney, Ross Macbeth, concerning the legal steps that need to be considered in order to implement the franchise fee. Ross Macbeth advised the Board that if they want assurance that they will get revenue, then they should go with the increase in millage. He added that the Board has started too late to consider the franchise fee as a source of revenue for the coming fiscal year, but is a viable option for the next year. Chairman Bullard closed the workshop by instructing staff to move forward with the budget submitted with the 1/2 mill increase and adjustments, and look towards the franchise fee as a revenue source for next year. See SMB 41 Page 191.

7. CITIZENS NOT ON AGENDA

Dan Littlefield suggested that if any changes are made to Code Enforcement, that Staff consider eliminating anonymous complaints, making it mandatory for the public to give their names when making complaints.

8. COMMISSIONERS

Commissioner Stokes advised that he will be having breakfast with Congressman Adam Putnam tomorrow morning.

Commissioner Jackson suggested Staff look into creating a budget committee to work on the budget all year long.

Chairman Bullard invited the public to attend the Caladium Festival being held in Lake Placid this coming weekend.

9. ADJOURN

The meeting adjourned at 12:50 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD AUGUST 27, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending August 27, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended August 23, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 41 Page 192.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool.

4. **CONSENT AGENDA:**

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

A. Request approval to pay all duly authorized bills and employee benefits August 27, 2002

General	237,643.67
County Transportation Trust	18,986.38
E911 Operations	4,221.77
Local Govt Infra Surtax	12,115.18
Community Development Block	17,031.89
Affordable Housing Assistance	13,486.63
Solid Waste	26,790.37
Placid Utilities	4,086.86
Highway Park Utility	1,193.01
Risk Retention Fund	4.64
Employee Benefit	2,915.08

B. Request approval of Budget Amendments 01-02-330 & 01-02-332

C. Request approval of Resolution and Budget Amendment 01-02-335. See Res. Book 15 Page 170.

D. Request approval of the execution of the Florida Department of Environmental

Protection Grant documents as listed. See Grant files for copies.

5. PUBLIC HEARING: Purchase of land with FEMA funds - Holiday Acres, Venus

Proof of Publication entered into the record by Bill Stephenson. See SMB 41 Page 193. Emergency Management Director, Bill Nichols, presented request to purchase property in Holiday Acres 1st Addition, Lot 13, Platbook 9, Page 62, as shown in the Public Records of Highlands County, and to declare the mobile home as surplus property. This property is part of the FEMA Flood Acquisition Project to mitigate recurring flood damages in this area. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve purchase of referenced property for \$36,000.00, authorization to issue the check, and declare the mobile home as surplus property. Upon roll call, all Commissioners voted aye. Motion carried.

6. PUBLIC HEARING: Proposed zoning changes and a small scale plan amendment - continued case from July 23, 2002 Public Hearing

Development Services Director, Jim Polatty, presented Proof of Publication and Petition for the following hearings. See Proof of Pub Ord. Book 3 Page 19.

1A. OLD BUSINESS: HEARING # CPA - 02-196SS - GREGORY A. AND KIMBERLY L. SAPP

Approximately 5.02 acres located South of Catfish Creek Road and approximately ½ mile East of Jefferson Avenue, Lake Placid. Located in Sec. 11, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a small-scale plan amendment from (Agriculture) to (Medium Density Residential). See below Hearing #1628 for details.

1B. HEARING # 1628 - GREGORY A. AND KIMBERLY L. SAPP

Approximately 5.02 acres located South of Catfish Creek Road and approximately ½ mile East of Jefferson Avenue, Lake Placid. Located in Sec. 11, Twp. 37S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to R-1 (Residential district). Applicant desires to construct approximately 20 to 25 single family dwellings.

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to remove the zoning hearing from the table for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

Development Services Director, Jim Polatty, presented the request, stating that staff still recommends approval of the zoning and land use change, but were unable to provide any further information. Kim Sapp, petitioner, presented a site plan, pointing out that it is only a preliminary plan, and a thorough study of the property has not been completed. Chris Paoli, property buyer, stated he would limit the number of houses to 15 units. He is proposing to build approximately 1,600 to 2,000 square foot homes that can be added on to if requested by the homeowner. County Administrator, Carl Cool, pointed out that the site plan does not meet county subdivision regulations, and does not allow for county right of ways for the roads. If the site plan is adjusted to allow for the ROW, it would reduce the lot sizes below 10,000 square feet, which would not meet the requirements for an R-1 district. He went on to ask the Board not to approve the site plan. The Chair opened the floor to the public.

The following persons spoke in opposition, stating concerns for increased traffic, decrease in surrounding property values, increase in density, and environmental issues: Scott Forsyth, Mike Wudtke, George Grimmett, Howard Frum, Fran Robinson, Ray Mills, Robert Miller, Ray Clark, Tom Salzgeber, Alan Warner, Dick Gibbs, Opal Campbell, Michael Cove, Bill Slevin, Amelia Blackmon, Edward Bartusch, and John Plunkett. One resident pointed out the location of two more 5 acre parcels located adjacent to this property, and the possibility of the landowners one day asking for a zoning change to construct 10 to 15 homes on each tract. That could mean an additional 20 to 30 septic tanks in the area.

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to deny the petition for the land use change and the zoning change. Upon roll call, all Commissioners voted aye to deny, except Commissioner Jackson, who voted nay. Motion carried.

Break 10:40 - 10:55 A.M.

2. NEW BUSINESS: HEARING #1629 - RONALD & REBECCA MAPLES

Eleven lots located East of U.S. 27 North, lying in Sunny Pines Mobile Home Park a/k/a Dolan City Mobile Park - located South of Pam Lane, West of Sweetie 2 Street, and North of South Street, Sebring, Florida, Located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from CG-1 (Campground district) to M-2 (Mobile Home Parks district).

Development Services Director, Jim Polatty, presented the request, stating the petitioner is seeking to turn eleven RV lots into four mobile home lots. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in accordance with the recommendation of the Planning and Zoning Commission, to adopt P&Z Case No. 1629, a zoning change from CG-1 (Campground district) to M-2 (Mobile Home Parks district) by Resolution, including the Mandatory Findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 171.

7. ACTION AGENDA

Motion by Commissioner Stokes, seconded by Commissioner Jackson to approve agenda as amended: Addition of Items C and D for discussion. Upon roll call, all Commissioners voted aye. Motion carried.

A. County Engineer: Request approval of Budget Amendment 01-02-342 for the purchase of Engineering and Parks & Recreation equipment

County Engineer, Ramon Gavarrete, presented a request to approve a budget amendment allowing the purchase of equipment for the Engineering and Parks & Recreation Departments. Staff has proposed using excess funds from the Istokpoga Park project to purchase the needed equipment. Commissioner Jackson inquired if the items were included in the budget requests for the upcoming year. County Administrator, Carl Cool, advised the items were included, but not approved. It was the consensus of the Board to deny the request. The Board instructed Staff to prioritize their needs, to determine the best way to spend taxpayers' money, and make some recommendations.

B. County Administrator: Request approval of Budget Amendments 01-02-336 and 01-02-333 Reserve for Contingency

County Administrator, Carl Cool, presented a request to approve Budget amendment 01-02-336 that would allow for repairs to be made to the elevator located in the Annex building. The estimated downtime for the repairs is about 4 weeks. For an additional \$5,066.00, Otis Elevators can reduce the downtime to 2 ½ weeks. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Chairman Bullard stated that he would need convincing to pay the company additional money for less downtime, adding that whatever plan Staff implements to continue service to the public could be done for an additional seven days. Carl Cool stated that the elevator is the only ADA accessible way to the 2nd floor. Commissioner Flowers and Commissioner Stokes agreed to amend their motion, to deduct the additional \$5,066.00. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 41 Page 194.

County Administrator, Carl Cool, presented a request to approve Budget amendment 01-02-333 for the transfer of funds for additional indigent criminal defense. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

C. County Administrator: Request approval of Sebring Airport Authority Board of Directors' Nominations

County Administrator, Carl Cool, presented a letter from the Sebring Airport Authority Board of Directors listing the names placed in nomination for the seat vacated by James H. Hyatt on July 31, 2002. Sebring City Council will make the final decision. The Board reached a consensus to approve the names presented. See SMB 41 Page 195.

D. Chairman Bullard: Discussion concerning Budget for EMS Department

Chairman Bullard presented a discussion concerning the proposed budget for the EMS Department. With Staff no longer building a criminal case against Sky Asset Management, and continually working to correct audit problems, Chairman Bullard recommended to Staff to fund the two paramedic positions requested by EMS instead of one paramedic and a business manager. He stated that the Board put EMS as their top priority when discussing the upcoming budget, and by only hiring one paramedic, he believes they are sending the wrong message to EMS Staff and the public. County Administrator, Carl Cool, expressed his disagreement with Chairman Bullard and EMS Director, Rick Weigand, but stated that Staff would comply with the Boards' recommendations. Commissioner Flowers stated his agreement with the Chair, but added that Staff should try to find a way to fund all three positions. The Board reached a consensus to fund the two paramedic positions. Chairman Bullard added that Staff will need the help and cooperation of the Clerk's office and Office of Management and Budget to set up procedures and help with training. Bob Jamison, Senior Director of Business Services for the Clerk's Office, stated that, although the Clerk's office will not be making up the policies and procedures, they will cooperate with Staff and provide support during the process.

8. CITIZENS NOT ON THE AGENDA

No participants.

9. COMMISSIONERS

Commissioner Maxcy discussed the Fewell property, regarding the maintenance responsibilities between the County and the City of Sebring.

10. ADJOURN

The meeting adjourned at 12:17 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD SEPTEMBER 3, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Kelly Meier, member of WAVE National, the National Organization of Sea-Going Women.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 3, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended August 30, 2002 and a Monthly Report of Business Services for Month of August* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 1.

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

4. **CONSENT AGENDA:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve agenda as amended. Remove Items C, F & K, to be placed under County Administrator on the Action Agenda. Upon roll call, all Commissioner voted aye. Motion carried.

A. Approval of minutes of the August 13 and August 20, 2002 Board meetings

B. Request approval to pay all duly authorized bills and employee benefits September 3, 2002

General	1,792,096.05
County Transportation Trust	31,491.61
E911 Operations	494.46
Local Govt Infra Surtax	18,739.11
Community Development Block	35,986.41
Affordable Housing Assistance	6,196.22
HCISSRB Construction	1,827.11
Solid Waste	9,652.59
Placid Utilities	346.62
Highway Park Utility	23.68

Employee Benefit	5,822.30
Highlands Hosp Pass Thru	7,931.50

- C. ~~Request approval of Addendum No. 1 to Chastain-Skillman, Inc. Consultant Service Authorization #34 for the Architectural and Engineering Services on the Lake Placid Library Expansion.~~
- D. Request approval of transfer or sale of Tax Certificates per attached list (The Hayden Company). See SMB 42 Page 2.
- E. Request approval of transfer or sale of Tax Certificate #00-9102 (Barnes) and 02-6591, 02-6192 and 02-6189 (Jackson). See SMB 42 Page 3.
- F. ~~Request approval of and agreement between EMS and South Florida Community College to accept EMS students.~~
- G. Request approval of recommended mediation agreement regarding CR 621 Lake June Road Widening, Project No. 99081 and CR 634 Lakeview Road widening, Project No. 99080. See Better Roads file.
- H. Request to approve Certification of Non Ad Valorem Assessment Roll for Solid Waste Assessment. See Res. Book 15 Page 172.
- I. Request approval of Fiscal Year-End 2001/2002 Adjustment of old outstanding EMS Accounts Receivable in accordance the Board’s Adopted Billing and Collections Policy. See SMB 42 Page 4.
- J. Request approval of Budget Amendments 01-02-343, 345 & 346.
- K. ~~Request approval of Resolutions and Budget Amendments 01-02-339, 347 and 350.~~

5. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to set agenda as amended.
 Upon roll call, all Commissioners voted aye. Motion carried.

A. State Representative Irving Slosberg: Request to consider passing an Ordinance to fund driver education programs from surcharges added to civil traffic violations as outlined in the “Dori Slosberg Driver Education Act”

Lawrence Victoria, Legislative Secretary to Representative Irving Slosberg, presented a request for the Board to pass an Ordinance to fund driver education programs in schools by adding a \$3.00 surcharge to each civil traffic violation as outlined in the “Dori Slosberg Driver Education Act.” Luke Brooker, Clerk of Courts, stated his support of the surcharge and advised the Board that the Clerk’s Office is willing and prepared to work with the Ordinance. The fee would be collected by the Clerk’s Office, then distributed to the schools for the driver education programs. Support of the program was received prior to the Board meeting by phone from Sheriff Godwin, and by letter from Superintendent of Schools Wally Cox. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 5.

Luke Brooker, Clerk of Courts, presented a request to the Board to consider adopting an ordinance to help fund teen court. The Ordinance would allow a \$3.00 fee to be added to civil citations, to be collected by the Clerk’s office and used to fund teen court. With the passing of Article V by the State, funding for teen court may be lost. He added that a proposed ordinance has already been drafted by Board Attorney, Ross Macbeth. Chairman Bullard suggested holding the public hearing for this fee at the same time as the other proposed fee changes.

B. Chief Judge Charles B. Curry, and Nick Sudzina, State Courts Administrator: Budget issue request

Chief Judge Charles Curry presented a request to the Board to share the funding of one full time position to assist the courts in the area of court technology. Jannet Lewis, Court Technology Officer presented the request, detailing the duties and initiatives associated with the position, adding that it would be a shared position with Hardee County, but would be located in Highlands County. Assistant County Administrator, Tom Portz, expressed his opposition, stating that if the Board is going to consider this position, they should include all of the positions that were requested in the budget as well as the positions that have been cut. Staff should prioritize the positions to determine where the money would be best spent. Nick Sudzina, Court Administrator, stated that the position was presented to State Legislature for funding, but was turned down. He added that the current Judicial Assistant position that is county funded, is scheduled to be transferred to state funding by July of 2004. Commissioner Flowers agreed with the need for a new technology position, but expressed concerns about where the money would come from. He also encouraged Nick Sudzina to try to have the Judicial Assistant position state funded by July 2003, which would allow the Board to approve the court technology position, and would create a wash in the same fiscal year. County Administrator, Carl Cool, suggested the possibility of having the technology position be utilized by the county, in addition to the courts. Bob Jamison, Deputy Clerk, stated that if a shared position is the approach, then the position would logically be in the Clerk's Automated Services Department. Carl Cool volunteered to set up a meeting between Rick Helms, OMB Director, the Clerk's Office, and Jannet Lewis to discuss the budget options and explore possibilities. Board Attorney, Ross Macbeth, stated he would also need to meet with Rick Helms to discuss the budget of the court facilities account, where the money is coming from, how it is utilized, and come up with some possible solutions. See SMB 42 Page 6.

Chief Judge Curry presented to the Board, a check from the State of Florida, for the 3rd quarter on Dependency Appointed Attorneys, in the amount of \$6,614.78.

C. Assistant County Administrator: Request approval of Building Use Committee's recommendations regarding the Lorida School House, ~~rate structure and form adopted for facility usage~~ and Option I for Concessionaire activity

Assistant County Administrator, Tom Portz, presented a request to approve the transfer of the Lorida School House deed to South Florida Community College Foundation, based on the recommendation by the Building Use Committee. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Deed file.

Tom Portz also brought before the Board, the Building Use Committee's recommendations concerning concessionaire activity on County property. Of the options available, the Committee is recommending Option 1, which prohibits any commercial vendor to sell goods or transact business while on county property. Chairman Bullard questioned why real estate transactions were specifically precluded. Commissioner Flowers raised concerns about whether bait fish vendors who sell to the fisherman during tournaments would be in violation of the ordinance. Tom Portz advised that the vendor would be in violation. Bob Jamison questioned if vending machines would also be included in the ordinance. Tom Portz withdrew the request and stated that staff would review the proposal and make some changes to the language. See SMB 42 Page 7.

D. Board Attorney

No report.

E. County Administrator:

1. Request approval of Budget Amendment #01-02-344 from Reserve

County Administrator, Carl Cool, presented a request from the Central Florida Regional Planning Council for a budget amendment to cover a deficit created by a price increase on the purchase of three modified vans to be used in the Transportation Disadvantaged Program. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 8.

2. Discussion and request for direction on Animal Control's live animal trap policies

County Administrator, Carl Cool, presented for discussion and direction, the policies used by Animal Control concerning live animal traps. Current policy has the Animal Control Officer delivering traps to citizens, setting the traps, and checking them on a daily basis. Staff is suggesting that the policy be changed, making citizens responsible for checking out a trap, for a minimal deposit, setting the trap, and notifying Animal Control when an animal has been caught. Chairman Bullard expressed concerns for the large elderly population of the county, stating that the traps are not easy to handle and may pose a problem for some people. Commissioner Flowers echoed the same concerns, adding that he did not see a cost savings in the reduction of services. If citizens have to take over the responsibility, they may forgo the traps, and resort to killing the animals themselves. Carl Cool stated that the majority of the savings would be in the mileage. Commissioner Stokes suggested having the process be voluntary. Those citizens that are able to, can pick up the trap and set it, then notify Animal Control when an animal has been caught. Those that are not able, can call Animal Control to have them come out and set up the trap. Carl Cool advised the Board that he will meet with Keith Albritton, Animal Control Director, and discuss some possibilities for changes. See SMB 42 Page 9.

3. Request approval of Addendum No. 1 to Chastain-Skillman, Inc. Consultant Service Authorization #34 for the Architectural and Engineering Services on the Lake Placid Library Expansion.

County Administrator, Carl Cool, presented a request for approval of the Addendum for the architectural and engineering services on the Lake Placid Library Expansion. Commissioner Jackson stated that he would like to see projects such as this presented as a package. Carl Cool advised the Board that the amount being requested was included as part of the grant. This addendum is allowing for the expenditure of the grant money. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Chastain Skillman file.

4. Request approval of and agreement between EMS and South Florida Community College to accept EMS students.

County Administrator, Carl Cool, presented for approval an agreement between EMS and South Florida Community College to allow EMS students to ride along on a county ambulance. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to his legal representation of South Florida Community College. A Memorandum of Voting Conflict was entered into the record. Motion carried. See SMB 42 Page 10.

5. Request approval of Resolutions and Budget Amendments 01-02-339, 347 and 350.

Lt. Susan Benton, representing the Sheriffs Office, presented a request for approval of the Resolution, budget amendment 01-02-347 and an addendum to the current contract with South Florida Community College for Operation Positive C.H.A.N.C.E., that would expand the program to a year-round program. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to his legal representation of South Florida Community College. A Memorandum of Voting Conflict was entered into the record. See SMB 42 Page 11. Motion carried. See Grant file for copy. See Res. Book 15 Page 173.

Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve budget amendments 01-02-339 and 350. Upon roll call, all Commissioners voted aye. Motion carried.

6. CITIZENS NOT ON AGENDA

Donald Frisbie gave a brief update concerning his past problems with a local roofing contractor and the response he has received from the Building Official and the County Administrator, neither of which has given him the answers he is searching for. Chairman Bullard advised Mr. Frisbie that Code Enforcement and the Construction Licensing, Enforcement and Appeals Board has heard his complaints and believes that they have done all that they can do for him.

7. COMMISSIONERS

Commissioner Flowers announced the meeting of the Fire Services Task Force to be held on September 9, 2002 at 6:30 P.M. at the Agri-Civic Center.

8. ADJOURN

The meeting adjourned at 11:15 A.M.

Chairperson

Attest: _____
Clerk

EMERGENCY MEETING OF THE BOARD SEPTEMBER 8, 2002

1. The meeting was called to order at 12:35 P.M. in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida, with the following members present:

Edgar Stokes	Carl Cool
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
	Jodi Giguere

Commissioners C. Guy Maxcy and Bob Bullard were absent from the meeting. Commissioner Edgar Stokes was acting Chairman.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by County Administrator, Carl Cool, and his son Danny Cool.

3. ANNOUNCEMENTS

Public Information Officer, Lisa Burley, stated that the public was notified of this emergency meeting through the local newspapers and radio stations. County Administrator, Carl Cool advised the Board that this meeting was called due the recent hospitalization of Chairman Bob Bullard. The Chairman of the Board of County Commission serves as a representative on the Canvassing Board. With a meeting of the Canvassing Board to be held this afternoon at 1:00 P.M., this emergency meeting is being held for the purpose of the Board appointing a replacement to attend the meeting. Board Attorney, Ross Macbeth, stated that according to Florida State Statute 102.141 (1)(c), the replacement has to be a member of the Board of County Commission, and will fill the position until the Chairman is able to return to his duties.

Commissioner Jackson made a motion to appoint Commissioner Flowers to serve as replacement on the Canvassing Board. Commissioner Flowers seconded the motion. Upon roll call, all Commissioners voted aye. Motion carried.

4. ADJOURN

The meeting adjourned at 12:40 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD SEPTEMBER 10, 2002

- 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:

Edgar Stokes	Carl Cool
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
C Guy Maxcy	Jodi Giguere

Chairman Bob Bullard was absent from the meeting due to illness. Vice Chairman Edgar Stokes presided over the meeting.

- 2. **SPECIAL COMMEMORATION: Civil Air Patrol’s 9-11 Tribute**

The Civil Air Patrol, along with representatives of local law enforcement and emergency workers, presented a tribute to the men and women who lost their lives on 09-11-01.

- 3. **RECESS: Five Minutes**

- 4. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 10, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended September 6, 2002* as provided by the Highlands County Clerk of Courts, L. E. “Luke” Brooker. See SMB 42 Page 13.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. He also gave an update concerning Chairman Bullard, stating that he is doing well, and should be released from the hospital sometime today. Congratulations were given to Board employee, Kimberly Middleton and her husband Al, on the birth of twins on Monday. Special prayers were requested for County Library employee, Doug Henry, on the passing of his wife, Sue, this past Friday. Commissioner Flowers advised that he will have to leave at 10:00 A.M. to attend the Canvassing Board meeting.

- 5. **CONSENT AGENDA:**

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve agenda as amended. Remove Item B, to be placed on the Action Agenda under County Administrator. Upon roll call, all Commissioner voted aye. Motion carried.

- E. **Request approval to pay all duly authorized bills and employee benefits September 10, 2002**

Law Library 18.55

General	243,721.86
County Transportation Trust	12,715.70
E911 Operations	13,577.98
Local Govt Infra Surtax	89,187.93
Community Development Block	20,030.00
Affordable Housing Assistance	30,250.00
HCISSRB Construction	3,335.00
Solid Waste	77,319.16
Placid Utilities	354.91
Highway Park Utility	78.54
Risk Retention	13.77
Employee Benefit	7,172.25

- B. ~~Request approval of Alum Injection Stormwater Treatment System for Little Lake Jackson.~~**
- C. Request approval of Insurance Committee’s recommendation of Blue Cross Blue Shield of Florida, Inc. renewal proposal (Plan 927) , to become effective 1/1/03. See SMB 42 Page 14.**
- D. Request approval of Budget Amendments 01-02-348, 353 & 354**
- E. Request approval of Budget Amendment & Resolution 01-02-359. See Res. Book 15 Page 180.**
- F. Request approval of Budget Amendment & Resolutions 01-02-368 & 369. See Res. Book 15 Page 181.**

Commissioner Flowers left at 10:00 A.M. to attend the Canvassing Board meeting.

6. WORKSHOP: Sun ‘n Lake of Sebring Improvement District proposed amendments to the District Enabling Act

County Administrator, Carl Cool stated that the Sun ‘n Lake of Sebring Improvement District is proposing some suggested changes to the ordinance adopted by the Board of County Commissioners, creating the district. The purpose of the workshop is for the Board to hear the proposed changes and the reasons for the changes. Bob Severino, Chairman of the Board of Supervisors for Sun ‘n Lake, presented a detailed list of the proposed changes to the district’s enabling act. He stated that the main concerns among residents is how the supervisors are elected. Currently there is one vote per lot, which means the property owners with more land have more control over who sits on the board. Residents want a popular election, based on one vote per person. John McClure, attorney for the district, stated attempts are being made to downsize the district by selling off blocks of vacant lots it owns. This will increase the urban percentage of the community, which will help in obtaining a second popularly elected board member. Residents also want more code enforcement, as well as, minimum maintenance requirements for homes and nuisance control. The district currently has a public safety officer that handles some types of code enforcement such as deed restrictions. They are proposing that their employee be made a code enforcement officer by the County. Board Attorney, Ross Macbeth, stated that the county would not have any authority to enforce codes in the district. Carl Cool stated that if the Board approves the Ordinance, then an agreement could be drawn up between the County and Sun ‘n Lake District clarifying the duties of the county code enforcement officers and those of the districts code enforcement person.

County Administrator, Carl Cool, spoke in support of one of the changes, the removal of The Preserve lands from the district. Currently, the County owns approximately 1,300 acres of the plotted lots within The Preserve, with only 10 more lots to purchase. When this land is removed from the districts' property roll, each landowner in the district will carry more political power, which will help in moving towards a second popularly elected board member. He expressed his opposition to increasing the annual salary for board supervisors and recommended easing the procedure for recalling the supervisors. Carl Cool also recommended that the Board of County Commission approve any new debt assumed by the district. Bob Severino stated his opposition, adding that doing so would show a lack of confidence in the board of supervisors.

Carl Cool stated that the district should have a set of policies and procedures in place for how they would cast district votes. He suggested that the board cast its approximately 5,000 votes as desired by the community. Bob Severino stated that it has been the districts intention not to cast its votes unless it has to. Bob Shaffer, member of the board of supervisors expressed his opposition to changing the procedures for casting district votes. John Clark, Vice Chairman of the Board, stated he had no problem with changing the procedures. John Negley, member of the Board, stated that more confidence was needed from the County Commission to help the district move in a more positive direction.

Break 11:40 A.M. - 11:50 A.M.

The Chair opened up the floor for public input. Tom Dowdy, Rex Bond, and Mike Trombley spoke in support of changing the voting procedure. Carl Cool suggested setting a public hearing for October 22, 2002, and a joint meeting with the Board of Supervisors for October 15, 2002. A joint meeting would allow both boards to review a draft of the ordinance and discuss any changes that may need to be made prior to the public hearing. The Chairman agreed to the dates for the public hearing and workshop. See Subdivision file.

Commissioner Flowers returned at 12:05 P.M.

7. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to set agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. ~~Housing Coordinator: Request to accept proposal for Single Family Revenue Bond Program Consultant~~

B. County Engineer: Request discussion & approval of Light Emitting Diode (LED) replacement program - Traffic Operations

Ramon Gavarrete, County Engineer, presented a request to approve a Light Emitting Diode (LED) Replacement Program. An overhead presentation was given, detailing the advantages and cost savings that would be recognized by the County if the program is approved. Staff is proposing to replace all red, yellow, and green incandescent bulbs with LED's, including all traffic and pedestrian signals. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 15.

C. Assistant County Administrator: Request approval of Building Use Committee

recommendation

County Administrator, Carl Cool, presented the request for approval of the Building Use Committee's recommendations for revised fee structure for county facilities, and a revised facility use form. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 16.

D. Board Attorney

No report.

E. County Administrator:**1. Request approval of the Capital Improvement Plan (CIP)**

County Administrator, Carl Cool, presented to the Board, a proposed 10 Year Capital Improvement Plan (CIP) for FY 2002-2003 through 2011-2012. He stated that the only approval that was needed today was for the Parks & Recreation Department. Vicki Pontius, Parks and Recreation Director, stated that approval of this portion of the CIP would allow her to complete the grant application for Windy Point Park, and submit it to Tallahassee by September 13th. She added that staff has been working with the area residents to create a site plan that is acceptable to all parties. Carl Cool added that approval of the remainder of the CIP is scheduled to be on next week's agenda. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the Parks and Recreation Department portion of the Capital Improvement Plan. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Commissioner Flowers left the meeting at 1:00 P.M.

2. Request approval of equipment requests

County Administrator, Carl Cool, presented a request for approval of equipment purchase requests. At last weeks' meeting, Staff advised the Board of an under run on some of the projects from the Parks and Recreation Department. They recommended using these excess funds to fund some equipment requests that were not approved in the budget. The Board requested Staff to put all equipment requests back on the table for consideration. In response, Staff has come up with a revised list of proposed equipment request recommendation. The total of all requests include the under run amount and the proposed amounts in next years' budget. Commissioner Jackson questioned the necessity of some of the requests. Carl Cool added that approval is not necessary today, that the requests can be part of the adoption of the budget at next Tuesdays' hearing. Rick Helms, OMB Director, stated that if the Board reaches a consensus, then he will adjust the amounts within the budget as needed. A consensus was reached among the Commissioners to approve the requests. See SMB 42 Page 17.

3. Request approval of Alum Injection Stormwater Treatment System for Little Lake Jackson

County Administrator, Carl Cool, presented for approval an Alum Injection Stormwater Treatment System for Little Lake Jackson. He pointed out to the Board that in order to proceed with the project, the County will be responsible for obtaining all permits and real property rights before beginning any construction. He added that there is an easement in a privately owned ditch that will have to be acquired. The land owner will not donate the land, therefore, it may have to be acquired through eminent domain. The easement will be required before a permit can be issued. Staff recommendation was for approval of the system. Commissioner Maxcy made a motion to approve the request as stated. Commissioner Jackson seconded the motion.

Commissioner Maxcy requested Staff to advise the Board if any problems arise that may change the views of the Board. Board Attorney, Ross Macbeth, expressed his concerns, stating that he had not been made aware of any problems. Acquiring an easement was not an issue, but rather drawing up an agreement with the landowner allowing the treated water to flow across his property. Commissioner Maxcy withdrew his motion and Commissioner Jackson withdrew the second. Ross Macbeth added that the agreement does not contain any provision for early termination should the County realize that the project may become expensive. A clause could be added allowing for the County to terminate the agreement prior to obtaining any permits. Carl Cool stated that a motion could be made subject to the clause being added. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the request with the addition of the clause. Upon roll call, all Commissioners voted aye. Motion carried. See Lakes file.

4. Request approval of Mowing proposal for the School Board

County Administrator, Carl Cool, presented a request on behalf of Jim Bible, Deputy Superintendent of the Highlands County School Board, to have the County mow a piece of property adjacent to Sebring High School. The estimated cost to have Road & Bridge mow this property would be \$1,008.00 per year. Staff recommendation is for approval of the request. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 18.

5. Report on Insurance Item

County Administrator, Carl Cool, stated that among the 50 cities and counties in the Public Risk Management (PRM) group, Highlands County had the lowest increase in insurance costs. This was due to the county having a very good year safety-wise. The increase is estimated to be 32.52 percent, over \$400,000.00 more than last year. He stated that Staff accounted for an increase in the proposed budget, but did not plan on this large of an increase, adding that more budget adjustments will have to be made for next year. The renewal for PRM is scheduled for placement on next weeks' agenda for approval.

8. CITIZENS NOT ON AGENDA

Don Hansen spoke about the 9-11 tragedy, asking the citizens not to forget those that lost their lives that day, as well as the men and women firefighters, police officers, and emergency workers that gave their lives to save others.

9. COMMISSIONERS

No reports.

10. ADJOURN

The meeting adjourned at 1:45 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD SEPTEMBER 17, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 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 Road & Bridge Superintendent, Bruce VanJaarsveld.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 17, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended September 13, 2002 and a report for Jury Trial Week for September* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 19.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

- 4. **CONSENT AGENDA:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve agenda as amended. Remove Items C and E, to be placed on the Action Agenda under the County Administrator. Upon roll call, all Commissioner voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits September 17, 2002**

Law Library	16.65
General	116,493.73
County Transportation Trust	19,278.81
Local Govt Infra Surtax	25,364.40
Community Development Block	26,742.00
Affordable Housing Assistance	32,745.00
HCISSRB Construction	13,671.09
Solid Waste	43,907.00
Placid Utilities	92.64
Highway Park Utility	263.52
Risk Retention Fund	15,726.36

Employee Benefit 1,907.10

- B. Request approval of Board meeting minutes of July 9, 2002, August 27, 2002, September 3, 2002 and Emergency Board meeting of September 8, 2002**
- C. ~~Request approval of renewal of Public Risk Management (PRM) for FY 2002-2003~~**
- D. Request approval of Pollution Liability Insurance for FY 2002-2003. See file for copy.**
- E. ~~Request approval of Amendment No. 1 to Standard Form of Agreement between Highlands County Board of county Commissioners and Dooley & Mack Contractors, Inc. for limited Change Order authority and modification to direct purchasing procedures - Bid No. 02-042~~**
- F. Request approval of the FDOT-Small County Road Assistance Agreement for the resurfacing or reconstruction of CR 17 from US 27 to Tauchens Road - FDOT FM No. 412836 0 58 01. See Res. Book 15 Page 184.**
- G. Request approval of Fiscal year end reduction of EMS accounts receivable. See SMB 42 Page 20.**
- H. Request to approve and execute project agreement for Florida Recreation Development Assistance Program (FRDAP) grant - Project No. F03402 - Hammock Trail. See grant file for copy.**
- I. Request approval of Contract with Highlands County Family YMCA, Inc. for the capital improvements to the YMCA BMX track. See file for copy.**
- J. Request to approve Budget Amendments 01-02-363, 370, 373, 374, 376 & 377**
- K. Request to approve Budget Amendment 01-02-387**

5. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Wayne Cross, Polk County Crime Stoppers, Inc.: Request to represent Highlands County and receive funds deposited into the Crime Stoppers Trust Fund

Lt. Susan Benton with the Highlands County Sheriff's Office introduced Wayne Cross, Executive Director of Polk County Crime Stoppers, Inc. Wayne Cross gave a brief summary of the history of Polk County Crime Stoppers Inc. The purpose of the organization is to join law enforcement, the media and citizens in an effort to solve and prevent crimes. He presented a request to represent Highlands County and receive funds deposited into the Crime Stoppers Trust Fund. The Trust Fund money comes from a \$20.00 fine added to court costs and is administered by the Attorney General's office. Lt. Benton added that the county will have no fiscal responsibility for the funds that will be collected. The funds will go directly between the Attorney Generals' office and the Crime Stoppers organization. Wayne Cross stated that a Board of Directors will be established, with each county being represented.

Motion by Commissioner Flowers, seconded by Commissioner Stokes to authorize the Chairman to send a letter to the Attorney Generals' office informing them that Highlands County has entered into an agreement allowing Crime Stoppers representation for the county. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 21.

B. David Reinagle, President of Nam Knights: Request for funding for the Moving Wall

David Reinagle, President of Nam Knights, presented a request to receive funding for the Vietnam Veterans Moving Wall. The cost to bring the Moving Wall to Highlands County is \$6,000.00. The organization has currently raised \$4,708.00, but is requesting the full \$6,000.00 to help fund the cost of the Wall and any other expenses not yet incurred. The estimated total cost will be nearly \$10,000.00. The funding was included in the 2002-2003 budget, but was eventually eliminated when the Board cut outside agency funding.

Commissioner Stokes stated that in the past, it was the Boards' policy to fund new agencies only for their first year of operation. Commissioner Flowers asked Staff if the money is available in the budget. County Administrator, Carl Cool, stated that there is money available, and if the request is funded, the money would come out of the contingency fund. Commissioner Jackson suggested the possibility of David Reinagle coming back tonight for the budget hearing to present his request. Chairman Bullard agreed, and advised him to return tonight when the Board will have all of the budget figures available to them and can better determine the possibility of providing the funding.

C. Director, Clerk of Courts' Compliance & Internal Audit:

1. Financial Report briefing - Salvation Army Sebring Florida Command Corrections Program

Bob Jamison, Senior Director of Business Services, gave a brief summary of the Financial Report for the Salvation Army. Mia Robertson, Director of Compliance and Internal Audit for the Clerks' office gave an overhead presentation of the report. See Salvation Army file for copy.

2. CDBG Internal Audit Report

Bob Jamison, Senior Director of Business Services, gave a brief summary of the internal audit report of the Housing Department Community Development Block Grants (CDBG). Mia Robertson, Director of Compliance and Internal Audit, gave an overhead presentation of the report. See file for copy.

D. Housing Coordinator: Request approval of appointment to the Historic Preservation Commission

County Administrator, Carl Cool, presented a request for approval of appointments to the Historic Preservation Commission. The Commission is recommending the appointment of Dr. Catherine Cornelius to a four-year term, and the reappointment of Charles Wilde for a four-year term. There is still one vacancy on the commission. One resume has been received from Sheila Scott for the vacancy, however, the Commission has made no recommendation for filling the vacant seat. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 22.

E. Road & Bridge Superintendent:

1. Request approval of New Pine Ridge Road construction

Road & Bridge Superintendent, Bruce VanJaarsveld, presented a request for approval to pave an additional ½ mile of New Pine Ridge Road to be funded from an under run in the road program, and to pave a 1/4 mile section of Pine Ridge Road, with the materials paid for by the homeowner, Perry Smith. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 23.

2. Request approval of recommended road improvement list

County Administrator, Carl Cool, presented to the Board a list of recommended road improvements, but

added there are some questions and concerns that need to be addressed. Staff has chosen four roads for reconstruction. They are Scenic Highway in Avon Park, Western Boulevard in Leisure Lakes, and Vera Lane Northwest and Filmore Avenue Northeast in Placid Lakes. Sebring Regional Airport is asking for assistance to reconstruct and four lane Airport Road, and improve the intersection of Airport Road and US 98. Mike Willingham, Executive Director of the Airport, is asking for the county to fund a local match of approximately \$975,000 to land a \$1 million federal grant. He added that the grant is time sensitive, if it is not claimed, they risk losing it. Carl Cool stated that there is already \$147,000 in the current Capital Improvement Plan (CIP) allocated towards a local match.

Road & Bridge Superintendent, Bruce VanJaarsveld, recommended approval of the proposed road improvement list, stating that it will keep the two year resurfacing and reconstruction and the five year dirt road paving programs current.

Commissioner Flowers expressed his opposition to funding the Airport Road improvements, stating that the County had a professionals working in the department, and the Board should take their recommendations seriously. He added that he had confidence in Mike Willingham being able to find other available grants in the future. Public input was received from Gabriel Reed in support of staff recommendations. John Bock spoke in support of funding the improvements for Airport Road.

Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the funding for reconstruction and improvements to Airport Road Phase B & D in leu of the four roads proposed for improvements, and amending the road improvement list to reflect the decision of the Board. Upon roll call, all Commissioners voted aye, except Commissioner Flowers, who voted nay. Motion carried. See SMB 42 Page 24.

3. Request for rebid of annual asphalt bid

Road & Bridge Superintendent, Bruce VanJaarsveld, presented a request for the Board to reject the bid received from Better Roads, and re-advertise the annual asphalt bid to allow additional bidders the opportunity to bid on the package. Deputy Clerk, Bob Jamison, questioned whether the current bid would remain active till the end of the bid process, or would there be a gap in time. Purchasing Director, Jed Secory, stated that the bid will end on September 30, 2002, but he will request an extension to be able to honor the bid till the end of the process. Bob Jamison suggested including in the motion authorization for Jed Secory to negotiate with the vendors for a time extension on any existing bids. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the request to reject the Better Roads bid, and re-advertise the bid package, and authorize Jed Secory to negotiate with the vendors for a time extension on any existing bids. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 25.

Break 11:30 - 11:45 A.M.

F. Board Attorney

1. Request that the Board rescind its authorization to commence legal proceedings against Sky Asset Management

Board Attorney, Ross Macbeth, presented a written request to the Board to discontinue the litigation against Sky Asset Management. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See EMS file.

**2. Eminent Domain: Request authorization to make offer of judgement to defendants:
Highlands County vs. Holmes**

Board Attorney, Ross Macbeth, presented a request for the Board to authorize and direct on the behalf of the Highlands County Board of County Commissioners to make an offer of judgement to the defendants, Frederick S. Holmes, Elaine A. Holmes, and Daniel Mark Holmes. The property in question is located at the NW corner of Dal Hall Boulevard in Lake Placid, and is the last piece of property needed to proceed with the road improvements to Dal Hall Blvd. The appraised value of the property is \$46,000.00. He is recommending offering \$60,000.00. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 26.

G. County Administrator:

1. Request to approve Budget Amendment 01-02-378 from Reserve account

County Administrator, Carl Cool, presented a request to approve a budget amendment to cover reimbursements to the City of Sebring for funds used for recreational purposes per the Interlocal Agreement. Commissioner Jackson questioned if the agreement included a cap on the amount the City can spend. Carl Cool stated that it did not, but the Board could amend the agreement if they choose to do so. Ross Macbeth stated that the Board has looked into the possibility in the past, but to date has not made any changes. Carl Cool added that the agreements are up for renewal in October or November, and the Board can at that time make amendments. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request to execute the Highlands County Sheriff's Department VOCA Grant

County Administrator, Carl Cool, presented a request to approve the execution of the Highlands County Sheriff's Department Victims of Crime Act Grant. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

3. Request approval of proposed Capital Improvement Plan

County Administrator, Carl Cool, presented to the Board the proposed 10 Year Capital Improvement Plan for approval. He pointed out the new projects that are proposed in the CIP, including the construction of Sebring Parkway Phase II, the possibility of Phase IV, and the construction of a multi-use path at Memorial Drive and College Drive. County Engineer, Ramon Gavarrete, added that \$300,000 of the amount needed for the construction of the multi-use path is grant money from the Florida Department of Transportation. Through fiscal year 2003-2004, money is allocated for the construction of Phase II-A, and the purchase of right-of-way for Phase II-B and II-C. Staff proposed taking the money earmarked for road construction and road reconstruction in 2004-2005 and 2005-2005, and allocating it for the construction of Phase II. This is a way to complete the Parkway from US 27 to US 27. The re-allocation of those funds would delay the paving of Hicoria Road in Lake Placid, Tractor Road in Sebring, and South Lake Avenue and Randall Road in Avon Park.

Sebring Parkway Phase IV would be the extension of Arbuckle Creek Road to connect to Phase I. Commissioner Stokes expressed concerns about putting a large amount of money into a project that will most likely become a bypass that would be utilized by mostly truck drivers. Also, the purchase of the right-of-ways would result in land being taken off of the tax rolls. Chairman Bullard stated that he sees an increase in development in the area, which could result in an increasing need for the construction. He suggested Staff do

more studies on the possibility of Phase IV, leaving it on the CIP, which would give Staff the opportunity to revisit it in the future if needed. Ramon Gavarrete gave a brief presentation detailing the history of the studies done on Sebring Parkway. He also added that Staff has proposed future improvements to Sparta Road and Hammock Road, but there is no funding available in the current or proposed CIP.

Ramon Gavarrete advised the Board that FDOT will fund \$1.8 million for the Airport Road Phase C project under a Local Assist Program. The County will need to come up with \$350,000 for a local match. In 2006-2007 \$350,000 of the money allocated for road reconstruction is ear marked for the local match. Commissioner Jackson stated he was not comfortable with the ideas of Phase III and IV of the Sebring Parkway. Chairman Bullard advised that the CIP is a plan that can be revisited and changed at anytime during the year.

Motion by Commissioner Flowers, seconded by Commissioner Stokes to adopt the 10 Year Capital Improvement Plan as proposed by Staff, including the addition of construction of Phase B & D of Airport Road. Upon roll call, all Commissioners voted aye. Motion carried. See CIP file.

4. Request approval of Amendment No. 1 to Standard Form of Agreement between Highlands County Board of County Commissioners and Dooley & Mack Contractors, Inc. for limited Change Order authority and modification to direct purchasing procedures - Bid No. 02-042

County Administrator, Carl Cool, presented a request for approval of Amendment No. 1 to the agreement between Highlands County and Dooley & Mack for the courthouse/jail construction. County Engineer, Ramon Gavarrete, advised the Board that they will be receiving a monthly report regarding the status of the project once construction begins. Dooley & Mack is scheduled to begin moving in the week of September 23rd, with construction to begin in October. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Courthouse Expansion file.

5. Request approval of renewal of Public Risk Management (PRM) for FY 2002-2003

Risk Manager, Wayne Fiyalko, presented the request to approve the renewal of Public Risk Management (PRM), and notify PRM of the Countys' intent to request formal proposals from other companies. Chairman Bullard stated concerns about shopping around for proposals during a time when the market is unstable, adding that the Request For Proposal (RFP) process is time consuming. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the renewal of PRM, and notify PRM of the Countys' intent to bid out next year. Upon roll call, all Commissioners voted aye. Motion carried. See Insurance file.

6. CITIZENS NOT ON AGENDA

- ' Richard Conover raised questions about the lack of available TV coverage in certain areas of the County, and the staff cutbacks that have been made this year. He inquired as to when the quarterly report for April, May, and June would be sent out. Carl Cool stated that they were sent out in July, adding that Staff could send one to Mr. Conover if he did not receive one.
- ' Donald Frisbie presented, to the Board, a continuation of the problems that he has experienced with a local roofing contractor, and the Building Department.
- ' Richard Erpenbach raised concerns about the future development of Lake Francis Landing, and

suggested that the developer be made to put in an access road along the lake.

7. COMMISSIONERS

No reports.

8. ADJOURN

The meeting adjourned at 1:35 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD SEPTEMBER 24, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending September 24, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended September 20, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 28.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Commissioner Maxcy advised that he will be leaving at 9:45 A.M. to attend a funeral.

- 4. **CONSENT AGENDA:**

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

- A. **Request approval to pay all duly authorized bills and employee benefits September 24, 2002**

Law Library	2.57
General	476,648.59
County Transportation Trust	39,972.97
E911 Operations Fund	12,711.41
Intergovt Radio Communications	4,380.66
Local Govt Infra Surtax	60,024.42
Community Development Block	21,845.45
Affordable Housing Assistance	22,414.00
HCISSRB Construction	198,105.30
Solid Waste	73,571.16
Placid Utilities	9,137.24
Highway Park Utility	1,984.78
Risk Retention Fund	21.71

Employee Benefit 8,604.66

- B. Request to approve Highlands County Health Department’s 2002-2003 Core Contract. See Health Department file.**
- C. Request approval of agreement between Willis Administrative Services and Highlands County. See Employee Benefit file.**
- D. Request approval of Fee Schedule for FY 2002-2003. See SMB 42 Page 29.**
- E. Request approval of a Resolution in support of the Highlands County Fair Association’s fairgrounds improvement project and its application for state funding. See Res. Book 15 Page 189.**
- F. Request approval of Budget Amendments 01-02-379, 380, 388 & 391**

5. PUBLIC HEARING: Proposed zoning changes as listed

Development Services Director, Jim Polatty, presented proof of publication for the following hearings. See Proof of Pub Ord. Book 3 Page 21.

HEARING #1630 - JERALD C. FLAHERTY

Two Lots located West of U.S. Highway 27 South of Whatley Boulevard, and East of Limpkin Street, Sebring, Florida. The site is located in Sec. 26, Twp. 34S, Rge. 28E, Highlands County, Florida.

Requesting a zoning change from B-2 (Limited Business district) to B-3 (Business district). Applicant desires to operate a car rental business.

Development Services Director, Jim Polatty, presented the request for the applicant. Staff and the Planning and Zoning Commission both recommended approval of the request.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with the recommendation of the Planning and Zoning Commissioner, to approve and adopt P&Z Case No. 1630, a zoning change from B-2 (Limited Business district) to B-3 (Business district) by Resolution, including the Mandatory Findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 190.

Commissioner Maxcy left at 9:45 A.M.

HEARING #1631 - LAKE PLACID GROVES, LLC - MANAGING PARTNERS: WADE H. WALKER/THOMAS E. OAKLEY - C/O ROBERT E. LIVINGSTON -

An approximate 81.55 acre parcel on the South Shore of Lake Francis, just East of Leisure Lakes Subdivision and West of Cloverleaf Road. The site is located in a portion of Sections 22 and 27, Township 36 South, Range 29 East, Highlands County, Florida.

Requesting a zoning change from EU PD (Estate district with a Planned Unit Development) to EU (Estate district). Applicant desires to construct single family dwellings.

Development Services Director, Jim Polatty, presented the request. P&Z is recommending approval of the

re-zone. Staff is recommending approval, with the addition of creating a conservation easement for the area along the wetlands. P&Z is not recommending approval of the easement. Robert Livingston, representing the applicant, stated that the applicant would like to develop the 81.55 acres by dividing it into 49 one acre or larger lots. On the lots that border the wetlands, they are planning to create a berm that would act as a barrier between the developed land and the wetlands. The applicant is planning to re-zone the adjacent 238 acres back to AU (Agriculture) in the future. Commissioner Flowers expressed his support of the one home per acre development, but questioned if the applicant had any future plans for the larger portion of land that is to re-zoned to AU. Robert Livingston stated that the applicant is planning to replant some new varieties of citrus on the property. According to Ross Macbeth, any future owners of the land would have to apply for a re-zone in order to use the land for anything other than agriculture. Chairman Bullard stated concerns for a potentially greater impact to Lake Francis than the larger development. Dale Polston, Engineer, suggested adding a condition for the setbacks of the drain fields from the water. He suggested requiring a minimum setback of 250 feet from the normal high water mark of Lake Francis, and a minimum setback of 200 feet from the normal high water mark of Jack Creek. The Chair opened the floor to the public.

Suzanne Sauls expressed concerns for the ecological and environmental impact of the development on area lakes. She also questioned the recent cutting of pine trees in the area. Robert Livingston stated that the landowner has been doing limited harvesting of the timber, and that it was started prior to the application for re-zone of the property. Blackie Ballas, president of the Twin Lakes Property Owners Association, also expressed concerns about the impact on the lakes. Ray Royce spoke in support of the project.

Break 10:20 - 10:35 A.M.

Board Attorney, Ross Macbeth, read into the record, the agreed upon changes that have been added to the zoning application. The recommended motion has been amended to allow for the following: the addition of setbacks for installation of drain fields, allowing for a conservation easement for the lands along the southeastern bank of Jack Creek, and the normal high water mark of Lake Francis, allowing for lots to be sold subject to the easement, and allowing for the amendment to the comprehensive plan to become effective allowing for the Low Density Residential development to proceed. Motion by Commissioner Stokes, seconded by Commissioner Flowers, in accordance with the recommendation of the Planning and Zoning Commission, approve and adopt P&Z Case No. 1631, a zoning change from EU PD (Estate district with a Planned Unit Development) to EU (Estate district) by Resolution, including the Mandatory Findings in the staff report, including the additions stated by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 191.

HEARING #1632 - COUNTY INITIATED - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR The following 15 sites are proposed for a zoning change from B-2 (Limited Business district) to R-1 (Residential district).

SITE 1 - JOSEPH E. & MARY A. GARTLEY - Lot 1, Block 1, and Lot 4, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 2 - DALE G. LAMA - Lots 2, 3, 4, and 6, Block 1, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 3 - MARTHA T. MILLER & JANE T. VAN SCHELTEMA - Lot 5, Block 1, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 4 - RICHARD C. CARTER TRUSTEE - Lot 7, Block 1, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 5 - THOMAS E. & MARY JONES - Lot 8, Block 1, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 6 - ROGER M. & BETTY J. TUMBLESTON - Lots 1 & 2, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 7 - THOMAS E. & MARY H. JONES - Lot 3, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 8 - JIMMY P. & JACQUELINE L. MCHUGH - Lot 5, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 9 - JOHN L. VAN NESS - Lots 6 & 7, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 10 - THERESA ANN JOINER - Lot 8, Block 2, Highlands Park Estates, Section F, as recorded in Plat Book 4, Page 95 of the Public Records of Highlands County, Florida.

SITE 11 - RICHARD B. SECORD - Lot 1, Tract A, Highlands Park Estates, Replat of Tracts A & B of Section F, as recorded in Plat Book 8, Page 56 of the Public Records of Highlands County, Florida.

SITE 12 - JO ANN SECORD GREEN - Lot 2, Tract A, Highlands Park Estates, Replat of Tracts A & B of Section F, as recorded in Plat Book 8, Page 56 of the Public Records of Highlands County, Florida.

SITE 13 - ROSARIO ESPANOL BONILLA & GUTIERREZ ROLAND GUERRERO - Lot 3, Tract A, Highlands Park Estates, Replat of Tracts A & B, of Section F, as recorded in Plat Book 8, Page 56 of the Public Records of Highlands County, Florida.

SITE 14 - DIANA L. PADILLA MILTON - Lot 4, Tract A, Highlands Park Estates, Section F, Replat of Tracts A & B, as recorded in Plat Book 8, Page 56 of the Public Records of Highlands County, Florida.

SITE 15 - THE ANYAKORA MEMORIAL FOUNDATION, INC. - Lots 1 & 2, Tract B, Highlands Park Estates Replat of Tracts A & B, of Section F, as recorded in Plat Book 8, Page 56 of the Public Records of Highlands County, Florida.

Development Services Director, Jim Polatty, presented the request to approve the county initiated zoning change for the 15 lots listed, excluding Site 15, at the request of the landowner. Motion by Commissioner Flowers, seconded by Commissioner Stokes, in accordance with the recommendation of the Planning and Zoning Commission, approve and adopt P&Z Case No. 1632, a zoning change from B-2 (Limited Business district) to R-1 (Residential district) by Resolution, excluding Site 15, including the Mandatory Findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 192.

HEARING #1633 - COUNTY INITIATED - C/O JIM POLATTY, DEVELOPMENT SERVICES DIRECTOR - The following 111 sites are proposed for a consistency zoning change from B-2 (Limited Business district) to R-1 (Residential district).

SITE 1 - PEREZ AMPARO GARCES - Lot 4, 5, 6, and 7, Block 350, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 2 - JACINTO ROSA ET AL - Lots 8 and 9, Block 350, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 3 - PABLO CINTRON-RODRIQUEZ ET AL - Lot 47, Block 328, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 4 - ISMAEL & ROSA A LOPEZ-MELENDZ - Lot 45, Block 328, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 5 - SPRINGFIELD DEVELOPMENT INC. - Lot 42, Block 328, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 6 - VAZQUEZ BEATRIZ - Lot 41, Block 328, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 7 - ACEVEDO ELIZABETH BLANC & LYDIA ACEVEDO DE BLANC, C/O LYDIA CASA - Lot 40, Block 328, Sun 'N Lakes Estates Section 26, as recorded in Plat Book 9, Page 35 of the Public Records of Highlands County, Florida.

SITE 8 - JOSE LUIS TAVAREZ-ELIAS & ANA DELIA MARTINEZ TAVAREZ - Lot 39, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 9 - JOSE L & ANA D TAVAREZ-ELIAS - Lot 38, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 10 - Q JOSEFA ELIAZ ET AL - Lots 34, 35, 36, and 37, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 11 - ANTONIO ARIAS-ARIAS & LUCRECIA ARIAS - Lot 32, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 12 - VICTORIO RODRIQUEZ - Lot 30, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 13 - JUAN R & ELENA S VAZQUEZ - Lot 29, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 14 - MARTINEZ MIGUEL A REYES - Lot 27, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 15 - NUSSENBAUM L GOLDENSTEIN - Lot 26, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 16 - LIN YU YIK - Lot 24, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 17 - SIMON ZOGHBI ET AL - Lots 22 and 23, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 18 - CHICK CHIN HUNG FONG - Lot 21, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 19 - DOLORES M SANTIAGO ET AL - Lot 20, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 20 - SANTIAGO ELIAS VAZQUEZ & CARMEN CARRASQUILLO - Lot 19, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 21 - PEDRO JIMENEZ - Lot 18, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 22 - MARIA LUISA PARADELO - Lot 16, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 23 - RAUL CANCEL-GARCIA & CARMEN COLON CANCEL - Lot 13, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 24 - JOSEPH F & FELICITA FONTANEZ - Lot 11, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 25 - RODRIGUEZ JUSTO COLON - Lot 10, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 26 - JOSE R TORRES-BURGOS - Lot 9, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 27 - OLGA RIVERA-AMADOR - Lot 6, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 28 - DANILO CARMONA &RUTH ANGLERO - Lot 5, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 29 - GREGORIO GONZALEZ-FUENTES - Lot 2, Block 328, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 30 - MARIA J SELJAS CASTRO ET AL - Lot 1, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 31 - GIL & FERNANDA R PIRES DUARTE, C/O HENRY SYLVIA - Lot 3, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 32 - PAASQUALE &ESTHER C NICOLAO L - Lot 11, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 33 - MONTSERRAT TORRALLARDONA C/O VICTOR GIOL - Lot 12, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 34- LUCIA ROZMAN BRDARIC ESTATE - Lot 14, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 35 - BARREIRO JULIO J RODRIGUEZ - Lot 16, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 36-LEON GOLDENSTEIN N C/O FRANKLIN GOLDENSTEIN - Lot 17, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 37 - HON HUNG CHUNG CHUNG - Lot 18, Block 319, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 38 - BERNARDO CRESPI CATALA & JAUME GARI CATALINA - Lot 19, Block 319,

Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 39 - ROBERT N & DOROTHY M PARKER - Lot 46, Block 300, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.
C-22-37-30-240-3000-0330

SITE 40-GASSER BYTHIA & ETAL WARD JEANETTE EST - Lot 33, Block 300, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 41 - DINO CORNELLA - Lot 28, Block 300, Sun 'N Lakes Estates Section 24, as recorded in Plat Book 9, Page 28 of the Public Records of Highlands County, Florida.

SITE 42 - RICHARD W & CLAUDIA A LOOMIS - Lot 23, Block 310, Sun 'N Lakes Estates Section 23, as recorded in Plat Book 9, Page 18 of the Public Records of Highlands County, Florida.

SITE 43 - LOUIS A & JANET L RYMARCSUK - Lot 13, Block 296, Sun 'N Lakes Estates Section 23, as recorded in Plat Book 9, Page 18 of the Public Records of Highlands County, Florida.

SITE 44 - LLOYD R & GAIL H MILLS - Lot 15, Block 296, Sun 'N Lakes Estates Section 23, as recorded in Plat Book 9, Page 18 of the Public Records of Highlands County, Florida.

SITE 45 - THOMAS A & WILMA Y ST CHARLES - Lot 19, Block 296, Sun 'N Lakes Estates Section 23, as recorded in Plat Book 9, Page 18 of the Public Records of Highlands County, Florida.

SITE 46 - CHARLES E POLLOCK - Lots 15 and 16, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 47 - MYRTLE P SCHLEKAU - Lot 18, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 48 - M L & PHYLLIS J CARTER TRS - Lot 23, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 49 - VELMA B GARDNER - Lot 24, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida

SITE 50 - FRANCISCO RODRIGUEZ-PEREZ - Lot 25, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 51 -CARLOS & BELEN SANCHEZ - Lot 26, Block 295, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 52 - MARIEN TARTAK - Lot 12, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 53 - NEGRON EMILIANO FIGUEROA ET AL - Lot 13, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 54 - SALVADOR CALDERON-MARTINEZ - Lot 15, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 55 -LUCIANO MARIA T SANCHEZ - Lot 17, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 56 - WILFREDY & RAMONITA R AGOSTO-F - Lot 18, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 57 - MATTA MIGUEL A CALDERON -Lot 21, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 58 - NERY-SANTOS-HERNANDEZ - Lots 23 and 24, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 59 - DE ARROYO CELIA ROJAS - Lot 25, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 60 - TEDDY F & VIVIAN K BANAS - Lot 26, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 61 - FRANCISCO MEDINA-CASILLAS & VALENTINA MENDOZA FIGUEROA C/O SAMARIA INGLESIA EVANGELIC - Lot 28, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 62 - JIMENEZ AGUEDA ROSADO - Lot 29, Block 279, Sun 'N Lakes Estates Section 22, as recorded in Plat Book 9, Page 16 of the Public Records of Highlands County, Florida.

SITE 63 - WILDANIS RIVERA RAMOS C/O JOSE RAMOS GONZALEZ - Lot 17, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

~~SITE 64 - AVILES NORMAN ROSARIO & CARMEN~~ - Lot 21, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 65 - LLURIA JORGE M CASTRO & MAIA I AERENLUND CASTRO - Lot 22, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands

County, Florida.

SITE 66 - JULIO E CASTRO & CECILIA CASTRO - Lot 23, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 67 - ARMANDO & MARIA C MARTINEZ - Lot 24, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 68 - ISRAEL RODRIGUEZ - Lot 26, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 69 - JOSE C ABRAMS - Lot 29, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 70 - JUD O STEEN ESTATE C/O JOSEFA STEEN RD - Lot 30, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 71 - NERIS LUIS FLORES - Lot 35, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 72 - HECTOR LUIS BENITEZ & ISMAEL O TORRES C/O MARIA F PEREZ-DE-TORRES - Lot 36, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 73 - ISMAEL O TORRES & HECTOR L BENITEZ - Lot 37, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 74 - RUBEN MARTINEZ ET AL - Lot 38, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 75 - REBECA DANTE - Lot 39, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 76 - FELIX & IRMA JURADO-SANTOS - Lot 40, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 77 - MARIA M DANTE - Lot 41, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 78 - RAFAEL SEVILLA-PAGAN - Lot 42, Block 274, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 79 - BERT W HAYES TRUST - Lot 57, Block 264, Sun 'N Lakes Estates Section 21, as recorded

in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 80 - WILLIAM ROUDYBUSH - Lot 58, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 81 - HART S & JEAN G LITCHFIELD - Lot 1, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 82 - PHILIP & MARIE LEONE - Lots 2 and 3, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 83 - LEON BUCHKA & STELLA BUCHKA & OLGA BUCHKA - Lot 4, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 84 - C F D INC - Lots 5, 6, 7, 13, 14, 20, 22, 24, 25, 27, 28, 32, and 34, Block 264, and Lots 1, 5 and 11, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 85 - VIRGINIA W HALEY & JAMES F HALEY - Lot 8, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 86 - LOUIS A CROCCO SR & LOUIS A CROCCO JR - Lot 9, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 87 - BESTEN D G & ROSALIE L DEN TR - Lots 10, 11, and 12, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 88 - LAWRENCE H KHOURY - Lots 15 and 16, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 89 - JACK F & CINDY A BILLINGSLEY - Lots 17, 18, and 19, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 90 - BEN RIVERA - Lot 21, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 91 - LEO D & PHYLLIS BRUBAKER - Lot 23, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 92 - ROBERT & LINDA L CLINE - Lot 26, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 93 -DONALD J CRADDOCK - Lot 29, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 94 -SCOTT & VALERIE BAKER- Lots 30 and 31, Blk 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 95 -BARBARA J SABLAN MCDANIEL - Lot 33, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 96 - Y GUTIERREZ JOSE M TOUZET - Lot 35, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 97 - Y POU ALFREDO SALAZAR - Lot 36, Block 264, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 98 -CANDIDO & OLGA N ALEN-DIAZ C/O OLGA ALEN NAPOLES - Lot 15, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 99 - JAIME A SILVESTRINI - Lot 14, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 100 -PROVIDENCIA DIAZ FESHOLD - Lot 13, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 101 -MIGUEL & MARIA J CAO - Lot 12, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 102 -LUCIANO ISRAEL QUINTANA - Lot 9, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 103 -GUILLERMO & NANCY MIGUEL - Lot 8, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 104 - MANZANO LUIS RAFAEL ROBLES - Lot 7, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 105 - SANTIAGO JUAN SANTIAGO - Lot 6, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 106 - ANICIA PIMIENTA-VALDES - Lot 4, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 107 - HELEN C MELENDEZ - Lot 3, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 108 - MEDINA EFRAIN QUINTANA - Lot 2, Block 265, Sun 'N Lakes Estates Section 21, as recorded in Plat Book 9, Page 13 of the Public Records of Highlands County, Florida.

SITE 109 - IRIS EDITH JORDAN ET AL - Lot 22, Block 319, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 110 - PELLOTT-HERNANDEZ JUAN M.- Lot 23, Block 319, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

SITE 111 - MARTINEZ-MEDINAS RAMON LUIS & MARTINEZ ANA HILDA BENITEZ - Lot 24, Block 319, Sun 'N Lakes Estates Section 25, as recorded in Plat Book 9, Page 29 of the Public Records of Highlands County, Florida.

Development Services Director, Jim Polatty, presented the request. Planning and Zoning Commission recommended denial of the request, due to the State trying to purchase these properties. With a zoning change, there is a possibility that the appraised value of the lots will be lower, which would result in the landowners selling their lots to the State at a lower cost. Staff is recommending approval of the zoning change for the 111 sites, excluding sites 64 and 89, at the request of the landowners. The zoning change is being requested to eliminate some inappropriate zoning, and to come into compliance with Florida Statutes.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, in accordance with Staff recommendation, move to approve P&Z Case No. 1633, a zoning change from B-2 (Limited Business district) to R-1 (Residential district), excluding sites 64 and 89. Upon roll call, all Commissioners voted aye, except Commissioner Stokes, who voted nay. Motion carried. See Res. Book 15 Page 193.

6. ACTION:

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

A. Senior Director, Business Services, Clerk's office: Demonstration of Clerk's Web Site and Official Records

Clerk of Courts, Luke Brooker, opened with a brief statement about the imaging project that has been implemented with the help of Lorien Technologies, and introduced the Clerk's employees that have been involved in the process. Bob Jamison, Senior Director of Business Services, along with the help of Jerome Kaszubowski, Director of Automated Services, gave an overhead presentation outlining the various services that are available to the public on the Clerk's Web Site. He added that there are approximately 1.4 million images available for viewing on the Web Site dating back to 1983. He also gave a brief demonstration of how to access the records that have been imaged. Bob Germaine, Senior Director of Court Services, explained the different court records that can be accessed on the Web Site. Debra Williams, Director of Recording and Micrographics, gave a brief summary of the types of official records that can be found on the

Web Site, such as deeds, mortgages, and plats.

Chairman Bullard commended the Clerk's office for continually being on the cutting edge of technology, adding that this project will be a tremendous benefit to the public. Commissioner Flowers stated that he would like the Board to implement a more interactive Web Site that would allow the public access to the different departments. Board Attorney, Ross Macbeth, also added that he has had the opportunity to access the Clerk's Web Site, stating it is one of the most usable sites in the State. See SMB 42 Page 30 for copy of memo.

Commissioner Maxcy returned at 11:45 A.M.

B. ~~Director, Office of Management and Budget: Request from Orange Blossom Units 1-19 to Orange Blossom Units 8 & 9~~

C. County Engineer:

1. Request approval of the Chastain-Skillman, Inc., Consultant Service Authorization No. 36 for Sebring Parkway Phase II - Project No. 01101

Ramon Gavarrete, County Engineer, presented for approval the Consultant Service Authorization agreement with Chastain Skillman for services related to the Sebring Parkway Phase II. The total for the services provided is \$227,650. These services include computer water modeling, soil boring required by SWFWMD, traffic signal design, and highway lighting design. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Chastain Skillman file for copy.

2. Request approval of the Resolution and FDOT Traffic Signal Maintenance and Compensation Agreement for FY 2002-2003

Ramon Gavarrete, County Engineer, presented for approval a Resolution and agreement with the Florida Department for the maintenance and compensation of traffic signal in Highlands County. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 194 and FDOT file

D. Risk Manager:

1. Request approval of recommended rate structure for County Health Plan FY 02-03

Wayne Fiyalko, County Risk Manager, presented for approval a recommended rate structure with Blue Cross Blue Shield for the County Health Plan for FY 2002-2003. The Board is currently paying 81% of the total health insurance premiums, with employees and retirees paying the balance. Staff and the Insurance Committee are recommending changing the present allocation to a 75/25 split over a 5 year period. Chairman Bullard stated concerns about the increase in health insurance costs for retirees. He added that since FRS is offering a subsidy to retirees, then the County should also offer to subsidize the medicare costs by \$100 a month. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve the rate schedule as recommended by the Insurance Committee. Upon roll call, all Commissioners voted aye. Motion carried. See Employee Benefit file.

2. Request approval of Medicare Supplement Option for eligible retirees

Wayne Fiyalko, County Risk Manager, presented the Insurance Committees' recommendation to offer retirees over the age of 65 the option to enroll into a group medicare supplement policy provided by Monumental Life Insurance Company. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the Insurance Committee's recommendation, including a \$100 a month subsidy by the County. Upon roll call, all Commissioners voted aye. Motion carried. See Employee Benefit file.

E. Board Attorney

1. Shell Pit title opinion recommendation

Board Attorney, Ross Macbeth, presented the Board with some updated information concerning the title defect in the purchase of the 10 acre parcel in Charlotte County from Julian L. Wright. At this time, the \$35,000 for the land is being held in an escrow account until the title defect has been resolved to the satisfaction of the Attorneys' Insurance Fund. Ross Macbeth recommended that the Board not release the funds until the title issue has been resolved. Commissioner Flowers stated that the Board should follow the recommendations of the Board Attorney. All other Commissioners were in agreement with the recommendations. See Charlotte County Shell Pit file.

2. Tourist Development Tax

Board Attorney, Ross Macbeth, presented to the Board a revised Resolution on the Tourist Development Tax. The original Resolution #01-02-119 was adopted on June 25, 2002. At the request of Joe Campbell, Supervisor of Elections, two changes are being made to the Resolution and brought before the Board for approval. Ross Macbeth pointed out the two minor changes to the resolution to the Board. Motion by Commissioner Flowers, seconded by Commissioner Jackson, to approve the resolution and the publication of the Notice of County Referendum. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 195.

F. County Administrator

1. Request approval of the State Aid to Libraries FY 2003 Grant Agreement

County Administrator, Carl Cool, presented for approval the State Aid to Libraries FY 2003 Grant agreement. Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Grant file.

2. Report on structure that washed out over the weekend

County Administrator, Carl Cool, gave a report on a watershed structure on Lake Clay that collapsed sometime on Saturday afternoon, on the north end of Lake Clay, near the Tropical Harbor subdivision. Road & Bridge is working on the structure, and a sheet piling company has been contracted out to come in and install some additional pilings in the canal to prevent future problems. Commissioner Flowers suggested sending a thank you letter to the resident that reported the problem, and letters to the Road & Bridge employees that responded to the scene.

7. CITIZENS NOT ON THE AGENDA

No participants

8. COMMISSIONERS

No reports.

9. ADJOURN

The meeting adjourned at 1:06 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD OCTOBER 1, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Clerk of Courts, Luke Brooker. The Pledge of Allegiance was led by Commander John Nettles of the Avon Park Veterans Honor Guard.

3. **ANNOUNCEMENTS**

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 1, 2002.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended September 27, 2002 and a Monthly Report of Business Services for September* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. He also announced the meeting of the Value Adjustment Board on October 2, 2002, at 9:00 A.M. to choose a special master. See SMB 42 Page 32.

C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Chairman Bullard announced that the Highlands County Chapter of Disabled American Veterans (DAV) is in need of volunteers to assist in transporting area veterans to the Veterans Hospitals.

4. **CONSENT AGENDA:**

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, to approve agenda as amended: Upon roll call, all Commissioner voted aye. Motion carried.

A. Approval of minutes of the September 10, 2002 and September 17, 2002 Board meetings

B. Request approval to pay all duly authorized bills and employee benefits October 8, 2002

Law Library	2,796.35
General	1,695,270.54
County Transportation Trust	75,337.85
E911 Operations Fund	18,620.74
Local Govt Infra Surtax	176,017.36
Affordable Housing Assistance	7,334.16
Solid Waste	27,452.08

Placid Utilities	1,589.31
Highway Park Utility	138.52
Risk Retention Fund45
Employee Benefit	1.35

- C. Request approval of Chastain Skillman, Inc. CSA No. 65 to provide miscellaneous services for the Landfill during FY 02-03. See Chastain Skillman file.**
- D. Request approval and execution of the Emergency Management Preparedness and Assistance (EMPA) Base Grant # BG-04-07-38-01-028 and Resolution and Budget Amendment 01-02-402. See Grant file and Res. Book 15 Page 199.**
- E. Request approval of final plat recording to Placid Airport Townhouses. See SMB 42 Page 33.**
- F. Request approval of Budget Amendments 01-02-401**
- G. Request approval of Resolutions and Budget Amendment 01-02-397. See Res. Book 15 Page 196.**

5. ACTION AGENDA:

Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Clerk of Courts: Swearing in of Dr. Catherine Cornelius to the Historic Preservation Commission

L.E. "Luke" Brooker, Clerk of Courts, administered the Oath of Office to Dr. Catherine Cornelius on her appointment to the Highlands County Historic Preservation Commission. Dr. Cornelius thanked the Commission for the appointment. Keith Hunicutt, Commissioner for the Historic Preservation Commission introduced other members of the Commission that were present.

B. Commissioner Andrew Jackson: Introduction of South Florida Community College President Dr. Norman L. Stevens

Commissioner Andrew Jackson introduced Dr. Norman L. Stevens as the new President of South Florida Community College. Dr. Stevens thanked the Commissioners for the welcome and added that he is looking forward to working with the Board and the community.

C. Melody Beumel, Heartland Animal Rescue: Request to acquire animals from Animal Control for placement in adoptive homes

Melody Beumel, representing Heartland Animal Rescue, presented a request to be allowed to rescue dogs and cats from Animal Control, and place them in adoptive homes. Heartland Animal Rescue acquires animals that are in danger of being euthanized, then gets them immunized, micro-chipped, and spayed or neutered before adopting them out. With the help of other rescue organizations and the Internet, homes are found for the animals. An application for 501 (c)(3) nonprofit status has been sent into the State of Florida, but currently Melody Beumel is working under the umbrella of another nonprofit rescue organization out of Polk County.

County Administrator, Carl Cool, raised concerns that her operation might be considered a business in a residential area. Chairman Bullard commended her on her efforts in finding homes for the animals but stated that the request is still in the preliminary stages. He advised her to meet with Staff to work out the issues

concerning zoning, the transfer of animals from Animal Control, and her nonprofit status. He encouraged Melody Beumel to come back before the Board when all of the issued have been addressed. See SMB 42 Page 34.

D. County Engineer: Request approval of a Resolution to establish a Public Hearing Date - to consider closing a platted alley between lots 12-17 and 18-23 starting from Columbia Street to end of lot between 12 and 23 in Block 29 of Placid Lakes Industrial Park, according to the plat, thereof, as recorded in Plat Book 8, Page 63, of the Public Records of Highlands County, Florida, Tracey A. Peters for Trasco Company, as petitioner

County Engineer, Ramon Gavarrete, presented a request to approve a Resolution to establish a Public Hearing to consider closing a platted alley in Placid Lakes. The Public Hearing is scheduled for October 22, 2002. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 197.

E. Board Attorney

No report.

F. County Administrator:

1. Request to approve Budget Amendment #01-02-399 from Reserve and Resolution and Budget Amendment #01-02-404

County Administrator, Carl Cool, presented the request for approval of Budget Amendment #01-02-399, the transfer of funds from Reserve, and Resolution and Budget Amendment #01-02-404, recognizing grant money that went to the Sheriffs Department for the purchase of bullet proof vests. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 198.

2. Request appointment of Chairman Bullard to the Canvassing Board

County Administrator, Carl Cool, requested the Board to appoint Chairman Bullard to the Canvassing Board. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 35.

3. Notification of vacancy on Hospital District Board

County Administrator, Carl Cool, notified the Board of the vacancy on the Hospital District Board created by the resignation of Doris Gentry. Commissioner Flowers stated he has made several attempts to fill the position with a resident of District 1. He added that anyone that may be interested should contact him. See SMB 42 Page 36.

4. Discussion on shell pit title opinion recommendation

County Administrator, Carl Cool, advised the Board that the landowner, Julian Wright, is willing to obtain a title insurance policy on the ten acres from Alliance Title of America, Inc. He stated that Staff has done research on this corporation, and being satisfied with their qualifications, is recommending the Board accept the title insurance policy from Alliance Title of America. Board Attorney, Ross Macbeth, advised the Board that the title insurance policy will have some effect on the amount of insurance the County has on the entire property. Although the amount of insurance to be issued is not yet known, it will be significantly less than the other policy. He added that it will most likely be the same as the amount currently being held in escrow.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to approve request as stated, with the inclusion of the title insurance being issued at a minimum of \$35,000.00. Upon roll call, all Commissioners voted aye. Motion carried. See Charlotte County Shell Pit file.

5. Request approval of an extension of the Certified Tax Roll

County Administrator, Carl Cool, presented a request from Charles Bryan, Tax Collector, to extend the Certified Tax Roll till the Value Adjustment Board meeting. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 37.

6. Request to waive building permit fee for the Humane Society

County Administrator, Carl Cool, presented a request from the Humane Society to waive the building permit fee of \$75.00 for a new roof to be installed at the Humane Society office. He stated the entire job has been donated. The work will be done by a licensed roofing contractor, and inspected by county staff. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

6. CITIZENS NOT ON AGENDA

Gabriel Reed suggested limiting companies to bid on only two road projects at a time, and then barring them from bidding on any other projects for three years if they don't finish on time.

7. COMMISSIONERS

' Commissioner Jackson reminded the other Commissioners of the need to schedule a workshop to discuss transportation issues.

' Commissioner Stokes advised the Board of the upcoming Okeechobee Water Coalition meeting on October 7, 2002. He is recommending that Highlands County become a member of the Coalition. Motion by Commissioner Jackson, seconded by Commissioner Flowers to become a member of the Okeechobee Water Coalition, pay the \$1000.00 membership fee, and giving the County logo for placement on the Coalition stationary. Upon roll call, all Commissioners voted aye. Motion carried.

' Chairman Bullard gave a brief report on the differences he has noticed when observing Commission meetings in other counties. He added that Highlands County is fortunate to have one of the most open governments in the State of Florida that welcomes and encourages citizen input.

8. ADJOURN

The meeting adjourned at 10:12 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD OCTOBER 8, 2002

- 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:

Bob Bullard	Tom Portz
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Engineer, Ramon Gavarrete. The Pledge of Allegiance was led by Jessica Drake of the Highlands County 4-H Club.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 8, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended October 4, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. A brief report was given on the Value Adjustment Board Hearings. See SMB 42 Page 41.

- C. Upcoming County meetings presented into the record by Assistant County Administrator, Tom Portz. Additional meetings were announced for the benefit of the public. Commissioner Maxcy made a request for prayers for Lenny Smith, who is at Shands Hospital.

- 4. **CONSENT AGENDA:**

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

- A. **Request approval to pay all duly authorized bills and employee benefits October 8, 2002**

Law Library	308.86
General	752,768.51
County Transportation Trust	35,844.71
E911 Operations Fund	15,502.17
Local Govt Infra Surtax	18,543.01
Community Development Block	18,741.81
Affordable Housing Assistance	14,499.99
HCISSRB Construction Fund	1,500.00
Solid Waste	121,445.06
Placid Utilities	4,863.28
Highway Park Utility	293.41

Risk Retention Fund	759,046.15
Employee Benefit	4,501.90

- B. Request approval of transfer or sale of Tax Certificates per attached list. See SMB 42 Page 42.**
- C. Request approval of Satisfaction of Mortgage - Cox. See Satisfaction file.**
- D. Request approval of Satisfaction of Mortgage - Dion. See Satisfaction file.**
- E. Request approval of Budget Amendment 02-03-005**
- F. Request approval of Budget Amendment & Resolutions 02-03-003 & 004. See Res. Book 15 Page 200.**

5. ACTION AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to set agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

Erin McIntyre, Cracker Trail 4-H Club: Request approval of a Proclamation in support of National 4-H Week

Erin McIntyre, representing the Cracker Trail 4-H Club, presented the request to approve the Proclamation. Chairman Bullard read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve the Proclamation, designating the week of October 6-12, 2002 as National 4-H Week in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 201.

6. WORKSHOP: Report from Industrial Development Authority

Wade Taveniere, Chairman of the Highlands County Industrial Development Authority/Economic Development Commission, presented a progress report of the IDA-EDC to the Board. A Roundtable Action Committee, consisting of local community leaders, was formed to carry out the challenges issued by the Board six months ago. He added that recent discussions have led to the development of strategies to improve the response to the needs of the business community.

To improve communication, the IDA-EDC Staff plan to meet with local clubs, organizations and homeowners associations to deliver information concerning the tourist development tax. IDA-EDC Board members plan to visit businesses one day a month to discuss new developments and any problems. In developing cost-sharing strategies, Wade Taveniere said that the IDA-EDC has worked with several local businesses, including the Sebring Airport Authority, the Convention and Visitors Bureau, and all three local chambers of commerce.

Wade Taveniere concluded by saying that the IDA-EDC has done what the Board has asked, adding that the process will continue. Chairman Bullard commended them for a job well done, and encouraged the IDA-EDC to continue their efforts. He asked them to come back in six months with another progress report. Commissioner Jackson, liaison to the IDA-EDC, added that he was impressed with the changes. Other members of the IDA-EDC that were in attendance were introduced by Wade Taveniere. See EDC file.

Break 9:45 - 10:00 A.M.

7. WORKSHOP: Presentation on indexing motor fuel taxes to local governments and

local option transportation taxes

County Engineer, Ramon Gavarrete, gave an overhead presentation on the indexing of motor fuel taxes to local governments and local option transportation taxes. He explained that indexing is basically adjusting for inflation. In 1985, state legislature tied its gas tax income to inflation, but not the tax money going to local government. Highlands County has lost more than \$1 million in local option gas tax in the last 10 years because it wasn't tied to inflation.

Ramon Gavarrete stated that Highlands County is joining a statewide effort to have the state index the tax, and eliminate a 7% administrative fee charged by the state for cutting checks to the 67 counties. He added that the Florida Association of County Engineers (FACERS) are in support of the changes. Chairman Bullard and Commissioner Maxcy will be in Orlando on Thursday to meet with Florida Association of Counties (FAC) Finance and Tax Committee to discuss the changes. See SMB 42 Page 43.

8. ACTION AGENDA

A. Assistant County Administrator

1. Request Approval of Correction to 09-24-02 Highlands County Board Minutes

Assistant County Administrator, Tom Portz, presented a request for approval of a correction to the minutes of 09-24-02, for clarification purposes, to the insurance rate for retirees. Staff is requesting approval of Medicare Supplement Option for eligible retirees be corrected. Language needs to be added to the original motion to include *retired employees only, with the subsidy to be paid by the County*. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the request and corrections as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Employee Benefit file.

2. Request Approval of Budget Amendment #01-02-410

Assistant County Administrator, Tom Portz, presented a budget amendment for approval to allow for the payment of the Peak Oil Superfund settlement from the Reserve for Contingency fund. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

Tom Portz also gave an update on the Lake Clay structure that gave out two weeks ago. He stated that a contractor is on site, and the water flow should be back to normal by the end of the week.

B. Board Attorney

No report.

9. CITIZENS NOT ON AGENDA

Don Hansen spoke about the need for a fully functional traffic light at George Blvd.

10. COMMISSIONERS

' Commissioner Maxcy stated he was looking forward to the FAC meeting in Orlando on Thursday.
' Commissioner Stokes gave a report on the Okeechobee Water Coalition meeting that he attended on Monday, and advised the Board of upcoming Coalition meetings.

11. ADJOURN

The meeting adjourned at 11:08 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD OCTOBER 15, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by County Administrator, Carl Cool. The Pledge of Allegiance was led by Commissioner David Flowers.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 15, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended October 11, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 44.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public. Assistant County Administrator, Tom Portz, announced the retirement of county employee, Mrs. Jerry Bryan, and wished a happy birthday to Richard Conover.

- 4. **CONSENT AGENDA:**

Motion by Commissioner Flowers, seconded by Commissioner Stokes, to approve agenda as amended. Remove Item 4-G from agenda. Upon roll call, all Commissioner voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits October 15, 2002**

General	358,919.34
County Transportation Trust	4,460.39
E911 Operations Fund	19.06
Affordable Housing Assistance	616.11
Solid Waste	1,455.56
Placid Utilities	54.17
Highway Park Utility	231.06
Employee Benefit	1,954.50

- B. **Request approval of Board meeting minutes of September 24 and October 1, 2002**

- C. Request approval of Satisfaction of Mortgage- Young. See Satisfaction file.
- D. Request approval of transfer or sale of Tax Certificates per attached. See SMB 42 Page 45.
- E. Request approval of maintenance agreement with irrevocable letter of credit permit for a mining operation - Correll 20 Sand Mine. See file for copy.
- F. Request approval of the Task Authorization No. 9 for PBS &J Inc. to provide engineering services during construction of the Cell 3 liner at the Landfill. See Landfill file.
- G. ~~Request approval of the Interlocal Agreement between the Sebring Airport Authority and Highlands County for the Airport Road Widening Project Phase B&D.~~
- H. Request approval of correction to valuation fee schedule calculation for the Building Department. See SMB 42 Page 46.
- I. Request approval of Resolution and Budget Amendment 02-03-007. See Res. Book 15 Page 202.
- J. Request approval of Budget Amendment 01-02-409
- K. Request approval of Resolution and Budget Amendment 02-03-011. See Res. Book 15 Page 203.
- L. Request approval of Resolution and Budget Amendment 02-03-014. See Res. Book 15 Page 204.

5. PUBLIC HEARING: To Pursue application for CDBG funding for projects to be identified

Dennis Dingman, representing Summit Professional Services, stated the purpose of this public hearing is to explain what Community Development Block Grants (CDBG) are about, and to give the public a chance to voice their opinions on the proposed application. He outlined the objectives of the CDBG Program and the types of grants the county can apply for. The County can apply for a project that is either a Commercial Revitalization project, Neighborhood Improvements project, or Housing grant and one Economic Development project. There is \$750,000 available for the project that is selected. A second public hearing will be scheduled once a specific project is chosen. Motion by Commissioner Stokes, seconded by Commissioner Maxcy to proceed with the application in both the regular and Economic Development categories. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 47.

6. ACTION AGENDA:

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

A. Request approval of Proclamation declaring the month of November as Highlands County Mentor/Tutor Program Month

Gabriel Reed presented the Proclamation for approval. Chairman Bullard read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the Proclamation, declaring the month of November as *Highlands County Mentor/Tutor Program Month*, and the week of November 3, 2002 as *Highlands County Mentor/Tutor Program Week*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 205.

A. Dr. Christine Waddill, Dean for Extension, University of Florida: Request for legislative support for the Cooperative Extension Service in Florida Counties

Dr. Christine Waddill, Dean for Extension at the University of Florida, came before the Board, asking for their support in working with the local county legislative delegation to provide the state funding needed to fill the 47 county extension agent positions that are vacant in the State of Florida. She added that Highlands County will play an important role in helping with the state budget, stating that there are current and former legislators that call Highlands County home. Chairman Bullard stated that the Board strongly supports the Institute of Food and Agriculture Services (IFAS) program, and encouraged them to keep the county updated on all budget issues.

B. Commissioner David Flowers: Request approval of appointment to the Hospital District Board

Commissioner David Flowers presented to the Board a resume from Patricia Graf for appointment to the Hospital District Board. Upon appointment, she would complete the term vacated by Doris Gentry. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 48.

C. Vicki Pontius, Parks & Recreation Director, Bill Lane, National Park Service and Merritt O'Brien, Chairman of the Ridge Trails Association of Highlands County: Request approval of the Blueways, Greenways, Trails and Bikepaths Master Plan document.

Vicki Pontius, Parks and Recreation Director, presented the Blueways, Greenways, Trails and Bikepaths Master Plan document for approval. Bill Lane of the National Park Service, along with Merritt O'Brien, Chairman of the Ridge Trails Association of Highlands County, presented a brief summary of the Plan. Chairman Bullard thanked Staff for the work they have done, and commended them on an outstanding document. Vaughn Whitesides, President of the Highlands County Audubon Society, spoke in support of the Master Plan document. Motion by Commissioner Stokes, seconded by Commissioner Flowers to approve the Blueways, Greenways, Trails and Bikepaths Master Plan document. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

D. Parks & Recreation Director: Approval of CSA Amendment for Fewell Property and Budget Amendment 02-03-009

Vicki Pontius, Parks & Recreation Director, presented for approval an amendment to the agreement with Chastain Skillman, and a budget amendment for \$15,000 to conduct a survey of the property to determine the boundaries of the wetlands. The survey needs to be done prior to permitting of the land. She added that the next step would be to obtain two appraisals of the property. The deadline to apply for grant money, equal to half of the purchase price, is February 2003.

Commissioner Jackson raised concerns about spending money prior to purchasing the property. County Administrator, Carl Cool, advised the Board that this expenditure is not a necessity, but as a precautionary measure, it should be approved. He stated that a maintenance agreement with the City of Sebring is a major issue, adding that a joint meeting between the Board and the City Council should be held to discuss the issues.

The maintenance issue to on the agenda for tonight's city council meeting. Chairman Bullard questioned whether an extension on the grant is possible, suggesting putting this issue off for a couple of weeks until input is received from the City. Vicki Pontius stated that getting an extension should not be a problem. Development Services Director, Jim Polatty, added that applying for the extension is no guarantee that the County will get the grant. Chairman Bullard proposed to agenda the item till next week's meeting. All Commissioners and Staff were in agreement. John Shoop, chairman of RPAC, spoke in favor of the purchase of the property, but added that the County is running into a roadblock with the maintenance issue. Von Whitesides, representing the Audubon Society, also spoke in favor of the purchase. Gabriel Reed raised concerns about spending taxpayers money prior to purchasing the property.

Break 11:00 - 11:15 A.M.

E. Housing Coordinator: Fair Housing meeting-Explanation of FAIR Housing Program Requirements

Development Services Director, Jim Polatty, stated that the purpose of this meeting was to provide the public with information concerning fair housing requirements. Dennis Dingman, representing Summit Professional Services, gave a brief presentation outlining the laws that protect fair housing, identifying discrimination factors, and ways to file a complaint with the Department of Housing and Urban Development. See SMB 42 Page 49.

F. Code Enforcement Officer: Request for Notice of Nuisance on CE 02070044, 3724 Howard Avenue

April Hartseil, Code Enforcement Officer, presented a request to declare the property located at 3724 Howard Avenue in Sebring as a Nuisance. She stated that letters have been sent to the property owner, but no response has been received. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Subdivision file.

G. Finance Officer, Clerk of Courts

1. Unadjusted Fiscal Year-End Financial Report of Key Operating Performance Measures as of September 30, 2002

Senior Director of Business Services, Bob Jamison, and Pam Cross, Finance Director, presented an Unadjusted Fiscal Year-End Report of Key Operating Performance Measures for the Board of County Commissioners as of September 30, 2002. See Financial Report file.

2. EMS Billing Status with ADP

County Administrator, Carl Cool, presented an EMS billing status report with ADP for the period ending September 30, 2002. He stated that the percentage of net collections has been in the 70 to 80% range, as compared to the industry standard of 50-60%. ADP has collected over \$5 million in net charges since October 1998. An update will be given at the end of each quarter. Bob Jamison stated that the entire billing cycle takes about one year to complete. Using the time period from April 2001 thru September 2001, Highlands County is averaging 76.7% in net collections, which is well above the target percentage of 66%.

Chairman Bullard commended Staff for the excellent job they have been doing. See EMS file.

H. Director, Compliance & Internal Audit: Briefing on Clerk of Courts Payroll Division Internal Audit

Senior Director of Business Services, Bob Jamison, gave a brief report of the internal audit performed on the Clerk's Payroll Division, stating that this was a financial audit, not a performance audit. Mia Robertson, Director of Compliance and Internal Audit gave an overhead presentation of the report. She also introduced Tanya Cannady, the newest member of the Internal Audit team. See financial report file.

I. Board Attorney:

1. Highlands County vs. Holmes, Consideration of stipulated final judgement

Board Attorney, Ross Macbeth, presented to the Board for consideration a stipulated final judgement in the amount of \$91,600.00 for the property located on Dal Hall Boulevard in Lake Placid. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the final judgement and corresponding budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

2. Discussion of Sun 'N Lake Ordinance

Board Attorney, Ross Macbeth, advised the Board of the progress that has been made concerning drafting an ordinance reflecting the changes for the Sun 'n Lake Improvement District. He stated that he does have a draft form, but work still needs to be done to merge it with the suggestions made by the Board of Supervisors. He briefly summarized the proposed changes that are being made. Carl Cool entered into the record a petition, signed by residents and property owners of Sun N' Lake of Sebring, supporting a change in the Ordinances allowing the popular vote. Bob Severino, President of the Board of Supervisors, welcomed any suggestions that the Commissioners may have to resolve the voting issue. Chairman Bullard proposed setting a workshop for November 19, and a public hearing for November 26, to further discuss the proposed changes to the Districts' ordinances.

3. Request approval of a Resolution to be given to PRM for notification of withdrawal for the Pool.

Board Attorney, Ross Macbeth, presented a Resolution for approval to satisfy the requirements of the By-laws of Public Risk Management of Florida. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to adopt the Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 206.

J. Assistant County Administrator: Permission to sell surplus (vacant) land

Assistant County Administrator, Tom Portz, presented a list of surplus (vacant) land to be advertised for sale. Chairman Bullard questioned whether the land had cleared the process for usage in the land bank. Tom Portz advised that the process had not been done. Motion by Commissioner Flowers, seconded by Commissioner Stokes to authorize the advertising of the land, upon clearing the process for the land bank. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 50.

K. County Administrator:

1. Request to approve Resolution and Budget Amendment 02-03-002 for the Multi-Jurisdiction Task Force V Grant and approval of Certificate of Acceptance of Subgrant Award

County Administrator, Carl Cool, presented a Resolution, budget amendment and Certificate of Acceptance for approval. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 207 & Grant file.

1. Request to approve Budget Amendment 01-02-412 Reserve for Contingency

County Administrator, Carl Cool, presented a budget amendment for approval, moving funds from last year's reserve for contingency to cover an over-expenditure of reimbursement to the City of Sebring for recreational purposes. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of Resolution and Budget Amendment #01-02-393, Budget Amendment #01-02-394, and Budget Amendment #02-03-016

County Administrator, Carl Cool, presented Resolutions and budget amendments for approval. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 208.

4. Report on Lake Clay structure

County Administrator, Carl Cool, advised the Board that the County owns several water control structures, has total responsibility and financial obligation to them, but no authority to modify them. They are controlled by the Southwest Florida Water Management District (SWFWMD). At a Peace River Basin Board meeting to be held this Friday in Bartow, the possibility of SWFWMD taking ownership of the structures is up for discussion. Carl Cool asked the Board's permission to engage in preliminary discussions with SWFWMD. All Commissioners were in agreement to give the County Administrator authority to speak on behalf of the Commission.

5. Report on meeting for Desoto County Road Improvement

Carl Cool advised the Board of the Desoto County Commission meeting he attended yesterday. The topic of discussion was the possible improvement to a road that runs north and south between Desoto and Highlands County, south of SR 70. This road is mostly used by grove owners in the area, and has been maintained by Blue Head Ranch and Bright Hour Ranch, the owners of the land that border both sides of the road. These landowners are now seeking help with the maintenance of this road. A special improvement district is being proposed to include portions of Highlands, Desoto, and Charlotte counties, with Desoto County taking the responsibility for maintainance.

Carl Cool also wanted to complement Public Information Officer, Lisa Burley, for her expertise in grant applications, in helping the Highlands County Fair Board obtain a perfect score on a grant application that was submitted.

7. CITIZENS NOT ON AGENDA

No participants.

8. COMMISSIONERS

Commissioner Maxcy reported on the FAC meeting held last week in Orlando.

9. ADJOURN

The meeting adjourned at 12:57 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD OCTOBER 22, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Buddy McKenzie
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 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 Commissioner Andrew Jackson.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending October 22, 2002.

- B. **Clerk**

Clerk of Courts, Luke Brooker, presented a *report of Weekly Court Services for week ended October 18, 2002 and a report for Jury Trial Week for the month of October* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 51.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings and cancellations were announced for the benefit of the public. Carl Cool wished a happy birthday to board employee, Terry Gott, who turned 40 today. Chairman Bullard announced that during the first break of the morning, the Commissioners will be judging the pumpkins that were carved by the different board departments.

- 4. **CONSENT AGENDA:**

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to approve agenda as amended. Remove Item 4-E from agenda. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits October 22, 2002**

Law Library	97.03
General	532,838.45
County Transportation Trust	78,834.53
E911 Operations Fund	19,825.62
Local Govt Infra Surtax	92,926.63
HCISSRB Debt Service Fund	365,551.94
Community Development Block	264,997.53
Affordable Housing Assistance	61,011.71
HCISSRB Construction Fund	77,423.40
Solid Waste	64,625.92

Placid Utilities	5,624.53
Highway Park Utility	2,564.22
Risk Retention	22.00
Employee Benefit	8,655.34

- B. Request approval of MAXIMUS proposal allowing the Risk Manager to use the ASSETMAX system at no cost for a trial period ending October 31, 2003, authorize the Chairman to sign the necessary agreement. See SMB 42 Page 52.**
- C. Request approval of transfer of sale of Tax Certificates per attached. See SMB 42 Page 53.**
- D. Request approval of Satisfaction of Mortgage - Waldron. See Satisfaction file.**
- E. Request temporary appointment of Penny Phillippi to Professional Services Acquisition Committee to participate in the selection of the grant writer and administrator for the CDBG program**
- F. Request approval of Resolution and Budget Amendment BA02-03-021. See Res. Book 15 Page 209.**
- G. Request approval of Resolution and Budget Amendment BA02-03-022. See Res. Book 15 Page 210.**
- H. Request approval of Resolution and Budget Amendment BA02-03-023. See Res. Book 15 Page 211.**
- I. Request approval of Budget Amendment BA 02-03-017**
- J. Request approval of Resolution and Budget Amendment BA02-03-024. See Res. Book 15 Page 212.**

Solid Waste Manager, Jerry Leszkiewicz, thanked everyone who expressed their concern for Tyler Renfro, Dick Gorman, and himself, who were injured in an explosion at the Landfill on Friday. He also thanked the Sheriffs Office and EMS for their prompt response, and the unknown EMS technician who made the call to have a helicopter fly Dick Gorman to Tampa General.

5. PUBLIC HEARING: Request acceptance of proposal for Single Family Revenue Bond Program Consultant

Proof of Publication was entered into the record. See Proof of Pub Ord. Book 3 Page 22. Housing Coordinator, Penny Phillippi, presented a request to accept the proposal for the Single Family Revenue Bond Program Consultant. Proposals were received from Morgan Keegan & Company, Inc. to participate in the Bay County 2003 Program, and Raymond James & Associates Inc. to participate in the Manatee County program. Staff is recommending accepting the proposal from Raymond James & Associates.

Highlands County participated in the Bay County program in 2002, and did receive an allocation, but no lenders participated, and no mortgages were issued within Highlands County. Ralph Cellon, spoke on behalf of Morgan Keegan. He also presented the Board with a check in the amount of \$770.00 from the Housing Finance Authority of Bay County for points earned on six loans issued in Highlands County. Philip Harloff spoke on behalf of Raymond James & Associates.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, to accept staff recommendation,

and accept the regional proposal as proffered by Raymond James & Associates Inc. to participate with the 2003 Housing Finance Authority of Manatee County Single Family Revenue Bond Program. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 54.

6. PUBLIC HEARING: Request approval of an ordinance adopting a mandatory court cost of three dollars to be assessed for the operation and administration of the Highlands County Teen Court Program

County Administrator, Carl Cool, presented Proof of Publication into the record. See Proof of Pub Ord Book 3 Page 23. Board Attorney, Ross Macbeth, read captions of the Ordinance into the record. The Chair opened the floor to the public. Gabriel Reed spoke in support of the program. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to adopt the Ordinance, assessing court costs for the operation and administration of the Highlands County Teen Court Program. Upon roll call, all Commissioners voted aye. Motion carried.

7. PUBLIC HEARING: Request approval of an ordinance adopting a mandatory court cost of three dollars to be assessed for funding Driver Education Programs in the schools of Highlands County, Florida. Providing for authority for enactment pursuant to the "Dori Slosberg Driver Education Safety Act"

Proof of Publication was entered into the record. See Proof of Pub Ord. Book 3 Page 24. Board Attorney, Ross Macbeth read captions of the Ordinance into the record. Adoption of this ordinance will require the Clerk of Court to collect an additional \$3.00 with each civil traffic penalty to be used to fund traffic education programs in public and non-public schools. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Flowers, seconded by Commissioner Stokes to adopt the Ordinance, assessing court costs for funding driver education programs in Highlands County schools. Upon roll call, all Commissioners voted aye. Motion carried.

8. PUBLIC HEARING: Request approval of an ordinance amending subsections P and R of Section 3 and Paragraph 2 of subsection H of Section 7 of ordinance no. 00-26 providing for conflict; providing for severability; providing for inclusion in code; and providing for an effective date for Wolf Creek

Proof of Publication was entered into the record. See Proof of Pub Ord Book 3 Page 25. Development Assistant to County Engineer, Fred Myers, stated the reason for the amendment is to extend the time of commencement to match that of Vizcaya Lakes. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the amendment to the Ordinance as proposed. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to Glades Electric being a client. A Memorandum of Voting Conflict was entered into the record. Motion carried. See SMB 42 Page 55.

**9. PUBLIC HEARING: Approval of a resolution to vacate an easement as follows:
Lot 25 Block "F" + A contiguous portion of parcel "G" adjacent to the rear lot line, Spring Lake Village VIII according to the plat thereof as recorded in plat book 11, page 8, of the Public Records of Highlands County, Florida and lot 1 block "E" (FKA portion of parcel "G" + A contiguous portion of parcel "G: adjacent thereof as recorded in plat book 15, page 25**

of the Public Records of Highlands County, Florida

Kim Motsinger, Public Works Coordinator, presented the Petition and Proof of Publication into the record. See SMB 42 Page 56. Staff is recommending approval of the vacation. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Flowers, seconded by Commissioner Stokes to adopt the resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 213.

10. PUBLIC HEARING: Approval of resolution to vacate an easement - Lot 1, Block 748, Sun 'N Lake Estates of Sebring, Unit 15 R1, according to the plat thereof recorded in PB 15, page 64, being a 1989 re-plat of unit 15 as recorded in PB 15, page 40, of the Public Records of Highlands County, Florida. Rhodes & Karlson, P.A., for Marshal & Beverly Spaulding, petitioners

Petition and Proof of Publication were entered into the record. See SMB 42 Page 57. Public Works Coordinator, Kim Motsinger, presented the request, stating that a home already exists on the property, including a screen pool enclosure that encroaches into the easement. She added staff recommended disapproval of the request. A letter was received from Donna Whittington, representing the Sun n' Lakes Improvement District, in opposition to the vacation, stating that the vacation would prohibit the District from having access to the utilities on the property. Commissioner Stokes and Jackson spoke in opposition to the request. Cliff Rhoades, representing the petitioner, inquired about the possibility of vacating only a portion of the easement that is covered by the pool enclosure. Chairman Bullard expressed his hesitation to make changes to the request without representatives from the District present to give input. Cliff Rhoades requested a continuance, to allow him time to consult with the petitioners. Motion by Commissioner Flowers, seconded by Commissioner Jackson to continue the public hearing till November 26, 2002 at 9:00 a.m. Upon roll call, all Commissioners voted aye. Motion carried.

11. PUBLIC HEARING: Adoption of resolution to close a platted alley between lots 12-17 and 18-23 starting from Columbia Street to end of lot between 12 and 23 in block 209 of Placid Lakes Industrial Park, according to the plat, thereof, as recorded in plat book 8, page 63, of the Public Records of Highlands County, Florida, Tracey A. Peters for Trasco Company, as petitioner.

Petition and Proof of Publication were entered into the record. See SMB 42 Page 58. Public Works Coordinator, Kim Motsinger, presented the request. Staff is recommending approval of the request. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 214.

12. PUBLIC HEARING: Approval of resolution to vacate an easement being the south 10.00 feet of lot 32, and the north 10.00 feet of lot 33, block 4, Orange Blossom Estates, unit No. 6 as per plat recorded in plat book 6, page 35, of the Public Records of Highlands County, Florida. The south 10.00 feet of lot 33, and the north 10.0 of lot 34, block 4, Orange Blossom Estates, unit no. 6 as per plat recorded in plat book 6, page 35, of the Public Records of Highlands County, Florida, and the acceptance of the executed drainage easement being the northeasterly 10.00 feet of the southwesterly 20.00 feet of lot 34, block

4, Orange Blossom Estates, unit no. 6 as per plat recorded in plat book 6, page 35, of the Public Records of Highlands County, Florida.

Petition and Proof of Publication were entered into the record. See SMB 42 Page 59. Public Works Coordinator, Kim Motsinger, presented the request for approval of the vacation of easement and the acceptance of the executed drainage easement dedicated to Highlands County at the request of Road & Bridge Department. Staff is recommending approval of the request. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to adopt the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 215.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes to accept the executed drainage easement. Upon roll call, all Commissioners voted aye. Motion carried.

Break 10:20 - 10:45 A.M.

13. PUBLIC HEARING: Proposed zoning changes and small scale plan amendments as listed Development Services Director, Jim Polatty, presented Proof of Publications for the following hearings. See Proof of Pub Ord. Book 3 Page 26.

HEARING #1634 - MARTHA WROCK RYLAND AS TRUSTEE OF THE MARTHA WROCK RYLAND REVOCABLE TRUST - C/O ROGER DALE POLSTON

An approximate 9.37 acre parcel located North of C.R. 621 East and East of Lake Gardens Mobile Home Park, Lake Placid, Florida. Located in Sec. 32, Twp. 36S, Rge. 30E, Highlands County, Florida.

Requesting a zoning change from AU to EU. Applicant desires to construct six (6) lake front single family dwellings.

Development Services Director, Jim Polatty, presented the request, pointing out an error that was on the application and that it should have stated the request was for seven (7) single family dwellings. Staff and P&Z recommended approval of the request. Dale Polston spoke on behalf of the petitioner, adding that the developer is planning for a landscape buffer to be placed between the development and the mobile home park, and a single access road for the property. The Chair opened the floor to the public. No one spoke for or against the request.

Motion by Commissioner Jackson, seconded by Commissioner Stokes, in accordance with the recommendation of the Planning and Zoning Commission, to adopt P&Z Case No. 1634, a zoning change from AU (Agricultural) to EU (Estate district) by Resolution, including the mandatory findings in the staff report, and revising the request to seven (7) single family dwellings instead of the application request of six (6) single family dwellings. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 216.

HEARING #CPA - 02-197SS - J. REED FAMILY LLC -C/O J. MICHAEL SWAINE

Approximately 9.16 acres located approximately 290 feet North of DeSoto Road and approximately 990 feet East Highlands Boulevard, Sebring Florida. Located in Sec. 33 Twp. 34S. Rge. 29E Highlands County, Florida.

Requesting a small scale plan amendment from Medium Density Residential to Industrial.

HEARING #1635 - J. REED FAMILY LLC - C/O J. MICHAEL SWAINE

Approximately 9.16 acres located approximately 290 feet North of DeSoto Road, and approximately 990 feet East Highlands Blvd., Sebring, Fl. Located in Sec. 33, Twp. 34S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from AU to I-2. Applicant desires to operate an automobile wrecking yard. Development Services Director, Jim Polatty presented the request. Staff recommended approval of the re-zone, dependent upon an adequate buffer being provided. The Board of Adjustment approved the Special Exception for “establishment of an automobile wrecking yard” with the provision that a buffer is provided. Michael Swain, representing the petitioner, stated the owner has excluded a 60 foot wide parcel on the north end of the property from the re-zone, to allow for the buffer. He added that the crusher will remain in its current location, and will not be any closer to the mobile home parks. The Chair opened the floor to the public. No one spoke for or against the request.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, in accordance with the recommendation of the Local Planning Agency, to approve and adopt by Ordinance the small scale development CPA-02-197SS, amending the FLUM from Medium Density Residential to Industrial becoming effective as provided by law, and including the mandatory findings in the staff report, and adopt P&Z Case No. 1635, a zoning change from AU (Agricultural) to I-2 (Industrial district) by Resolution, including the mandatory findings in the staff report, and contingent upon the small scale plan amendment (CPA-02-197SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 217.

HEARING #CPA-02-198SS - P.A.M. ENTERPRISES, MARCELLA HUNTER TRUSTEE - C/O TED WALKER

An approximate 5.04 acre parcel located on the South side of Howey Road extended South to the Lakeshore Mall, Sebring, Florida. Located in Sec. 35, Twp. 34S, Rge.28E, Highlands County, Florida.

Requesting a small scale plan amendment from Low Density Residential to Agriculture.

Development Services Director, Jim Polatty, presented the request, stating that the applicant plans to use the property for storage of fireworks. Staff is recommending denial of the request. The applicant was granted a special exception by the Board of Adjustments for “Fireworks storage on Agricultural property” with the following conditions: (1) the applicant will comply with all State and Federal regulations regarding the storage of fireworks; and (2) the special exception is granted to the existing landowner, and will not accrue to future owners of the property. Mike Swain spoke on behalf of the petitioner, advised that the landowner is aware that they will have to relocate once construction is complete on an apartment complex across the road. The Chair opened the floor to the public. No one spoke for or against the request.

Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the recommendation of the Local Planning Agency, to approve by Ordinance the small scale development CPA-02-198SS, amending the FLUM from Low Density Residential to Agriculture becoming effective as provided by law, and including the mandatory findings in the staff report. Upon roll call, all Commissioners voted aye.

Motion carried.

HEARING #CPA-02-199SS-DR. WENDELL DEAN ANDERSON

Approximately 2.1 acres located East of U.S. 27 South and North of Sunset Manor, and West of Twitty Road, Sebring, Florida. Located in Sec. 34, twp. 35S, Rge. 29E, Highlands County, Florida. Requesting a small scale plan amendment from Agriculture to Commercial.

HEARING #1636 - DR. WENDELL DEAN ANDERSON

Approximately 2.1 acres located East of U.S. 27 South, and North of Sunset Manor, and West of Twitty Road, Sebring, Florida. Located in Sec. 34, Twp. 35S, Rge. 29E, Highlands County, Florida. Requesting a zoning change from AU to B-3. Applicant desires to relocate his existing veterinary office. Development Services Director, Jim Polatty, presented the request. Dr. Wendall Anderson spoke in support of the request, stating the need for expansion. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, in accordance with the recommendation of the Local Planning Agency, to approve by Ordinance the small scale development CPA-02-199SS, amending the FLUM from Agriculture to Commercial, becoming effective as provided by law, and including the mandatory findings in the staff report, and adopt P&Z Case No. 1636, a zoning change from AU (Agricultural) to B-3 (Business district) by Resolution, including the mandatory findings in the staff report, contingent upon the small scale plan amendment (CPA-02-199SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 218.

14. ACTION

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Development Services Director: Request denial of the waiver of fee for the proposed Woodlands RV Park application fee

Development Services Director, Jim Polatty, stated that John Lovelette, representing Woodlands RV Park, is requesting a waiver of the comp plan and re-zone application fee of \$1,575.00. The owner paid a \$450.00 fee in April 2002 for a combination of both large scale plan amendment and re-zone for P&Z Case #1621, to be heard in June 2002. Due to an error in the legal description, the hearing was canceled. Since that time, the County's fee schedule was revised. John Lovelette, representing the Woodlands, spoke in support of the request. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to grant the waiver of the fees. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to Woodlands of Lake Placid being a client. A Memorandum of Voting Conflict was entered into the record. Motion carried. See SMB 42 Page 60.

B. Budget Director: Recommendation on Solid Waste loan and request to set closing date

OMB Director, Rick Helms, presented to the Board, Staff's recommendation regarding the issuance of a loan to fund the construction of a Solid Waste Cell, and request for approval to set the closing date for November 13, 2002. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to set the bond closing

date. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 61.

C. Solid Waste Manager: Request approval of construction agreement with Comanco Environmental, Inc for building Cell 3 floor liner and leachate collection system at the H.C.S.W.M.C.

Solid Waste Director, Jerry Leszkiewicz, presented a request for approval of the agreement with Comanco Environmental Inc., for the construction of the Cell 3 floor liner and leachate collection system at the Solid Waste Center. OMB Director, Rick Helms, advised that when Staff initially issued RFP's for the project, they were looking to borrow approximately \$3.25 million. All of the bids that were received were substantially lower than what was expected, which resulted in the County only having to borrow \$2.8 million. Motion by Commissioner Jackson, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Landfill file.

D. Parks and Recreation Director: Approval of CSA Amendment for Fewell Property

Parks and Recreation Director, Vicki Pontius, presented the request for approval of the amendment. County Administrator, Carl Cool, stated that at the Sebring City Council meeting held last week, the Council made no commitments toward the purchase or maintenance of the Fewell Property, but recommended that the Board move forward with the purchase. He added that the Council suggested the possibility of implementing user fees to cover the maintenance costs. Commissioner Flowers inquired about offering as a purchase price, the average of the two appraisals. The Board instructed Carl Cool to act on their behalf, and negotiate with the landowner on setting a purchase price based on the two appraisals, and capping the price at \$1.2 million, with the landowner kicking in \$200,000.

E. County Administrator:

1. Request approval of Resolution and Budget Amendment BA 02-03-012 Reserve for Contingency

County Administrator, Carl Cool, presented a resolution and budget amendment for approval. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 219.

2. Request approval of Budget Amendment BA 02-03-015 Reserve for Contingency

County Administrator, Carl Cool, presented a budget amendment for approval. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

3. Report of Southwest Florida Water Management District meeting

County Administrator, Carl Cool, reported on the Peace River Basin Board meeting that Staff members attended last week. SWFWMD approved payment of approximately \$69,000 to Highlands County Board of County Commissioners for the out-of-pocket costs made for repair to the Lake Clay water structure. He added that SWFWMD is also in agreement to hold discussions concerning the acceptance of the maintenance of other structures in Highlands County.

15. CITIZENS NOT ON THE AGENDA

Facilities Manager, Al Bowles, gave a presentation, showing a picture of each pumpkin that was entered into the contest. The top three winners were announced: 3rd place (tie): Facilities Management and Veterans Services; 2nd place: Engineering Department; and 1st place: Administration. Chairman Bullard presented County Administrator, Carl Cool, with a plaque for 1st place. See SMB 42 Page 62.

16. COMMISSIONERS

No reports.

17. ADJOURN

The meeting adjourned at 12:13 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD NOVEMBER 5, 2002

- 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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by General Services Director, Jed Secory. The Pledge of Allegiance was led by EMS Director, Rick Weigand.

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending November 5, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended November 1, 2002, and a Monthly Report of Business Services for October* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 63.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. He also announced the Florida Association of Counties (FAC) meeting scheduled to begin Tuesday, December 3, 2002 in Tallahassee, adding that there is a Board meeting scheduled for that date. He suggested moving the Board meeting to Monday, December 2, 2002, to allow all Commissioners to attend the FAC meeting. It was a consensus of the Board to move the meeting to December 2, 2002.

- 4. **CONSENT AGENDA**

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve agenda as amended. Remove Budget Amendment #02-03-036 from agenda. Add Budget Amendments #02-03-038 & 039. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Approval of minutes of the October 8, 2002 and October 15, 2002 Board meetings**
- B. **Request approval to pay all duly authorized bills and employee benefits November 5, 2002**

Law Library	103.25
General	1,069,607.40
County Transportation Trust	141,735.35
E911 Operations Fund	2,781.29
Intergovt Radio Communications	116,234.51
Legal Aid	2,922.81
Local Govt Infra Surtax	88,795.90

Affordable Housing Assistance	23,743.31
HCISSRB Construction Fund	97,029.80
Solid Waste	162,708.68
Placid Utilities	10,850.78
Highway Park Utility	3,034.79
Risk Retention45
Employee Benefit	4,477.75

- C. Request approval to start County surplus process procedures. See SMB 42 Page 64.
- D. Request approval for Release of Nuisance CE01090072 - Gerald Moyer - 4304 Wood Avenue. See Subdivision file.
- E. Request to declare a nuisance: CE02070090 - 3217 Sonnet Road, Sebring. See Subdivision file.
- F. Request to declare a nuisance: CE02060008 - 1527 Lake Josephine Road, Sebring. See Subdivision file.
- G. Request approval of Adopt a Highway - Rotary Club of Highlands County. See file for copy.
- H. Request approval of correction to the Highlands County Schedule of Fees dated October 1, 2002. See SMB 42 Page 65.
- I. Request approval of EMS County Grant application. See SMB 42 Page 66 & Res. Book 15 Page 220.
- J. Request approval of Task Authorization No. 10 for PBS& J, Inc. to evaluate the economic feasibility of selling electric power generated for landfill gas. See Landfill file.
- K. Request approval of Addendum No. 1 to CSA No. 51 for Chastain-Skillman, Inc. to incorporate design modifications to improve the safety of the leachate re-circulation system. See Chastain Skillman file.
- L. Request approval and execution of Grant-In-Aid Agreement for Child Dependency FY 02-03. See Grant file.
- M. Request approval of CSA No. 66 for Chastain-Skillman, Inc. to prepare a report to DEP containing an evaluation of groundwater monitoring data for Class 1 Landfill. See Chastain Skillman file.
- N. Request to declare a Nuisance CE 02070097 Yarrow, 4617 Granada Avenue, Sebring. See Subdivision file.
- O. Request approval of Airport Road widening project Phases B, C, & D Interlocal Agreement. See Sebring Airport file.
- P. Request approval of Grant Contract for Nu-Hope of Highlands County, Inc. & Grant Contract for The Convention and Visitor's Bureau of Highlands County, Inc. See Grant file.
- Q. Request approval of appointments to the Citizens Advisory Task Force Board. See SMB 42 Page 67.
- R. Request approval of the reappointment of Kevin Roberts to the Polk county Opportunity Council, Inc. See SMB 42 Page 68.
- S. Request approval to change the Istokpoga Management Committee membership categories. See SMB 42 Page 69.
- T. Accept into the record the Constitutional Officers' Financial Reports for the Fiscal

Year Ended September 30, 2002. See Financial Reports file.

- U. Request approval of Budget Amendments 02-03-027; 01-02-413 and 01-02-417**
- V. Request approval of Resolutions and Budget Amendment 02-03-043. See Res. Book 15 Page 221.**
- W. Request approval of Resolutions and Budget Amendments 02-03-026; 028; 032 through 035, 038, 039 and 041. See Res. Book 15 Page 222.**

5. ACTION AGENDA:

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Jamie Self, Central Florida Administrator, Florida Baptist Children's Homes: Request approval of a Proclamation in support Adoption Awareness Month in Highlands County

Jamie Self, Central Florida Administrator for the Florida Baptist Children's Homes presented the Proclamation for approval. He read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Jackson, proclaiming the month of November 2002, as Adoption Awareness Month in Highlands County. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 223.

B. Claudia Brigham, Good Shepard Hospice: Request approval of a Proclamation in support of National Hospice Month

Claudia Brigham, representing Good Shepard Hospice, presented the Proclamation for approval. Chairman Bullard read the Proclamation into the record. Gabriel Reed spoke in support of the Proclamation, and suggested the possibility of supplying a copy of it to the area newspapers to be published. Motion by Commissioner Maxcy, seconded by Commissioner Stokes, proclaiming the month of November 2002 as National Hospice Month. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 224.

C. Chairman Bullard: Request approval of a Proclamation in support of National Epilepsy Awareness Month

County Administrator, Carl Cool, read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Jackson, proclaiming the month of November 2002 as National Epilepsy Awareness Month. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 225.

D. Chairman Bullard: Request approval of a Resolution in recognition of Dr. Robert Fitzgerald

Commissioner Andrew Jackson presented a resolution from the Board of County Commissioners recognizing Dr. Robert Fitzgerald for his 24 years of distinguished service given to the citizens of Highlands County as a member of the Highlands County School Board. Motion by Commissioner Jackson, seconded by Commissioner Flowers to adopt Resolution commending Dr. Fitzgerald for his many years of faithful service and contributions to the community. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 226.

E. Marcia Staszko, Senior Program Manager, Central Florida Regional Planning Council: Request to consider the designation of Community Transportation Coordinator, or

support a Request for Proposal process to select a Coordinator for the current three county service area, and Request approval of Resolution & Budget Amendment #02-03-040 decreasing Fund 005 Reserve for Contingency (to fund the County's portion of the Transportation Development Plan)

Marcia Staszko, Senior Program Manager of the CFRPC, requested the Board to consider becoming the Community Transportation Coordinator, or support the Request for Proposal process to select a Coordinator for the current three county service area. Chairman Bullard spoke in support of the Request for Proposal process. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to support a Request for Proposal process to select a Community Transportation Coordinator. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 70.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve resolution and budget amendment. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 227.

F. Keith Lockett, Desoto City Off-Road R/C Club: Request approval of proposal to construct remote-controlled car track facility and approval of a Right of Entry Agreement

Keith Lockett, representing Desoto City Off-Road R/C Club, presented a request for approval to begin construction on the remote controlled car track. Chairman Bullard questioned legal counsel about the difference in the name listed on the Right of Entry Agreement and the Articles of Incorporation. Board Attorney, Ross Macbeth, stated that there are some technical changes that need to be made to the Right of Entry Agreement, adding that the Board could approve the agreement today subject to the changes. Motion by Commissioner Jackson, seconded by Commissioner Flowers to approve the Right of Entry agreement subject to review and corrections to be made by the Board Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 71.

G. Commissioner Jackson: Request approval of the Library Advisory Board District 3 appointment

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to approve the appointment of Mrs. Marilyn Jacobs for membership on the Library Advisory Board District 3. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 72.

H. Tourist Development Council Administrator: Request approval of an appointment to the Tourist Development Council

Louise England, Tourist Development Council Administrator, presented a request for approval to appoint Mr. Donald Elwell to the Tourist Development Council, to fill the remaining term left vacant by Mr. Ron Scott. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the appointment as requested. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 73.

I. Housing Coordinator: Request approval of a Proclamation in support of Homelessness and Hunger Awareness Week

Penny Phillippi, Housing Coordinator, presented the Proclamation for approval. Chairman Bullard read the Proclamation into the record. Motion by Commissioner Flowers, seconded by Commissioner Stokes, proclaiming the week of November 11 - 17, 2002 as *Homelessness and Hunger Awareness Week*, and December 21, 2002 as *Homeless Memorial Day*. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 228.

J. 911 Communications Coordinator:

1. Request approval of adoption of the Intergovernmental Radio Communications Policy & Procedure

Ben Henley, E911 Coordinator, presented a request to approve the adoption of the Intergovernmental Radio Communications Policy & Procedure. Motion by Commissioner Flowers, seconded by Commissioner Stokes to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 74.

2. Request to waive the Purchasing policy and approve requested expenditures for the public safety enhancement

Ben Henley, E911 Coordinator, presented a request to waive the purchasing policy and approve the expenditures needed for Phase 1 of the Mobile data Infrastructure Network. Phase 1 will give public safety agencies the ability to reduce the time needed to obtain information in the field that is vital to their safety as well as the safety of the general public. Motion by Commissioner Flowers, seconded by Commissioner Stokes to request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 74.

K. Assistant County Administrator: Request approval to offer the above specific and any additional lots to the Florida Forever Program

Assistant County Administrator, Tom Portz, presented a request for approval to offer specific lots and any additional lots to the Florida Forever Program. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 75.

Break 10:00 - 10:10 A.M.

Chairman Bullard left the meeting at 10:00 A.M. to attend the Canvassing Board meeting. Vice Chairman Edgar Stokes presided over the remainder of the meeting.

L. Board Attorney

1. Discussion on Fewell/Clements property

Board Attorney, Ross Macbeth, reported on recent conversations he has had with the attorney representing the landowners. A proposed option agreement offered by the County has not been accepted by the landowners. He added that the landowners are apprehensive about accepting an offer without having the appraisals done. Carl Cool stated that the landowners would consider any firm offer made. Staff is recommending dropping the idea of having any more studies done on the property, solicit quotes from the five firms recommended by Florida Communities Trust (FCT), have an appraisal done, then make an offer to the landowner. Commissioner Maxcy suggested asking Property Appraiser, Raymond McIntyre, and his staff for help in determining a fair value of the land. Ross Macbeth stated that the FCT has specific guidelines that have to be followed in preparing an appraisal in order to determine the amount of the grant that can be awarded. Carl Cool suggested asking for the Property Appraisers' help in addition to having an appraisal done, then make an offer to the landowner. The Chair opened the floor to the public.

Clayton Womer suggested that the County back away from the property and let the landowners make an offer to sell. Gabriel Reed and Steve Lord spoke in opposition to having appraisals done and purchasing the property. Dee McDonald spoke in support of purchasing the property. Jack Ritchie voiced concerns for the environmental aspects of the land. John Bock suggested the County look for another piece of property to

build the recreational facility. Ray Royce encouraged Staff not to spend any additional funds except for that needed to get appraisals on the property.

Motion by Commissioner Jackson, seconded by Commissioner Flowers, to get a quote for the cost of one appraisal from an FCT recommended firm, and obtain an extension from FCT before having an appraisal done on the property. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy, who voted nay. Motion carried. See SMB 42 Page 76.

2. Highlands County vs. Holmes: Attorneys costs and fees

Board Attorney, Ross Macbeth, presented to the Board a recommendation to approve the payment of attorney's costs and fees on behalf of the defendant associated with the Highlands County vs. Holmes case. If approved by the Board, the request will also include a budget amendment for the total of the attorney's costs and fees. Motion by Commissioner Maxcy, seconded by Commissioner Jackson to approve the payment of the costs and fees and the budget amendment. Upon roll call, all Commissioners voted aye. Motion carried.

M. County Administrator:

1. Request approval of Budget Amendment 02-03-029 decreasing Fund 401 Reserve for Contingency (Solid Waste Enterprise grant funded positions and expenditures)

County Administrator, Carl Cool, presented the request, notating a correction that needed to be made to the budget amendment. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the budget amendment with the proposed changes. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval for additional bailiff staffing and Budget Amendment 02-03-045

County Administrator, Carl Cool, presented to the Board a request from the Sheriffs Office for funding in the amount of \$66,402 for additional bailiff staffing. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve the request and budget amendment as stated. Upon roll call, all Commissioners voted aye. Motion carried.

3. Landfill Loan Closing

County Administrator, Carl Cool, presented a recommendation to authorize the Chairman to lock in the interest rate, up to a maximum of 4.4%, on the loan for the Landfill Liner. Closing is scheduled for next Wednesday. Deputy Clerk, Bob Jamison, stated that the Clerk's office is in support of the recommendation. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to authorize the Chairman to lock in the interest rate. Upon roll call, all Commissioners voted aye. Motion carried.

4. Report on Regional Water Supply Plan

County Administrator, Carl Cool, reported on a recent correspondence he has had with Jeff Spence, Polk County Water Resources Coordinator, regarding the possibility of creating a Water Supply Plan for Polk, Highlands, and Hardee Counties. According to a Southwest Florida Water Management District Regional Water Supply Plan, in a 20 year long range plan, Polk and Highlands Counties will not have enough water to meet their current needs. Staff is recommending asking the Heartland Water Alliance to meet to discuss hiring a consultant to create a long range plan to supply water needs for Polk, Highlands, and Hardee counties. The next step would be to ask SWFWMD for funding assistance. The Board reached a consensus to instruct Staff to move forward with the Water Alliance meeting.

5. Request approval of Resolution and Budget Amendment 01-02-418, and Budget Amendment 01-02-419

County Administrator, Carl Cool, presented for approval a budget amendment and Resolution from the Sheriff's Office that would allow them to close out last year's budget. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 229.

Carl Cool advised the Board, that moving the December 3, 2002 Board meeting to December 2, requires the deadline for agenda items to be changed to Monday, November 25, due the Thanksgiving holiday.

6. CITIZENS NOT ON AGENDA

No participants.

7. COMMISSIONERS

No reports.

8. ADJOURN

The meeting adjourned at 11:36 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD NOVEMBER 12, 2002

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:

- | | |
|-----------------------|-----------------------|
| Bob Bullard | Carl Cool |
| Edgar Stokes | Bob Jamison |
| David Flowers | J Ross Macbeth |
| Andrew Jackson | Jodi Giguere |
| C Guy Maxcy | |

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. ANNOUNCEMENTS

A. Sheriff:

Lt. Susan Benton presented the daily jail log of inmate count for the period ending November 12, 2002.

B. Clerk

No report.

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

4. CONSENT AGENDA

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

A. Request approval to pay all duly authorized bills and employee benefits November 12, 2002

Law Library	16.99
General	124,689.86
County Transportation Trust	84,781.69
E911 Operations Fund	44,079.26
Local Govt Infra Surtax	185,495.73
Affordable Housing Assistance	11,187.19
Solid Waste	8,394.78
Placid Utilities	1,896.39
Highway Park Utility	1,392.34
Risk Retention	4.88
Employee Benefit	4,555.84

B. Request approval of Library Policies update. See SMB 42 Page 77.

C. Request approval of the sale of Tax Certificates 02-13224; 02-14113; 02-10013; 02-13328; 02- 14121; 02-10033; 02-14075; 02-14191 - Highlands Enterprises, Inc. See SMB 42 Page 78.

D. Request approval of the sale of Tax Certificates 00-15998; 00-13444; 00-13434; 99-

- 15519; 00-13435; 00-15999 and 99-13344 - Hayden Company. See SMB 42 Page 79.
- E. Request approval of Deferred Compensation Plan Amendment. See Insurance file.
 - F. Request approval of the Federal Annual Certification Report for the Highlands County Sheriff's Department. See SMB 42 Page 80.
 - G. Request approval of Satisfaction of Mortgage for Jo Ochoa. See Satisfaction file.
 - H. Request approval of Contract with Habitat for Humanity. See file for copy.
 - I. Request approval and execution of Ridge Area Association for Retarded Citizens. See Grant file.
 - J. Request approval of final plat recording for Arbuckle Prairie Subdivision. See Subdivision file.
 - K. Request approval of Budget Amendments 02-03-042; 049 and 054
 - L. Request approval of Resolutions and Budget Amendments 02-03-046; 047; 050 and 051. See Res. Book 15 Page 230.
 - M. Request approval of Budget Amendment & Resolution 02-03-036 and approval and execution of State Funded Subgrant Agreement to facilitate the development of an Interlocal between the County, Municipalities, School Board & Department of Community Affairs. See Res. Book 15 Page 231.

5. ~~ACTION AGENDA: OMB Director, and Duane Draper, Bryant, Miller & Olive PA, and Hal Canary of Public Financial Management: Request consideration and approval of Resolutions authorizing the issuance of Solid Waste System Revenue Notes Series 2002~~

6. WORKSHOP: Five-year Budget projections and revenue alternatives

County Administrator, Carl Cool, stated that this workshop is being held at the request of the Board, in order to get an early look at budget issues for next year. The budget process has become more difficult in the last few years. The problem is that projected expenses are more than projected revenue, something that has happened every year for the past five years. He suggested the Commissioners consider a long range plan, like that used for the 10 year capital improvement plan. OMB Director, Rick Helms, gave a powerpoint presentation, giving data from the last five years, as well as projections of what to expect in the upcoming years. His projections show a \$9.6 million deficit in the county's general fund by the 2007-08 fiscal year. Tax cuts in the federal government has shifted financial responsibility to the state and local levels. He presented some alternative revenue sources for their consideration.

One possible revenue source is the local option gas tax. Currently, Highlands County levies three cents of local option gas tax. Carl Cool stated that the Commission needs to make a decision whether it wants to continue the three cents tax, increase it by two pennies, or abolish, adding that it expires in one year and the Board has until July 1, 2003 to decide. If the Board decides to levy the additional two cents, the tax would bring in approximately \$295,000 for each penny.

Commissioner Flowers stated that the County needs better control over their spending. He suggested developing a mission statement based on essential needs, and having budget workshops for each department that is dependant on the ad valorem tax. He added that the health and safety of our citizens is not to be compromised. Commissioner Jackson stated the need to prioritize the role of government. Commissioner Maxcy suggested the idea of forming a committee of citizens to help deal with the budget. Chairman Bullard disagreed, stating that providing a balanced budget is part of his job as a County Commissioner.

The Chair opened the floor to the public. Ray Napper questioned the Board's justification for spending money on non-essential programs, such as recreation. Dan Littlefield expressed his comments about the

unfairness of fire assessments.

Break 10:50 - 11:00 A.M.

Commissioner Jackson suggested having budget workshops on a regular basis. Carl Cool requested the Board to complete their budget priority forms to give Staff a starting point to work from for next year's budget. See Budget file.

7. WORKSHOP: Recreation Interlocal Agreements

County Administrator, Carl Cool, presented the Board with a draft of a proposed Interlocal Agreement for discussion. The agreement, being slightly different from last year, allows for the Board to provide funding up to 50% of money expended by the cities, and includes a cap on how much may be spent in a year. The County agreed to an Interlocal Agreement with the cities in 1995-96, with the county reimbursing expenses that covered maintenance costs. Over the years, the cities have increased their spending to include operations and capital expenditures. Chairman Bullard wants to return to the original agreement, reimbursing maintenance and operation expenses. OMB Director, Rick Helms, stated that the draft agreement also includes definitions of allowable expenses, those monies spent for the maintenance and operation of approved facilities. Funding has gone from just over \$100,000 in FY 95/96 to over \$400,000 in FY 01/02, with an increase from \$299,000 to \$527,000 in the last two years. Avon Park City Manager, C.B. Shirey, spoke in support of having defined spending limitations. City of Sebring Financial Director, Mike Eastman, stated he liked the idea of a cap on spending. Dee McDonald, representing RPAC, offered the committee's assistance to help with the process. The Board instructed Staff to meet with the cities to define the agreement to one that is acceptable to all parties, then come back before the Board with a final draft for approval. See SMB 42 Page 81.

8. CITIZENS NOT ON AGENDA

No participants.

9. COMMISSIONERS

Commissioner Maxcy stated that he will be attending a meeting tomorrow in Winter Haven with Senator J.D. Alexander to discuss increasing medicaid costs.

10. ADJOURN

The meeting adjourned at 11:50 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD NOVEMBER 19, 2002

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:

Bob Bullard	Carl Cool
Edgar Stokes	Bob Jamison
David Flowers	J Ross Macbeth
Andrew Jackson	Jodi Giguere
C Guy Maxcy	

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Pastor Jim Leach of the Memorial United Methodist Church of Lake Placid. The Pledge of Allegiance was led by Lt. Susan Benton of the Highlands County Sheriffs Office.

3. **SWEARING IN CEREMONY BY CLERK OF COURTS, LUKE BROOKER**

- A. **Commissioner Bob Bullard**
- B. **Commissioner Edgar Stokes**

4. **ELECTION OF CHAIR AND VICE-CHAIR**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to elect Commissioner Stokes as Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

The gavel was passed to the new Chair, Edgar Stokes.

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to elect Commissioner Flowers as the Vice Chairperson to the Board of County Commissioners. Upon roll call, all Commissioners voted aye. Motion carried.

5. **PRESENTATION OF A PLAQUE TO THE OUTGOING CHAIRMAN**

The new Chair, Edgar Stokes, presented a plaque to the outgoing Chairman, Bob Bullard, for his services and leadership during the past year.

6. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending November 19, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended November 15, 2002*, as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 82.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings and cancellations were announced for the benefit of the public.

7. CONSENT AGENDA

Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve agenda as amended. Remove Item 7-H, to be placed on the Action Agenda under the County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

- A. Request approval to pay all duly authorized bills and employee benefits November 19, 2002**
 - General 1,415,017.83
 - County Transportation Trust 40,843.62
 - E911 Operations Fund 5,734.29
 - Intergovt Radio Communications 89.75
 - Local Govt Infra Surtax 95,370.27
 - Affordable Housing Assistance 35,128.51
 - HCISSRB Construction Fund 2,413.00
 - Solid Waste 66,627.79
 - Placid Utilities 9,633.85
 - Highway Park Utility 4,402.61
 - Employee Benefit 11,640.97
- B. Request approval of Board meeting minutes of October 22, 2002**
- C. Request approval of the appointment of Lee Andrus to the Water Advisory Committee. See SMB 42 Page 83.**
- D. Request approval to remove members of the Water Advisory Committee due to their unacceptable attendance records. See SMB 42 Page 84.**
- E. Request approval and execution of Florida Department of Environmental Protection Hazardous Waste Cooperative Arrangement Grant. See Grant file.**
- F. Request approval of sale of Tax Certificates per attached list - Highland Enterprises, Inc. See SMB 42 Page 85.**
- G. Request approval of a Resolution approving issuance of Highlands County Health Facilities Authority “Fixed Rate Revenue Bonds, Series 2002B” in the amount of \$75,000,000.; and “Variable Rate Demand Revenue Bonds, Series 2002C” in the amount of \$75,000,000. See Res. Book 15 Page 232.**
- H. ~~Request approval of seven Grant Agreements executed by the Highlands County Hospital Board per attached list~~**
- I. Request approval of Budget Amendments 02-03-055 and 01-02-420**
- J. Request approval of Resolution and Budget Amendment 02-03-057. See Res. Book 15 Page 233.**

8. ACTION AGENDA:

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

- A. Emergency Medical Services Director Rick Weigand and David Duke of Tampa General’s AeroMed program: Request approval to renew Certificate of Public Convenience & Necessity for AeroMed II**

EMS Director, Rick Weigand, presented the request for approval to renew the Certificate of Public Convenience & Necessity for Tampa General Hospital’s Aeromed II to operate in Highlands County. David

Duke, EMS Coordinator for Aeromed gave a brief history and some basic statistics of the service that is provided by Aeromed. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve the request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See EMS file.

B. Susan King, Florida Department of Transportation: Presentation of the Five-Year Work Program

Ben Walker, representing the Florida Department of Transportation, presented FDOT's Five Year Work Program for Highlands County. He presented a detailed list of projects, selected as priorities by the Board, that have been approved for funding by FDOT through FY 2007/08. Motion by Commissioner Flowers, seconded by Commissioner Bullard to adopt FDOT's Five Year Plan as presented. Upon roll call, all Commissioners voted aye. Motion carried. See FDOT file.

C. Development Services Director: Discussion of procedures, guidelines and requirement for approval or denial of Special Use Permit(s)

Development Services Director, Jim Polatty, presented for discussion a draft order form for a Special Use Permit. At next week's Board meeting, the Commissioners will be asked to approve a re-zoning to PW Public Water Supply zoning district, a Comprehensive Plan amendment to PW Public Water Supply Comprehensive Plan Future Land Use category, and a Special Use Permit for a public wellfield. The procedures and standards used to issue a Special Use Permit are identical to those used by the Board of Adjustments for Special Exceptions. Both are quasi-judicial or administrative approvals. Board Attorney, Ross Macbeth, stated that he will provide each of the Commissioners with the general procedural rules for conducting quasi-judicial hearings prior to next week's meeting. The Board directed Staff to draft a Special Use Permit order, including the findings of fact and conclusions of law, and attach it as part of the public hearing packet on November 26. See SMB 42 Page 86.

D. County Administrator:

1. Request approval of a Resolution in support of Florida's Strategic Intermodal System

County Administrator, Carl Cool, presented for approval a Resolution asking the Department of Transportation to consider including Highlands County in Florida's Strategic Intermodal System. Commissioner Bullard pointed out that Highlands County was designated by the Governor as part of an area of critical economic concern, adding that language stating that should be added to the Resolution. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve the Resolution with the following additional language: *Whereas, the Governor of the State of Florida has designated Highlands County as part of an area of critical economic concern.* Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page

2. Request approval of seven Grant Agreements executed by the Highlands County Hospital Board per attached list.

County Administrator, Carl Cool, presented a request to approve the Grant Agreements between the Highlands County Hospital District and the grant recipients chosen by the Hospital Board. Approval of the Grant agreements by the Commission would allow for the transfer of funds from the Hospital District to the Board of County Commissioners for payment to the Grant recipients. He stated that funding for the Highlands County Health Department in the amount of \$246,500 has been added to the original request. He also noted two corrections that were made to the funding amounts to two of the Health Departments' programs. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve request with

the noted changes. Upon roll call, all Commissioners voted aye. Motion carried. See Hospital District file.

9. WORKSHOP: Workshop on Sun 'n Lake Ordinance Amendment

County Administrator, Carl Cool, stated the purpose of this workshop was to discuss proposed changes to the Sun 'n Lake Ordinance, that is scheduled for a public hearing at next week's meeting. He stated that errors on the two versions of legal maps will need to be corrected prior to the public hearing. John McClure, attorney for the Sebring Sun n' Lake Board of Supervisors, stated that the latest draft of the ordinance is acceptable, except for the section on voting procedures. Board Attorney, Ross Macbeth, stated that he drafted the ordinance with a proposed solution to the voting issue, by allowing for a landowner vote rather than a lot-owner vote. He briefly explained the various changes that have been made to the ordinance. Commissioner Bullard stated the need to resolve the issues by drafting an ordinance that the Board of County Commissioners and the Board of Supervisors are in agreement with, then reach an agreement on the voting procedures.

Development Services Director, Jim Polatty, stated concerns that Staff has with the minimum maintenance standards included in the ordinance, adding that the district's codes are slightly higher than those for the county. Having two different levels of standards for the district would be confusing for residents, as well as time-consuming and costly for the County. He suggested pulling that section from the ordinance for discussion at a later date.

County Administrator, Carl Cool, brought up concerns about debt issuance. Currently, the county has no limit imposed on the issuance of debt within the District. He suggested requiring the District to obtain Board approval for any issuance of debt in excess of \$200,000. Commissioner Bullard, Jackson, and Maxcy disagreed.

Break 10:50 - 11:00 A.M.

Carl Cool continued by suggesting another option to solving the voting issue, to have the Board ask the State Legislature to create a city, make Sun n' Lake incorporated. This would resolve the voting issues by allowing only residents to vote. It would also disenfranchise the Board of Supervisors. Bob Severino, President of the Board of Supervisors, suggested moving forward by withdrawing the voting issue at this time, and eliminating the District's right to vote. The Chair opened the floor to the public.

Rex Bond suggested deleting the word "social" when referring to benefits from maintenance assessments under Section 18: subsection 9-153 (b). Dick Diotte and George Cruickshank spoke in support of resolving the issues and passing the Resolution. Marion Varner questioned the ever increasing assessments that the residents have to pay. Joe Grecko urged the Board to consider having the State turn the District into a city. Larry Bertetto stated that a lot of residents are happy with the way things are run within the District. Stanley Hawthorne, new Manager for the District, stated that he is looking forward to working with the Board in the future.

The Board directed Staff and the Board Attorney to modify the Resolution, taking into consideration the ideas presented by the District Board and the public, and prepare an updated draft for presentation at the public hearing next week. See District file.

10. CITIZENS NOT ON AGENDA

No participants.

11. COMMISSIONERS

- Commissioners Maxcy and Jackson offered their congratulations to Chairman Stokes and Vice Chairman Flowers on their appointments.
- Commissioner Bullard stated he is looking forward to working with the new Chairman.
- Chairman Stokes voiced his appreciation for the confidence that the Commissioners put in him by electing him Chairman.

12. ADJOURN

The meeting adjourned at 11:54 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD NOVEMBER 26, 2002

- 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:

Edgar Stokes	Carl Cool
David Flowers	Thomas Portz
Andrew Jackson	Bob Jamison
Bob Bullard	J Ross Macbeth
C Guy Maxcy	Jodi Giguere

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- 3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending November 26, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended November 22, 2002, and a report of Jury Trial Week for the month of November* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 87.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool.

- 4. **CONSENT AGENDA**

Motion by Commissioner Flowers, seconded by Commissioner Maxcy, to approve agenda as amended. Delete Item 4-C from Agenda. Remove Item 4-D, to be placed on Action Agenda under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits November 26, 2002**

Law Library	88.00
General	575,832.12
County Transportation Trust	34,241.83
E911 Operations Fund	4,831.62
Legal Aid	5,845.62
Local Govt Infra Surtax	47,213.83
Affordable Housing Assistance	10,680.45
HCISSRB Construction Fund	113.31
Solid Waste	15,471.09
Placid Utilities	13.54
Highway Park Utility	27.84
Employee Benefit	6,457.96
Highlands Hospital Pass Thru	537,532.92

- B. **Request approval of a Resolution from the Department of Community Affairs authorizing the chief elected official or county administrator to make application (this item is in reference to the Community Development Block Grant). See Res. Book 15 Page 234.**
- C. ~~Request approval of a Resolution on expenditure of SHHP funds on CDBG activities~~
- D. ~~Request approval of a Road & Bridge Department lead worker designation~~
- E. **Request approval of execution of Flood Acquisition Agreement Modification with the Department of Community Affairs & Budget Amendment 02-03-060 & Resolution. See Grant file and Res. Book 15 Page 235.**
- F. **Request approval of Budget Amendment 01-02-423**
- G. **Request approval of Resolution and Budget Amendments 01-02-421; 02-03-053 and 02-03-067. See Res. Book 15 Page 236.**

5. ACTION

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to set Action Agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Jerry Caffrey, Highlands County Farm Bureau: Request approval of a Proclamation in support of “National Farm-City Week” November 22-28, 2002

Sharon Dietrich, Federation Coordinator of the Highlands County Farm Bureau, presented the request to approve the Proclamation. Chairman Stokes read the Proclamation into the record. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve the Proclamation, designating the week of November 22-28, 2002 as *Farm City Week* . Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 237.

6. PUBLIC HEARING: Public Hearing on Small Scale/Large Scale Zoning Changes and ORC Response as listed:

Development Services Director, Jim Polatty, presented Proof of Publication for the following hearings. See Proof of Pub Ord. Book 3 Page 27.

HEARING # CPA - 02-200 SS - DONALD I. BROOKS

Approximately 9.07 acres located on the South side of Desoto Road and approximately 735 feet East of Desoto City Road, Sebring, Florida, located in Sec. 3, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a small scale plan amendment from (High Density Residential) to (Agriculture). See below Hearing #1637 for details.

HEARING #1637 - DONALD I. BROOKS

Approximately 9.07 acres located on the South side of Desoto Road and approximately 735 feet East of Desoto City Road, Sebring, Florida, located in Sec. 3, Twp. 35S, Rge. 29E, Highlands County, Florida.

Requesting a zoning change from M-2 (Mobile Home Parks district) to AU (Agricultural). Applicant desires to construct a single family residence.

Development Services Director, Jim Polatty, presented the request. Donald Brooks, the petitioner, spoke in favor of the zoning change. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in

accordance with the recommendation of the Local Planning Agency, approve by Ordinance the small scale development CPA-02-200 SS, amending the FLUM from High Density Residential to Agriculture becoming effective as provided by law, and including the Mandatory Findings in the staff report, and adopt P&Z Case No. 1637, a zoning change from M-2 (Mobile Home Parks district) to AU (Agricultural) by Resolution, including the Mandatory Findings in the staff report, and contingent upon the small scale plan amendment (CPA-02-197 SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 238.

HEARING # CPA - 02-201 SS - BRUCE J. ENDERS AND ROSEMARY J. ENDERS AND WAYNE WHITMIRE AND DELORES WHITMIRE - C/O REED S. THURSBY, P.E., MATT PRESTON

Five (5) lots located on the East side of Tin House Cove Road, Lorida, Florida. Parcels A, B, C, D, and E, Kissimmee River Shores Unrecorded per O.R. Book 410, Page 780 and O.R. 466 Page 443 of the Public Records of Highlands County, Florida.

Requesting a small scale plan amendment from (Existing Designation) to (Medium Density Residential). See below Hearing #1638 for details.

HEARING # 1638 - BRUCE J. ENDERS AND ROSEMARY J. ENDERS AND WAYNE WHITMIRE AND DELORES WHITMIRE - C/O REEDS. THURSBY, P.E., MATT PRESTON

Five (5) lots located on the East side of Tin House Cove Road, Lorida, Florida. Parcels A, B, C, D, and E, Kissimmee River Shores Unrecorded per O.R. Book 410, Page 780 and O.R. 466 Page 443 of the Public Records of Highlands County, Florida.

Requesting a zoning change from M-1 (Mobile Home Subdivision district) to M-1-S (Mobile Home and Residential Subdivisions district). Applicants desires to construct a single family dwelling on each lot.

Development Services Director, Jim Polatty, presented the request. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, in accordance with the recommendation of the Local Planning Agency, approve by Ordinance the small scale development CPA-02-201 SS, amending the FLUM from (Existing Designation) to (Medium Density Residential) becoming effective as provided by law, and including the Mandatory Findings in the staff report, and adopt P&Z Case No. 1638, a zoning change from M-1 (Mobile Home Subdivision district) to M-1-S (Mobile Home and Residential Subdivisions district) by Resolution, including the Mandatory Findings in the staff report, and contingent upon the small scale plan amendment (CPA-02-197SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 239.

HEARING # CPA - 02-202 SS - KELLEY SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY - SWAINE, HARRIS & SHEEHAN, P.A.

Approximately 9.9 acres located on the North side of S.R. 70, approximately ½ mile West of the intersection with C.R. 29, Lake Placid, Florida, located in Sec. 35, Twp. 37S, Rge. 30E, Highlands County, Florida.

Requesting a small scale plan amendment from (Agriculture) to (Public Water Supply). See below Hearing #1639 for details.

HEARING #1639 - KELLEY SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY - SWAINE, HARRIS & SHEEHAN, P.A.

Approximately 9.9 acres located on the North side of S.R. 70, approximately ½ mile West of the intersection with C.R. 29, Lake Placid, Florida, located in Sec. 35, Twp. 37S, Rge.

30E, Highlands County, Florida.

Requesting a zoning change from AU (Agricultural) to PW (Public Water Supply district). Applicant desires collection of spring water for human consumption.

Development Services Director, Jim Polatty, presented the request. He stated that the Local Planning Agency and P&Z recommend denial of the requests. Bert Harris Jr, representing the applicant, gave a short presentation, and submitted into the record, 18 letters of consent from area landowners to the petition brought by Kelley Springs, LLC. Commissioner Bullard and Chairman Stokes entered into the record, letters that they have received from the public in favor and in opposition to the petition. Attorney Wendell Whitehouse was present representing Bear Hollow Enterprises, in opposition to the petition. Testimony was received from Jim Polatty, Mack Payne, the applicant, Dale Hardin, on behalf of AMS Engineering, and Nigel Morris, president of AMS Engineering. All witnesses were questioned by Bert Harris Jr, and cross-examined by Wendell Whitehouse.

Break 11:25 - 11:35 A.M.

The Chair opened the floor to the public. Public input was received in support of the land use change and re-zone from the following: Ray Napper, Reese Martin, representing Highlands County Farm Bureau, Louise England, representing EDC/IDA, Jack Scarborough, and Donald Elliott. Public input was received in opposition from the following: Hank Kowalski, Jack Clark, Debra Worley, Don Linton, Jack Ritchie, Bill Burnell, Ken Wright, Steve Bennett, John Bock, and Dick Reedy.

Motion by Commissioner Bullard, seconded by Commissioner Jackson, approve by Ordinance the small scale development CPA-02-202 SS, amending the FLUM from (Agriculture) to (Public Water Supply) becoming effective by law, and including the Mandatory Findings in the staff report, and adopt P&Z Case No. 1639, a zoning change from AU (Agricultural) to PW (Public Water Supply district) by Resolution, including the Mandatory Findings in the staff report, and contingent upon the small scale plan amendment (CPA-02-202 SS) becoming effective as provided by law. Upon roll call, all Commissioners voted aye, except Commissioner Maxcy and Commissioner Flowers, who voted nay. Motion carried. See Res. Book 15 Page 240.

Lunch Break 1:30 - 2:30 P.M.

**HEARING SPECIAL USE PERMIT FOR: POTABLE WATER FACILITY
COVERED OR INCLUDED BY FLORIDA ADMINISTRATIVE CODE 40D-2 OR
40E-2 FOR THE COLLECTION OF SPRING WATER FOR HUMAN
CONSUMPTION.- KELLEY SPRINGS, LLC, A FLORIDA LIMITED LIABILITY
COMPANY - SWAINE, HARRIS & SHEEHAN, P.A.**

Approximately 9.9 acres located on the north side of S.R. 70, approximately ½ mile west of the intersection with C.R. 29, Lake Placid, Florida, located in Sec. 35, Twp. 37S, Rge. 30E, Highlands County, Florida.

Requesting a Special Use Permit For: Potable water facility covered or included by Florida Administrative Code 40D-2 or 40E-2 for the collection of spring water for human consumption. Applicant desires collection of spring water for human consumption. See above Hearing # CPA-02-202SS and Rezoning P&Z Hearing #1639 for details.

Development Services Director, Jim Polatty, presented the request. Board Attorney, Ross Macbeth,

gave the Board a brief summary of the draft form of the application for a Special Use Permit. Jim Polatty stated that the condition dealing with tank truck delivery was a way to cap the amount of truck traffic on the property. Bert Harris Jr, representing the applicant, stated that the applicant is in agreement with the terms of the draft order, with the exception of the limitation of truck traffic. He requested that item be deleted, due to the delivery trucks only carrying a maximum of 5,500 gallons each. Further testimony was obtained from Jim Polatty, being questioned by Bert Harris Jr. Commissioner Bullard stated that he needs proof that all conditions set forth in the Florida Administrative Code have been met, before he would vote in favor of issuing a permit. He added that specific environmental reports have not been submitted as evidence. Wendell Whitehouse stated his objection to continuing with the Special Use Permit hearing. Bert Harris Jr, requested a 60 day extension, giving the applicant time to prepare the needed documents, and County Staff time to review the documents. Motion by Commissioner Bullard, seconded by Commissioner Flowers, to continue the Special Use Permit Order hearing until February 11, 2003, at 9:00 A.M. or soon thereafter as possible in the Government Center Building, Board of County Commissioners Meeting Room. Upon roll call, all Commissioners voted aye. Motion carried.

HEARING # CPA -02-204SS -JOHN P. AND LAURINE M. BREAU

One lot located on the North side of C.R. 621 East, approximately 680 feet East of Monroe Avenue, and approximately 450 feet West of Patton Avenue, Lake Placid, Florida. Lot 26, Block 2, Highlands Park Estates, Section D, according to the plat thereof, as recorded in Plat Book 4, at Page 86, of the Public Records of Highlands County, Florida.

Requesting a small scale plan amendment from (Medium Density Residential) to (Commercial).

Development Services Director, Jim Polatty, presented the request. John Breau, the petitioner, spoke in support of the land use change. Hank Kowalski spoke in opposition. Motion by Commissioner Flowers, seconded by Commissioner Maxcy, in accordance with the recommendation of the Local Planning Agency, approve and adopt by Ordinance the small scale development CPA-02-204 SS, amending the FLUM from (Medium Density Residential) to (Commercial) becoming effective as provided by law, and including the Mandatory Findings in the staff report. Upon roll call, all Commissioners voted aye. Motion carried.

PUBLIC HEARING: Response to Objections, Recommendations and Comments (ORC) Report for Highlands County 02-2, Large Scale Plan Amendment.

Proof of Publication was entered into the record by Development Services Director, Jim Polatty. See Proof of Pub Ord. Book 3 Page 28.

The Large Scale Amendments that had **no comment** from DCA and are ready to be adopted include:

CPA-02-174LS (22 text and FLUM comprehensive plan amendments),

CPA-02-184LS (large scale FLUM amendment to High Density Residential for 8 properties that had previously received their High Density Residential FLUM designation by small scale amendment),

CPA-02-192LS (Plan amendment from Commercial and Agriculture to Industrial for the Creed Family Ltd. Partnership/Warehouse America, Inc.), and

CPA-02-195LS (a FLUM amendment from Agriculture to Medium Density Residential for Leucadia Inc. for an 22.1 acre portion of the abandoned Orange Blossom golf course, west of Orange Blossom Boulevard and north of Lake Josephine Drive, comprising 10 parcels).

The following three cases are recommended for approval by the Planning staff:

LARGE SCALE PLAN AMENDMENT NO. CPA-02-188LS- a large scale development Plan amendment from Low Density Residential to High Density Residential and a re-zone from AU (Agricultural) to R-3 (Multiple Dwelling district) for Ivan S. & Ruth M. Parson, William A & Jean E. Mathews, and Carmela M. Davis. Applicant's Representative: Tim Blackman for an approximate 21.12 acre parcel located west of U.S. 27 North, on Howey Road, and south of the Lakeshore Mall.

LARGE SCALE PLAN AMENDMENT NO. CPA-02-191LS - Requesting a large scale development Plan amendment from Agriculture to High Density Residential and a re-zone from AU (Agricultural) to RV FUD (RV Park with a Flexible Unit Development) for Joseph A. & Janice K. Crowley for an approximately 10.40 acres located east of Highlands Lake Drive, and one mile north of C.R. 621, Lake Placid, Florida.

LARGE SCALE PLAN AMENDMENT NO. CPA-02-194LS - a large scale development Plan amendment from Agriculture to Commercial and Medium Density Residential for Moss Hammock, Inc for approximately 31.95 acres located north of C.R. No. 634 (Hammock Road) and east of the entrance to Highlands Hammock State Park.

Development Services Director, Jim Polatty, presented the seven large scale plan amendments for approval. He summarized the objections, recommendations, and comments received from DCA, along with the responses issued by Staff. Jeff Parker and Rick Whidden spoke on behalf of Moss Hammock, Inc. (CPA-02-194LS). The Chair opened the floor to the public. Hank Kowalski expressed his satisfaction in seeing DCA get involved in small county land use issues.

Motion by Commissioner Maxcy, seconded by Commissioner Bullard, in accordance with the recommendations by P&Z, approve by Ordinance, CPA-02-174LS, CPA-02-184LS, CPA-02-192LS, CPA-02-195, CPA-02-188LS, CPA-02-191LS, and CPA-02-194LS, along with the rewritten Staff Report. Upon roll call, all Commissioners voted aye. Motion carried.

7. PUBLIC HEARING: Second Public Hearing and Advisory Counsel meeting regarding CDBG funding for the year 2002

Proof of Publication was entered into the record by Penny Phillippi, Housing Coordinator. See SMB 42 Page 88. Don Ridley and Scott Myosett, representing Summit Professional Services were present at the meeting. Scott Myosett stated the purpose of this second public hearing is to receive input on the CDBG Block Grant application in the Housing Rehabilitation. The Chair opened the floor to the public. No one spoke for or against the application. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to direct Staff to submit the Housing Rehabilitation application to the Department of Community Affairs. Upon roll call, all Commissioners voted aye. Motion carried. See Housing file.

8. PUBLIC HEARING: Public Hearing to approve Resolution authorizing exchange of property with Highlands Shrine Club Holding Corporation, Inc., and Resolution authorizing conveyance to Sebring Jaycees Charities, Inc. to facilitate Chatterpaul drainage project

Proof of Publication was entered into the record by County Administrator, Carl Cool. See SMB 42 Page 89. Carl Cool presented the requests to approve the Resolution authorizing the exchange of property between the County and Highlands Shrine Club. He stated that the Resolution for the Sebring Jaycees is being pulled from the agenda and will be brought back before the Board at a later date. Motion by

Commissioner Flowers, seconded by Commissioner Maxcy to approve the Resolution and County Deed, authorizing the exchange of property between the County and Highlands Shrine Club. Upon roll call, all Commissioners voted aye. Motion carried. See Deed file.

9. PUBLIC HEARING: To consider purchase of 3240 Desoto Road, Sebring, FL for Sebring Parkway Phase II

Proof of Publication was entered into the record. Engineering Services Manager, Jennifer Good, presented the request to purchase the property located at 3240 Desoto Road for use in Sebring Parkway Phase II in the amount of \$38,291.57. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the Contract for Sale, Purchase Agreement, and Closing Statements for the property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 90.

10. PUBLIC HEARING: Requesting approval of a Resolution to vacate an easement being the South 7.50 feet of Lot 6 and the North 7.50 feet of Lot 7, Block 394, Sun 'n Lake Estates of Sebring, Unit 18, as per Plat recorded in Plat Book 10, Page 27, of the Public Records of Highlands county, Florida. Less the East 50.00 feet thereof. Rick Whidden for Elisabeth Oliveros Trustee, Petitioner

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 42 Page 91. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 242.

11. PUBLIC HEARING: To consider purchase of 620 Pomegranate Avenue, Sebring, FL for Sebring Parkway Phase I drainage

Proof of Publication was entered into the record. County Engineer, Ramon Gavarrete, presented the request to purchase the property at 620 Pomegranate Avenue for use in Sebring Parkway Phase I drainage in the amount of \$20,899.00. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to approve the Contract for Sale, Purchase Agreement and Closing Statements for the property. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 92.

12. PUBLIC HEARING: To request approval of Resolution to vacate an easement being the East 7.50 feet of Lots 35, 36, 37, 38 and 39, Block 325, Sun 'n Lake Estates of Sebring, Unit 15, as per Plat recorded in Plat Book 10, Page 3, of the Public Records of Highlands County, Florida. Less the Northerly 10.00 feet thereof and the West 7.50 feet of Lots 36, 37, 38, 39 and 40, Block 325, Sun 'n Lakes Estates of Sebring Unit 15, as per Plat recorded in Plat Book 10, Page 3, of the Public Records of Highlands County Florida. Less the Northerly 10.00 feet thereof. Rick Whidden for Florida Heart Group Holdings LLC. Petitioners

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 42 Page 93. Motion by Commissioner Maxcy, seconded by Commissioner Bullard to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 243.

13. PUBLIC HEARING: To request approval of Resolution to vacate an easement being the East 7.50 feet of Lots 18, 19 and 20, Block 257, Sun 'n Lakes of Sebring, Unit 13, as per plat recorded in Plat Book 9, Page 71, of the Public Records of Highlands County,

Florida. Less the Southerly 10.00 feet thereof and the West 7.50 feet of Lots 19, 20 and 21, Block 257, Sun 'n Lakes of Sebring Unit 13, as per Plat recorded in Plat Book 9, Page 71, of the Public Records of Highlands County, Florida. Less the Southerly 10.00 feet thereof. Rick Whidden for C.B. & Ranjanbala C. Patel, Petitioners

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 42 Page 94. Motion by Commissioner Bullard, seconded by Commissioner Jackson to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 244.

14. PUBLIC HEARING: To consider Sun 'n Lake Ordinance

County Administrator, Carl Cool, presented the Proof of Publication into the record. See SMB 42 Page 95. He stated the purpose for this public hearing is to consider the possible changes to the Sun n' Lakes of Sebring Improvement District Ordinance. Board Attorney, Ross Macbeth, submitted a draft ordinance for approval, including the proposed changes recommended by the Board. A caption of the Ordinance was read into the record. The Chair opened the floor to the public. Bob Severino, president of the Board of Supervisors for the Improvement District, stated that the Board was in agreement with the modifications made to the Ordinance, adding that he hoped the issues pertaining to minimum standards codes and voting procedures would be addressed withing the next year. Rex Bond stated his support for the Ordinance. Larry Stangey expressed his opposition to the compensation for the Board of Supervisors. Motion by Commissioner Jackson, seconded by Commissioner Bullard to adopt the Ordinance for the Sun n' Lake Improvement District. Upon roll call, all Commissioners voted aye. Motion carried.

15. PUBLIC HEARING: TEFRA hearing approving the issuance by the Housing Finance Authority of Manatee County, Florida, of its Single Family Mortgage Revenue Bonds to provide funds to finance qualifying single family mortgage loans in various counties within the State of Florida, including Highlands County

County Administrator, Carl Cool, presented the Proof of Publication into the record. See SMB 42 Page 96. He presented a Resolution and Interlocal Agreement for approval. The Chair opened the floor to the public. No one spoke for or against the request. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve the Resolution and Interlocal Agreement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 245 and Housing file.

A. PUBLIC HEARING: TEFRA Hearing - Solid Waste

County Administrator, Carl Cool, presented the Proof of Publication into the record. See SMB 42 Page 97. He stated the purpose of this public hearing is to approve the necessary Resolution for the financing of the Landfill Liner. Rick Helms, OMB Director, introduced Duane Draper of the law firm of Bryant, Miller and Olive, bond counsel. Duane Draper presented the Resolution for approval. He added that closing for the loan is scheduled for Monday, December 2, 2002. Deputy Clerk, Bob Jamison, stated that the Clerk's office is in concurrence with the recommendations.

Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the Resolution. Upon roll call, all Commissioners voted aye. Motion carried. See file for copy.

Break 4:30 - 4:40 P.M.

16. ACTION:

A. OMB Director:

1. Request approval of Resolution of Highlands County Florida authorizing the issuance of Solid Waste System Revenue Notes, Series 2002

Rick Helms, OMB Director, stated that this Resolution is the one that was approved by the Board in the previous public hearing. (Item 15A).

2. Discussion of proposed revisions to Recreation Interlocals for FY 02-03

Rick Helms, OMB Director, presented a revised Interlocal Agreement, highlighting the changes that have been made. The changes include revised definitions and additional definitions for pass-through programs and capital equipment. He reviewed the lists of facilities and the adopted city budgets for recreation for the cities. County Administrator, Carl Cool, requested that Hidden Beach and Crescent Beach in Sebring be deleted from the interlocal agreement. Board Attorney, Ross Macbeth, stated that the definitions need to be included within the body of the agreement. He added that the last sentence in the definition for “capital equipment” needs to be deleted. C.B. Shirey, Avon Park City Manager, stated that the Girl’s Softball Field at Park Elementary has been eliminated from the list of facilities for Avon Park.

Herbert Murphy, Executive Director of the Boys and Girls Club of Highlands County, came before the Board requesting that the funding for the Club be restored. Forrest Hilton spoke in support of the funding. Commissioner Bullard spoke in favor of restoring the funding directly to the Boys and Girls Club, according to the amount that was budgeted, and using some money from the CIP fund. Carl Cool stated that Staff will bring back a proposed grant agreement with the Boys and Girls Club, and will work with the cities on the Interlocal Agreements. See SMB 42 Page 98.

B. Board Attorney: Request approval of Deed - Paul H. Poore

Board Attorney, Ross Macbeth, presented a Quit Claim Deed from Paul H. Poore, donating a parcel of land next to landfill to the County. County Administrator, Carl Cool, stated that the only downfall would be that the County will own all of the land surrounding the old C&D Landfill. Motion by Commissioner Jackson, seconded by Commissioner Flowers to approve the request. Upon roll call, all Commissioners voted aye. Motion carried.

C. County Administrator:

1. Request approval of Budget Amendment 01-02-422 increasing Fund 005 Reserve for 2211 - Property Appraiser in FY 01-02

County Administrator, Carl Cool, presented for approval, a budget amendment that will finish up last year’s budget for the Property Appraiser. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of Budget Amendment 02-03-061 decreasing Fund 005 Reserve for Contingency and Budget Amendment 02-03-062 decreasing Fund 402 Reserve for Contingency

County Administrator, Carl Cool, presented budget amendment #02-03-061 for approval, paying the City of Avon Park for last year’s recreational funding. Motion by Commissioner Flowers, seconded by Commissioner to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool presented budget amendment #02-03-062, moving funds to pay unemployment compensation for Highway Park Utilities, for approval. Motion by Commissioner Maxcy, seconded by Commissioner Flowers, to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request Approval of a Road & Bridge Department lead worker designation

Commissioner Bullard requested this item be pulled from the consent agenda for discussion. He questioned Staff whether the position is justified and if they can afford it, adding that he is against mid-year budget increases. Commissioner Maxcy stated his agreement with Bullard. Bruce Vanjaarsveld, Road & Bridge Superintendent, stated that this was an oversight on his part, adding that the person in this position has been working in this capacity for almost a year and a half. County Administrator, Carl Cool, stated there is no need for a budget amendment to take the money out the Contingency Fund, adding that the funds will come from the current budget. Commissioner Flowers pointed out that the funding will come from the gas tax, not ad valorem taxes. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye, except Commissioner Jackson and Commissioner Bullard, who voted nay. Motion carried.

4. Request approval of Budget Amendments #01-02-425 & 427, and Resolution and Budget Amendment #01-02-426

County Administrator, Carl Cool, presented budget amendments and resolutions for approval, to finalize last years budgets. Motion by Commissioner Flowers, seconded by Commissioner Bullard to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 page 246.

17. CITIZENS NOT ON THE AGENDA

No participants.

18. COMMISSIONERS

Commissioner Flowers invited everyone to attend the Avon Park Christmas parade on Monday, December 2, 2002.

Chairman Stokes reminded the Commissioners to turn in their committee requests and budget priority lists by Monday. He also asked the Commissioners for their input regarding changing the day for Board meetings. Commissioners reached a consensus to continue with Tuesday meetings.

19. ADJOURN

The meeting adjourned at 5:58 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD DECEMBER 2, 2002

- 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:

Edgar Stokes	Carl Cool
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
Bob Bullard	Jodi Giguere
C Guy Maxcy	

County Administrator, Carl Cool, stated that this is a special meeting of the Board, and notice has been published in the newspaper. Proof of Publication was entered into the record. See SMB 42 Page 100.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting opened with a prayer by Commissioner David Flowers. The Pledge of Allegiance was led by Ken Beers, Chairman of the Highlands County Veterans Council.

3. ANNOUNCEMENTS

A. Sheriff:

No report.

B. Clerk

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended November 29, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 101.

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

4. CONSENT AGENDA

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

A. Approval of minutes of the November 5, 2002 and November 12, 2002 Board meetings

B. Request approval to pay all duly authorized bills and employee benefits December 2, 2002

Law Library	1,344.18
General	1,919,464.51
County Transportation Trust	12,449.76
E911 Operations Fund	976.02
Intergovt Radio Communications	225.90
Local Govt Infra Surtax	49,010.20
Affordable Housing Assistance	16,731.66
HCISSRB Construction Fund	57,767.31
Solid Waste	157,743.37

Placid Utilities	25,963.77
Highway Park Utility	964.94
Employee Benefit	23.75

- C. Request approval of adoption of procedures for dedication of right of way to the Highlands County Board of County Commissioners. See SMB 42 Page 102.**
- D. Request approval of final master surplus list and approval to transfer surplus items to “other governmental agencies and/or non-profit agencies” as indicated on attached list. See General Services Director file for list.**
- E. Request approval of Satisfaction of Mortgage for Mark & Rebecca Delaney. See Satisfaction file.**
- F. Request approval of a Resolution on expenditure of SHIP funds on CDBG activities. See Res. Book 15 Page 247.**
- G. Request approval to write off an EMS bill - Swank. See SMB 42 Page 103.**
- H. Request approval of Budget Amendments 02-03-070 and 073**

5. ACTION AGENDA

Motion by Commissioner Jackson, seconded by Commissioner Maxcy to set Action Agenda. Upon roll call, all Commissioners voted aye. Motion carried.

D. Lakes Manager: Request approval to authorize the County Administrator to request reduction or elimination of matching requirements for projects submitted to South West Florida Water Management District (SWFWMD) for cooperative funding

Clell Ford, Lakes Manager, presented a request for the Board to authorize the County Administrator to draft a letter to the Southwest Florida Water Management District (SWFWMD) requesting a reduction or elimination of matching funds requirements by state agencies for projects submitted to SWFWMD for cooperative funding. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 104.

B. County Engineer: Discussion of US 27 Weigh-in-Motion Stations Project from SR 27 to SR 70 - Financial ID No. 406740-1-22-01 - Federal Project No. 3991-055-P

County Engineer, Ramon Gavarrete, introduced Roy Chapman of Reynolds, Smith and Hills, the consulting firm under contract with FDOT, for the weigh stations proposed to be placed in Highlands or Glades County. A public hearing, hosted by FDOT, is scheduled for December 17, 2002 at Lake Placid High School at 7:00 P.M. Roy Chapman gave a presentation on the two alternatives that have been chosen by FDOT to be carried through. The estimated construction costs for the two weigh in motion facilities is \$13 million. He stated that they also have a no-build alternative. Commissioner Bullard questioned the steps that will be taken to eliminate a bypass for the southbound site. County Administrator, Carl Cool, proposed one solution to the bypass would be to close a portion of Detjens Dairy Road between Highlands and Glades County. Commissioner Flowers inquired about the possibility of closing the road to thru truck traffic. Board Attorney, Ross Macbeth, stated he would check into that possibility.

The Chair opened the floor to the public. John Tallent, Director of Land Management for Lykes Bros., encouraged the Board to support the no-build alternative. He added that the money that would be spent to construct the facilities would be better used to hire more DOT officers with portable scales to patrol the roads. Carl Cool stated that roving scales would be more efficient, but DOT only patrols state roads, not county roads. Commissioner Bullard stated the fixed scales would be a better idea. See FDOT file.

C. Recreation & Parks Director: Request approval of the appraisal for the Fewell Property and Budget Amendment #02-03-071

Parks and Recreation Director, Vicki Pontius, presented a request to approve the appraisal for the Fewell Property. She stated that the cost of the appraisal is \$6,200, and it will be delivered no later than 45 days from the date of authorization by the Board. County Administrator, Carl Cool, stated the Florida Communities Trust (FCT) has given Highlands County a verbal commitment to grant a six month extension. Chairman Stokes and Commissioner Bullard spoke in opposition to spending any more money on this project. Commissioner Jackson proposed going ahead with the extension of the grant. Motion by Commissioner Bullard, seconded by Commissioner Maxcy to apply for an extension on the grant, but not to proceed with the expenditure for the appraisal. John Tallent encouraged the Board to put an end to the project. Upon roll call, all Commissioners voted aye, except Commissioner Stokes, who voted nay. Motion carried. See SMB 42 Page 105.

D. County Administrator:

1. Request approval of Budget Amendment # 02-03-068 Fund 005 Reserve for Contingency (appropriation of funds to complete the Lake Persimmon Project)

County Administrator, Carl Cool, presented a budget amendment for approval to appropriate the funds necessary to complete the Lake Persimmon project. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval Budget Amendment & Resolution #02-03-075 Fund 005 Reserve for Contingency to appropriate the VOCA and Academy grants

County Administrator, Carl Cool, presented a budget amendment and Resolution for approval to appropriate the funds necessary for the VOCA Grant and for the Deputy for the Academy through Operation Positive Chance program. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 248

3. Discussion on old Avon Park tag office

County Administrator, Carl Cool, presented some options of uses for the old Avon Park tag office located on South Lake Avenue. He stated that the County advertised for bids on the building, but none were received. The Health Department and the Boys and Girls Club have both expressed interest in using the building. Staff is suggesting the Board issue a public Request of Proposal (RFP) for any organization wishing to submit a proposal for long term use of the building. Another option is to use the building for records storage for the County. Commissioner Bullard suggested compiling a list of all County owned properties, and have them marketed by a real estate agency. This would provide the opportunity to sell land that has no useful purpose to the County, and provide additional revenue by putting property back on the tax rolls. Board Attorney, Ross Macbeth, stated that in order to do this, the County would have to follow Florida State Statutes and still go through the bid process. Chairman Stokes suggested taking all of the surplus property into consideration when planning for future growth. Carl Cool advised that Staff could send out RFP's to all government entities and anyone that may be interested in the properties. Deputy Clerk, Bob Jamison, questioned if the RFP's would go to the constitutional officers as well. Carl Cool stated that they would. Motion by Commissioner Flowers, seconded by Commissioner Jackson to have a Request for Proposal issued to allow interested parties the opportunity to submit proposals for the long-term use of the old Avon park tag office. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 106.

4. Report on update of Noise Ordinance implementation

County Administrator, Carl Cool, reported that with the adoption of the Noise Ordinance this past summer, there has been concern among the public that the County has not been enforcing it, since they did not have the equipment yet. He stated that there have been a number of noise complaints, but they have been addressed either by the Sheriff's Department or Code Enforcement. He added that the noise meters and the ticket books have been ordered. The meters are expected in about 30 days and the ticket books, about 1-2 weeks. He attended a Coordination meeting last week between the Sheriff's Department and Code Enforcement, adding that both departments are working together to address complaints. Complete implementation of enforcement is expected when the meters are received.

6. CITIZENS NOT ON AGENDA

No participants.

7. COMMISSIONERS

Chairman Stokes reminded the Commissioner of the upcoming Okeechobee Coalition on Monday, December 9, 2002 at 10:00 A.M.

8. ADJOURN

The meeting adjourned at 10:33 A.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD DECEMBER 10, 2002

- 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:

Edgar Stokes	Carl Cool
David Flowers	Bob Jamison
Andrew Jackson	J Ross Macbeth
Bob Bullard	Jodi Giguere
C Guy Maxcy	

- 2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Kevin Roberts, Human Services Director. The Pledge of Allegiance was led by Commissioner C. Guy Maxcy.

- 3. **ANNOUNCEMENTS**

- A. Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending December 10, 2002.

- B. Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended December 6, 2002 and a Monthly Report of Business Services for November* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 42 Page 107.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.**

- 4. **CONSENT AGENDA**

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

- A. Request approval to pay all duly authorized bills and employee benefits December 10, 2002**

Law Library	26.62
General	189,007.96
County Transportation Trust	38,570.46
E911 Operations Fund	46,474.12
Conservation Trust Fund	15,759.54
Local Govt Infra Surtax	398,148.28
Affordable Housing Assistance	5,211.66
HCISSRB Construction Fund	12,636.04
Solid Waste	34,361.16
Placid Utilities	191.87
Highway Park Utility	42.56
Risk Retention	353,039.57
Employee Benefit	3,551.60

- B. Request approval to pave Oak Avenue in Lorida. See SMB 42 Page 108.
- C. Request approval to designate County-owned parcels as surplus and place in the Housing Bank. See Housing file.
- D. Request approval to accept donated parcels for the Highlands County Affordable Housing Land Bank. See Housing file.
- E. Request approval of Resolutions and Budget Amendments 02-03-072 and 076. See Res. Book 15 Page 249.

5. WORKSHOP: Dr. Arthur J. Cox, Sr., President & CEO of Mid-Florida Center for Mental Health and Substance Abuse Services, Inc., and members of the Crisis Stabilization Unit Task Force: Presentation of proposal to partner with Highlands County to provide emergent or crisis care needs of persons with substance-related and mental disorders

Dr. Arthur J. Cox, Sr., President of the Mid-Florida Center for Mental Health and Substance Abuse Services, Inc., presented the Board with a proposal to partner with the County to develop a Crisis Stabilization Unit (CSU) within Highlands County to provide emergent or crisis care needs for persons with substance-related and mental disorders. The Mid-Florida Center proposes to apply for federal funding through grants from the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration. The grant will award up to \$500,000 per year for three years. One requirement for the grant is that it has to be submitted through a governmental entity. Mid-Florida is requesting Highlands County to be the applicant organization, with Mid-Florida taking responsibility for writing the grant.

Donna Burton, Vice President of Clinical Services for Mid-Florida, stated the purpose, goals and objectives of the program. Chief Frank Mercurio of the Avon Park Police Department, representing all of the law enforcement agencies in Highlands County, spoke in support of the program. Lt. Alex Whitbeck and Lt. Susan Benton, with the Sheriffs Office, also spoke in support of the program. Mike Callahan, Administrator of Highlands Regional Medical Center, stated the hospital is supportive of the development of a CSU, adding that HRMC has agreed to lease a 3,500 square foot building on the property to Mid-Florida and will provide any medical clearance necessary to the patients.

County Administrator, Carl Cool, stated concerns about the risks and liabilities involved in applying for federal grants. He is wanting to include, in any agreement, that Mid-Florida Center would hold the County harmless should anything go wrong with the program. Additional support for the program was received from the following: Neil Druyer, Supervisor for the Department of Children & Families Alcohol, Drug Abuse, & Mental Health Office; Bert Lacey, CEO of Peace River CSU; Robert Ryan, Executive Director of Tri-County Human Services; and Kathy Hays, Executive Director of the Behavioral Health Division of Winter Haven Hospital.

Break 10:45 - 10:55 A.M.

Kevin Roberts, Human Services Director, stated that the grant is due January 10, 2003. Commissioner Flowers suggested directing Staff to begin the process of applying for the grant, and bring the issue back next week as an action item. Commissioner Jackson and Chairman Stokes raised some financial questions, both stating the need to understand the process better before making any decisions. Carl Cool asked the Commissioners to submit their questions to his office this week, so the answers can be available at next Tuesday's meeting. Deputy Clerk, Bob Jamison, stated that the impact of the grant on the Clerk's office would be minimal, adding that he did not see the need for any additional resources. The Board instructed

Donna Burton to complete the section of the grant pertaining to the proposed budget and sustainability of the program to allow the Board to review it over the weekend. See SMB 42 Page 109.

6. WORKSHOP: John Morgan and Jeff McLemore, South West Florida Water Management District: Discussion of Lake Istokpoga boat ramp plans

John Morgan, Service Center Director for SWFWMD, and Jeff McLemore, Land Manager of Kissimmee Valley, came before the Board seeking direction on a project feature for the Kissimmee River Restoration Project. The District is proposing to construct bathroom facilities at the new boat ramp, and is wanting to know what role the County wants to play in the long term operation and maintenance of a boat ramp/campground facility. Commissioners Stokes and Maxcy spoke in support of having bathroom facilities. County Administrator, Carl Cool, expressed his support for the facilities. John Morgan stated that there is an existing building on the property that could be used as a caretaker's residence. Parks and Recreation Director, Vicki Pontius, spoke in support of having the bathroom facilities, but added that a caretaker would also have to be responsible for the maintenance of the entire park and mowing. John Morgan stated he would come back before the Board at a later date with an agreement between the County and the District for the property.

7. ACTION:

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. David Perkins, Chairman, Veteran Services Advisory Board: Request approval to appoint Herbert Taylor to the VSAB for a two-year term

David Perkins, Chairman of the Veterans Services Advisory Board, presented a request to appoint Herbert Taylor to the VSAB for a two-year term. He will replace Richard Kaiser, whose term is completed. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 110.

B. County Administrator

1. Request approval to waive landfill tipping fee for the Lorida Volunteer Fire Department

County Administrator, Carl Cool, presented the request. Motion by Commissioner Flowers, seconded by Commissioner Maxcy to approve the waiving of landfill tipping fee for the Lorida Volunteer Fire Department. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 42 Page 111.

2. Report on Florida Association of Counties (FAC) Legislative Conference

Chairman Stokes read a brief summary of the events that took place during the FAC Legislative Conference last week, including the major issues that were discussed. Carl Cool spoke briefly about the budget problems that Counties will be facing in the upcoming year. See SMB 42 Page 112.

8. CITIZENS NOT ON AGENDA

- Clyde Sparks expressed his thanks and support for the Board and all County staff for the hard work they do throughout the year. He also encouraged the public to become more involved in county government.
- Dee McDonald, Vice Chair of RPAC, stated that she will get answers to the Commissioners' questions regarding the Clements-Fewell property at the upcoming RPAC meeting on Thursday.

9. COMMISSIONERS

Commissioner Maxcy commented on the success of the trip to the FAC Conference.

10. ADJOURN

The meeting adjourned at 12:30 P.M.

Chairperson

Attest: _____
Clerk

REGULAR MEETING OF THE BOARD DECEMBER 17, 2002

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:

Edgar Stokes	Carl Cool
David Flowers	Thomas Portz
Andrew Jackson	Bob Jamison
Bob Bullard	J Ross Macbeth
C Guy Maxcy	Jodi Giguere

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The meeting opened with a prayer by Chairman Edgar Stokes. The Pledge of Allegiance was led by Assistant County Administrator, Tom Portz.

3. **ANNOUNCEMENTS**

- A. **Sheriff:**

Lt. Susan Benton presented the daily jail log of inmate count for the period ending December 17, 2002.

- B. **Clerk**

Deputy Clerk, Bob Jamison, presented a *report of Weekly Court Services for week ended December 13, 2002* as provided by the Highlands County Clerk of Courts, L. E. "Luke" Brooker. See SMB 43 Page 1.

- C. Upcoming County meetings presented into the record by County Administrator, Carl Cool. Additional meetings were announced for the benefit of the public.

- D. **Other Meetings**

The Board and Staff welcomed county employee, Harold Roebuck, who is home on leave from the Coast Guard.

- E. **Arrival of Santa Claus**

Richard Conover presented gifts. County Staff presented Richard Conover with a *Character First* certificate, honoring him for the character trait of *Endurance*.

- F. **Retirement Recognition of Tommy Tillman**

Chairman Edgar Stokes and Road & Bridge Superintendent, Bruce Van Jaarsveld, presented county employee, Tommy Tillman, with a plaque upon his retirement, honoring him for his 37 years of service to the county, and for displaying the character quality of *Dependability*.

4. **CONSENT AGENDA**

Motion by Commissioner Jackson, seconded by Commissioner Maxcy, to approve agenda as amended. Remove dates of December 24 and 31, 2002 from Item A, to be placed on Action Agenda under County Administrator. Upon roll call, all Commissioners voted aye. Motion carried.

- A. **Request approval to pay all duly authorized bills and employee benefits December 17, 2002, ~~December 24, 2002 and December 31, 2002~~**

Law Library	3,255.75
General	694,199.00
County Transportation Trust	12,442.39
E911 Operations Fund	9.05
Legal Aid	2,922.81
Local Govt Infra Surtax	38,675.30
Affordable Housing Assistance	6,870.00
HCISSRB Construction Fund	284,090.18
Solid Waste	897,607.30
Placid Utilities	5,147.01
Highway Park Utility	1,911.67
Employee Benefit	9,281.10
Highlands Hosp Pass Thru	3,965.75

- B. Request approval of Board meeting minutes of November 19, 2002, November 26, 2002 and December 2, 2002.
- C. Request approval of Satisfaction of Mortgage for Robert & Barbara Lipscomb. See Satisfaction file.
- D. Request approval to approve the 2003 Board meeting and agenda deadline schedule. See SMB 43 Page 2.
- E. Request approval of Budget Amendments 02-03-084; 085; 087; 088 & 095
- F. Request approval of Resolution and Budget Amendment 02-03-089. See Res. Book 15 Page 250.

5. PUBLIC HEARING

A. HEARING #1642: PAULINE NOELLE BRIARS/LUCILLE NOELLE KAPPA C/O C.D. BORING

Requesting a zoning change from M-1 (Mobile Home Subdivisions district to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development) Located on the North side of C.R. 634 - a/k/a Hammock Road, approximately 600 feet West of Brunns Road, and site is located between Hammock Terrace Subdivision and Wallace, Stephen Unrecorded Subdivision, Sebring, Florida. Containing approximately 9.72 acres located in Sec. 35, Twp. 34S, Rge. 28E, Highlands County, Florida

Proof of Publication was entered into the record. See Proof of Pub Ord. Book 3 Page 29. Development Services Director, Jim Polatty, presented the request. Chip Boring, representing the applicant, spoke in support of the re-zoning. Commissioner Bullard questioned the stipulations pertaining to parking and recreation areas, requesting that the parking requirements be stricken from the Resolution. County Engineer, Ramon Gavarrete, stated that once a traffic study has been completed, improvements to the entrance will most likely have to be made. Motion by Commissioner Maxcy, seconded by Commissioner Bullard in accordance with the recommendation of the Planning and Zoning Commission, approve and adopt by Resolution P&Z Case No.1642 amending the Zoning Atlas from M-1 (Mobile Home Subdivision district) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development), after referencing the mandatory findings of the staff report, with the deletion of parking requirements. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 252.

B. County Engineer: Request approval of vacation of easement - the North 17.20 feet of the 25.00 foot wide drainage and utility easement from the West line of lot 1055 to the East line of lot 1056 as recorded in Sebring Hills, Plat Book 6, Page 2 of the Public Records of Highlands County, Florida, David R. & Sandra I. Marcum, as petitioners

County Engineer, Ramon Gavarrete, presented the Petition and Proof of Publication into the record. See SMB 43 Page 3. Motion by Commissioner Flowers, seconded by Commissioner Jackson to approve the Resolution vacating the easement. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 15 Page 253.

6. ACTION AGENDA

Motion by Commissioner Flowers, seconded by Commissioner Maxcy to set action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

A. Dr. Arthur J. Cox, Sr., President & CEO of Mid-Florida Center for Mental Health and Substance Abuse Services, Inc., and members of the Crisis Stabilization Unit Task Force: Request to partner with Highlands County to provide emergent or crisis care needs of persons with substance-related and mental disorders

Donna Burton, Vice President of Clinical Services for Mid-Florida Center, presented a summary of the purpose, goals and objectives of having a Crisis Stabilization Unit (CSU). Dr. Arthur Cox, President of Mid-Florida Center, presented answers to the questions and concerns raised by the Board and Staff.

Commissioner Jackson inquired whether the County could issue Requests for Proposal (RFP) after hearing concerns about naming Mid-Florida Center on the grant application. County Administrator, Carl Cool, stated that the County's purchasing policy mandates seeking bids for major expenditures, but federal regulations may require naming an agency on the application. He added that the Board would have to approve a waiver of the purchasing policy if they decide to go with Mid-Florida Center as the administering agency. Chief Frank Mercurio of APPD stated that the Task Force has been in contact with the three other major providers, the Alcohol, Drug and Mental Health division of DCF, Peace River CSU, and Tri-County Human Services. All three supported the need for a CSU in Highlands County, but none of them provided a proposal to partner with Highlands County to provide the services. Commissioner Bullard stated his support to move forward with the grant application, but was not comfortable with having to make a decision today. Commissioner Flowers also agreed with proceeding with the application despite not having all the answers, adding that the County can put a stop to the project prior to accepting the grant if there are still unanswered questions.

Break 10:40 - 10:55 A.M.

The Chair opened the floor to the public. Ray Napper spoke in support of the project. Bert Lacey, CEO of Peace River CSU, also spoke in support, adding that his agency did not have the funds to operate a center in Highlands County. Additional support was received from Kathy Hays, Executive Director of the Behavioral Health Division of Winter Haven Hospital, and Robert Ryan, Executive Director of Tri-County Human Services. Motion by Commissioner Jackson, seconded by Commissioner Flowers to instruct Mid-Florida Center to proceed with the grant application. Upon roll call, all Commissioners voted aye, except Commissioner Bullard and Commissioner Stokes, who voted nay. Motion carried. See SMB 43 Page 4.

~~B. County Engineer: Request approval of vacation of easement - the North 17.20 feet of the 25.00 foot wide drainage and utility easement from the West line of lot 1055 to the East line of lot 1056 as recorded in Sebring Hills, Plat Book 6, Page 2 of the~~

Public Records of Highlands County, Florida, David R. & Sandra I. Marcum, as petitioners

Moved under Public Hearings (Item 5-B) at the request of the County Administrator.

C. Road & Bridge Superintendent: Presentation of a request by Glades Electric Cooperative to improve Springdale Road

Road & Bridge Superintendent, Bruce Van Jaarsveld, presented a request from Glades Electric to improve Springdale Road in Highlands Park Estates. Glades Electric is agreeing to pay for the materials needed, if the County agrees to provide the labor and equipment. Board Attorney, Ross Macbeth, stated that accepting this road for maintenance is not within the County's adopted policy, adding that a beginning and ending point needs to be specified. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve the request as stated, with exception to existing policy, and allowing Staff to complete the project as time permits. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained due to Glades Electric being a client. A Memorandum of Voting Conflict was entered into the record. See SMB 43 Page 5. Motion carried. See SMB 43 Page 6.

D. County Extension Director: Request approval of Highlands County 4-H Arena Use Manual and 4-H Horse and Pony Lease Agreement

County Extension Director, Gary Mikulecky, presented the request. Commissioner Jackson suggested a language change be made to clarify the items pertaining to qualified non-profit organizations. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated, with language changes. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 43 Page 7.

E. County Attorney

Board Attorney, Ross Macbeth, presented a draft of a gas tax ordinance for the Board's review. He stated the purpose of this discussion is to advise the Board that if they intend to extend the 9th cent tax for an additional six years, action is required early next year, followed by a Public Hearing. County Administrator, Carl Cool, suggested setting the Public Hearing for January 28, 2003. Commissioner Bullard spoke in support of the hearing date, and requested Staff to do an analysis of the effect of the gas tax on the transportation trust fund at different levels of tax. See SMB 43 Page 8.

F. Assistant County Administrator: Request to approve Local Mitigation Strategy (LMS) Update & Recommendations

Assistant County Administrator, Tom Portz, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve the Highlands County Local Mitigation Strategy upgrade to meet the requirements of the Disaster Mitigation Act of 2000. Upon roll call, all Commissioners voted aye. Motion carried.

Motion by Commissioner Flowers, seconded by Commissioner Jackson, approve to increase the voting membership of the LMS Committee for those entities wishing to participate in the LMS process. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 43 Page 9.

G. County Administrator:

1. Request approval of Budget Amendments 02-03-077 & 082 decreasing Fund 005 Reserve for Contingency

County Administrator, Carl Cool, presented the requests. Motion by Commissioner Maxcy, seconded by

Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

2. Request approval of Budget Amendment 02-03-083 decreasing Fund 110 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

3. Request approval of Budget Amendment 02-03-086 decreasing Fund 401 Reserve for Contingency

County Administrator, Carl Cool, presented the request. Motion by Commissioner Maxcy, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

4. Request for support of gas tax indexing as a Legislative Delegation legislative issue

County Administrator, Carl Cool, presented the request. He added that the information contained in the documents will be presented to the Legislative Delegation by the Chairman on Thursday. Motion by Commissioner Bullard, seconded by Commissioner Flowers for approval to support gas tax indexing as a legislative issue. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 43 Page 10.

5. Request approval of Legislative Delegation presentation

Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve the Legislative Delegation presentation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 43 Page 11.

6. Consent Agenda 4-A

County Administrator, Carl Cool, presented a request on behalf of Deputy Clerk, Bob Jamison, to approve the procedure to allow the continuation of Board payables for the next two weeks, and approval of the payment of all payables during the period 12/18/02 through 12/31/02. Motion by Commissioner Bullard, seconded by Commissioner Flowers to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 43 Page 12.

7. State Attorney's Office Improvement

County Administrator, Carl Cool, presented for approval, budget amendment #02-03-099, allowing for the construction of security improvements to the State Attorney's Office. Motion by Commissioner Bullard, seconded by Commissioner Maxcy, to approve request as stated. Upon roll call, all Commissioners voted aye. Motion carried.

8. Fewell Property

County Administrator, Carl Cool, presented a request from the Recreation and Parks Advisory Committee to proceed with the appraisal and other elements necessary by staff to move forward with the purchase of the Fewell property. Dee McDonald, Vice Chair of RPAC, advised the Board that most of their questions were answered at the meeting last week. Ray Napper suggested that the Board let this particular project die, and let Staff and RPAC come up with other ideas for more cost effective recreation. Motion by Commissioner Bullard, seconded by Commissioner Jackson to abandon all efforts to obtain the Fewell property. The Board

encouraged RPAC to review their priorities and continue seeking new opportunities for recreation. Upon roll call, all Commissioners voted aye. Motion carried.

County Administrator, Carl Cool, advised the Board of an memo that he just received from Risk Manager, Wayne Fiyalko, regarding an e-mail that he received from Herb Pierce of Blue Cross Blue Shield (BCBS). He advised that management of the Florida Hospital Network and Blue Cross Blue Shield are locked in disagreement. As a result, Florida Hospital notified BCBS that it will be terminating its agreements for all 17 hospitals within BCBS Health Network effective December 31, 2002. He advised that Staff will notify the Board of any updates they receive. See SMB 43 Page 13.

7. CITIZENS NOT ON AGENDA

- Pastor Tim McGahee voiced his concerns for the continuous traffic problems and number of accidents that occur in Sebring Ridge at the intersection of Valerie Blvd and Grouper Drive.
- Ray Royce, member of the Highlands County Citrus Growers Association, spoke about the possible funding of a Citrus Extension Agent in Highlands County, and made the Board aware of the continuing efforts for the preservation of tariffs on citrus coming from South America.
- Ray Napper wished the Board and Staff a Merry Christmas and thanked them for the good job that they have done during the year.

8. COMMISSIONERS

All of the Commissioners wished Staff and the public a safe and happy holiday.

9. ADJOURN

The meeting adjourned at 1:01 P.M.

Chairperson

Attest: _____
Clerk
