

**REGULAR MEETING OF THE BOARD JANUARY 2, 2007**

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:

**C. Guy Maxcy  
Edgar Stokes  
Andrew Jackson  
Barbara Stewart  
Don Bates**

**Rick Helms  
Bob Jamison  
J. Ross Macbeth  
Tonia Rivera**

Carl Cool, County Administrator, was absent from meeting.

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Maxcy. The Pledge of Allegiance was led by Sgt. Maj. Joseph Dionne.

3. **ANNOUNCEMENTS**

**A. Clerk**

No report.

**B. Upcoming County meetings:**

Jan. 2	3:00 pm	Highlands Soil and Water Conservation District	Agri-Civic Center, 4509 George Blvd, Room 3, Sebring
Jan. 2	7:00 pm	Construction Licensing, Enforcement and Appeals Board	Board Room, 600 S. Commerce Ave., Sebring
Jan. 4	8:15 am	The Highlands County Tourist Development Council	Agri-Civic Center, 4509 George Blvd, Room 3, Sebring
Jan. 4	2:00 pm	Veterans Advisory Board	Highlands County Health Department, 7205 South George Blvd, Environmental Conference Room, Sebring
Jan. 8	9:00 am	Highlands County Homeowners Association, Inc.	Sebring Country Estates Club House, 3240 Grand Prix Drive, Sebring

**Other meetings:**

The Professional Service Acquisition Committee will meet on January 3, 2007 at 4:00 p.m. in the Engineering Training Room (meeting may be rescheduled to January 4, 2007).

On January 5, 2007 the county calendar will be coming out and will be in the Highlands Today newspaper.

The Lake Placid Area Growth Management Committee will meet today at 4:00 p.m. at the Lake Placid Town Hall.

*Commissioner Stokes arrived at the meeting at 9:05 a.m.*

**4. CONSENT AGENDA**

Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the consent agenda as amended to pull Item B for approval next week and pulling H, J, L and F and moving them to the action agenda. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Request approval to pay all duly authorized bills and employee benefits January 2, 2007**

General .....	4,986,725.53
County Transportation Trust .....	19,542.48
Local Govt Infra Surtax .....	167,041.18
Tourist Dev Trust Fund .....	3,310.21
Building Code Enforcement Fund ...	1,597.40
Solid Waste .....	9,605.49
Placid Utilities .....	7,704.02
Highway Park Utility .....	6.30
Affordable Housing Asst .....	6,992.03
HCISSRB Construction Fund .....	450.00
Intergovt Radio Communication.....	35,061.78
Home Initiatives Partner.....	48,500.00
Special Law Enforcement.....	8,907.33
Sebring Parkway Maint.....	711.46
Law Library Trust Fund.....	2,045.89
Tax Deed Surplus Fund.....	93,165.00

Payment of bills and employee benefits was authorized on December 22, 2006 for \$491,938.72.

- A. Request approval to pay all duly authorized bills and employee benefits January 2, 2007.**
- B. ~~Request approval of the minutes of the meetings of the board for December 12th & 19th, 2006.~~ Item will be brought back for approval at upcoming meeting.**
- C. Request approval of the Satisfaction of Mortgage for Michael and Delia Pugh. See Clerk of Courts Official Records.**
- D. Request approval of the Satisfaction of Mortgage for Harold D. Adams. See Clerk of Courts Official Records.**
- E. Request approval of the Satisfaction of Mortgage for Brandi Lee Fuller. See Clerk of Courts Official Records.**
- F. ~~Request approval of Technical and Clarifying Revision to the 2004-2007 Local Hurricane Housing Recovery Plan (HHRP) — Lenders such as Habitat may hold the mortgage and the mortgage is a twenty year forgivable mortgage~~**
- G. Request approval to Placid Utilities Advisory Committee’s Appointment of Shelagh Byatt as Commercial Representative to the committee. See SMB 48 Page 172.**
- H. ~~Request approval of RPAC Recommendation Max Long & BA 06-07-59~~**
- I. Request to Cancel Outstanding Balance. See SMB 48 Page 173.**

- ~~J. Request approval of Task Authorization No. 20 with Post, Buckley, Schuh & Jernigan, Inc for consulting services relating to the proposed asphalt plant at the County landfill and resolution and budget amendment 06-07-60~~
- K. Request approval of Highlands County Veterans Advisory Board: 1<sup>st</sup> Amendment to By-Laws (Changing Meeting Date). See SMB 48 Page 174.
- ~~L. Request for Payment of Invoice to Tindale Oliver and Associates without a Purchase Order Invoice No: 1-8 Revised~~
- M. Request for authorization to sign engagement letter for software training. See contracts file under Kronos.
- N. Request for approval of Acceptance of drainage easement and partial release of mortgage for Lake Sebring Estates Development Corporation. See Clerk of Courts Official Records.
- O. Request Move to Accept and record the development agreement, warranty deed and partial release of mortgage for Hinkle Automotive commercial development. See Clerk of Courts Official Records.

**5. ACTION AGENDA**

Motion by Commissioner Stewart, seconded by Commissioner Bates, to approve the action agenda as amended and to strike #8 & #9. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Assistant County Administrator:**

**1. Request direction on staff needed for 01/09/07 Goal Setting Session**

Commissioner Stewart commented that this is an open and public meeting and felt that it was not necessary to have Staff present at the goal setting session. Commissioner Jackson suggested that Staff be present. Commissioner Stokes commented that he would like Staff present so they are aware of their goals. Commissioner Maxcy concurred. Rick Helms, Assistant County Administrator, advised that he would have the necessary Staff present as requested by the Board. Commissioner Maxcy advised that they would request the County Administrator, Assistant County Administrator, Board Attorney and someone from the Budget Office to be present at the meeting.

**2. Request approval of waving of dumping fees for City of Sebring**

Commissioner Stewart questioned if the City or County had pursued getting any grant monies. Vicki Pontius, Parks and Recreation Director, advised she was not aware of any grant applications on behalf of the City of Sebring. Ramon Gavarrete, County Engineer, commented on his meeting with Carl Cool, County Administrator, and Staff from the City of Sebring last week, and application status for the FRDAP grant. Deputy Clerk, Bob Jamison, requested clarification on the acronym FRDAP. Vicki Pontius responded that FRDAP means Florida Recreation Development Assistant Program which is administered by the Department of Environmental Protection. Motion by Commissioner Jackson, seconded by Commissioner Bates, to approve the request of the City to waive the dumping fees. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 177.

**3. Impact Fee status report**

Rick Helms, Assistant County Administrator, presented his status report on the impact fees. Ramon Gavarrete, County Engineer, gave his report on the status of applications and permits which were submitted. Commissioner Stokes questioned if the Cities were going through the same process with building permits. Helen McKinney, Building Department Administrator, commented

that the City of Sebring was going through the same process, in regards to building permits. See SMB 48 Page 178.

**4. Request approval of RPAC Recommendation Max Long & BA 06-07-59**

Rick Helms, Assistant County Administrator, advised that this was Item 4 (H) which was pulled from the consent agenda. Vicki Pontius, Parks and Recreation Director, presented her request and advised \$21,638.00 is for the county to use in-house road and bridge labor and equipment to stabilize the current shell drive entrance to the soccer field. Commissioner Stewart questioned if it was going to be a problem using the road and bridge staff for this recreation project and if there was going to be problem using the monies from the infrastructure sales tax. Vicki Pontius advised that there is enough money for this project and staff. Rick Helms, Assistant County Administrator, advised the Board that these monies have been allocated within the CIP for recreation projects and these monies have already been identified. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the RPAC recommendation to expend up to \$23,450.00 from the infrastructure account for improvements to the driving and parking surfaces at the Max Long complex, along with accompanying paperwork. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 179.

**5. Request approval of Task Authorization No. 20 with Post, Buckley, Schuh & Jernigan, Inc. for consulting services relating to the proposed asphalt plant at the County landfill and resolution and budget amendment 06- 07-60**

Rick Helms, Assistant County Administrator, advised that this was Item 4 (J) which was pulled from the consent agenda. Ken Wheeler, Solid Waster Director, presented his request. Commissioner Stewart commented that she wanted to make sure the agreement was already approved in the prior meeting. Ken Wheeler advised that the agreement was previously approved. Motion by Commissioner Stewart, seconded by Commissioner Bates, to authorize Budget Amendment No. 06-07-60 to create Energy Recovery Fund 420, Cost Center 4230, 53100 Professional Services and transfer \$35,000 to this cost center from the fund balance of Fund 401. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 175.

**6. Request for Payment of Invoice to Tindale-Oliver and Associates without a Purchase Order Invoice No: 1-8 Revised**

Rick Helms, Assistant County Administrator, advised that this was Item 4 (L) which was pulled from the consent agenda. Commissioner Stewart questioned if these funds were for legal services for impact fees. Jim Polatty, Development Services Director, stated no and that it was for professional services. Motion by Commissioner Stewart, seconded by Commissioner Bates, to approve request for payment of invoice to Tindale-Oliver and Associates without a Purchase Order Invoice No: 1-8 Revised. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 48 Page 180.

**7. Request approval of Technical and Clarifying Revision to the 2004-2007 Local Hurricane Housing Recovery Plan (HHRP) – Lenders such as Habitat may hold the mortgage and the mortgage is a twenty year forgivable mortgage**

Rick Helms, Assistant County Administrator, advised that this was Item 4 (F) which was pulled from the consent agenda as listed above. Commissioner Stewart asked the Board Attorney, Ross Macbeth, to explain why these changes were included. Board Attorney, Ross Macbeth, commented that he was looking for consistency between the program and contracts, and the provision on page 3 created a problem which states that this program can't be used to provide funding. Attorney Macbeth stated that his proposal is to change the inconsistency, and explained the obligations of the

homeowner. Penny Phillippi, Housing Director, commented they are proposing that if the homeowner holds the mortgage for 20 years, they would not be obligated to pay the mortgage back. Ms. Phillippi also suggested to the Board to have Jane Breylinger come in and make a presentation. Commissioner Stokes advised that he would like to have the presentation from Jane Breylinger because if the mortgage is not forgiven after 20 years, this would put an extra burden on the homeowner. Commissioner Stewart commented that she would like to have the homeowner repay the mortgage after 20 years with no interest. Commissioner Stokes commented that this would be a hardship for the homeowner. Attorney Macbeth commented that the proposal is to have the mortgage forgiven after 20 years. Motion by Commissioner Stokes, as follows: if the homeowner resides at this residence for 20 years, the mortgage would be considered paid off. Motion failed for lack of a second. Commissioner Maxcy instructed Staff to invite Jane Breylinger and schedule a presentation in this regard. See SMB 48 Page 176.

Rick Helms, Assistant County Administrator advised that he provided the Board with a map to Blue Head Ranch and a copy of the updated CFS Summary for the upcoming goal setting session.

**6. CITIZENS NOT ON THE AGENDA (Five minute time limit)**

No participants.

**7. COMMISSIONERS:**

- Commissioner Stewart wished everyone a Happy New Year and reminded the Commission that she will not be present for next week's board meeting but she will be present at the 1:00 o'clock goal setting session.
- Commissioner Maxcy advised that he would like to turn in a couple of letters to the Clerk in regards to the Special Exception Request. He reported that the Sheriff came out with a report on the audit and suggested Staff to ask questions and get this in front of the public to report the findings. Commissioner Stokes agreed that the public needs to know the outcome of the audit. Commissioner Maxcy advised Staff to pick a date and confirm it with the Commissioners and get it set as soon as possible and have it publicly noticed. Commissioner Maxcy also reminded everyone about the goal setting session at Blue Head Ranch at 1:00 p.m. See SMB 48 Page 181.

~~**8. RECESS**~~

**Rick Helms, Assistant County Administrator, requested that this item be stricken.**

~~**9. RECONVENE at 1:00 p.m. for a joint meeting with the Natural Resources Advisory Commission for a presentation on Rural Land Stewardship**~~

**Rick Helms, Assistant County Administrator, requested that this item be stricken.**

**10. ADJOURN**

The meeting adjourned at 10:34 A.M.

**REGULAR MEETING OF THE BOARD JANUARY 9, 2007**

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:

**C. Guy Maxcy**  
**Edgar Stokes**  
**Andrew Jackson**  
**Don Bates**

**Carl Cool**  
**Bob Jamison**  
**J. Ross Macbeth**  
**Tonia Rivera**

Commissioner Stewart was absent from the meeting.

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Commissioner Bates. The Pledge of Allegiance was led by Commissioner Jackson.

3. **ANNOUNCEMENTS**

- A. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of the Clerk of Courts' Monthly Report of Business Services for December of 2006 as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. See SMB 49 Page 1.

- B. **Upcoming County meetings:**

Jan. 8	1:00 pm	HC Planning & Zoning Commission & the Local Planning Agency	Boardroom, 600 S. Commerce Ave., Sebring, Fl
Jan. 9	3:00 pm	HC Planning & Zoning Commission & the Local Planning Agency	Boardroom, 600 S. Commerce Ave., Sebring, Fl
Jan. 9	3:00 pm	Zoning Board of Adjustment	Boardroom, 600 S. Commerce Ave., Sebring, Fl
Jan. 9	1:00 pm	Istokpoga Marsh Watershed Committee	Agri-Civic Center 4509 George Blvd, Conference Room 1, Sebring, Fl
Jan. 10	9:30 am	Central FL Regional Planning Council	HC Health Dept., 7205 S. George Blvd., Sebring, Fl
Jan. 10	8:00 am	Local Mitigation Strategy Working Group	#251, 600 S. Commerce Ave., Sebring, Fl
Jan. 10	9:00 am	HC Housing Advisory Committee	#1, Ag-Center, 4509 George Blvd., Sebring, Fl
Jan 10	10:00 am	HC Community Traffic Safety Team	#3, Ag-Center, 4509 George Blvd., Sebring, Fl

Jan. 11 6:30 pm Highway Park Neighborhood 114 Cloverland St., Lake  
 Preservation & Enhancement Placid, Fl  
 District Council

**B. Other meetings:**

The District 6 Federation of Manufactured Housing Homes will meet at Sebring Village, 4343 Shoemaker Road, Sebring, Florida on January 11, 2007 at 9:30 a.m.

The Professional Acquisition Committee will meet at 600 S. Commerce Avenue, Room #251, Sebring, Florida on January 10, 2007 at 4:00 p.m.

Commissioner Maxcy advised that he would like to have the audit meeting next Wednesday, January 17, 2007 at 9:00 a.m. in the boardroom.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits January 09, 2007**

General .....	271,343.93
County Transportation Trust .....	27,024.75
E-911 Operations Fund .....	37.94
Local Govt Infra Surtax .....	252,270.11
Tourist Dev Trust Fund .....	7,922.95
Comm Development Block .....	11,452.91
Affordable Housing Asst .....	2,000.00
Hurricane Housing Rec Pro .....	4,630.44
Sebring Parkway Maint .....	910.81
Building Code Enfor Fund .....	418.98
Solid Waste .....	118,057.27
Placid Utilities .....	15,637.83
Risk Retention Fund .....	12,272.60
Employee Benefit Fund .....	17.86
Tax Deed Surplus Fund .....	184,420.37
Home Initiatives Partner .....	5,280.00
Highway Park Utility .....	348.50

- B. Request approval of the minutes of the board meeting dated November 28, December 05, December 12 & 19, 2006.**
- C. Request approval to release a Nuisance on Case # CE 05070128, 3487 E. Old Bombing Range Rd, Avon Park, Highlands County, FL. See Clerk of Courts Official Records.**
- D. Request approval to release a Nuisance on Case # CE 06020019, 1780 N Fonda Rd, Avon Park, Highlands County, FL. See Clerk of Courts Official Records.**
- E. Request approval to release a Nuisance on Case # CE 06010192, 6021 Praise Ave, Sebring, Highlands County, FL. See Clerk of Courts Official Records.**
- F. Request approval to release a Nuisance on Case # CE 06040011, 4637 Cadagua Dr, Sebring, Highlands County, FL. See Clerk of Courts Official Records.**

- G. Request approval to release a Nuisance on Case # CE 06040082, 3806 Rushlo St, Sebring, Highlands County, FL. See Clerk of Courts Official Records.
- H. Request approval to release a Nuisance on Case # CE 05060191, 6610 Old Orchard, Sebring, Highlands County, FL. See Clerk of Courts Official Records.
- I. Request approval for Satisfaction of Mortgage for Orlando Rodriquez & Delia J. Lopez. See Clerk of Courts Official Records.
- J. Request approval for Letter of Agreement – with Highlands Regional Medical Center for Inmate Medical Expenses. See SMB 49 Page 2.
- K. Request approval to Resolution requesting and authorizing the Florida Department of Transportation to transfer funds for the FY 2007 through 2011 Five year Transportation work plan from FDOT item Number 414528-1 (Kenilworth Blvd at Airport Rd Bike lane/trail) and item number 405478-1 (Sebring Airport at CR 623 Access Improvement) into item numbers 410277-1; 417399-1; 412566-1; and 409096-1 Totaling \$1,818,000.00. See Res. Book 19 Page 215.
- L. Request approval and recording of Drainage Easement, along with approval for Highlands County Road and Bridge Department to install pipe in said easement. See Clerk of Courts Official Records.
- M. Request approval to purchase a 1995 International roll off/tow truck. See SMB 49 Page 3.
- N. Request approval of Resolutions and budget amendments 06-07-65; 66; 67. See Res. Book 19 Page 216.
- O. Request approval of budget amendment 06-07-49. See SMB 49 Page 4.
- Q. Request approval of Resolutions and budget amendments 06-07-46; 47; 48; 51; 62; 63. See Res. Book 19 Page 217.

**5. ACTION:**

Motion by Commissioner Stokes, seconded by Commissioner Jackson, to set the action agenda with deletion of item A. Upon roll call, all Commissioners voted aye. Motion carried.

~~A. Louise England, Industrial Development Authority and Mike Willingham, Sebring Airport Authority: Presentation on Gas Infrastructure for Sebring Airport Industrial Park.~~

See SMB 49 Page 5.

**B. Emergency Management Director: Request approval of a grant agreement for the Lake Placid High School Retrofit**

Bill Nichols, Emergency Management Director, presented his request. Carl Cool, County Administrator, advised that the Lake Placid High School has been used as a hurricane shelter and it needs to be wind compliant. Commissioner Jackson asked what type of work would be done to the building. Mr. Nichols responded that the walls would be reinforced, better anchoring of the roof to the walls and shutters for the windows. Mr. Cool stated that construction would not begin until the summer of 2008. Commissioner Jackson asked where the money would come from for this project. Mr. Cool advised that it would come from the CIP in the year of 07/08. Commissioner Jackson asked if the building has ever been damaged. Mr. Nichols stated that the building has not been damaged as a result of any of the storms. Motion by Commissioner Stokes, seconded by Commissioner Bates, to approve and execute an agreement between the State of Florida, Department of Community Affairs and Highlands County providing 75% of the cost (\$52,000.00) to conduct a study on the Lake Placid High School buildings and approve a budget amendment providing for the 25% local match (\$17,500.00) from contingency funds. Upon roll call, all Commissioners voted aye, except Commissioner Jackson who voted nay. Motion carried. See SMB 49 Page 6.

**C. County Administrator:**

**1. Request approval of budget amendment 06-07-64 decreasing fund 110 Reserve for Contingency**

Carl Cool, County Administrator, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve the item listed above. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 7.

**2. Request approval of budget amendment 06-07-56 decreasing fund 005 Reserve for Contingency**

Carl Cool, County Administrator, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the item listed above. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 8.

**6. CITIZENS NOT ON THE AGENDA**

Don Moroney requested a waiver on paying the impact fee. Commissioner Maxcy advised that it's not easy to exempt anyone from paying the impact fee and suggested that he meet with Carl Cool, County Administrator.

**7. COMMISSIONERS**

Commissioner Maxcy reminded the Board to get with Staff, on the findings of the audit and reminded all, that they are scheduled to meet on this issue on January 17, 2007 at 9:00 a.m. in the board room.

**8. RECESS**

The meeting recessed at 9:51 a.m.

**9. 1:00P.M. RECONVENE AT THE AGRI-CIVIC CENTER AUDITORIUM, 4509 GEORGE BOULEVARD, SEBRING, FL**

Commissioner Stewart arrived at the meeting at 1:00 p.m.

**10. GOAL SETTING SESSION**

Commissioner Maxcy called roll and all Commissioners were present. Carl Cool, County Administrator, advised that the public was properly noticed in regards to the goal setting session. Mr. Tommy Todd, General Manager and Chief Executive Officer from Glades Electric, facilitated the goal setting exercise. Input was received from County Commissioners and public. Items covered in this session were the following: strengths, challenges/weaknesses, threats and opportunities. Commissioner Maxcy advised that the next meeting on the goal setting issue will be next Tuesday at 2:00 p.m. at the Agri-Civic Center. See SMB 49 Page 9.

**11. ADJOURN**

The meeting adjourned at 4:00 P.M.

**REGULAR MEETING OF THE BOARD JANUARY 16, 2007**

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:

**C. Guy Maxcy  
Barbara Stewart  
Edgar Stokes  
Andrew Jackson  
Don Bates**

**Carl Cool  
Bob Jamison  
J. Ross Macbeth  
Antonia Rivera**

2. **Invocation and Pledge of Allegiance**

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

3. **ANNOUNCEMENTS**

**A. Clerk**

No report

**B. Upcoming County meetings:**

9:00 a.m. Jan. 18	Illegal Dump Task Force	#251, 600 S. Commerce Ave., Sebring, Florida
10:30 a.m. Jan. 18	Keep Highlands Co. Beautiful Board of Directors	#251, 600 S. Commerce Ave., Sebring, Florida
3:00 p.m. Jan. 18	HC Business Accelerator Board	EDC Office, 2113 US 27 S., Sebring, Florida
4:00 p.m. Jan. 18	HC Library Board	Sebring Public Library, 319 W. Center, Sebring, Florida
8:00 a.m. Jan. 19	HC Enterprise Zone Development Agency Champion Community Board	EDC Office, 2113 US 27 S., Sebring, Florida
8:30 a.m. Jan. 22	HC Lakes Association Tourist Tax Projects Committee	4344 George Blvd., Sebring, Florida

**C. Other meetings:**

Public Service Announcement for a temporary closing of road. Please be advised that due to the funeral procession of Highway Patrol Sgt. Sottile, the northbound traffic on U.S 27 will be closed from 2:00 p.m. to 4:00 p.m. today, January 16, 2007 at CR 621 East. Detours will be posted. Southbound traffic on U.S. 27 should expect delays between this time from SR 66 to CR 621 east. SMB 49 Page 11.

Goal Setting Session which was scheduled for today at 2:00 p.m. at the Agri-Civic Center has been canceled and will be rescheduled.

Commissioner Jackson advised the Board that he has depositions in the morning at 9:00 a.m. and will be late for the meeting scheduled for tomorrow morning at 9:00 a.m. Commissioner Stewart commented that this meeting is very important and she would like all Commissioners present for the entire duration of the meeting. Commissioner Maxcy advised the Board to be present at 9:00 a.m. and

then they will reconvene at 12:00 p.m. Carl Cool, County Administrator advised that it will be a conflict to have this meeting televised in the afternoon because the college has a class beginning at 12:00 noon. Commissioner Stewart commented that she would like this to be televised in the evening for the public. Carl Cool, County Administrator said that it would be recorded and distributed to the cable company.

Goal Setting Session has been rescheduled at the Agri-Civic Center for Tuesday, February 13, 2007 at 1:00 p.m.

#### **4. CONSENT AGENDA:**

Motion by Commissioner Jackson, seconded by Commissioner Bates, to approve the consent agenda as amended. Upon roll call, call Commissioners voted aye. Motion carried.

- A. Request approval to pay all duly authorized bills and employee benefits January 16, 2007. No check report due to financial systems being down. Subsequent confirmation indicated no warrants were required to be paid.**
- B. Request approval of the minutes of the board meetings dated January 2, 2007.**
- C. Request approval of Satisfaction of Mortgage for Sanny B. Carter. See Clerk of Courts Official Records.**
- D. Request approval of Satisfaction of Mortgage for Kathy K. Stacy. See Clerk of Courts Official Records.**
- E. Request approval of Satisfaction of Mortgage for Margaret A. Smith. See Clerk of Courts Official Records.**
- F. Request approval of Satisfaction of Lien Case # CE 04100074. See Clerk of Courts Official Records.**
- G. Request approval of DCA Search for Community Services Block Grant. See SMB 49 Page 12.**
- H. Request approval of Deductive Change Order #2 – LaGrow Irrigation (Sports Complex). See SMB 49 Page 13.**
- ~~**I. Request approval of Consulting Contract with Marilyn Nicholls. This item was pulled. See SMB 49 Page 14.**~~
- J. Request approval of Budget amendments 06-07-61. See SMB 49 Page 15.**
- K. Request approval of Resolution & budget amendments 06-07-68; 69;70;71;72; and 75. See Res. Book 19 Page 217.**
- L. Request approval of Execution of City of Avon Park Recreation Interlocal for FY 06-07. See SMB 49 Page 16.**
- ~~**M. Request approval on Update on Lake Denton Boat Ramp. This item was moved to the action agenda.**~~
- N. Request approval of recording of the map and directory of roads and streets maintained by Highlands County Road & Bridge Department. See SMB 49 Page 17 & See Clerk of Courts Official Records.**
- O. Request approval of Utility easement from the Tomoka Heights Owners Association, Inc. to the County for the Placid Utilities water/sewer system in Tomoka Heights on Wintergreen Trail. See Clerk of Courts Official Records.**
- P. Request approval of Plat Recordation of Caladium Ranch Estates Section 03 Township 37 South Range 30 East. See SMB 49 Page 18 and Plat Book 16 Page 97.**

#### **5. ACTION:**

Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve the action agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

**A. Sheriff Susan Benton, Presentation – Quarterly Report & 2006/2007 Fee Schedule**

Sheriff Susan Benton presented a Quarterly Report of the Highlands County Sheriff's office & 2006/2007 Fee Schedule giving some quarterly information collected from the Law Enforcement Bureau and the Detention Bureau. Commissioner Stewart requested that the Sheriff explain the JASA program. Sheriff Benton commented that this is called the Jail Alternative for Substance Abuse which is an intense, focused, short term solution, drug and alcohol program for qualifying Highlands County jail inmates. See SMB 49 Page 19.

**B. Jane Breylinger, Executive Director, Highlands County Habitat, Presentation requesting donation of approximately 20 acres of Sheriff's Tower Road, Sebring, Florida, strap #C28342905003400000**

Jane Breylinger, Executive Director with Highlands County Habitat for Humanity, gave a power point presentation, summarizing the need of housing for low income families in Highlands County and the economic impact and the need for more land to continue building homes for these families. Dale Breylinger, Tim Blackman, Fred Keiber and Penny Phillippi, Housing Director, spoke in support of this issue. Carl Cool, County Administrator, advised the board that they had to consider the 20 acres off of Sheriff's Tower Road, could be used for the future location of the asphalt plant due to the high quality sand that is on the site or donate it to Highlands County Habitat for future housing for low income families. Commissioner Stewart had a concern on the appearance of this future community, with an asphalt plant and trucks passing by the future sports complex. Commissioner Stokes commented that it's a big decision for the Board and suggested they get together and look at other properties to donate to Highlands County Habitat before a decision is made on the donation of the 20 acres off of Sheriff's Tower Road. Commissioner Maxcy advised Staff to setup a meeting on February 6, 2007 to discuss the economic impact and costs and other possible sites elsewhere to donate to Highlands County Habitat. See SMB 49 Page 20.

Break 11:12 a.m. – 11:25 a.m.

**C. Jim Polatty, Development Services Director, Presentation for proposed Zoning Change, Avon Park Lake Estates**

Jim Polatty, Development Services Director, presented his request and advised that this was previously heard on December 19, 2006 which was continued for today to resolve issues concerning the PD resolution and the hearing is as follows: HEARING # 1889 – AVON PARK LAKE ESTATES, LCC. – C/O GARY ROSEN Approximately 124 acres located on the East shore of Lake Pioneer North of Avon Park and abbreviated legal as follows: Approximately 124.31 acres located in Sec. 11, Twp. 33S, Rge. 28E, Highlands County, Florida. Request: A zoning change from AU (Agricultural) to R-3 PD (Multiple Dwelling district with a Planned Unit Development). Applicant desires to construct a residential development and no letters have been received in opposition. Mr. Polatty also advised the board that the resolution needs to be corrected because it's identifying Highlands Road and it should be Geneva Road and other typographical errors. Carl Cool, County Administrator, suggested that the name, Avon Park Lakes Estates, to be changed because of the possibility of confusion with Avon Park Lakes and Avon Park Estates which already exist. Mr. Polatty suggested to Mr. Rosen that he should consider renaming it to avoid confusion. Gary Rosen, advised the Board that he would be glad to consider the renaming of this planned development to avoid confusion. Commissioner Stewart suggested three changes in the resolution and she questioned if the City of Avon Park had any concerns and Mr. Polatty

advised that they are aware of it but no comment was received. Motion by Commissioner Jackson, seconded by Commissioner Stewart, in accordance with the Planning and Zoning Commission move to adopt by Resolution P&Z 1889, amending the Zoning Atlas from AU (Agricultural) to R-3 PD (Multiple Family district with a Planned Unit Development) for 124.31 acres, referencing the mandatory findings and becoming effective as provided by law and to incorporate all the changes which were discussed and agreed upon. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 218.

**D. Bernis Gainer, OMB Director: Recommendation for the Establishment of an Audit Committee**

Bernis Gainer, Jr., OMB Director, presented his request to establish an Audit Committee and request to choose a representative for this Committee, selected by the Board. Carl Cool, County Administrator, read a portion of the Florida Statute into the record. Board Attorney, Ross Macbeth, recommended that the motion be amended to read, having the minimum membership required by Section 218.391(2), Florida Statutes, and the board will have to appoint the member. Motion by Commissioner Stewart, seconded by Commissioner Stokes, move to appoint the Audit Committee having the minimum membership required by Sec 218.391(2), Florida Statutes for Highlands County Board of County Commissioners for establishing qualifications of auditors and presenting a recommendation to the Board of County Commissioners. Upon roll call, call Commissioners voted aye. Motion carried. Carl Cool, County Administrator, advised the Board that they needed to appoint a member. Motion by Commissioner Stewart, seconded by Commissioner Jackson, move to appoint Commissioner Bates as the representative of the Audit Committee. Commissioner Maxcy then suggested to have a Committee made up by the Board, Clerk, CPA and a business leader to establish a timeline of priorities and management responses for an internal audit which would be presented to the Committee and he stated that the Clerk and the Board would be better served if an internal audit was driven by a Committee. See SMB 49 Page 21.

**E. County Administrator:**

**1. Request approval of budget amendment 06-07-74 decreasing fund 180 Reserve for Contingency**

Carl Cool, County Administrator, presented the request. Commissioner Stewart expressed concern about the number of positions being filled. Fred Carino, Human Resources Director, advised that all full time positions have been filled and one temporary position filled. Motion by Commissioner Stokes, seconded by Commissioner Stewart, to approve budget amendment 06-07-74. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 22.

**2. Presentation of John Minor**

Carl Cool, County Administrator, presented the request. Rick Helms, Assistant County Administrator, advised that John Minor was selected to be the future Human Resources Director. Fred Carino, Human Resources Director, commented that he will be retiring after working with the public for 37 years and he presented Mr. Minor. John Minor gave a brief history and background of his abilities. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to appoint John Minor as the Human Resources Director. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 23.

**3. Discussion on Capital Financial Strategy**

Carl Cool, County Administrator, advised the Board that they needed permission to move ahead on projects on the Parks & Recreation Building, Sheriff's Law Enforcement Building Phase I and the Supervisor of Elections Building. Commissioner Stewart commented that she would like a list of

projects with their needs before anything is approved. Commissioner Stokes advised that the needs for the Parks & Recreation Building have been addressed. Vicki Pontius, Parks and Recreation Director, advised the Board that this is not a new project and that it has been Capital Improvement Plan since 2002 and this would be building a new metal building to house all maintenance equipment. Commissioner Stokes commented that this needs to be addressed today. Mr. Cool commented that he has three projects that they need to move ahead with and this is the most urgent one. Jack Richie spoke in support of this project. Motion by Commissioner Jackson, seconded by Commissioner Stewart, move to authorize the, County Administrator, to move forward with the Parks & Recreation Building. Upon roll call, all Commissioners voted aye. Motion carried.

Carl Cool, County Administrator, presented his request to move ahead and prepare a contract on a new Sheriff's Law Enforcement Building Phase I. Motion by Commissioner Stewart, seconded by Commissioner Bates, to proceed with the Sheriff's Law Enforcement Building Phase I. Upon roll call, call Commissioners voted aye. Motion carried.

Carl Cool, County Administrator, presented his request to move ahead and prepare a contract on a new Supervisor of Elections Building. Commissioner Stewart stated that this is very premature and she would like to have a list of requirements before proceeding with this project. Commissioner Stokes advised that this is an immediate need for the Supervisor of Elections. Motion by Commissioner Stokes, motion died for the lack of a second. Commissioner Jackson stated that the Supervisor of Elections needs to give the Board direction on his needs. See SMB 49 Page 24.

**4. Approval of a Resolution of the Board of County Commissioners of Highlands County, Florida regarding the proposed Heartland Parkway**

Carl Cool, County Administrator, presented this request. Motion by Commissioner Jackson, seconded by Commissioner Bates, to adopt this resolution. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 219.

**5. Request approval on update on Lake Denton Boat Ramp**

This item was moved from the consent agenda Item M for discussion. Commissioner Stewart advised they could discuss this issue at another time since it was just a report and no action is needed. See SMB 49 Page 25.

**6. CITIZENS NOT ON THE AGENDA (Five minute time limit)**

No participants.

**7. COMMISSIONERS:**

Commissioner Stewart requested that the Board Attorney, Ross Macbeth, get back with the Board on the Ordinance on the water restrictions with SWFWMD, if it applies countywide. Board Attorney, Ross Macbeth advised that this Ordinance is in effect countywide. Commissioner Stewart advised Carl Cool, County Administrator, to make this clear to the newspaper that the restrictions of SWFWMD are now effective countywide, not just in the SWFWMD area and to also check into having the board meeting re-broadcasted in the evening.

**8. ~~RECESS~~**

**9. ~~2:00 PM RECONVENE AT THE AGRI CIVIC CENTER AUDITORIUM, 4509 GEORGE BLVD, SEBRING.~~ This item was canceled.**

**10. ~~GOAL SETTING SESSION~~ This item was canceled.**

**11. ADJOURN**

Meeting adjourned at 12:47 P.M.

**Special Meeting of the Highlands County Board of County Commissioners  
January 17, 2007 at 9:00 a.m.  
(Audit Meeting)**

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:

**C. Guy Maxcy  
Edgar Stokes  
Barbara Stewart  
Andrew Jackson  
Barbara Stewart  
Don Bates**

**L.E. "Luke" Brooker  
Carl Cool  
Bob Jamison  
J. Ross Macbeth  
Rick Helms  
Antonia Rivera**

2. **Invocation and Pledge of Allegiance**

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

Commissioner Maxcy advised the Board and the public that Commissioner Jackson's depositions were canceled and he was present for the meeting.

Carl Cool, County Administrator, advised that this meeting was publicly noticed and a Proof of Publication was provided to the Clerk to be made a permanent part of the record for this meeting.

3. **RECESS**

The meeting recessed at 9:10 A.M.

4. **RECONVENE at 12:00 P.M. for the Special Audit Meeting**

5. **DISCUSSION OF PROCEDURES FOR THE MEETING**

Commissioner Maxcy advised that the purpose of the meeting today is to discuss internal audit findings completed on the Highlands County Libraries.

L.E. Luke Brooker, Clerk of the Court, advised he is duly authorized to be the accountant, recorder and the auditor to the Board of County Commissioners. He stated that he authorized the official audit of the library and the Library Cooperative. That the audit was under his direction and he signed and issued the audit report and stands by this report. He commented that they conducted this audit by the same internationally accepted professional standards and ethics that they have been following for years and he stated he has directed his Staff to conduct a follow-up audit on this audit in the future which is normal. He stated he has directed Staff to continue to conduct audits on the Board of County Commissioners. He also stated he & his Staff were asked by Board of County Commissioners to attend this meeting today and we do not plan to engage in a point/counter point debate on the findings. He commented that they are present to answer questions and ask questions, as deemed appropriate.

Clerk's Attorney, Jim Lobo, commented on the procedures for today and explained the duties and powers of the Clerk of the Court.

6. **PRESENTATION OF COMMENTS BY STAFF**

Carl Cool, County Administrator, advised that he would like to explain basic fundamental background information and he asked Mike Carter, CPA, to be present to discuss some of this information.

Rick Helms, Assistant County Administrator, asked Mr. Carter about his qualifications and about audits.

Mike Carter, CPA for NCT, gave his credentials and explained audits.

Mary Myers, Highlands County Library Director and Cooperative Coordinator for the Heartland Cooperative, presented all the members of Governing Board for each of the 4 participating counties.

Charlie Parker, Executive Director with the Tampa Bay Library Consortium, Inc., explained what a Cooperative is, why the state encourages Cooperatives and he explained the computer filtering system.

Gladys Roberts, Polk County Cooperative Director, explained how the weeding process works and the relationship with Friends of the Library for other counties.

*Break 1:02 P.M. – 1:12 P.M.*

## **7. DISCUSSION OF ISSUES**

- A.** Carl Cool, County Administrator, discussed issues including pornographic and gambling websites, audit meetings, the Sheriff's report, the library areas and computer filtering.

Ginger McClure, former librarian, spoke about the children's area at the Highlands County Library.

Commissioner Bates questioned if children are prohibited to go into any other section of the library. Mary Myers, Highlands County Library Director, advised that they are not prohibited but they have a policy that any child under the age of 10 has to be accompanied by an adult.

Commissioner Stewart questioned if they are able to view the children's area from the office behind the front desk. Mary Myers, Highlands County Library Director, advised that they are able to see the children.

- B.** Carl Cool, County Administrator, discussed the missing computers.

Commissioner Jackson asked where the computers were when they were looking for them.

Sandy Butler commented that they were at another library and Mary Myers concurred.

Gerald Secory, General Services Director, and Sandy Butler described the inventory process and the new inventory procedures that they are now using.

- C.** Carl Cool, County Administrator, discussed the issue of missing money and surplus money.

- D.** Carl Cool, County Administrator, discussed his responses to the audit findings.

E. Carl Cool, County Administrator, discussed the removal of books and the weeding process.

Mary Myers, Highlands County Library Director, explained the weeding process.

*Break 2:30 P.M. – 2:40 P.M.*

F. Carl Cool, County Administrator, discussed the dispensing of confidential audit information.

Ross Macbeth, Board Attorney, discussed the exemption of a public records production in an audit.

G. Carl Cool, County Administrator, advised that he would like to discuss the goals of the meeting today. He commented on the goals that he would like to accomplish which are to show the quality and integrity of our libraries, show the correct operations of libraries and prove the safety of the children who go to the libraries.

## **7. QUESTIONS AND ANSWERS**

Attorney, Jim Lobo, commented on the meetings which were held with Carl Cool, County Administrator and L.E. Luke Brooker, Clerk of Court. He also addressed the issue of pornographic websites accessed by employee's computers which was located in the children's section of the library during operating hours.

Rick Helms, Assistant County Administrator, and Carl Cool Administrator asked questions about he pornographic websites. Bob Jamison, Deputy Clerk, James Lobo, Clerk's Attorney, and Anthony Qualls, Clerk's IT Security Officer, responded to the questions.

## **8. CITIZENS NOT ON THE AGENDA**

Public input was received from Jack Richie.

Commissioner Stewart commented that she had not been informed of any draft audit findings and responses prior to the report.

Public input was received from Catherine Bergens, Ed Kilroy, Ann Holly, Dorothy Cohen, Catherine W. Hatfield, Ken Wheeler, Gabriel Reid and Mary Criswell.

## **9. COMMISSIONERS**

Commissioner Bates stated the following: "I intend to make a motion at the end of my presentation and I will hold that motion until all the other Commissioners have spoken. Mr. Richie took me off the hook somewhat and he put me back right on it. I view my role as Commissioner not as one to go over each of these findings although I have spent a number of hours reviewing and studying each of the documents that have come out and I do believe that it is my role to view the audit as a whole not to look at individual findings but to look at the audit as a whole and I believe that I have the right to expect and demand the deficiencies noted be corrected and I have the right to expect and demand that recommendations for changes be taken seriously. I believe the findings and the recommendations should be used to build on the extremely fine system that we have in Highlands County. Having said this, I would like to clarify if you don't know what my position is, I fully respect the Clerk's responsibility, authority and obligation to perform audits and I feel that provides a necessary check and balance that we don't have in any other part of our local county government and finally, I fully expect our County Administrator to ensure this Board that those policies are followed. As a new

Commissioner, and my honeymoon is about over and I have been here 58 days, I'm disappointed in what I have observed in my first 58 days. The fighting that this audit has created between the Board Administrator and the Clerk's office is junior high behavior. It appears that we have lost sight of the fact that we as elected officials have as our primary responsibility to answer to our citizens. Today's parade of he said and she said and the assembly of experts and witnesses to prove or justify one's position do not serve the public but the vested interest of a few positions and responsibilities. For one Commissioner, I have heard enough and I have a motion that I want to make but I will at the end of the conclusion of the other Commissioners comments."

Commissioner Jackson stated the following: "I would like to agree with what Commissioner Bates just said. I think the auditors have taken a pretty big beating today from a lot of people on a lot of issues but I think we have to keep in mind that there were approximately 60 findings and approximately 40% were concurred with which are going to improve the system. I think we need to look at the positive issues that can come out of this, that we have a better system and we can all be proud of our Cooperative and also our library system which can always be improved. Apparently, there were a lot of issues that need to be improved on."

Commissioner Stokes stated the following: "It's all been said."

Commissioner Stewart stated the following: "I would like to add a couple more things. I think today was very informative and interesting. Unfortunately, it really didn't address the issues at hand and as Mr. Bates said the issue really is the audit. The audit is a very important part of the checks and balances and it helps hold all of us accountable to the public. We have a great responsibility to provide oversight in our county government to make sure that we are responsible to the public as well as our organization. We also need to make sure that we are accountable to the public. I was one of the three that did take the time to go look at the backup. The Clerk's audit did show a few things which were disgusting links such as pornography but what concerned me, perhaps equally if not more, was the lack of adequate and weak internal controls, the violations of policies and procedures, and noncompliance with our policies and procedures. That being said, I feel that it could have been handled very quickly, relatively easily and it should have been handled that way. It should have never stretched out and reach the point that it has reached. I do look to addressing it positively from this point forward but I do need to point out that I was very distressed by the pervasive atmosphere which was evident in the emails, in conversations which showed the lack of respect for the Clerk of Courts who is an elected official, not taking the audit seriously, down playing the importance of accountability to the public and using work computers to circulate rumors and criticize the auditors work and that is all that I will say on that. I look forward to moving forward and addressing these issues and one thing that I would like to point out to Mr. Jackson that 40% concurred however, even where the management concurred, they might have said that we concur but then when you read further, you see that they really didn't concur. I understand that we are ultimately responsible but I also hold our senior management responsible and we need to move forward and we need to address these very serious issues in a positive way and get it done immediately and I will see what Mr. Bates' motion is."

Commissioner Maxcy stated the following: "I would like to say on my behalf that I am not certainly going to indict Staff and I don't think they need indicting or indict our libraries because I don't think they need indicting and I don't think the Clerk needs indicting. It's very unfortunate that the circumstances that we've had because of lack of communication on both parts, I don't know, but we have a heck of a mess here over the last two to three months and I haven't enjoyed it either so rather than point fingers at anyone, I would hope that we would do what I said before and that is to try to provide a way in which we can have an internal audit that we can all buy into and get along with and

that we can have an internal audit like Mr. Richie said, that we can have an audit that has some timelines that everyone must respond to and get back and forth with each other. We lost a lot of respect in each other, the Clerk and this Board, some members of this Board and I would like to apologize for that and just say, we as community leaders need to step up to the plate to rectify and make good what should be a great thing for our county and that is audits. We can all agree that audits are good things and there are some things in this audit that we're making some changes and we welcome an audit and I'm sure staff welcomes an audit as well. But to sit here and indict upper management or whatever based on what has been going on for the last three months of this audit, I'm not going to do that. I will expect staff to stay to the highroad and the Clerk to stay to the highroad like you're doing and let's get together and try and come up with some type of system by which we all can negotiate this and get along a lot better and I would like to see exit consultation and exit meetings with the Board and I would like to see in writing meetings that we need to have in a timely fashion, what your feelings are to that and let's get into what is the role of the auditor and what should be the role of staff and get this more on a level playing field in regards to this. I wish this would never happen again and it's been devastating to some people and I know some people that have had some major mental issues with this, some older friends of mine. I don't think this is good for our county so I beg of staff and I beg of our library folks and we as Commissioners, community leaders and Mr. Brooker, as the Clerk and with his staff, Bob and the auditing staff, that we do come together and make this work if this is what you want to do and if you want to try the internal audit for our libraries and let's make it work. In my view in the last 14 years, we've had a few audits by our internal audit by the Clerk and it hasn't worked and we just have had blood baths and I'm just tired of it. I would like to see us work together on that and I will be pushing for a system that will be fair to all and that we all can work together and that's what I'm going to push for a system for that and come up with a Committee that will advise the Board on timelines and the qualifications of auditors or just however everybody thinks. The Clerk can sit on the Committee, the Board can sit on the Committee, a CPA will be on the Committee to inform us of things that need to be done. I just hope we don't have another audit like this and I really feel for our libraries and I felt for our EMS team and I didn't say anything about it back then but now's the time to make some changes to make this better for our county so that is all I have to say and I guess we'll turn it back over to Mr. Bates or to this Board for action."

Commissioner Bates stated "My comments earlier were not an indictment of anyone, administrative or the Clerks office. However, I would like to move that this Commission, through it's Chairman, direct our administrator to immediately sit down with a representative from the Clerk's office and one outside individual, jointly agreed upon, and to work to resolve the remaining issues contained in this audit. Additionally, my motion asks the Chairman to request the full cooperation and assistance from the Clerk's office. Finally, the motion requires that a report be presented back to this Board and to the public not later than Tuesday, January 30, 2007. Motion by Commissioner Bates, seconded by Commissioner Stewart. Commissioner Stewart asked if it would be up to the Commission to appoint the outside person. Commissioner Bates commented that his intention was it would be jointly agreed upon by Mr. Brooker and the Chairman." Commissioner Maxcy asked if he would be out of line to ask the Clerk if he accepts. L.E. Luke Brooker, Clerk of Court, stated he would have to be asked what he accepts because the Board can't require him to do this. Commissioner Bates stated that his motion was a request for his support and cooperation and not required, it was a request. Upon roll call, all Commissioners voted aye. Motion carried.

Commissioner Stewart commented that she had a copy of a letter which was a public records request from Staff, it's Mr. Helms to the Clerk's office and they received a copy of that from the Clerk's counsel, Mr. Loboazzo and Mr. Loboazzo asked if Commissioners authorized this request and she didn't remember authorizing this request and they are talking about a positive response in moving forward

and when you read this public records request, it doesn't read as anything positive and she can't figure out what it would accomplish positively. She also stated: "I'm not sure, obviously we do have the authority, we have the authority to direct our County Administrator to withdraw that request and actually I would like to put that in a motion. I move that this Commission require Mr. Cool to withdraw this request to the Clerk of the Courts and the request is dated January 10, 2007." Motion by Commissioner Stewart, seconded by Commissioner Jackson. Public input was received from Cathy Bergens and Krista Harris in opposition. Commissioner Bates stated that, Rick Helms, wrote the letter and asked the Board to give him an opportunity to say why he did and what he wanted and thinks it's only fair to give him the opportunity to respond. Commissioner Maxcy asked Mr. Helms if he cared to respond at this time. Rick Helms, Assistant County Administrator, stated that there was a statement that was made in the audit that said that this audit was prepared according to auditing standards. Those questions relate directly to those auditing standards and what the requirements are, that relate to internal audits. Commissioner Jackson stated at this point: "What good would come out of this?" Mr. Helms stated that it would be information that would determine whether or not those standards were complied with. Commissioner Jackson commented that wouldn't it be a better thing to meet with the Clerk and discuss these sorts of things rather than demand public records. Mr. Helms stated that they could request another meeting with the Clerk, as we have, three or four times in the past. Commissioner Jackson stated that: What the Commission wants to see is a good working relationship with the Clerk and with all the constitutional officers and let's see if we can work together in a positive way." Carl Cool, County Administrator stated: "Commissioner Jackson was right, if we intend to use the data that was requested, we would have used it today and we didn't use it today and you know what we said and we came into the meeting with the absolute intention to not say any disparaging things about the Clerk's office and we came here to try and explain what the county library system has been doing and we've tried to do that and we've tried to show the Board what was in the standards and brought the people that know what the standard is but I agree with Commissioner Jackson that at this point in time, if we wanted to use that information, it would have been at this meeting and I don't see a meeting coming up like this again so we don't need the information and if you want to pass the motion, that's okay but we are publicly withdrawing the request at this point in time." Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 26.

## **10. ADJORN**

Meeting adjourned at 4:37 p.m.

**REGULAR MEETING OF THE BOARD JANUARY 23, 2007 & JANUARY 24, 2007**

1. The meeting was called to order at 9:00 A.M. on January 23, 2007 in the Board of County Commission Chambers at 600 S. Commerce Ave., Sebring, Florida with the following members present:

**C. Guy Maxcy  
Edgar Stokes  
Andrew Jackson  
Barbara Stewart  
Don Bates**

**Carl Cool  
Pam Cross  
J. Ross Macbeth  
Antonia Rivera**

**2. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Rick Engler. The Pledge of Allegiance was led by Antonia Rivera from the Clerk's office.

**3. ANNOUNCEMENTS**

**A. Clerk**

No report.

**B. Upcoming County meetings:**

Jan. 24	7:30 a.m.	Children's Services Council	1000 S. Highlands Avenue, Sebring, Florida
Jan. 24	10:00 a.m.	Heartland Library Cooperative	205 W. Interlake Blvd., Lake Placid, Florida
Jan. 25	9:00 a.m.	HC Housing Advisory Committee	501 S. Commerce Ave., Sebring, Florida
Jan. 25	10:00 a.m.	Lake Istokpoga Management Committee	#3, Ag-Center, 4509 George Blvd., Sebring, Florida
Jan. 25	2:30 p.m.	Recreation & Parks Advisory Committee	#213, 505 S. Commerce Ave., Sebring, Florida
Jan. 29	8:30 a.m.	HC Housing Authority	2300 Hope Circle, Sebring, Florida
Jan. 31	4:00 p.m.	Natural Resources Advisory Commission	Engineer's Training Room, 501 S. Commerce Ave., Sebring, Florida

**C. Other meetings:**

This meeting was publicly noticed as a two day meeting.

The Board meeting has been re-broadcasted on the following evening at 8:00 p.m. Library audit will be re-broadcasted on Friday, January 26, 2007 at 8:00 p.m.

The Value Adjustment Board meeting will meet here in the Boardroom on Thursday, January 25, 2007 at 9:30 a.m.

Chairman, C. Guy Maxcy, L.E. Brooker, Clerk of Court, Bob Jamison, Deputy Clerk, Carl Cool, County Administrator, had a meeting in regards to the audit yesterday and the next meeting is scheduled for Monday, January 29, 2007 and a report will be given to all the Commissioners.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits January 23, 2007.**

General .....	1,761,207.27
County Transportation Trust .....	30,886.27
Local Govt Infra Surtax .....	392,121.15
Tourist Dev Trust Fund .....	4,207.98
Solid Waste .....	58,900.72
Placid Utilities .....	121,704.72
Highway Park Utility .....	2,634.60
Intergovt Radio Communication .....	22,084.20
Sebring Parkway Maintenance .....	1,150.00
Risk Retention Fund .....	2.96
Employee Benefit Fund .....	3.63
Tax Deed Surplus Fund .....	240,328.76
Legal Aid .....	3,437.27
Affordable Housing Asst .....	143.08
Home Initiatives Partner .....	18,500.00
Hurricane Housing Rec Pro .....	11,430.24
Fire Inspection .....	35.18
Law Library Trust Fund .....	494.00
Court Tech 28.24 (12) (E) 1 .....	4,094.86
Building Code Enfor Fund .....	8,160.05
HCISSRB Construction Fund .....	39,780.40

- B. Request approval of a Satisfaction of Mortgage for Muriel Newsome. See Clerk of Courts Official Records.**
- C. Request approval to Designate Parcel as Surplus and Place into the Affordable Housing Land Bank. See SMB 49 Page 27.**
- D. Request approval of a Satisfaction of Lien on Case # 89-06-183, 3633 Bethune Rd., Sebring, Highlands County, Florida. See Clerk of Courts Official Records.**
- E. Request approval of Non-Emergency Transport License for Sunnyvale Vans, Inc. See SMB 49 Page 28.**
- F. Request approval of Move to accept and record the warranty deed and partial release of mortgage for Klohn Tower Plaza commercial development. See Clerk of Courts Official Records.**
- G. ~~Request approval to Authorize Right of Entry Agreement with Avon Park Aeromodelers Inc. for portion of the Closed Avon Park Landfill.~~ This item was moved to the action agenda.**
- H. ~~Request approval of Highlands County 2005-2007 HHAP Technical and Clarifying Revisions to the Hurricane Housing Recovery Housing Assistance Plan.~~ This item was moved to the action agenda.**
- I. Request approval of Change Order No. 1 with KDL Underground and Development, Inc. for alternate No. 2 of the Lake June Road Watermain extension project for the construction of the Lake Stearns Road watermain extension and budget amendment 06-**

**07-76 with resolution transferring \$31,476.00 from utility fund 402/3999100Z fund balance unreserved to utility fund 402/102/56300Z/Project improvements. See SMB 49 Page 29 & Res. Book 19 Page 220.**

**5. ACTION:**

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

**A. Maria Sutherland, City of Avon Park, Proposed Interlocal Agreement – North Elementary School – ED CDBG 2006**

Corbett Alday, Guardian Consultanting, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Stokes, to approve the item listed above. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 30.

**B. Supervisor of Elections Joe Campbell: Discussion on Space Needs Study**

Joe Campbell, Supervisor of Elections, presented his request on his needs for additional space. Commissioner Jackson questioned the amount of square footage needed. Mr. Campbell advised that he would need 9000 to 10,000 square feet. Commissioner Maxcy, Commissioner Stewart and Commissioner Bates commented that a space needs study needs to be done by Mr. Campbell and bring it back to the board for review. Commissioner Maxcy advised Mr. Campbell that he needed to provide the board with a list of his immediate needs, available spaces that could be utilized for storage and a proposal from a professional on the cost on assisting him on his space needs and have it back to the Board in two weeks.

**C. Request approval to Authorize Right of Entry Agreement with Avon Park Aeromodelers Inc. for portion of the Closed Avon Park Landfill**

Commissioner Stewart questioned the status of the Sebring Club. Ken Wheeler, Solid Waste Director, said that the Sebring Club advised him that they wanted to terminate the agreement, effective January 1, 2007. Commissioner Stewart asked if the Sebring Club signed it and Mr. Wheeler stated yes. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve item listed above. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 31.

**D. Request approval of Highlands County 2005-2007 HHAP Technical and Clarifying Revisions to the Hurricane Housing Recovery Housing Assistance Plan**

Commissioner Stewart questioned the wording in the revision presented to the Board. Penny Phillippi, Housing Director, commented that they would be agreeable to amend the wording in the revision. Commissioner Stewart commented that the Board Attorney, Ross Macbeth, would need some time to work on the motion. Commissioner Maxcy suggested a ten minute break so Mr. Macbeth could amend the wording on the revision.

*Break 10:14 a.m. – 10:30 a.m.*

**Cont'd (Item D)**

Board Attorney, Ross Macbeth, stated that the changes would read as follows in the revision: A deferred principal payment, zero percent (0%) interest rate, non amortizing second mortgage due upon the sale, transfer or disposition of the property either voluntary or involuntary, or when the qualified homeowner ceases to occupy the home as his or her principal residence. This mortgage representing HHRP funds is provided to the homeowners and is placed on the properties in the name of the Highlands County Board of County Commissioners. Mortgage buy-down funds cannot be included as

part of a second “equity” mortgage to homebuyers. Except as otherwise provided in this paragraph this mortgage will remain on the property until the first mortgage is paid in full, or after it’s originally stated maturity, by the qualified home owner at which time it will be considered paid in full. Motion by Commissioner Stokes, seconded by Commissioner Bates to adopt the HHRP revision as read into the minutes by the County Attorney. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 32.

**6. PUBLIC HEARING: Revised – Second Public Hearing, Enabling Resolution and Commitment Letter for CDBG ED – 2006.**

Penny Phillippi, Housing Director, presented the request and proof of publication was entered into the record. Corbett Alday, Guardian Consultanting, commented on the changes of the application and requested approval from the Board. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to approve the revised application for funds in the fiscal year 2006 CDBG category of economic development as prepared and presented and included in the packet. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 221.

~~**7. PUBLIC HEARING: Public Hearing to request placement of a Notice of Lien on Case # CE 05040206, 514 Valencia St., Sebring, Highlands County, Florida.**~~

Jim Polatty, Development Services Director, pulled this item from the agenda. See SMB 49 Page 33.

**8. PUBLIC HEARING: Public Hearing for proposed Zoning Changes, Small Scale Plan Amendments, and large scale plan amendments. Seventeen (17) zoning changes, thirteen (13) small scale plan amendments, six (6) large scale plan amendments including one (1) County initiated large scale plan amendment, and one (1) County initiated zoning change, are on the Board of County Commissioners Agenda for January 23 and 24, 2007. The zoning changes agenda items were heard by the Planning and Zoning Commission on January 8 and 9, 2007.**

**10A) HEARING #CPA-07-416SS –SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND JOHN AND NANCY LEADINGHAM – C/O ENGELHARDT, HAMMER & ASSOCIATES, INC.**

Approximately 5.1 acres located North of Kissimmee River Shores Mobile Home Subdivision and East of the Lockett Estate on Boondock Road, and abbreviated legal as follows: Located in Sec. 8, Twp. 36S, Rge. 33E, Highlands County, Florida. **Request:** A small scale plan amendment from (Conservation/Management Lands) to (Agricultural.)

**10B) HEARING #1884 –SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND JOHN AND NANCY LEADINGHAM – C/O ENGELHARDT, HAMMER & ASSOCIATES, INC.**

Legal description as stated above (Item #10A.) **Request:** A zoning change from CM (Conservation/Management Lands district) to AU (Agricultural.) Applicant desires to construct a single family dwelling.

Jim Polatty, Development Services Director, presented the request. Ethel Hammer, Engelhardt, Hammer & Associates, Inc., representing the applicant, commented on the background on the Leadingham’s. Commissioner Maxcy asked if anyone was against this project. Mr. Polatty commented that he had one letter against. Commissioner Stewart questioned the access off of CR 721. Ms. Hammer advised that it is a public and private road. Motion by Commissioner Stewart, seconded by Commissioner Stokes, **MOVE TO ADOPT BY ORDINANCE CPA-07-416SS AMENDING THE FUTURE LAND USE MAP FOR 5.1 ACRES FROM CONSERVATION/MANAGEMENT LANDS**

TO AGRICULTURE; AND TO ADOPT BY RESOLUTION P&Z 1884 AMENDING THE ZONING ATLAS FOR 5.1 ACRES FROM CM (CONSERVATION MANAGEMENT LANDS) TO AU (AGRICULTURAL), REFERENCING THE MANDATORY FINDINGS AND BECOMING EFFECTIVE AS PROVIDED BY LAW. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 34, Res. Book 19 Page 222 & Ordinance Book 12.

**1A) NEW BUSINESS: HEARING #CPA-07-404LS – SUNRISE UNITED INC.**

Approximately 27 acres located behind the Oak Hill Cemetery West of St. John Street and North of U.S. 27 in Lake Placid, and abbreviated legal as follows: Located in Sec. [30, Twp. 36S, Rge. 30E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (High Density Residential.)

**1B) NEW BUSINESS: HEARING #1898 – SUNRISE UNITED INC.**

Legal description as stated above (Item #1A.) **Request:** A zoning change from AU (Agricultural) to R-3 (Multiple Dwelling district) and B-3 (Business district.) Applicant desires to construct assisted living townhouse and assisted living homes.

Jim Polatty, Development Services Director, presented the request. Commissioner Stewart commented on her concern that there isn't anything to indicate that this is an assisted living facility, no limitation of the number of housing units and access to site. Rafat Ghaznavi, representing the applicant, showed the Commissioners the access onto the site. Commissioner Stewart commented that this request is premature due to the lack of information and no input from the Town of Lake Placid. Public input was received from Debra Worley and Rick Engler. Commissioner Stewart suggested to table this case and suggested to make this a PD including residential and the commercial to make sure that the two are linked in the terms of ingress/egress. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to table CPA-07-404LS and P&Z Hearing #1898 to the County Commission Public Hearing to be held on June 26, 2007 at 9:00 a.m. or soon thereafter. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 35.

**2) NEW BUSINESS: HEARING #CPA-07-405SS – STEVEN F. GOYETTE AND SHERRY W. GOYETTE – C/O SCOTT R. LECONEY**

Approximately 8.5 acres located on the Northeast corner of the intersection of S.R. 66 and Silver Road, and abbreviated legal as follows: the parcels are located in Sec. 22, Twp. 35S, Rge. 28E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (Commercial).

Jim Polatty, Development Services Director, presented the request. Bert Harris, representing the applicant, presented the request and advised that he objects to conditions 1, 2, 4 and 5 and only agreed to number 3 and 6. Commissioner Stewart commented on her concern on the northern lots intruding into the neighborhood. Mr. Harris commented that the owners would agree to combine the lots north and south so they would be restricted to only two parcels. Commissioner Maxcy asked if there were any letters for or against. Mr. Polatty commented no. Motion by Commissioner Stewart to deny, CPA-07-405SS, and include the mandatory findings of fact that the proposed amendment is sprawl and is not consistent with uses in the area and that the amendment is not consistent with the comprehensive plans specifically meeting the description of sprawl. Motion died for the lack of a second. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to approve IN ACCORDANCE WITH THE P&Z RECOMMENDATION, MOVE TO ADOPT #CPA-07-405SS BY ORDINANCE, AMENDING THE FUTURE LAND USE MAP FROM AGRICULTURE TO COMMERCIAL, REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE AS PROVIDED BY LAW, AND INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO

REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES: Upon roll call, all Commissioners voted aye, except Commissioner Stewart who voted nay. Motion carried. See SMB 49 Page 36 & See Ordinance Book 12.

Conditions:
1. Central potable water and central wastewater service shall be required.
2. No interconnectivity shall be allowed with the surrounding residential subdivision.
3. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval under County Codes.
5. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
6. Water use permits and withdrawal facilities for existing and future permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.

*Lunch Break 12:00 P.M. – 1:15 P.M.*

**5A) HEARING #CPA-07-408SS – SOUTHERN LIFESTYLE ALF OF LAKE PLACID FL. – C/O RICK WHIDDEN**

Approximately 2.26 acres on the North side of U.S. 27, across from Florida Hospital, Lake Placid, and abbreviated legal as follows: Located across from Florida Hospital, Lake Placid, Florida. **Request:** A small scale plan amendment from (Agricultural) to (Commercial.)

**5B) HEARING #1875 - SOUTHERN LIFESTYLE ALF OF LAKE PLACID, FL. – C/O RICK WHIDDEN**

Legal description as stated above (Item #5A.) Requesting a zoning change from AU (Agricultural) to B-3 (Business district.) Applicant desires to construct doctor’s offices.

Jim Polatty, Development Services Director, presented the request. Rick Whidden, representing the applicant, briefly explained the request. Commissioner Stewart questioned why they were asking for a B3 if they are building doctor’s offices. Chuck Oaks, the owner, addressed her question. Motion by Commissioner Stokes, seconded by Commissioner Stewart, to MOVE TO ADOPT BY ORDINANCE CPA-07-408SS AMENDING THE FUTURE LAND USE MAP FOR 2.25 ACRES FROM AGRICULTURE TO COMMERCIAL; AND TO ADOPT BY RESOLUTION P&Z 1875 AMENDING THE ZONING ATLAS FOR 2.25 ACRES FROM AU (AGRICULTURE) TO B-3 (BUSINESS DISTRICT), REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE AS PROVIDED BY LAW, INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES: Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 37, Res. Book 19 Page 223 & Ordinance Book 12.

Conditions:
1. Central potable water and central wastewater service from a public provider shall be required.
2. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order to

meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
3. The property shall be considered as a single project for purposes of development review and approval under County Codes.
4. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
5. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.

- 3A) HEARING #CPA-07-406SS – RANDALL R. AND EYDEE GRICE – RICK WHIDDEN**  
 Approximately 9.3 acres located on the South side of Kenilworth Blvd. just North of the intersection with Peters Road, and abbreviated legal as follows: Located in Sec. 34, Twp. 34S, Rge.29E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (Medium Density Residential.)
- 3B) HEARING #1873 - RANDALL R. AND EYDEE GRICE – RICK WHIDDEN**  
 Legal description as stated above (Item #3A.) **Request:** A zoning change from AU (Agricultural) to R-1 FUD (Residential district with a Flexible Unit Development.) Applicant desires to construct single family dwellings.

Jim Polatty, Development Services Director, presented the request. Rick Whidden, representing the applicant, briefly presented his request. Mike Brown, representing the applicant, presented a power point presentation on the future Kenilworth Estates. Commissioner Stewart questioned who is going to be responsible for the operation and the maintenance of the amenities. Mr. Brown commented that it would be maintained through a homeowner’s association. Public input was received from Raegan Rothchilde and Sara Ramer in opposition to this issue. Commissioner Stewart spoke on her concern of high density. Motion by Commissioner Stewart, seconded by Commissioner Stokes, to approve PURSUANT TO THE P&Z RECOMMENDATION, MOVE TO ADOPT BY ORDINANCE CPA-07-406SS AMENDING THE FUTURE LAND USE MAP FOR 9.34 ACRES FROM AGRICULTURE TO MEDIUM DENSITY RESIDENTIAL; REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE AS PROVIDED BY LAW, AND INCLUDING THE FOLLOWING CONDITIONS AND TO ADOPT BY RESOLUTION P&Z 1873 AMENDING THE ZONING ATLAS FOR 9.34 ACRES FROM AU (AGRICULTURE) TO R-1 FUD (RESIDENTIAL DISTRICT WITH FLEXIBLE UNIT DEVELOPMENT), AND THAT APPROVAL REFLECTS WHAT’S CONTAINED IN THE RESOLUTION INCLUDED IN OUR PACKET WITH THE ADDITION OF THE MINIMUM DEVELOPMENT STANDARDS WHICH WERE SUBMITTED TODAY BY THE DEVELOPER WHICH WERE IN THE POWER POINT PRESENTATION PRESENTED TODAY AND THE REVISED CONCEPTUAL PLAN WHICH WAS CONTAINED ON PAGE 5 OF THE POWER POINT PRESENTATION TODAY WHICH SHOWS THE MAJOR ENTRANCE ON PETERS ROAD AND IT WOULD INCLUDE ALL THE PROVISIONS ON PAGE 3, 4, AND PAGE 5. Commissioner Maxcy commented on his concern of land profiling. Commissioner Bates commented on his concern of density. Upon roll call, all Commissioners voted aye, except Commissioner Bates and Commissioner Maxcy, who voted nay. Motion carried. See SMB 49 Page 38, Res. Book 19 Page 224 & Ordinance Book 12.

Conditions:
1. Central potable water and central wastewater service is to be required.

2. Interconnectivity to the proposed development to Peters Road.
3. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval under County Codes.
5. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
6. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.
7. The development shall meet the County's recreation LOS through one of the following options: a. Provide public parks on site, b. Make a payment in-lieu of dedication of park land (with the approval of the County Commission), c. Dedicate park land to the County (with the approval of the County Commission).
8. The development shall be in compliance when all school concurrency is required.

*Break 3:27 P.M. – 3:38 P.M.*

**4A) HEARING #CPA-07-407SS – SCHULMAN INVESTMENT GROUP, LLC. – C/O RICK WHIDDEN**

Approximately 9.9 acres located on the East side of C.R. 17, just North of the Railroad tracks in DeSoto City area, and abbreviated legal as follows: Located in Sec. 11, Twp. 35S, Rge. 29E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agricultural) to (Low Density Residential.)

**4B) HEARING #1874 - SCHULMAN INVESTMENT GROUP, LLC. – C/O RICK WHIDDEN**

Legal description as stated above (Item #4A.) **Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single family dwellings.

Jim Polatty, Development Services Director, presented the request. Rick Whidden, representing the applicant, briefly presented his request. Motion by Commissioner Jackson, seconded by Commissioner Stokes, TO MOVE TO ADOPT BY ORDINANCE CPA-07-407SS AMENDING THE FUTURE LAND USE MAP FOR 9.99 ACRES FROM AGRICULTURE TO LOW DENSITY RESIDENTIAL; AND TO ADOPT BY RESOLUTION P&Z 1874 AMENDING THE ZONING ATLAS FOR 9.99 ACRES FROM AU (AGRICULTURE) TO EU (ESTATE DISTRICT), REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE AS PROVIDED BY LAW, INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES: Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 39, Res. Book 19 Page 225 & Ordinance Book 12.

Conditions:
1. Central potable water and septic tanks.
2. Total number of units shall be limited to 13 units and the minimum lot size shall be half an acre.
3. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order

to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval under County Codes.
5. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
6. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.
7. The development shall meet the County's recreation LOS through one of the following options: a. Provide public parks on site, b. Make a payment in-lieu of dedication of park land (with the approval of the County Commission), c. Dedicate park land to the County (with the approval of the County Commission).

- 6A) HEARING #CPA-07-411SS – ROBERT CRUSE AND ROSA LEE CRUSE – C/O CLIFFORD R. RHOADES**  
Approximately 5 acres located on the Northwest corner of Kenilworth Boulevard and Peters Road, and abbreviated legal as follows: located in Sec. 34, Twp. 34S, Rge. 29E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (Medium Density Residential.)
- 6B) HEARING #1879 – ROBERT CRUSE AND ROSA LEE CRUSE – C/O CLIFFORD R. RHOADES**  
Legal description as stated above (Item #6A.) **Request:** A zoning change from AU (Agriculture) to R-2 (Two-Family Dwelling district.) Applicant desires to construct single family and/or duplexes.

Jim Polatty, Development Services Director, presented the request. Commissioner Maxcy questioned if this needed to be tabled. Mr. Polatty stated yes. Motion by Commissioner Jackson, seconded by Commissioner Bates, to MOVE TO CONTINUE TO MARCH 13, 2007, AT 9:00 A.M. OR AS SOON THEREAFTER AS POSSIBLE IN THE BOARD OF COUNTY COMMISSION CHAMBERS. See SMB 49 Page 40.

- 7A) HEARING #CPA-07-412SS – JORDAN CORP., LLC. – WILLIAM J. NIELANDER, P.A.**  
Approximately 1/2 acres located on the East side of U.S. 27, 3/4 of a mile North of S.R. 70, and abbreviated legal as follows: Located in Sec. 33, Twp. 37S, Rge. 30E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (Commercial.)
- 7B) HEARING #1877 – JORDAN CORP., LLC. – WILLIAM J. NIELANDER, P.A.**  
Legal description as stated above (Item #7A.) **Request:** A zoning change from R-1 (Residential district) to B-2 (Limited Business district.) Applicant desires to operate a real estate office.

Jim Polatty, Development Services Director, presented the request. Bill Neilander, representing the applicant, briefly presented his request. Commissioner Stewart commented on the concern of spot zoning. Mr. Neilander commented on her concern. Motion by Commissioner Stewart, move to deny

CPA-07-412SS, amending the future land use map for 0.689 acres from “Agriculture” to “Commercial,” and to deny P&Z 1877 amending the zoning atlas for 0.689 acres from AU “Agriculture” to B2 “Limited Business District”. Motion died for lack of a second. Motion by Commissioner Stokes, seconded by Commissioner Jackson, to MOVE TO ADOPT BY ORDINANCE CPA-07-412SS, AMENDING THE FUTURE LAND USE MAP FOR 0.689 ACRES FROM “AGRICULTURE” TO “COMMERCIAL,” AND TO ADOPT P&Z 1877 BY RESOLUTION AMENDING THE ZONING ATLAS FROM R-1 (RESIDENTIAL DISTRICT) TO B-2 CU (LIMITED BUSINESS DISTRICT WITH A CONDITIONAL USE) WITH THE ZONING CONDITIONED TO OFFICE USES AS PER 12.05.241 (B) (5) OF THE LAND DEVELOPMENT REGULATIONS, REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE AS PROVIDED BY LAW AND INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES: Upon roll call, all Commissioners voted aye, except Commissioner Stewart, who voted nay. Motion carried. See SMB 49 Page 41, Res. Book 19 Page 226 & Ordinance Book 12.

<b>Conditions:</b>
1. Central potable water and central wastewater service shall be provided by a public entity.
2. No interconnectivity shall be allowed with the surrounding residential subdivision.
3. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
4. The property shall be considered as a single project for purposes of development review and approval under County Codes.
5. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
6. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.

- 8A) HEARING #CPA-07-413SS – AVON PARK ESTATES CORP./DONALD B. SOLDINI – C/O THOMAS L. NUNNALLEE**  
 Approximately 2.4 acres located on two parcels on either side of Avon Park Estates Blvd., at the intersection with S.R. 64. **Request:** A small scale plan amendment from (Low Density Residential) to (Commercial.)
- 8B) HEARING #1880 – AVON PARK ESTATES CORP./DONALD B. SOLDINI – C/O THOMAS L. NUNNALLEE**  
 Legal description as stated above (Item #8A.) **Request:** A zoning change from EU (Estate district) to B-3 (Business district.) Applicant desires to operate a gas station and a shopping center.

Jim Polatty, Development Services Director, presented the request. Thomas Nunnallee, representing the applicant, briefly presented his request. Motion by Commissioner Stewart, seconded by Commissioner Bates, **IN ACCORDANCE WITH THE P&Z RECOMMENDATION, MOVE TO DENY CPA-07-413SS AND TO DENY P&Z 1880, REFERENCING THE MANDATORY FINDINGS.** Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who voted nay. Motion carried. See SMB 49 Page 42.

**9A) HEARING #CPA-07-415SS – DELLA H. BISHOP – C/O RICK WHIDDEN**

Approximately 3.5 acres located in two parcels on either side of Lake Ridge Drive at the intersection with U.S. 27, South of Lake Placid, and abbreviated legal described as follows: Located in Sec. 17, Twp. 37S, Rge. 30E, Highlands County, Florida. **Request:** A small scale plan from (Medium Density Residential) to (Commercial.)

**9B) HEARING #1883 – DELLA H. BISHOP – C/O RICK WHIDDEN -**

Legal description as stated above (Item #9A.) **Request:** A zoning change from R-1 (Residential district) to B-3 (Business district.) Applicant desires the permitted B-3 uses.

Jim Polatty, Development Services Director, presented the request. Rick Whidden, representing the applicant, briefly presented his request. Pete McDevitt commented on the history of the property. Public input was received by James Hill, Walt Courtney, Dennis Rutledge and Lanny Allen spoke in opposition to this issue and provided the Commissioners with a copy of their petition and photos for reference. Commissioner Bates questioned if it would be possible to establish a 50 foot natural buffer between the commercial and residential. Mr. Whidden commented that they would be agreeable to a buffer 50 foot on the easterly property lines. Motion by Commissioner Stewart, seconded by Commissioner Bates, **MOVE DENIAL OF #CPA-07-415SS, AMENDING THE FUTURE LAND USE MAP FOR 3.55 ACRES FROM AGRICULTURE TO COMMERCIAL, AND TO DENY P&Z 1883 AMENDING THE ZONING ATLAS FOR 3.55 ACRES FROM R-1 (RESIDENTIAL DISTRICT) TO B-3 (BUSINESS DISTRICT).** Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 43.

~~**10A) HEARING #CPA-07-416SS – SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND JOHN AND NANCY LEADINGHAM – C/O ENGELHARDT, HAMMER & ASSOCIATES, INC.**~~

~~Approximately 5.1 acres located North of Kissimmee River Shores Mobile Home Subdivision and East of the Lockett Estate on Boondock Road, and abbreviated legal as follows: Located in Sec. 8, Twp. 36S, Rge. 33E, Highlands County, Florida. **Request:** A small scale plan amendment from (Conservation/Management Lands) to (Agricultural.)~~

~~**10B) HEARING #1884 – SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND JOHN AND NANCY LEADINGHAM – C/O ENGELHARDT, HAMMER & ASSOCIATES, INC.**~~

~~Legal description as stated above (Item #10A.) **Request:** A zoning change from CM (Conservation/Management Lands district) to AU (Agricultural.) Applicant desires to construct a single family dwelling.~~

Jim Polatty, Development Services Director, moved this item to be heard first.

*Commissioner Jackson left the meeting at 5:20 P.M.*

**11A) HEARING #CPA-07-417SS – GREEN AVON PARK, LLC. – C/O ROBERT S. SWAINE OF SWAINE, HARRIS & SHEEHAN, P.A.**

Approximately 5.8 acres located on the East shore of Lake Anoka South of Hal McRae Blvd. in Avon Park, and abbreviated legal as follows: Located in Sec. 27, Twp. 33S, Twp. 28E, Highlands County, Florida. **Request:** A small scale plan amendment from (Medium Density Residential) to (High Density Residential.)

**11B) HEARING #1885 - GREEN AVON PARK, LLC. – C/O ROBERT S. SWAINE OF SWAINE, HARRIS & SHEEHAN, P.A.**

Legal description as stated above (Item #11A.) **Request:** A zoning change from R-1 (Residential district) to R-3 (Multiple Dwelling district.) Applicant desires to construct single family dwellings and multiple dwelling units.

Jim Polatty, Development Services Director, presented the request. Bob Swaine, representing the applicant, briefly presented his request. Commissioner Stewart questioned the density of the area for both parcels of the development. Mr. Swaine commented that the density is 6.4. Commissioner Stewart commented on her concern of the interconnectivity. Motion by Commissioner Stewart, seconded by Commissioner Bates, MOVE TO ADOPT BY ORDINANCE CPA-07-417SS AMENDING THE FUTURE LAND USE MAP FOR 5.84 ACRES FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; AND CONTINUE THE ZONING ATLAS AMENDMENT FOR 5.84 ACRES FROM R1 (RESIDENTIAL DISTRICT) TO R3 (MULTIPLE FAMILY DWELLING INCLUDING MOTEL AND HOTEL DISTRICT) UNTIL A R3 FUD REZONING APPLICATION IS PREPARED UNTIL MARCH 27, 2007 AT 9:00 AM OR AS SOON THEREAFTER IN THE COUNTY COMMISSION CHAMBERS, REFERENCING THE MANDATORY FINDINGS FOR CPA-07-417SS AND BECOMING EFFECTIVE AS PROVIDED BY LAW AND INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES: Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 44 & Ordinance Book 12.

<b>Conditions:</b>
1. Central potable water and central wastewater service from a public provider shall be required.
2. Density shall be limited to a maximum of 58 units.
3. Interconnectivity shall be required.
4. The applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual, and the Capital Improvements Program at the time of development.
5. The property shall be considered as a single project for purposes of development review and approval under County Codes.
6. This property shall be developed with the property immediately to the west consisting of approximately of three acres .
7. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
8. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.
9. The development shall meet the County’s recreation LOS through one of the following options: a. Provide public parks on site, b. Make a payment in-lieu of dedication of park land (with the approval of the County Commission), c. Dedicate park land to the County with the approval of the County Commission).

**9. COMMISSIONERS**

No report.

**10. RECESS**

The meeting recessed at 5:46 P.M.

**11. RECONVENE**

The meeting reconvened on Wednesday, January 24, 2007 at 9:00 a.m. All Commissioners were present for this meeting.

**12. Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Jim Polatty, Development Services Director. The Pledge of Allegiance was led by Rick Whidden.

**12A) HEARING #CPA-07-419SS – JAMES P. AND SUEZETTE EGAN, AND DANIEL R. AND KAREN KOPPEN – C/O RICK WHIDDEN**

Approximately 5 acres located at the end of Cooper Road, just South of Town and Country Mobile Estates, and abbreviated legal as follows: Located in Sec. 5, Twp. 35S, Rge. 29E, Highlands County, Florida. **Request:** A small scale plan amendment from (High Density Residential) to (Commercial.)

**12B) HEARING #1887 – JAMES P. AND SUEZETTE EGAN, AND DANIEL R. AND KAREN KOPPEN – C/O RICK WHIDDEN**

Legal description as stated above (Item #17A.) **Request:** A zoning change from AU (Agricultural) to B-3 (Business district.) Applicant desires to construct mini-warehouses.

Jim Polatty, Development Services Director, presented the request. Rick Whidden, representing the applicant, briefly presented his request. Jeff Hensley, Developer, commented on the wetlands and the environmental issue. Commissioner Bates questioned how many units were going to be constructed. Mr. Hensley commented a total of 100 to 108 units. Mr. Polatty commented on having them obtain an environmental resource permit. Carl Cool, County Administrator, commented on the unstable soil on this property. Commissioner Stewart commented that this was a poor location for this project. Commissioner Bates commented that the residents would benefit from the storage facilities. Commissioner Jackson commented that he had no problems with the property being used for storage units. Public input was received by Rick Engler. Commissioner Stokes commented that this needs to be postponed until they bring in more information. Motion by Commissioner Stokes, seconded by Commissioner Bates, move to table it to March 27, 2007. Upon roll call, all Commissioners voted aye. Motion carried. Board Attorney, Ross Macbeth, stated that if there were going to table this issue, it would have to be to date and time and place not just tabling it to the 27<sup>th</sup> of March, 2007. Motion by Commissioner Stokes, seconded by Commissioner Bates, THE HEARING PREVIOUSLY VOTED ON THE 27<sup>TH</sup> OF MARCH, 2007 BE HELD ON MARCH 27, 2007 AT 9:00 A.M. OR AS SOON THEREAFTER IN THE COUNTY COMMISSION CHAMBERS. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 45.

**13A) HEARING #CPA-07-420SS – LEWIS POLLARD, JR., MARY SUE POLLARD, VELDA C. WALKER NEGLEY, VADEN L. POLLARD AND HELEN FAYE POLLARD – C/O BERT J. HARRIS, III OF SWAINE, HARRIS & SHEEHAN, P.A.**

Approximately 9.6 acres located on the South side of Boat Ramp Road, between Highlands Lake Drive and Lake Istokpoga, and abbreviated legal as follows: Located

in Sec. 34, Twp. 36S, Rge. 30E, Highlands County, Florida. **Request:** A small scale plan amendment from (Agriculture) to (Low Density Residential.)

**13B) HEARING #1888 – LEWIS POLLARD, JR., MARY SUE POLLARD, VELDA C. WALKER NEGLEY, VADEN L. POLLARD AND HELEN FAYE POLLARD – C/O BERT J. HARRIS, III OF SWAINE, HARRIS & SHEEHAN, P.A.**

Approximately 10.1 acres located on the South side of Boat Ramp Road, between Highlands Lake Drive and Lake Istokpoga, and abbreviated legal as follows: Located in Sec. 34, Twp. 36S, Rge. 30E, Highlands County, Florida. **Request:** A zoning change from AU (Agricultural) and R-1 (Residential district) to EU (Estate district.) Applicant desires to construct single family dwellings.

Jim Polatty, Development Services Director, presented the request. Commissioner Jackson declared a conflict of interest. A Memorandum of Voting Conflict was entered into the record. Kim Sapp, representing the applicant, briefly presented her request. Board Attorney, Ross Macbeth, suggested that the legal description be checked to make sure it was the correct one. Mr. Polatty commented that he would have it checked. Commissioner Stewart commented on her concerns of Lake Istokpoga and requested drain fields on the site. Motion by Commissioner Stewart, seconded by Commissioner Bates, to move to table this hearing until the legal description has been checked and that will be at 10:15 a.m. or whatever time thereafter, as soon as possible after that, on January 24, 2007, in the County Commission Boardroom. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained. Motion carried. Motion by Commissioner Stokes, seconded by Commissioner Stewart, to remove it from the table. Upon roll, call Commissioners voted aye, except Commissioner Jackson, who abstained. Mr. Polatty commented that legal description which was advertised in the newspaper was correct and in the Resolution but the legal description in the Ordinance was incorrect and has to be corrected. Motion by Commissioner Stokes, Motion by Bates, MOVE TO ADOPT BY ORDINANCE CPA-07-420SS AMENDING THE FUTURE LAND USE MAP FOR 9.6 ACRES FROM AGRICULTURE TO LOW DENSITY RESIDENTIAL; AND TO ADOPT BY RESOLUTION P&Z 1888 AMENDING THE ZONING ATLAS FOR 9.6 ACRES FROM AU (AGRICULTURE) AND R-1 (RESIDENTIAL DISTRICT) TO EU (ESTATE DISTRICT) REFERENCING THE MANDATORY FINDINGS AND BECOMING EFFECTIVE AS PROVIDED BY LAW, INCLUDING THE FOLLOWING CONDITIONS AS MODIFIED BY STAFF TO REFLECT PREVIOUS COUNTY COMMISSION DIRECTIVES AND CORRECT THE LEGAL DESCRIPTION IN THE ORDINANCE. Motion by Commissioner Stewart, seconded by Commissioner Bates, to amend the motion which would read: The septic tanks drain fields shall be located to the extent possible at the higher elevations on site and in the zurich uplands areas as opposed to the cutthroat seep and wetlands areas. Upon roll call, all Commissioners voted aye, except Commissioner Stokes and Commissioner Maxcy who voted nay, and Commissioner Jackson who abstained. Commissioner Maxcy advised that the amendment failed and advised to poll the Board on the previous motion. Upon roll call, all Commissioners voted aye, except Commissioner Jackson, who abstained. Motion carried. See SMB 49 Page 46, Res. Book 19 Page 227 & Ordinance Book 12.

<b>Conditions:</b>
1. The property shall be considered as a single project for purposes of development review and approval under County Codes.
2. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual and the Capital Improvements Program at the time of development.
3. A traffic study will be required using Highlands County approved methodology.

4. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.
5. The development shall meet the County's recreation LOS through one of the following options: a. Provide public parks on site, b. Make a payment in-lieu of dedication of park land (with the approval of the County Commission), c. Dedicate park land to the County (with the approval of the County Commission).

**14A) HEARING #CPA-07-421SS – SIM USA INCORPORATED – C/O GARTH S. WINSOR**

Approximately 1/4 acres located on Ivory Coast Street in the Sim Development on Schollosser Road, and abbreviated legal as follows: Located in Sec. 6, Twp. 35S, Rge. 29E, Highlands County, Florida. **Request:** A small scale plan amendment from (Medium Density Residential) to (High Density Residential.)

**14B) HEARING #1890 – SIM USA INCORPORATED – C/O GARTH S. WINSOR**

Legal description as stated above (Item #14A.) **Request:** A zoning change from R-2 (Two-Family Dwelling district) to R-3 (Multiple Dwelling district.) Applicant desires to construct additional rooms to the existing adult living facility.

Jim Polatty, Development Services Director, presented the request. Motion by Commissioner Bates, seconded by Commissioner Stewart, TO MOVE TO ADOPT BY ORDINANCE CPA-07-421SS AMENDING THE FUTURE LAND USE MAP FOR 0.25 ACRES FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; AND TO ADOPT BY RESOLUTION P&Z 1890 AMENDING THE ZONING ATLAS FOR 0.25 ACRES FROM R2 (TWO-FAMILY DWELLING DISTRICT) TO R3 (MULTIPLE FAMILY DWELLING INCLUDING MOTEL AND HOTEL DISTRICT), REFERENCING THE MANDATORY FINDINGS, AND BECOMING EFFECTIVE ACCORDING TO LAW. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 47, Res. Book 19 Page 228 & Ordinance Book 12.

**15) HEARING #1892 – SEBRING LOYAL ORDER OF MOOSE – C/O CHARILIE CERVANTES**

Approximately 2.8 acres located on the South side of U.S. 98, just East of Tubbs Ranch Road, and abbreviated legal as follows: Located in Sec. 23, Twp. 35S, Rge. 29E, Highlands County, Florida. **Request:** A zoning change from AU (Agricultural) to B-2 (Limited Business district.) Applicant desires to add on to existing club.

Jim Polatty, Development Services Director, presented the request. Motion by Commissioner Stokes, seconded by Commissioner Bates, TO MOVE TO ADOPT BY RESOLUTION P&Z 1892 AMENDING THE ZONING ATLAS FOR 2.8 ACRES FROM AU: AGRICULTURE TO B2 COMMERCIAL DISTRICT, REFERENCING THE MANDATORY FINDINGS AND BECOMING EFFECTIVE AS PROVIDED BY LAW. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 48 & Res. Book 19 Page 229.

*Break 10:30 A.M. – 10:42 A.M.*

~~**16A) HEARING #CPA-07-424LS – HICKORY LAKE ESTATE LLC.**~~

~~Approximately 54 acres located at the end of Womble Road about 1.7 miles East of U.S. 27, located in Sec. 23, Twp. 38S, Rge. 30E, Highlands County, Florida. **Request:** A small scale plan from (Agriculture) to (Low Density Residential.)~~

~~**16B) HEARING #1893 - HICKORY LAKE ESTATE LLC**~~

~~Legal description as stated above (Item #16A.) **Request:** A zoning change from AU (Agricultural) to EU (Estate district.) Applicant desires to construct single family dwellings. See SMB 49 Page 49.~~

Jim Polatty, Development Services Director, withdrew this request.

**17A) HEARING #CPA-07-425LS - ROBERT R. LUCAS AND CAROL HUTCHINSON - C/O BERT TYLER PARSLEY** Approximately 15 acres located West of River Greens Golf Course on the South side of Sunpure Road, and abbreviated legal as follows: Located in Sec. 4, Twp. 33S, Rge. 28E, Highlands County, Florida. **Request:** A large scale plan amendment from (Agriculture) to (High Density Residential.)

**17B) HEARING #1894 - ROBERT R. LUCAS AND CAROL HUTCHINSON - C/O BERT TYLER PARSLEY**

Legal description as stated above (Item #17A.) **Request:** A zoning change from AU (Agricultural) to R-3 FUD (Multiple Dwelling district with a Flexible Unit Development.) Applicant desires multiple dwelling units.

Jim Polatty, Development Services Director, presented the request and advised that the rezoning was tabled until March 10, 2007, which is a Saturday. Mr. Polatty advised that the applicant is requesting a waiver on the fees of re-advertising the ad in the newspaper. Commissioner Stewart was not agreeable to waiving the fees. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to not waive the advertising fees for cost of CPA-07-425LS and Hearing #1894. Upon roll call, all Commissioners voted aye. Motion carried. Mr. Polatty continued his presentation. Commissioner Stewart commented on her concerns of no input from the City of Avon Park. Motion by Commissioner Stewart, seconded by Commissioner Jackson, TO MOVE TO TABLE CPA-07-425LS AMENDING THE FUTURE LAND USE MAP FOR 15 ACRES FROM AGRICULTURE TO HIGH DENSITY RESIDENTIAL TO JUNE 26, 2007 AT 9:00 A.M. OR AS SOON THEREAFTER, AT THE BOARD OF COUNTY COMMISSION CHAMBERS. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 50.

**18A) HEARING #CPA-07-426LS - PLACID ESTATES LLC AND JOSEPH AND SHINY GEORGE - C/O BOGGS & BUTCHER ENGINEERING, LLC.**

Approximately 35 acres located East of Cloverleaf Road at the East end of Pine Ridge Drive, North of Lake June, and abbreviated legal as follows: Located in Sec. 23, Twp. 36S, Rge. 29E, Highlands County, Florida. **Request:** A large scale plan amendment from (Agriculture) to (Low Density Residential.)

**18B) HEARING #1895 - PLACID ESTATES LLC AND JOSEPH AND SHINY GEORGE - C/O BOGGS & BUTCHER ENGINEERING, LLC.**

Legal description as stated above (Item #18A.) **Request:** A zoning change from AU (Agricultural) to EU PD (Estate district with a Planned Unit Development.) Applicant desires to construct single family dwellings.

Jim Polatty, Development Services Director, presented the request. Nick Nickols, representing the applicant, briefly presented his request. Public input was received from Douglas Isenhour and Jeff Stanley in opposition to this issue. Motion by Commissioner Stewart, seconded by Commissioner

Stokes, MOVE TO TABLE CPA-07-426LS AMENDING THE FUTURE LAND USE MAP FOR 35 ACRES FROM AGRICULTURE TO LOW DENSITY RESIDENTIAL UNTIL JUNE 26, 2007 AT 9:00 A.M. OR AS SOON THEREAFTER, AT THE BOARD OF COUNTY COMMISSION CHAMBERS. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 51.

**19) HEARING #CPA-07-427LS – MARY JANE NAGEON DELESTANG – C/O SUNBELT HOMES INC. – ANDRE N. DESTANG/ PRESIDENT**

Approximately 49 acres located on the South side of Mike Kahn Road, between DeSoto City Road and C.R. 17S, and abbreviated legal as follows: Located in Sec. 3, Twp. 35S, Rge. 29E, Highlands County, Florida. **Request:** A large scale plan amendment from (Agriculture) to (Medium Density Residential.)

Jim Polatty, Development Services Director, presented the request. Tracey Mullins, representing the applicant, briefly presented his request. Commissioner Stewart questioned why the City of Sebring didn't comment on this issue. Mr. Polatty commented that it was sent to the City Manager for comment and no comment was received. Commissioner Stewart questioned the city boundary. Andre Destang gave a brief explanation. Commissioner Stewart asked how this is justified that this is not sprawl. Mr. Mullins addressed her question. Motion by Commissioner Stokes, seconded by Commissioner Jackson, MOVE TO APPROVE CPA-07-427LS AMENDING THE FUTURE LAND USE MAP FOR 49 ACRES FROM AGRICULTURE TO MEDIUM DENSITY RESIDENTIAL, REFERENCING THE MANDATORY FINDINGS AND TRANSMITTING CPA-07-427LS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR THEIR COMPLIANCE DETERMINATION AND BECOMING EFFECTIVE AS PROVIDED BY LAW AND THAT THE FUTURE LAND USE CONDITIONS APPLY AND FUTURE LAND USE POLICY 11.1 AND ALSO THE EXCESSIVE WATER CAPACITY STATEMENT. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 52.

<b>Conditions:</b>
1. Central potable water and central wastewater treatment services shall be provided to the property by a public entity.
2. The property shall be considered as a single project for purposes of development review and approval under County Codes.
3. The Applicant shall dedicate additional rights-of-way as required by the County Engineer in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual and the Capital Improvements Program at the time of development.
4. Density shall be limited to a maximum of 196 units
5. A traffic study will be required using Highlands County approved methodology.
6. Effluent reuse lines shall be installed within the project by the developer unless the wastewater service provider determines they are not required.
7. Water use permits and withdrawal facilities for permitted quantities in excess of that needed for irrigation within the project shall be transferred prior to development of the project, without charge, to the local government which will provide potable water service to the project, in accordance with all Water Management District rules and regulations.
8. The development shall meet the County's recreation LOS through one of the following options: a) Provide public parks on site, b) Make a payment in-lieu of dedication of park land (with the approval of the County Commission), c) Dedicate park land to the County (with the approval of the County Commission).

~~20) HEARING #CPA 07 422LS AND P&Z 1896 COUNTY INITIATED  
C/O JAMES POLATTY, DEVELOPMENT SERVICES DIRECTOR~~

~~SITE 1 — Kalpana Puppala — Approximately 8.88 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Low Density Residential) and a zoning change from R-1 (Residential District) to EU (Estate District).~~

~~SITE 2 — Mark V. and Renata I. Montreuil — Approximately 9 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Low Density Residential) and a zoning change from AU (Agricultural) to EU (Estate District).~~

~~SITE 3 — Mark V. and Renata I. Montreuil — Approximately 9 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Commercial/Industrial Mix) and a zoning change from AU (Agricultural) to B-3 (Business District).~~

~~SITE 4 — Michael W. and Garnet M. White — Approximately 14 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Low Density Residential) and a zoning change from AU (Agricultural) to EU (Estate District).~~

~~SITE 5 — Michael W. and Garnet M. White — Approximately 14 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Commercial/Industrial Mix) and a zoning change from AU (Agricultural) to B-3 (Business District).~~

~~SITE 6 — Klepinger Trust — Approximately 47 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Commercial/Industrial Mix) and a zoning change from AU (Agricultural) to B-3 (Business District).~~

~~SITE 7 — Klepinger Trust — Approximately 47 acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Low Density Residential) and a zoning change from AU (Agricultural) to EU (Estate District).~~

~~SITE 8 — Oren L. and Willadel A. Nelson — Approximately four (4) acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Commercial/Industrial Mix) and a zoning change from AU (Agricultural) to B-3 (Business District).~~

~~SITE 9 — Mark and Tin Bethan — Approximately five (5) acres located in Sec. 13, Twp. 35S, Rge. 29E, Highlands County, Florida. Request: A large scale plan amendment from (Industrial) to (Agricultural).~~

Jim Polatty, Development Services Director, withdrew this request. See SMB 49 Page 53.

### 13. CITIZENS NOT ON THE AGENDA

Bert Parsley commented that he missed his hearing and wanted to know the outcome. Commissioner Stewart suggested that he obtain a copy of the audio tape.

### 14. COMMISSIONERS

Commissioner Maxcy suggested more planning input and photographs to be provided by Jim Polatty, Development Services Director.

Commissioner Stewart reported on the Florida Association of Counties retreat she attended last Thursday and Friday.

### 15. ADJOURN

The meeting adjourned at 12:31 P.M.

**REGULAR MEETING OF THE BOARD FEBRUARY 6, 2007**

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:

**C. Guy Maxcy  
Edgar Stokes  
Andrew Jackson  
Barbara Stewart  
Don Bates**

**Carl Cool  
Bob Jamison  
J. Ross Macbeth  
Antonia Rivera**

2. **Invocation and Pledge of Allegiance**

The meeting opened with a prayer by Lamar Ritenour. The Pledge of Allegiance was led by Donna Klem.

3. **ANNOUNCEMENTS**

- A. **Clerk**

Deputy Clerk, Bob Jamison, presented a report of the Clerk of Courts' *Monthly Report of Business Services for the month of January* as provided by the Highlands County Clerk of Courts, L.E. "Luke" Brooker. SMB 49 Page 54.

- B. **Upcoming County meetings:**

Feb. 6	3:00 pm	Highlands Soil & Water Conservation Dist.	#3, Ag-Center, 4509 George Blvd., Sebring, Florida
Feb. 6	7:00 pm	Construction Licensing, Enforcement & Appeals Board	Board room, 600 S. Commerce Ave., Sebring, Florida
Feb. 7	10:00 am	E-911 Communication Committee	Desoto City Fire Station 19, 6800 West George Blvd., Sebring, Florida
Feb. 8	3:00 pm	Children's Services Council, We Care Hotline Sub-Committee	1000 S. Highlands Ave., Sebring, Florida
Feb. 8	5:30 pm	HC Board of Co. Commissioners & City of Sebring City Council & their respective Planning & Zoning Commissions	Board room, 600 S. Commerce Ave., Sebring, Florida
Feb. 9	8:00 am	Children's Services Council Nomination Sub-Committee	1000 S. Highlands Ave., Sebring, Florida
Feb. 12	9:00 am	HC Homeowners Association	3240 Grand Prix Dr., Sebring, Florida

- C. **Other meetings:**

Joint School Board & County Commission is scheduled to have a meeting on February 20, 2007 at 3:30 p.m. at the Highlands County School Board.

Local Coordinating Council for the Transportation for the Disadvantaged is scheduled to have a meeting on February 7, 2007 at 1:30 p.m. at the Agri-Civic Center in Room #3.

**4. CONSENT AGENDA:**

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

**A. Request approval to pay all duly authorized bills and employee benefits February 06, 2007.**

General .....	2,559,537.88
County Transportation Trust .....	9,531.11
E-911 Operations Fund .....	12,057.11
Local Govt Infra Surtax .....	287,978.07
Tourist Dev Trust Fund .....	1,200.94
Comm Development Block .....	31,875.00
Affordable Housing Asst .....	11,312.10
Hurricane Housing Rec Pro .....	23,899.73
Sebring Parkway Maint .....	603.34
Building Code Enfor Fund .....	1,484.50
Solid Waste .....	79,392.60
Placid Utilities .....	146.99
Risk Retention Fund .....	4.56
Employee Benefit Fund .....	13.68
Home Initiatives Partner .....	42,500.35
Highway Park Utility .....	22.67
Intergovt Radio Communication .....	377.01
Law Enforcement Education .....	2,815.00
Fire Inspection .....	35.21
Court Tech 28.24 (12) (E) 1 .....	506.48
HCISSRB Construction Fund .....	880.00

Payment of bills and employee benefits was authorized on January 26, 2007 for \$653,255.84.

- B. Request approval of the minutes of the board meeting dated December 12, and 19, 2006 and January 9, 16, and 17, 2007.**
- C. Request to accept into the record the 1<sup>st</sup> Quarterly Report for FY06/07. See SMB 49 Page 55.**
- D. Request to accept into the record the Peace River Center for Personal Development, Inc. Financial Statements & Independent Auditor's Reports for Year Ended June 30, 2006. SMB 49 Page 56.**
- E. Request approval of a Release of Nuisance on Case #CE 05070017, 150 Highlands Blvd., Lake Placid, Highlands County, Florida. See Clerk of Courts Official Records.**
- F. Request approval of a Release of Nuisance on Case #CE 05070131, 108 Cochran Drive, Lake Placid, Highlands County, Florida. See Clerk of Courts Official Records.**
- G. Request approval of a Release of Nuisance on Case #CE 05070018, 351 Highlands Blvd., Lake Placid, Florida. See Clerk of Courts Official Records.**
- H. Request approval to designate parcels as surplus and place parcels into the Affordable Housing Land Bank. SMB 49 Page 57.**

- I. Request approval to accept and record the warranty deed for First Baptist Church of Placid Lakes – Addition commercial development. See Clerk of Courts Official Records.
- J. Request approval of Satisfaction of Mortgages as noted on attached memo. See Clerk of Courts Official Records.
- ~~K. Request approval of the Capital Outlay Purchase of a dump truck. This item was moved to the action agenda.~~
- L. Request approval to re-appoint Luther “Red” Bohannon, John Harding and Wade Taveniere to the Industrial Development Authority/Economic Development Commission Board. See SMB 49 Page 58.
- M. Request approval to appoint Ms. Maria Sutherland to the Enterprise Zone Development Agency/Champion Community Board. SMB 49 Page 59.
- ~~N. Request approval of a Resolution transferring voting authority on the Local Mitigation Strategy (LMS) Working Group from the Director of Development Services to the Director of Emergency Management. This item was pulled from the agenda and no backup material was provided.~~
- O. Request approval to appoint Mark Andrews to the Community Redevelopment Agency. See SMB 49 Page 60.
- P. Request approval of a Resolution concerning Qualified Target Industry Matching Funds Waiver for Project 07-000063. See Res. Book 19 Page 230.
- Q. Request approval of Homeless Coalition Grant to Highlands County Human Services Department and Resolution and budget amendment 06-07-86. See SMB 49 Page 61 & Res. Book 19 Page 231.
- R. Request approval of Resolutions & budget amendments 06-07-78; 81; 83; 85; 87; 90; 92 & 93. See Res. Book 19 Page 232.
- S. Request approval of budget amendment 06-07-80. See SMB 49 Page 62.
- T. Request approval of Resolution and budget amendment 06-07-79 to move funds contributed by Georgia-Pacific Access Road and State Road 70 improvements in the total amount of \$99,370.25. See Res. Book 19 Page 233.

## 5. ACTION

Motion by Commissioner Stewart, seconded by Commissioner Bates, to approve the agenda as amended. Upon roll call, all Commissioners voted aye. Motion carried.

### **A. Thunderbird Hill South Waste Water Treatment Plant Memorandum of Understanding for December 20, 2006 meeting between Highlands County and the City of Sebring**

Carl Cool, County Administrator, presented the request and commented on the outcome of the meeting with the City of Sebring on December 20, 2006. Robert Diefendorf, Transportation/Utilities Department, commented on the improvements to the plant and costs. Ross Macbeth, Board Attorney, commented on the noncompliance issues the plant had in the past. Commissioner Maxcy commented that the best thing to do is to have staff prepare some concrete numbers on the costs to get this plant up and running within 30 days. Commissioner Stewart suggested that the consultants for the City prepare the figures on the cost since they are the more knowledgeable and they have their experts. Public input was received from Lamar Ritenour, Gabriel Reid and Cathy Bergens. Commissioner Maxcy advised staff to have the experts from the City of Sebring prepare a cost estimate on operating the plant and bring it back to board for review. See SMB 49 Page 63.

### **B. Chairman Guy Maxcy: Request approval of a Proclamation in recognition of Keith Albritton's retirement**

Commissioner Maxcy read the proclamation into the record. Motion by Commissioner Stokes, seconded by Commissioner Bates, to approve the proclamation. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 64.

*10:10 A.M. - 10:30 A.M. Break – Keith Albritton’s retirement reception in the lobby.*

**C. Mr. R. J. Witt: Request for a clean up of his canal**

R.J. Witt presented the request. Carl Cool, County Administrator, gave a brief history of the canal. Bruce Van Jaarsveld, Road & Bridge Superintendent, commented that there was no way to clean up the canal due to the homes, no place for equipment and no where to place the vegetation. Mr. Witt commented that no cleanup has been performed on this canal since 1983 and they are unable to use the canal due to all the debris and muck and it’s un-navigable. Carl Cool, County Administrator, advised that this is a county maintained canal and they spray it periodically. Public input was received from Victor Garcia, Jim Hengy, Larry Ingmire and Ester Rondo. Mr. Witt commented on the semi-trucks that travel down Lake Josephine onto the bridge which far exceed the weight limit of the bridge. Carl Cool, County Administrator, advised that particular bridge was designed to carry a loaded semi-truck. Commissioner Stewart advised that a decision could not be reached until information is received and presented to the Board from the Fish & Wildlife Commission and SWFWMD and asked staff to look at the bridge. Commissioner Maxcy advised to have Fish & Wildlife Commission and SWFWMD take a look and advise on a potential cleanup and he also advised the Road and Bridge Department to take a look at the bridge and present their report back to the board within 30 days.

**D. Mr. Kevin Brown, Dean of the Division of Applied Sciences and Technologies, South Florida Community College: Presentation on Highlands County Day at the Capitol**

Kevin Brown, Dean of the Division of Applied Sciences and Technologies, gave a brief report on the 2<sup>nd</sup> Annual Highlands County Day at the Florida Capitol scheduled for March 28 – 29, 2007. See SMB 49 Page 65.

**E. Louise England, EDC, and Bridgett Merrill, Enterprise Florida, Inc.: Request approval of a Memorandum of Agreement for the Rural Area of Critical Economic Concern Catalyst Project**

Louise England, Executive Director, presented the request. Bridgett Merrill gave a brief power point presentation on the Rural Economic Development Catalyst Project. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to move to approve the Memorandum of Agreement. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 66.

**F. Ms. Eva Coale, Controller, The Groves at Victoria Park: Request to abate school taxes**

Eva Coale, Controller, presented the request. Ross Macbeth, Board Attorney, advised that the Board did not have the authority to decide on this issue because they don’t impose the school taxes and she would need to seek relief from the Highlands County School Board. See SMB 49 Page 67.

Lunch Break 12:00 p.m. – 1:15 p.m.

**G. Discussion on options involving requested donation of land to Habitat for Humanity**

Carl Cool, County Administrator, presented the request and advised that there are other sites that could be used for a future asphalt plant. Commissioner Stewart commented that she would like to have an analysis on the impact of the neighborhood with an asphalt plant on this site. Mr. Cool commented that an analysis was not prepared to present at this meeting. Commissioner Maxcy commented that an asphalt plant would have a significant impact on this community. Jane Breylinger, Executive Director

for Habitat for Humanity, commented that she would like the county to donate this land for affordable housing. Commissioner Jackson questioned the amount of volunteers which would live on site. Mrs. Breylinger commented that they would like to house 12 volunteers and she discussed their duties onsite. Public input was received from Robert Saffold. Commissioner Bates questioned if they could convey the property and if, for any reason, they were unable to obtain permits to build, then the county could find other uses for this site. Commissioner Stokes commented he was not comfortable with donating this land to the Habitat for Humanity until they make a decision on an asphalt plant. Ken Wheeler, Solid Waste Director, commented on the sand samples he had on another site. Motion by Commissioner Stewart, seconded by Commissioner Jackson, to move to instruct staff to move forward with the Board attorney and to declare this as surplus property and formulate a bid for disposal with the conditions described in the past meeting and have it come back to the Board for final approval. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 68.

~~**H. Development Services Director: Proposed Settlement Agreement for Large Scale Plan Amendments 04-1, 04-2 and 05-1**~~ This item was pulled from the agenda. See SMB 49

Page 72 for back up material.

**I. Assistant County Administrator: Request for Authorization to proceed with RFP for Professional Services Library of Consultants**

Rick Helms, Assistant County Administrator, presented the request. Ross Macbeth, Board Attorney, commented on the revisions that he would like in the RFP and he suggested eliminating "C" in Section 2.0 and eliminating "A" in Section 2.1 on page 7. Commissioner Stewart suggested changing Item B in Section 2.1 to state the following: Supplemental Consultants Service Authorizations (CSA) / Task Order Authorizations (TOA) type of agreements to the Continuing Services Contracts will be assigned at the discretion of County Administrator or his designee and in making this assignment the County Administrator or his designee shall consider a firm's particular expertise specific to the job/task, availability, timeliness to complete the work and past performance on jobs conducted under the continuing contract with the County. Then have a sentence that refers to rotation, an attempt shall also be made to achieve rotation to the extent possible in light of these other factors. Commissioner Stewart commented that she would like to include one state-wide industry journal or publication for advertising. Jed Secory, General Services/Purchasing Director, commented that all the bids go out to 13 different entities where they are posted free of charge. Commissioner Maxcy questioned if the Board would like to continue the contract with Chastain Skillman. Commissioner Stewart commented that she would like to continue the contract with them. Sheriff Susan Benton requested that her project be taken out of the Library of Consultants and have their own RFP so her project is not delayed. Commissioner Stewart commented that she would like to take the same approach on other projects that are in the CIP that are in an excess of a million dollars so they are not delayed. Motion by Commissioner Stewart, seconded by Commissioner Bates, to approve the draft RFP with the changes outlined by the County Attorney and by the Board and this is subsequent to the review by the county attorney and authorize staff to move forward with a separate RFP for the Sheriff's Office for the Law Enforcement Building and not use the PSAC to develop this RFP but rather have a staff work group consisting of Board staff and Sheriff's office staff. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 69.

**J. County Administrator:**

**1. Presentation of proposed Consultant Service Agreement**

Carl Cool, County Administrator, presented the request. Commissioner Jackson questioned the amount being paid for services on documenting existing facilities in the amount of \$776.00. Mr. Cool addressed his question. Commissioner Stewart commented that she would like Chastain Skillman to

assist Mr. Campbell to determine his immediate needs for space. Joe Campbell, Supervisor of Elections, commented that he needed help on determining his space needs. Motion by Commissioner Bates, seconded by Commissioner Jackson, to move to approve the Consultant Services Agreement No. 8680.31 between the Highlands County Board of County Commissioners and Chastain Skillman Inc. on the immediate needs and not to exceed \$6800.00 and to approve the attached Budget Amendment . Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 70.

~~2. Discussion on options involving requested donation of land to Habitat for Humanity~~  
**This item was moved up on the agenda, see item G.**

**3. Presentation of William Darryl Scott for confirmation as Director of Animal Control**

Rick Helms, Assistant County Administrator, presented the request. Motion by Commissioner Jackson, seconded by Commissioner Bates, move to confirm William Daryl Scott of Highlands County, as Director of Animal Control. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 71.

**4. Request approval of Resolution & budget amendment 06-07-91 increasing fund 005 Reserve for Contingency**

Carl Cool, County Administrator, presented the request. Motion by Commissioner Bates, seconded by Commissioner Stokes, to approve the item listed above. Upon roll call, all Commissioners voted aye. Motion carried. See Res. Book 19 Page 234.

**5. Request approval of the Capital Outlay Purchase of a dump truck. (This item was pulled from the Consent Agenda Item K to be heard under the County Administrator)**

Vicki Pontius, Parks and Recreation Director, presented the request and explained the price increase. Motion by Commissioner Stokes, seconded by Commissioner Bates, to move to approve item K. Upon roll call, all Commissioners voted aye. Motion carried. See SMB 49 Page 73.

**6. CITIZENS NOT ON THE AGENDA**

No participants.

**7. COMMISSIONERS**

Commissioner Maxcy commented that they are scheduled for an audit committee meeting tomorrow in Mr. Brooker's office at 2:00 p.m. He stated the meeting has been going well and he hopes to have a report back to the Board next Tuesday.

Commissioner Stewart commented on the reception she attended on Sunday with Bravo Battery. She also commented on the need for more information supplied to the Commissioners on agenda items prior to the meeting.

**8. ADJOURN**

The meeting adjourned at 3:36 P.M.