



Polk County Board of County Commissioners (Organizational)

Meeting Minutes - Final

November 21, 2023 Regular BOCC Meeting

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If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Organizational Meeting

CALL TO ORDER - 9:00 a.m. (GEORGE LINDSEY, CHAIR)

INVOCATION

Bill Dehart, Polk County Fire Rescue Chaplain

Minutes: A moment of silence was given in memory of Firefighter/Paramedic Brian Herr.

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

REORGANIZATION OF THE BOARD (RANDY MINK)

1. Comments from the General Public regarding Reorganization of the Board.

Minutes: There was no one from the public wishing to speak.

2. Elect Chairperson.

The Board elected Bill Braswell as Chairman.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

3. Elect Vice Chairperson.

The Board elected Rick Wilson as Vice Chairman.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

4. Adopt Resolution Authorizing Banks to Honor and Cash Warrants signed by new Chairperson and the Clerk effective November 21, 2023.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

5. Recognition of the outgoing Chair.

Minutes: Chair Braswell recognized outgoing Chair George Lindsey. He said Commissioner Lindsey does a great job and leads a great meeting. He said we are proud to have him as one of us. He said he has accomplished challenges relating to growth and development, helped development of a new ordinance for the voter imposed environmental lands program, organized the citizens committee to advise the Board regarding future land acquisition, approved a new pay plan for county employees that keeps the county competitive in the recruitment and retention of employees, negotiated a new waste hauling contract, service changes for our waste collection program, the creation of a new service area that will go into effect in 2024, and cut the ribbon to signify the openings of new facilities. He said this is his third term as Chair and said he was Chair in 2014/2015 and 2018/2019. He said he will be terming out of office a year from now. He said his service to Polk County is not over and we will cherish every one of those days. He congratulated and thanked him.

Commissioner Lindsey said it has been a privilege to serve. He said all the things Chair Braswell made comments about is a team effort. He said he looks forward to the next 350 days. He said he was told it is not the number of days left but it is what you do in the number of days left.

C. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD

- C.1. Comments.

Minutes: Tom Palmer said there was a sign on SR 557 on the north side of Lake Alfred that has disappeared. He said the sign was for entering the green swamp. He requested that the sign be replaced. He said he was on Deen Still Road over the weekend and said there are potholes that are dangerous. He said it is on the east end of Deen Still Road.

Commissioner Combee said it is extremely dangerous.

D. APPROVE CONSENT AGENDA

D. APPROVE CONSENT AGENDA

RESULT:	APPROVED
MOVER:	Neil Combee
SECONDER:	Martha Santiago
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

E.1. Disbursements.

RESULT:	APPROVED
MOVER:	Neil Combee
SECONDER:	Martha Santiago
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

E.2. Minutes of Regular Board meeting held on November 7, 2023.

Minutes: Clerk and County Comptroller Stacy Butterfield, CPA, said the legislature passed House Bill 1419 and it requires a pilot program that will be held in Lee County for the next two years. She said for property transfers it requires identification. She said it requires all clerks to have a property alert system and Polk has had one for a number of years. She said if the pilot is successful it will be required to have identification for property transfers. She said we are not doing the identification right now.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

Commissioner George Lindsey - Transportation Sales Surtax Discussion with comments from Municipal Elected Officials

Minutes: Commissioner Lindsey discussed how Polk County was 35 years ago. He said in 1988 the entire county budget was \$35 million less than what the Sheriff's department is today. He said the population was just under 390,000 and is expected to exceed 835,000 next month. He said our rate of growth is greater than Hillsborough, Pinellas, Pasco, Hernando, Orange, Seminole, Osceola and Lake counties. He said Polk County has become a major economic engine. He said we are falling further behind on transportation and this has been top on the list at the Board retreat. He said that they have had conversations on bonding and it was determined as insufficient for this purpose. He said he has taken the half-cent sales tax on the road over the last ten months. He said the reaction has been mixed and the consensus is they do not like paying more taxes but a half-cent seems to be a better option than doing nothing. He said there is also the growing realization that local government cannot stop new

development when that development is obliged to pay only their proportionate share of capital contributions for infrastructure. He said this is a half-cent sales tax, with a twenty year sunset, creating transportation and a sales tax trust fund, and sharing the proceeds with our city partners. He said he is not asking to raise taxes he is asking to put this on the ballot and let the people decide.

Joe LaCascia, Mayor, City of Polk City, said Polk County is the fifth fastest growing county in the nation. He said roads have been the biggest problem he has faced. He said what he likes about the sales tax is that they have a lot of people come to the county and spend money and contribute to the sales tax. He asked if not this half-cent sales tax then what plan do you have. He welcomed Chair Braswell as the Chair.

Commissioner Combee said we got the name of Imperial Polk County because of the road program in the 1920's adopted by the Board. He said they built the most roads and it was paid with bond financing. He said we are reaching into the pockets of people in Polk County and they are not going to drive on these roads. He said it is a bad idea. He said we should look at bond financing. He said we are asking people to pay more taxes when you have inflation at 19%.

Tom Fellows, City of Davenport, said he would have said they were crazy if they told him what growth they would see. He said a lot of growth has come from unincorporated Davenport. He said we need relief from traffic. He said the funding we have for the roads cannot keep up with the growth. He said a half-cent sales tax is a way to help with the funding.

Deena Drumgo, City of Lake Wales, Assistant City Manager, said they are in support of a half-cent sales tax. She said the city manager has sent a letter of support.

Bill Mutz, City of Lakeland, Mayor, said traffic is the number one complaint. He said cities are universally in support of a referendum to have their voices heard. He said this is an extremely important time to allow citizens to tell them what to do. He said he cannot imagine a more appropriate opportunity.

Trish Pfeiffer, City of Bartow, Commissioner, said traffic is the number one complaint. She said we are 100 years from the 20's and a lot has changed since then. She said 835,000 is not the end game and it is going to go beyond that. She said the half-cent sales tax will be a mechanism to continue to plan transportation. She said it is not just building new roads, it is resurfacing roads. She said for 50 cents on a \$100 we can make our county more walkable for pedestrians and bicyclist. She discussed the need for sidewalks and she discussed people being killed. She said it is more than just roads. She said there were 82,000 crashes from 2017- 2021. She said every week two people die in crashes while another seven people suffer serious injuries. She discussed the cost of property damages. She said the people have the opportunity to change this.

Roy Tyler said he is not here to advocate for or against this. He said he is here to request the county to allow him to make a choice. He said he would like input for this by his vote. He said if they put this on the ballot then they are allowing him to speak for himself.

Leo Longworth, City of Bartow, Mayor, said no one can deny that traffic and speeding are real issues. He said growth is not going away and he sees no harm with the half-cents sales tax on the ballot. He said if not allowed it can be seen as taking the voice away from the people. He asked what do they have to lose. He said for Bartow it would be an estimated \$46 million over twenty years for transportation infrastructure. He said having this on the ballot would be a step in the right direction. He said to let the people decide. He thanked Commissioner Lindsey for his leadership on this.

Charlie Lake, Lake Alfred, said they are in support for putting this on the ballot. He discussed traffic and road projects being put aside for funding. He said this half-cent would help in a major way.

T. Michael Stavres said he is speaking on behalf of the City of Winter Haven Mayor Dantzler. He said a letter was sent in August requesting that the Board place this half-cent sales tax on the November 2024 referendum ballot and allow the voters to decide. He said they are in support of this being on the ballot.

Ryan Leavengood, Lake Alfred, City Manager, discussed the different options for funding. He asked do we need a half-cent sales tax, bonds, ad valorem taxes or state or federal dollars. He said the answer is more and better roads. He said it will take 15-20 years to build these projects. He said we need to get beyond the funding question and we need to get into planning and implementation.

Nancy Daley, City of Lake Alfred, Mayor, said if we do not let the people decide then we are telling the people what to do. She said to put this on the ballot and let the people decide.

Steve Githrens, City of Bartow, Commissioner, spoke in support of having this on the ballot. He said we know the power of one vote. He said he spoke to Jeb Bush and he thanked him for increasing I-4 to six lanes.

Sara Roberts McCarley, City of Lakeland, Commissioner, asked for the opportunity for a referendum. She said she has seen the growth and said we have to do something. She said to consider putting this on the ballot.

Jeremy Clark, City of Davenport, Vice Mayor, said the commissioners of Davenport are in favor of this.

Burtram Goddard, Town of Dundee, Commissioner, said the residents complain about traffic. He spoke in support for a referendum on the 2024 ballot.

Judy New said people talk about transportation and growth. She said that this should be put on the ballot.

Mike Kehoe, Town of Lake Hamilton, Mayor, discussed how roads are the top issue at meetings. He said the town council does support this referendum and he plans on bringing forward a resolution.

Brandon Clark, President of the Ruthvens, said putting this on the ballot allows itself to be viewed like things were in the 1920's. He said he appreciates their support on this.

Commissioner Combee said we are the ones who have to decide to put this on the ballot. He said he wished that we had a big pile of money to fix the roads. He said there are a lot of people who do not celebrate this as the fastest growing and they do not see a real benefit from development. He said people cannot afford to pay anymore and they are paying higher taxes for everything. He said asking people to pay more is not good. He asked should the property taxes should be reduced by 15% because of the experience we have had in the last three years; he said to put that on the ballot and let people decide. He said people cannot take any more, credit cards are maxed out, and people are paying more. He said part of the problem is spending \$40 million on Lake Wilson Road and 90% of the people who paid for that will never drive on that road. He discussed Pipkin Road and said it needed improvement and we have to spend millions and millions.

Commissioner Santiago said she has given this a lot of thought and has talked to many people. She said this is not an easy thing for us to do. She said she asked people from the general population and they said roads and traffic are the main problem. She said most of them said to not have more taxes and they would talk about how much things cost. She said that they believe that the county generates a lot of money and they can find a way to build the roads. She said it will increase county and city funds but with inflation it is hard for her to put this on the ballot. She said tourist will help but the people who live here will pay the most. She said why do not we keep the ad valorem millage where it should be so that we can have money to do the things that we need. She said she cannot support putting this on the ballot and it is actually raising the taxes. She said this is not the right time. She discussed bigger cities raising taxes for the roads and she said they still have the same problems with traffic, roads, infrastructure and accidents. She said we will never be able to make enough money to fix this.

Commissioner Wilson said we have talked about why this should be on the ballot but we have not talked about why it should not be. He said he does not like taxes and this is controversial. He said a lot of people think we are all in for raising taxes and he is not. He said he was voted by the people to represent them.

Chair Braswell discussed the current road projects and funds being spent around the county. He said he is not in favor of moving this forward. He said the citizens still have an opportunity to vote on it by gathering signatures for a referendum.

Commissioner Lindsey said there is never a good time to raise taxes and fees. He said this county and country has been through economic cycles up and down for as long as there has been a county and the United States. He said it is cash pay as you go rather than bonding debt. He said it is appropriate to put on the individuals rather than any tax on the property. He said it has been from the growth that allowed them to reduce the ad valorem millage rate by 3%. He said had there been no growth the millage rates would have probably gone up. He said he has faith that people will make the right decision and he would like to give them the choice to do so.

Motion to: Place on the ballot November 2024 a half-cent sales surtax referendum for transportation.

RESULT:	DENIED
MOVER:	George Lindsey
SECONDER:	Rick Wilson
AYE:	Lindsey
NAY:	Braswell, Combee, Santiago, and Wilson

Motion Minutes

Minutes: Commissioner Combee made a motion that the Board request on the November 2024 ballot that the Board of County Commissioners reduce the millage rate by 15%. Motion dies for lack of a second.

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the Infrastructure Agreement between GLK Real Estate, LLC. and Polk County for Wynnstone, Cascade & Brentwood Developments. (One-time expense of \$5,800,532.36)

Minutes: County Manager Bill Beasley discussed the Infrastructure Agreement between GLK Real Estate, LLC. and Polk County for Wynnstone, Cascade and Brentwood Developments. He recommended approval.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Martha Santiago
AYE:	Lindsey, Braswell, Santiago, and Wilson
Absent:	Combee

H.2. Request Board approve construction contract with Gibbs & Register, Inc., for the Wabash Ave multi-use trail project, CIP Amendment, and transfer. (\$3,771,978.80 one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contract with Gibbs and Register, Inc., for the Wabash Ave multi-use trail project. He recommended approval.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

H.3. Approve the Substance Abuse and Mental Health Services Administration Grant Subrecipient Agreement with Crescendo Consulting Group, LLC. (total amount not to exceed \$396,800)

Minutes: County Manager Bill Beasley discussed the Substance Abuse and Mental Health Services Administration Grant Subrecipient Agreement with Crescendo

Consulting Group, LLC. He recommended approval.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Martha Santiago
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Reappoint Pablo Sologaistoa as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 through November 16, 2026.

RESULT:	APPROVED
MOVER:	George Lindsey
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

I.2. Commissioner Lindsey Comments.

Minutes: Commission Lindsey had no comments at this time.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	George Lindsey
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

J.1. Appoint Bruce Kistler as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 through November 16, 2026.

J.2. Commissioner Wilson Comments.

Minutes: Commissioner Wilson had no comments at this time.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

K.1. Appoint Jack R. Green, Jr. as a member of the Lakes Access Advisory Committee for the three-year term, November 17, 2023 through November 16, 2026.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

K.2. Commissioner Braswell Comments.

Minutes: Chair Braswell discussed our policy on proclamations and said he does not know how well we have done letting the public know what it is. He said he likes it and he wants to keep with it. He said he likes the fact that the Board does business and does not get murked up in social issues and that is not what we are here for. He said he wants to keep moving forward with that. He said he finds it frustrating when we have land use cases and we have a big crowd of people who come in that get very emotional and upset. He said he gets it that it is in their back yard and it affects their lives forever. He said every land use case we have even if there is not controversy the developer and their representation talk with them one-on-one to discuss this. He said rarely do the citizens come in and do that. He said it needs to be emphasized that we are open and available and to come in and talk to them. He said he will be interested to see if the city commissions collect signatures for the half-cent sales tax but it seems like a good place to start.

L. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

L.1. Appoint Elena C. Giarratano as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 to November 16, 2026.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Neil Combee
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

L.2. Commissioner Santiago Comments.

Minutes: Commissioner Santiago wished everyone a safe and Happy Thanksgiving.

M. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

M.1. Appoint Jean Reed as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023, to November 16, 2026.

RESULT:	APPROVED
MOVER:	Neil Combee
SECONDER:	George Lindsey
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

N. LAY BOARD APPOINTMENTS

M.2. Commissioner Combee Comments.

Minutes: Commissioner Combee wished everyone a very Happy Thanksgiving.

M.2. Board Discussion

Minutes: County Manager Bill Beasley said that we can do something on our website

to promote that Board's availability for citizen meetings on a scheduled basis.

County Attorney Randy Mink said as long as the citizens understand that when they meet with the Board that the Board still has to listen to all the evidence and make a decision at that time.

Chair Braswell said his point it to say that we are open and available if they want to talk. He said it can be a phone call and he thinks we can be accessed more. He said the last thing we need to do is make promises.

Commissioner Lindsey said he does not get a shortage of emails on these cases.

Commissioner Santiago said the emails are really good.

O. EXPEDITED HEARINGS PURSUANT TO RESOLUTION NO. 2022-089

Minutes: County Attorney Randy Mink reminded the audience of the procedures for public hearings and swore in those who plan to speak.

O.1. Public Hearing (LDWA-2023-43 Sunset Lane Access via Easement) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code for residential lot with access through a private easement longer than ¼ mile and more than four lots. (No fiscal impact)

Minutes: Land Development Director Ben Ziskal discussed the request for the access waiver. He said that staff recommends approval.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Neil Combee
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, and Wilson
Absent:	Santiago

O.2. Public Hearing (LDCPAS-2023-13 Pool Branch Road PM to A/RR CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 18.52 +/- acres Phosphate Mining (PM) to Agricultural/Rural-Residential (A/RR) in the Rural Development Area (RDA).

Minutes: Land Development Director Ben Ziskal reviewed the proposed land use change. He said that staff recommends approval.

The Chair opened a public hearing; no one spoke.

Upon question, Mr. Ziskal said they have had several in the last six months come before the Board. He said it did come on their radar as a result of someone seeking a permit. He said residential permits are not allowed in phosphate mining, but now that they have had several of these come up they are looking at a comprehensive approach to resolve these at one time.

Commissioner Combee asked if there is anyway we can be proactive.

Mr. Ziskal said the parcels on the website would show that the property is phosphate mining. He said the research is in the works.

Chanda Bennett, Land Development, said this land use change did not prevent the property owner from pulling a residential permit. She said if we can find documentation that it was not owned by a mine or part of a mining plan and if they do not meet those two tests it does not stop them from moving forward.

RESULT:	APPROVED
MOVER:	Neil Combee
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, and Wilson
Absent:	Santiago

O.3. Public Hearing (LDCPAS-2023-17 J&T Ronald Reagan Parkway CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 1.92 +/- acres Residential Low 4 (RL-4X) to Residential Medium (RMX) in the Transit Supportive Development Area (TSDA).

Minutes: Land Development Director Ben Ziskal reviewed the proposed land use change. He said that staff and the Planning Commission recommends approval.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	George Lindsey
AYE:	Lindsey, Braswell, Combee, and Wilson
Absent:	Santiago

O.4. Public Hearing LDCPAS 2023-19 (NW 34th Street CE CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Medium (RM), to Commercial Enclave (CE) on ±0.52 acres. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed land use change. He said that staff recommends approval. He said this is the first reading and there is no action from the Board.

The Chair opened a public hearing; no one spoke.

O.5. Public Hearing (LDCT-2023-12 PIX Car Wash and Self-Storage Text Amendment) to consider the adoption of an applicant-initiated Land Development Code text amendment.

Minutes: Land Development Director Ben Ziskal reviewed the proposed land use change. He said that staff recommends approval. He said this is the first reading and there is no action needed from the Board.

The Chair opened a public hearing; no one spoke.

O.6. Public hearing (LDCT-2023-17 Certified Local Government (CLG) Ordinance) (First Reading) to consider adoption of an ordinance needed to achieve Certified Local Government status as defined by the National Historic Preservation Act.

Minutes: Land Development Director Ben Ziskal discussed the proposed ordinance to achieve Certified Local Government Status. He said this is the first reading and there is no action from the Board.

The Chair opened a public hearing; no one spoke.

P. PUBLIC HEARINGS

P.1. Public Hearing (LDCPAS-2023-16 Avenue Y CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on .22 +/- acres from Residential-Low (RL) to Residential-High (RH) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)

Minutes: Mark Bennett, Land Development, showed slides and reviewed the proposed land use change. He said this is consistent with the Growth Management policies. He said that staff and the Planning Commission recommends approval.

Upon question, Mr. Bennett said there was an error made in permitting.

The Chair opened a public hearing.

Tom Wodrich, representing the applicant, showed slides and discussed the project. He said he is available for questions.

The Chair closed the public hearing.

RESULT:	APPROVED
MOVER:	George Lindsey
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, and Wilson
Absent:	Santiago

P.2. Public Hearing LDCPAS 2023-18 (Shepherd Road Residential High CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Community Activity Center (CAC), Residential Medium (RM), and Preservation (PRESV) to Residential High (RH) on ±14.58 acres. (No Fiscal Impact)

Minutes: Erik Peterson, Land Development, showed slides and discussed the proposed land use change. He said that the county controls the drainage on the site.

He said it is compatible with the surrounding land uses. He showed the access points on Shepherd Road and a possible emergency access by Imperial Lakes. He said that staff recommends approval and it is consistent with the Comprehensive Plan.

Upon question, Mr. Peterson said the frontage is 87 feet with Imperial Lakes; he said with a large drainage structure there is about 40 feet of space. He said it is not practical to be used as an entrance. He said there are fixed bus routes on Shepherd Road.

The Chair opened a public hearing.

John McVay, applicant, discussed the proposed land use change. He said the available traffic is 1,000 vehicle trips a day; he said if there are 200 units they would be taking 150 of those trips. He said they want the access off of Shepherd and because of the number of units the fire marshal may require an emergency access onto Imperial Lakes. He said they will be working with staff on drainage during the Level 2 Review. He said it is compatible and consistent. He said the middle school is at 115% capacity and he said he thinks there is a site plan for a middle school three miles from the site. He said they agree with staff and they got a 3/3 vote at the Planning Commission.

Upon question, Mr. McVay said this is downstream to the north of Imperial Lakes. He confirmed that he will have to accommodate that flow and the flow that they create. He said they will more than likely have to do a 100-year retention. He said they will be pulling water out of the creek and not putting it in. He discussed the drainage.

Patricia Robertson said she lives south of this property. She said the culvert is overwhelmed with the drainage. She said there will be more pressure on the infrastructure.

Bill Geasa thanked the Board for focusing on the drainage. He said his concern is with the emergency access with one entrance and exit on Imperial Lakes.

Commissioner Combee discussed how emergency access will be easier on Shepherd Road.

Mr. McVay said they would always come in on Shepherd Road unless there was an emergency. He said there would be a gate with a knock box. He discussed the lift station and said they will have to put in a new lift station. He said they are downhill from Imperial Lakes. He said this is a land use change and the max allowed is 218 units and they are looking at 180 max. He said all the issues will be addressed with the Level 2 Review.

The Chair closed the public hearing.

Commissioner Combee said this will help solve the drainage problems in Imperial Lakes.

Chair Braswell said he thinks it is an impeded waterway and it will clear the waterway out and let it flow. He said it will be positive for Imperial Lakes.

RESULT: APPROVED
MOVER: Neil Combee
SECONDER: Rick Wilson
AYE: Lindsey, Braswell, Combee, and Wilson
Absent: Santiago

P.3. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Fifth Street West, Near Winter Haven. (estimated \$15,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, discussed the request for the installation of three traffic calming devices on Fifth Street West, near Winter Haven. She said this meets the requirements for the traffic calming policy. She recommended approval.

The Chair opened a public hearing; no one spoke.

RESULT: APPROVED
MOVER: Rick Wilson
SECONDER: Neil Combee
AYE: Lindsey, Braswell, Combee, and Wilson
Absent: Santiago

P.4. Public Hearing to consider adoption of a Resolution to vacate platted and unmaintained right-of-way as shown on the map of Captain David Burns' Subdivision, Davenport, Florida and accept a Drainage Easement from Davenport Legacy, LLC. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, discussed the request to vacate unmaintained right-of-way as shown on the map of Captain David Burns'. He said that Lumen objected to the vacation and they stated the area may be needed in the future. He said there are no other objections. He recommended approval.

The Chair opened a public hearing; no one spoke.

RESULT: APPROVED
MOVER: George Lindsey
SECONDER: Rick Wilson
AYE: Lindsey, Braswell, Combee, and Wilson
Absent: Santiago

P.5. Public Hearing to consider adoption of a Resolution to vacate a portion of maintained right-of-way for Horse Shoe Creek Road, currently known as Huckleberry Road, as recorded in Map Book 4, Pages 303 through 308, in Davenport, Florida and approve a new maintained right-of-way map for Huckleberry Road in conjunction therewith. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, discussed the request to vacate a portion of maintained right-of-way for Horse Shoe Creek Road, currently known as Huckleberry Road in Davenport. He recommended approval of a new maintained right-of-way map for Huckleberry Road.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	George Lindsey
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, and Wilson
Absent:	Santiago

ANNOUNCEMENTS

Minutes: Meeting adjourned at 11:26 a.m.