



Polk County Board of County Commissioners

Meeting Minutes - Draft

June 02, 2026 Regular BoCC meeting

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Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

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.

Rollcall

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| Present: | Commissioner Becky Troutman Commissioner Rick Wilson Commissioner Bill Braswell Commissioner Martha Santiago Commissioner Michael Scott |
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CALL TO ORDER - 9:00 a.m. (MARTHA SANTIAGO, CHAIR)

INVOCATION

Bill Dehart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (MARTHA SANTIAGO, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Clerk & Comptroller Stacy Butterfield to present the restoration, preservation, and digitization of the historic Cattle Brand Book.

Minutes: Clerk & Comptroller Stacy Butterfield presented the restoration, preservation, and digitization of the historic Cattle Brand Book. She stated from the 1860-1940's the Clerk's office recorded cattle brands used by ranchers to identify their livestock. She said the records become fragile and they worked with Kofile Technologies to professionally store and repackage the original books. She said they also had them digitized so they can be easily accessed online. She said these are a record of families, ranches, industries and traditions that helped shape Polk County and Florida. She said there are records connected with the Bellotto family and George and Jasper

Summerlin. She said replica books are being donated to the Polk County History Center. She thanked Myrtice Young for being here and she welcomed everyone to come out on June 9th for the exhibit. She thanked Kofile Technologies for their great work. She said these highlight the names and legacies of many ranching families that helped shape agricultural history. She recognized those in the audience present. She said after the 1940's the registrations moved to the state and that is why it ends in the 1940's. She said the preservation project did not take long and said they were contacted by Ms. Young and they embarked on the idea a few years ago.

Commissioner Troutman said there is an exhibit in the History Center that allows children to make their own brand. She said it is exciting for kids to see that.

Chair Santiago thanked Clerk Butterfield and all involved to help preserve the history of Polk County.

B. PUBLIC COMMENTS CONCERNING AGENDA ITEMS

B.1. Comments.

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

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

C.1. Disbursements.

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| RESULT: | APPROVED |
| MOVER: | Rick Wilson |
| SECONDER: | Bill Braswell |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

C.2. Minutes of Regular Board meeting held on May 19, 2026.

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| RESULT: | APPROVED |
| MOVER: | Bill Braswell |
| SECONDER: | Michael Scott |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

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| RESULT: | APPROVED |
| MOVER: | Bill Braswell |
| SECONDER: | Becky Troutman |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

G. COUNTY MANAGER (BILL BEASLEY)

G.1. Approve construction contract with Register Construction & Engineering, Inc. for the new Inspection & Testing Building project (\$2,680,650.00 one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contract with Register Construction & Engineering, Inc., for the new inspection and testing building project. He recommended approval.

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| RESULT: | APPROVED |
| MOVER: | Becky Troutman |
| SECONDER: | Rick Wilson |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

G.2. Approve Amendment No. 1 to Agreement 2025-008, with CPH Consulting, LLC, for Phase II architectural & engineering services for the NERUSA Operations Support Facility. (\$705,648.50 one-time expense)

Minutes: County Manager Bill Beasley discussed amendment No. 1 to Agreement 2025-008, with CPH Consulting, LLC, for Phase II architectural and engineering services for the NERUSA Operations Support Facility. He recommended approval.

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| RESULT: | APPROVED |
| MOVER: | Becky Troutman |
| SECONDER: | Rick Wilson |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

G.3. Approve construction contract with Kamminga & Roodvoets, Inc. for the Combee Academy Safe Routes to School (SRTS) for Sidewalk, Street Lighting and Drainage Improvements (\$800,231.40 one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contract with Kamminga & Roodvoets, Inc., for the Combee Academy Safe Routes to School for sidewalk, street lighting and drainage improvements. He recommended approval.

Upon question, Roads and Drainage Director Jay Jarvis said they have changed the type of wiring to an aluminum wiring. He said they have changed the security of the pole boxes to try to keep people out and he said it is becoming the standard.

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| RESULT: | APPROVED |
| MOVER: | Rick Wilson |
| SECONDER: | Bill Braswell |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

G.4. Approve Consultant Services Authorization (CSA) No. 2022-087-03 with HDR, Inc. (Consultant) to provide design services for the Carter Road at Eaglebrook Boulevard Intersection Project. (\$393,548.40 one-time expense)

Minutes: County Manager Bill Beasley discussed Consultant Services Authorization No. 2022-087-03 with HDR, Inc., providing design services for the Carter Road at Eaglebrook Boulevard intersection project. He recommended approval.

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| RESULT: | APPROVED |
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| MOVER: | Becky Troutman |
| SECONDER: | Bill Braswell |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

H. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

H.1. Commissioner Troutman Comments.

Minutes: Commissioner Troutman said they all received an email from the PACE program letting them know that they had a list of people who signed up for their services. She said we are not participating in this program and she asked the Board if this is how they want to continue or is there is an interest in participating in that program.

Upon question, County Attorney Randy Mink said they have always been a special district. He said it can be used for certain improvements to a home such as solar panels, roofing, stormwater type changes, and heat and air. He said once they take the loan out it is put on as a special assessment. He said if they do not pay the special assessment it can be collected through a tax deed sale. He said he is not sure there is much difference than going through a bank other than it is a government entity and they are able to foreclose through a tax deed sale.

Commissioner Braswell said he does not see what value they bring.

Mr. Mink said that has been the position of our Board that this was something we did not want to get into and to leave this to a private entity. He said they tried to expand into Polk County without our permission and they are here now in certain places. He said as part of the settlement they were allowed to continue the ones they had done prior to the statute change. He said the statute states they have to have our approval before they can operate in Polk.

Commissioner Braswell said he does not get their relevance and it seems like a complicated entity that serves no purpose other than being a bank. He said it is not a good idea.

Chair Santiago said this came up a few years ago and the consensus of the Board was we were not interested in working with this agency.

Commissioner Wilson said PACE would give a personal loan, we would basically take it over and turn over to us or the Tax Collector. He said they get their money and their hands are clean.

Mr. Mink said it would be for those who normally would not be able to get a loan through a conventional bank.

Commissioner Braswell said if you cannot afford to borrow money you should not borrow money. He said they are taking a high risk group, guaranteeing they are going to get paid, and walking away. He stated banks are going to think long and hard before loaning the money.

Commissioner Troutman said if we do not participate it helps some of our citizens that can be vulnerable at times. She said that she would support not having them in the county because she does not see a benefit to our residents.

Mr. Mink said our response will be that our Board is not interested in this.

Commissioner Troutman thanked Code Enforcement staff. She said she was able to listen to part of a training that they had done for a community outreach. She said they were meeting with a real estate group regarding the ordinance about the large signs placed in the right-of-way. She thanked them for getting out into the community and for providing the education.

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

I.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson said it is now hurricane season. He said us Floridians have been through it a lot. He said he has been hearing some good things that we might not be prone to it this year, but all it takes is just one. He reminded everybody that they know what to do and to be ready. He said we need some rain.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell had no comments.

K. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

K.1. Commissioner Scott Comments.

Minutes: Commissioner Scott reminded the audience about the reduced rate for disposal at the landfill. He said the reduced rate is through the end of June for residential collection. He said it is a great opportunity to be prepared. He said the property tax is all over the news. He said Tennessee has low property taxes but they also have a 9.5% sales tax. He said property tax reduction sounds like a great idea on paper but if you take it out of one pocket you have to replace it with another revenue source. He said when you look at news media they want to get the front page splash. He stated that if you save tens of thousands of dollars over the lifetime ownership of a house but if you have to pay it in sales tax what did you really save. He asked what do you really save. He said there is a large push from the state side to make that appealing and he is not saying it is not appealing. He stated to look at the whole picture before making a decision on the referendum.

Mr. Mink said he believes the hurricane preparation deadline is June 1st. He said if it is June 1st, he will put it on the next agenda to get it extended to July 1st.

County Manager Bill Beasley said yesterday was the opening of the Northeast Convenience site. He said activity was brisk and steady all day long.

L. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

L.1. Chair Santiago Comments.

Minutes: Chair Santiago said with the needs of the citizens the money will have to come somewhere. She said it will be either property taxes or a 9.5% sales tax on good. She thanked Mr. Beasley for bringing up the northeast area. She said she wants to go out there and see how brisk it is going. She said it is well needed because this is the fastest growing area in the county.

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

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

N.1. Public Hearing (LDCCD-2026-2 Avenue Q Autobody Sub-District) (Adoption Hearing) to consider the adoption of a Sub-District Map change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on approximately one (1) +/- acre.

Minutes: Land Development Director Ben Ziskal reviewed the proposed map amendment. He said that staff and the Planning Commission recommended approval.

The Chair opened a public hearing; no one spoke.

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| RESULT: | APPROVED |
| MOVER: | Becky Troutman |
| SECONDER: | Bill Braswell |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

N.2. Public Hearing (LDCCPAL 2026-2 Main Street Corridor Text) (Transmittal Hearing) to consider the adoption of a Comprehensive Plan text amendment to establish a new Section, to be called the Main Street Commercial (MSC) Corridor, in the Future Land Use Element. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment. He said that staff and the Planning Commission recommended approval. He said this is a transmittal hearing.

The Chair opened a public hearing; no one spoke.

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| RESULT: | APPROVED |
| MOVER: | Bill Braswell |
| SECONDER: | Rick Wilson |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

N.3. Public Hearing (LDCT-2026-3 Recreational Use Easements) (First Reading) to consider and Land Development Code text amendment, amending Chapter 3, Conditional Uses, Section 303, Criteria for Conditional Uses for High Intensity

Recreation to allow access via easement for firearms ranges. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment allowing access via easement for firearms ranges. He said that staff and the Planning Commission recommended approval. He said this is the first reading and no action is necessary.

County Attorney Randy Mink said the staff report has a typo and the correct BoCC hearing date is June 2, 2026, and the ad notice is correct.

Upon question, Mr. Ziskal said exact traffic counts are hard to monitor. He said they would use the ITE manual for estimated projected trips based on the proposed range. He said it would be based on the norms for the facility and for the operations of a gun range.

The Chair opened a public hearing; no one spoke.

N.4. Public Hearing (LDCT-2026-8 ATMs & Vending Machines) (First Reading) to consider the adoption of an ordinance amending the Land Development Code to add standards and definitions for stand-alone vending machines and automated teller machines. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment for ATMs and stand-alone vending machines. He said they would not be able to interfere with traffic circulation or the required parking on a commercial site. He said that staff and the Planning Commission recommended approval. He said this is the first reading and no action is required today.

Upon question, Mr. Ziskal said regarding the timeline there are other provisions in the code and it would default to established language within the code. He said they would treat it with other definitions if they are inoperable or abandoned.

The Chair opened a public hearing; no one spoke.

O. PUBLIC HEARINGS

O.1. Public Hearing to consider adoption of a resolution to vacate a portion of a platted public utility easement as shown on the plat of Shadow Wood Unit 2, Winter Haven. (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed vacation request. He said there are no objections to the request. He recommended approval.

Christopher Desrochers, representing the applicant, said he is available for questions.

The Chair opened a public hearing; no one spoke.

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| RESULT: | APPROVED |
| MOVER: | Becky Troutman |
| SECONDER: | Michael Scott |

AYE: Troutman, Wilson, Braswell, Santiago, and Scott

O.2. Public Hearing to consider adoption of a resolution to vacate portions of platted, unopened, and unmaintained rights-of-way as shown on the map of Leisure Shores and on the Revised Map of Lake View, Winter Haven, Florida and request Board accept a Drainage Easement from Joann Bissett Knappek. (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed vacation request. He said there are no objections to the request. He said that staff recommends approval

Upon question, Mr. Lowery said most of the construction items appear to be gone.

The Chair opened a public hearing.

Jack Secler said this was an easement that was left for the homeowners in Leisure Shores. He said they object to it and do not want any changes. He said he has been there 40 years and it does not bother anybody.

Keith McDowell said he has lived here for 40 years. He said it has been meant for the property owners to have access to the lake. He said he objects to the applicant using this as their own private property. He stated this was designed for the people of the community.

Kelly Yudichak said for the last 22.5 years this property has been maintained by her family. She said no one else has taken care of that property. She said the ATV is not hers and she does not know whose it is and she did not connect the lean-to. She said by the lake it has been overgrown for the last 22.5 years and she does not know of anyone who has gone down there to crawl through it to get there.

The Chair closed the public hearing.

Upon question, Mr. Lowery said there is a shallow swale that tapers to almost nothing. He stated the ditch gets much deeper. He said it does allow future drainage if we need to extend the swale or cut it deeper. He said they are granting a 15 foot easement with this. He said he is not aware of any drainage issues.

RESULT: APPROVED
MOVER: Rick Wilson
SECONDER: Bill Braswell
AYE: Troutman, Wilson, Braswell, Santiago, and Scott

O.3. Public Hearing (LDCU-2025-38 Highlands Street MHP) (De Novo Hearing) to consider an appeal to the Planning Commission’s decision to deny (7:0) this case on April 1, 2026. (No Fiscal Impact)

Minutes: County Attorney Randy Mink reminded the audience of the De Novo hearing procedures.

The Board confirmed that they have not had ex parte communications or site visits

regarding this case.

Ian Nance, Land Development, showed slides and reviewed the De Novo hearing request. He said the request is for a Conditional Use for a 19-unit mobile home park on 4.93 acres. He said this application is not for increased density. He reviewed the site plan and said a 100-year stormwater pond will be required. He discussed the setbacks and said there will be Type-B buffering. He stated the applicant has agreed to provide an easement for the county to maintain an existing ditch on the southern end of the property. He said no flood zones or wetlands are mapped on the site. He said this is compatible with the area and that staff recommends approval.

Upon question, Mr. Nance said with House Bill 399 they are having multiple units on one property and they cannot decide upon owners, mobile homes and unit types. He said they have changes coming to the Land Development Code to address this. He said there might be a new name for mobile home park in the future.

Commissioner Troutman said that bill says anywhere a single-family resident is allowed that off-site built dwellings will also be considered the same.

Mr. Mink said he will double check and confirm this. He said that most of the changes were effective January 1st and they are still working on part of it.

Mr. Nance stated that we call it residential development park which requires this level of use.

Mr. Mink said even if it is not a mobile home park it was treated as a subdivision and it would still require a Level 3 Review. He said they are not treating it any different.

Upon question, Mr. Nance said these are mobile homes with multiple homes on one piece of property that is owned by one owner. He said to not have an administrative approval it would need 6,000 square foot lots, meet setback requirements and be under the density for RL-4. He said he does not think each unit will have a septic system but they have the large backyards to accommodate that. He said it will still need to go to the Health Department for review. He said the City of Lakeland has a sewer line but it is not feasible to extend it.

Commissioner Scott said one of the issues is access for repair. He said with this being a binding site plan we do not have provisions or knowledge of where the septic systems are going to be. He said this is a critical layout piece and we cannot necessitate that at this level of review. He said there may need to be revisions to the site plan to accommodate the septic tanks so they are not coming back for a modification to move a home to make room for septic treatment.

Mr. Nance said if the Health Department requires advanced treatment of septic they can go down a number of units administratively. He said if sewer is not available and it is not economically feasible, they will have to contact the City of Lakeland. He said at the Level 2 the developer is required to connect. He said this is approximately half a mile from sewer. He showed the sewer line on the map that serves the industrial park. He said it is part of a pre-treatment system. He said they generally require 11,000

square foot lots for septic and he said there are advanced treatment facilities that allow smaller lots.

Chad Brooker, applicant, said with the City of Lakeland they have applied for capacity for water and wastewater and were denied capacity for wastewater. He said they were advised that septic was the only option. He said they are proposing larger common septic systems and not individual units. He said they have been coordinating with septic design/build contractors. He said they are connecting to centralized water and they have to apply for the waiver to get the septic system. He stated his client is proposing a single use rental community for mobile home parks. He said the use is compatible with the area and there are several mobile home parks, mobile home subdivisions, and individual mobile homes in the area. He said this is RL-4 and they can do a fee simple lot subdivision. He said he believes the Planning Commission did not have an issue with compatibility it was drainage. He said there are known flooding issues out there and there is not legal access to the ditch. He said they tried to work with all the owners to dedicate easements for the county to maintain the ditches and there was not enough neighborhood cooperation. He said they did dedicate an easement to the county that covers their portion to alleviate flooding. He said they are proposing a 100-year no discharge storm. He said the pond will be designed to maintain afternoon rain to hurricane waters. He said there will be an emergency overflow discharge point. He said a mobile home park is the request for today.

Commissioner Braswell said the concept of a mobile home park does not bother him. He said when you talk about septic and flooding that raises a red flag for him.

Upon question, Mr. Brooker said the request for sewer has not been made at this level. He said this is the City of Lakeland's utility service area. He said to his knowledge they are not requiring dry lines.

Commissioner Troutman asked if this is a condition they could add onto this.

Mr. Mink said the issue goes back to compatibility and consistency.

Chanda Bennett, Land Development, said before the Comp Plan dry lines were installed. She said they have not been requiring dry lines because a lot of them go unused and decay. She said it is not at their level for decision making and that requirement they work out with utilities. She confirmed that sewer is not a compatibility issue.

Mr. Brooker discussed the dry line system and said that there is not gravity out there to connect. He said if and when the city gets capacity it is a lift station with a pressure pipe force main that connects to it when you put in the dry line system. He said if it stays without pressure it starts to decay, does not pass pressure tests, and gets ripped out and replaced. He said it will be more inline with the elevations near the front of the site. He said there is an elevation drop from north to south. He said the finished floors will be flatter and it will be above that. He said the pond bank will be above that so it can hold back water. He said there will be fill placed to help with the septic. He said he does not have the elevation for the pond. He said the finished floor elevation requirement by the county is a foot. He stated there are certain challenges with this

site. He said they are proposing 10 feet in-between the units and there are wider green spaces for access to the septic systems. He said there is reasonable access to get to the septic systems. He said this is not in a flood zone.

Mr. Nance confirmed that this is consistent with the Land Development Code.

Mr. Brooker discussed the flow patterns and said there will be an easement to access the ditch. He showed where they will be putting the bigger tanks. He said they are looking at approximately 3 or 4 septic tanks and there will be longer drain fields. He said there is one pond. He said the flooding has been centralized around the ditch. He said there are some culverts that are down stream that will bottleneck and restrict flow. He said the goal is that access is through the other properties along the ditch from road to road. He stated he does not know how much it flooded with the hurricanes. He said the pond will be private and the easement will be dedicated to the county for access and maintenance of the ditch. He said they do not want to dedicate anything until this has been resolved.

Mr. Nance said it is a condition of approval in the staff report and has been discussed.

The Chair opened the public hearing.

James Vitiello said this 100-year storm plan is not going to happen. He said the pond is not going to hold it and he was waste deep in water. He discussed the flooding on his property from summer rain storms. He said they have a farm and they bought this property because it was Zone-X with no flooding. He discussed flooding from rain storms. He discussed calling the county and SWFWMD and said nobody will help them. He said the pond is not going to hold this. He said he would be open to granting an easement on his property. He said there is always water running through this.

Roads and Drainage Director Jay Jarvis said he will try to help. He said this area is all private property. He said they have a right-of-way piece where the power plant is that they maintain. He said they did not get permanent easements and they do not piecemeal easements. He said if we are able to get a majority of them they could maintain majority of the system. He said they do not have any permanent drainage easements on this system.

Kyle Brown said he has lived here for 13 years. He showed his property on the map. He discussed flooding and said if they get heavy rains they have two feet of flooding on their property. He said they are the lowest part where all the drainage runs. He said there is continuous water year round. He said they have animals on the property.

Kelly Allred said she is to the south of this property. She said she sent in pictures of rain storm and hurricanes. She said it is the flooding and it is chest deep. She said the water runs south and comes down. She said under #128 there is a huge pond and 10 acres behind them there is a huge ditch that holds tons of water. She said it is not the 19 homes being brought in it is the drainage. She said the people have no idea what they are getting into with the flooding. She said their cars will flood. She said her neighbor is building a wall around her home.

The Chair closed the public hearing.

Mr. Brooker responded to public comments. He said they are going to do what they can to maintain this and he thinks this is more of a regional issue that the county needs to help address. He stated it is not clear who owns this, it is all private properties where the ditch lies and is not in a right-of-way. He said easements for legal maintenance is the way to go. He said they are trying to be part of the solution and not the problem. He discussed the pond and said the runoff will be minimized.

Mr. Mink reminded the Board that there has been discussion on stormwater and drainage and the decision needs to be based on consistency and compatibility. He said there are places where homes are not compatible and that would be a decision of the Board. He stated the Board is looking at the facts presented.

Commissioner Scott discussed the surrounding area and said there are no other adjacent mobile home parks. He said this is not compatible and he thinks the Planning Commission got it right with 7/0 for no.

Chair Santiago discussed the flooding and said the county needs to look at this further.

Commissioner Troutman said for the neighbors to work with Mr. Jarvis for easements so that it can be pieced together.

Mr. Jarvis said this is the headwaters for Itchepackesassa Creek. He said it fills up and backs up to get relief downstream. He said increasing the flow downstream you have to look at the Water Management District's watershed management plan. He said there is a point where you cannot go past what the system can handle and you have to look at the impacts of those downstream.

Commissioner Braswell said previous Boards have made decisions to allow development where it should not be allowed. He said the analysis of these are much better. He said we need to look at the big picture and say these are problem areas. He stated we hear a lot of these cases, we see a lot of these problems and we need to provide common sense solutions. He said maybe this property is not compatible for homes.

Chair Santiago said she is looking at the bigger picture. She said the surrounding neighbors are flooding and she does not see a solution. She said she does not want to see our citizens living in these conditions.

Commissioner Scott discussed the neighbors allowing an easement.

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| RESULT: | DENIED |
| MOVER: | Michael Scott |
| SECONDER: | Bill Braswell |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

O.4. Public Hearing (LDCU-2025-39 Thomas Fish Camp) (De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny (4:3) a

Conditional Use request for expansion of a legally non-conforming recreational camping use. (No Fiscal Impact)

Minutes: Chanda Bennett, Land Development, showed slides and reviewed the request for a De Novo hearing. She said they are requesting a Conditional Use (CU) for the expansion of a recreational camping facility to expand the number of RV/Cabin sites from 20 to 40 and adding one more residence and accessory building. She said that staff recommends approval and the Planning Commission recommended denial. She said this was approved as a PUD in 1995 and she gave background information on the site. She reviewed the proposed expansion request. She said this meets all the requirements for recreational camping except for direct access to a public road or private road and she said they access the site from unpaved access easements and a paved county maintained road. She said this is compatible with the surrounding land uses and said the expansion will not result in an adverse impact to the surrounding property. She discussed the types of land surrounding this area and said there are single family residences to the south. She said the request is consistent with other camping uses in this area. She showed slides of the subject property. She said this is consistent with the Land Development Code and the Comp Plan. She confirmed that there is a maintenance building.

Commissioner Troutman said there is a guest cottage and they would be adding one permanent structure.

Upon question, Ms. Bennett said the items in gray are support uses to the items listed in yellow. She said there are existing permanent structures on the northern parcel. She confirmed that the 20 units fluctuate overtime. She said the applicant tried to work with the property owner to the north.

Commissioner Troutman, Commissioner Braswell and Commissioner Scott said they have had ex parte communications with both sides.

Commissioner Wilson and Chair Santiago said they have had ex parte communications with the applicant.

Mattie Hardin Tondreault, representing the applicant, discussed the history of the property from the 1980's. She said the property is non-commercial. She discussed Ducks, Inc., and said it is the same people and they are not looking at adding new people. She said this is used for camping and seasonal duck hunting and they are not the ones using ATV's and four wheelers. She said they are going from 20 to 40 with the same people using it. She said if there is more traffic it helps compact the gravel and is a benefit. She said the northern property owner is believed to have intent to make this a commercial operation and that is not consistent with what her client is requesting. She said there have been improvements on the northern parcel without their knowledge or permits. She said she reviewed the opposition emails. She said the opposition was primarily for the northern parcels use of the property and there has been confusion on their intent. She said they are not using this as commercial. She said she was told that Mr. Lightsey no longer opposes this.

Commissioner Scott said this is titled as Thomas Landing Fish Camp expansion and when he reads that it means there is a fish camp actively seeking participants to come

in for those activities.

Upon question, Ms. Tondreault stated the fish camp is what was initially permitted. She said they are asking for a duplication of a couple of those conditional uses. She said the photos of the junk is from the northern parcel and there is one mobile trailer on the southern parcel. She said none of the photographs were from the southern parcel.

Upon question, Ms. Bennett said any new recreational camping use expansion has to have access to a county road.

Mr. Mink said this is an expansion of a legal non-conforming use and it would not stand alone on its own under the code. He said the bait shop is not something they would touch in this process.

Upon question, Ms. Tondreault said this is used by only the members of the limited liability company and is a required membership. She said they want to move this closer to the lake for the access to duck hunting.

Mr. Mink said we are not looking at the users they are looking whether the use is compatible with the surrounding use.

Commissioner Troutman said there is a condition for no commercial activity and a condition of no-short term rental.

Ms. Bennett said there are no conditions for recreational camping. She said the limitation of the intensity is based on the number of camping sites. She said recreational camping is less intense than an RV park. She said commercial is not considered and this is ARR and camping is the only thing that can happen.

Commissioner Troutman discussed if this property was sold and what this property could turn into that might resemble commercial activities.

Ms. Bennett said the analysis was based on if they kept campsites and occupied them on a regular basis. She said the impacts on the infrastructure and roads was not enough of an increase for staff to recommend denial. She said it would be 20 on the north and 20 on the south. She said this is a non-residential use because it is not full time residential but it is not considered commercial.

Commissioner Braswell said people will think it is commercial with people coming in everyday and leaving.

Commissioner Wilson said it is a hunting camp. He said most of these people have been there for generations and they duck hunt. He said with clubs and groups they do not want anybody else in there. He said he does not think there will be any commercial uses there and they want to get this resolved.

Ms. Tondreault said the complaints and opposition is for another property owner and use.

Commissioner Braswell said the issue is it is not commercial now but things change. He said what we decide today could be revisited.

Commissioner Scott asked if this will be evaluated for septic systems.

Ms. Tondreault said there is still a permit application process and review to ensure that it has modern day standards. She said there is a current septic system and if it was not sufficient enough for the bath house they would be willing to bring it up to conforming standards.

The Chair opened a public hearing.

Kevin Maharrey said he is the property owner to the south. He discussed corrections he would like to make to the staff report. He said he has pictures he would like to enter into the record. He said the roads are bad and they will keep moving further and further into Mr. Lightsey's property. He said the site should not have the CU permit. He said it is a lot to put 20 on seven acres.

The Chair closed the public hearing.

Ms. Tondreault spoke in response to public comment. She said there is no competent evidence and there are other land users out there. She said for the road conditions EMS having access is required.

Upon question, Ms. Bennett said they do not feel confident adding more to the public safety condition of approval without speaking to public safety. She said if it is difficult to access they will coordinate the closure of the use until the access is fixed.

Mr. Mink said it would need to be brought to their attention that it does not meet the public safety requirements. He said the Fire Marshall would go out and see if it meets the conditions. He said it would need to be brought in compliance and if they do not operations would stop.

Commissioner Scott discussed being good stewards and maintaining the road for medical emergencies.

Mr. Mink said this has a specific requirement in their condition of approval.

Ms. Bennett said the Lightsey Cattle Company owns the road.

Mr. Mink said this is a paper plat and with these there are easements recorded.

Commissioner Troutman said she had ongoing conversations with Mr. Lightsey. She said he has had input and learned about who the users are now and what the true intent of this application is.

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| RESULT: | APPROVED |
| MOVER: | Becky Troutman |
| SECONDER: | Rick Wilson |
| AYE: | Troutman, Wilson, Braswell, Santiago, and Scott |

O.5. Public Hearing (LDSPD-2025-2 Old Dixie Highway SPD (De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve (6:1) this case on April 1, 2026. (No Fiscal Impact)

Minutes: Commissioner Troutman said she has not had any ex parte communications or site visits.

Commissioner Wilson said he has met with the applicant.

Chair Santiago said she has not had any ex parte communications or site visits.

Commissioner Braswell said he has had communications with both sides.

Commissioner Scott said he has had communications with the applicant.

Ian Nance, Land Development, reviewed the De Novo request for a Suburban Planned Development for 31 single-family lots on approximately 20.29 acres. He said that the Planning Commission recommended approval and an appeal was filed. He reviewed the site and he discussed the access to the site, landscaping and buffering. He showed the projected flood zone on a map and he said a flood study will be required. He said there will be private septic systems and connection to sewer is not required. He said this is compatible with surrounding uses and is consistent with the Comp Plan and the Land Development Code. He said that staff recommends approval.

Upon question, Mr. Nance confirmed that Shallot Preserve has 415 lots going in across from Tenoroc. He said the floodplain manager reviews the elevation. He said it is cup for cup compensation for storm floodplain impacts.

Clinton Howerton, County Engineer, said as part of the Level 2 they will be doing the analysis on the site. He said it is a relatively large floodplain. He said they are following the contour lines and it seems to be consistent. He discussed fill volume that is going into the floodplain area and said to make sure that area is being set aside outside so that the net result is a decrease in volume to the floodplain. He said some of the surrounding lots are in the floodplain area.

Mr. Nance said the depth of the lot is 315 feet.

Tony Werschky, applicant, thanked staff and the Planning Commission for participating in this process. He said this property is located in between two metropolitan areas of Auburndale and Lakeland and is close to the Polk Parkway. He said this is part of the Suburban Development Area. He discussed the density and said there are three developments that have a higher density than this. He said that the county will not issue permits unless the final engineered system complies with drainage and flood plain standards. He discussed drainage and said they must make sure that the water does not run onto someone else's property anymore than it has in the past. He said they will work with SWFWMD and FDEP and they will have a wetlands dilution. He said numerous steps will be taken to ensure less water will go onto surrounding properties.

Charles Brooker, representing the applicant, said staff and Planning Commission find this compatible. He said they are able to achieve the density of the three units per acre based on location points. He said the available density is 2.7 to 2.8 units per acre and they are proposing 2 units per acre. He said they are working on a site plan that is compatible with the area. He said the lots on the north are 300 feet long and they still have 120 feet of developable area. He stated their intent is to not impact the floodplain.

Upon question, Mr. Brooker referred to the map and said the green hatching is what they are considering open space. He said the wetlands are also open space. He said the green hatch borders the access, it will be owned by the HOA and can be accessed by the residents. He said it all can fit within the range and said there is ample room for a 2,000 square foot house and the septic area. He said it is sandy soils throughout the site and he does not think a lot of these will be mounded and they have to get the proper permits. He said it is traversable and this site sometimes will get wet and you cannot get back there and you have to wait for it to dry out. He confirmed that during a wet time of the year it would be inaccessible by a pedestrian. He said it is land left alone to be open, they are committing that it is recreation space, but it is not a requirement of the code.

Jon Leonard, opposition, said he is representing over 40 adjacent residents. He said this is not compatible to adjacent homesteads. He said this has been zoned for over 50 years and this is not a transition area. He discussed the surrounding land use designations. He said this adds 31 septic tanks and he said if it is not compatible they just put in septic tanks. He said they are putting small acreage lots where the septic and wetlands issues are. He said to look at the road and all the cutoffs. He said they are willing to compromise and if it was one and a half acre lots they would not have filed for a De Novo. He said all sides of the property are large acre homesteads. He said the water flows southwest and the back of their properties flood when it rains and that is why they bought their properties with large acreage.

Upon question, Mr. Leonard said the backs of their properties they refer to as seasonal duck ponds with the rain. He said there are 2-3 inches of standing water with a normal rain storm and that is why they have the above bed septic. He said every adjacent property is not compatible.

The Chair opened a public hearing.

Neil Sue said in 2002 he bought two properties and said there is a lot of rain. He said he is worried about two hurricanes within a month and flooding. He asked if he going to have more flooding and he asked for enough ponds.

Rhonda Deese said she supports what Jon has said and she is opposed to the development. She said it is inconsistent with the surrounding rural area. She said the wetlands require protection from wastewater. She said the properties adjacent must conform to the proposed development. She said they are within the southwest flow and compatibility and flooding is an issue. She said she does not know of a septic tank out there that does not have a mound.

Angelo Pimpinelli said Jon submitted a well done document to them. He said going across Old Dixie Highway that Shalamar is not an adjacent comparison. He said all these properties are rural and they are probably a minimum of 3 acres.

Deborah Taylor said her concern is the congestion with a new subdivision that was just put in. She said there will be a hotel and another subdivision. She said her concern is with the traffic on Old Dixie Highway. She said there is already so much development there and it is congested.

The Chair closed the public hearing.

Mr. Werschky spoke in response to public comments. He discussed the surrounding area densities and said they are more dense than what they are proposing. He said they are trying to compromise and put something that is less dense. He said they will conduct a traffic study.

Mr. Brooker said this is a transitional area. He said they believe they are proposing a transition of the sizing and density requirements. He said it is compatible.

Upon question, Mr. Nance said there is an issue with line capacity in that area.

Upon question, Mr. Howerton said we do not get into the details on the septic tanks that are permitted by the state. He discussed looking at the classification of the soils, the requirements for the depth separation, and the bottom of the mountain system. He said they would look at the separation with the seasonal water table and the types of soil.

Upon question, Mr. Nance said Saddle Creek Park is a significant distance and the Lake Myrtle Sports Complex would be the go-to park for this property. He confirmed that pedestrian access would be limited for a recreation area. He said the recreation is a percentage of the open space. He said the stormwater ponds will count as open space if there is a trail around it and buffered. He said there will be sidewalks on both sides of the internal roads and also on the frontage.

Commissioner Scott said looking at properties to the south and the smallest he his able to find .32 acres on the south side of Old Dixie Highway. He said there is not a lot of compatible development around it.

Mr. Brooker said there are similar size lots in the area. He said this provides a compatible transition. He said the septic sizing and determination is done with the building permit. He said it is considered with the soil testing and the size of the drain field and tanks are specific to the house. He said that is vetted through the Building Department, Health Department and the state.

Commissioner Troutman said compatibility does not mean 1.15 acres to 1.15 acres. She said when you look at the table and the surrounding uses with the transitions from less intense to more intense this is a perfect spot to where that transition is occurring.

Commissioner Scott said this site plan as presented is not compatible with the

surrounding area. He said looking at the abutting lot sizes makes this not compatible.

Commissioner Braswell said someone found land and is shoehorning a development into the middle of it. He said this is a pocket of density being stuck into areas of lower density. He said it is house next to house but he does not see it compatible being that it is an enclave of housing. He said he will support denial.

Commissioner Wilson said we do see this around and it is not compatible.

Commissioner Troutman said she is looking at staff and the Planning Commissions' recommendation of approval. She said when she considers compatible she sees this as a transition area. She said she will not support denying this.

Chair Santiago said there are at least 60 foot lots and higher that are being approved. She said she is not going to support a denial.

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| RESULT: | DENIED |
| MOVER: | Michael Scott |
| SECONDER: | Bill Braswell |
| AYE: | Wilson, Braswell, and Scott |
| NAY: | Troutman, and Santiago |

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

P.1. Comments.

Minutes: Ashley Schilling discussed her son's death in a motorcycle accident. She said a car pulled out in front of him and he was declared dead on the scene. She said that the driver of the car was talked out of giving a blood sample and the paramedic said it could be used against him. She said EMS seeing there was no policy in place now has a policy is in place ensuring that this never happens again. She said she found out that Florida was not a state that did not have a law for a mandatory blood draw on the scene of a fatality. She said if this law was in place the outcome of her son's case would be different. She said she is trying to pass a law called Blues Law for a mandatory blood draw for an accident with a fatality. She said a law would have stricter punishments for someone who hit and killed someone on a motorcycle. She said her son was 19 years old and this will help so many families to not go through what she went through. She said the person who killed her son got a slap on the wrist and is walking free.

County Manager Bill Beasley said they will talk to the Legislative Delegation and consider it as part of their priority in the legislative session.

County Attorney Randy Mink said the Board can support this and see if they can find a sponsor in the legislature.

Commissioner Troutman said sorry to Ms. Schilling for her situation and thanked her for being here. She said we found that there was a policy lacking and because of her

advocacy that policy is now in place and will help other families going forward.

Debbie Hicks said Animal Control is so much better than it used to be. She said that she had a tour and she believes Captain Varnadore has a vision to change the facility. She said she went to the dog event the past weekend and the cages were big and the dogs were relaxed. She said it was amazing.

Commissioner Scott said critical feedback is good and that is how we get better. He said he appreciates Ms. Hicks' professionalism. He said the sheriff does care about the animals. He said they will not see eye-to-eye on a new building. He will always support making it better.

Eve Salimbene congratulated the shelter and Commissioner Scott for doing some good things. She discussed the feline panleukopenia outbreak and said without an isolation space it is coming out of Animal Control. She said quarantine space is not optional and there are ways to work around this. She discussed the need for an advisory group.

Commissioner Scott asked for Ms. Salimbene to send her thoughts for a quarantine area.

Donna Jean Pyne said she bought 28 acres of land and she is concerned about a data center. She said some of the largest corporations are coming to Florida for cheap electricity and water. She discussed Lakeland Electric and said that a demand cost is charged for solar panels. She asked for no non-disclosure agreements or tax exemptions.

Commissioner Troutman said we have no jurisdiction with what happens with Project Swan.

Rebecka Mclachan said she is an educator and said there is a need to be informed. She said we do not always get accurate news. She said she is starting a community news with digital publication about what is going on to represent. She said she will be contacting the Board to see how she can be more involved. She said she wants to lay out the facts and people should be informed. She said it will be called the Citrus Tea.

Chair Santiago said one of our biggest challenges is getting the information out. She said she has a huge task in front of her.

Cassandra Richards said she has missed them. She said they had a huge meeting with Highland Park and she is trying to get a food bank out there. She said she is here to serve until the day she dies.

Jaxon Samplos said he is here to speak about the Lakeland data center. He spoke in opposition and said Israel is buying our government out. He said God is watching and we the people will not let it happen.

Brad Barker spoke in opposition to the data center. He said there are environmental concerns and the economics will not work out.

Meeting adjourned at 1:26 p.m.