



Polk County Board of County Commissioners

Meeting Minutes - Draft

December 17, 2024 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.

CALL TO ORDER - 9:00 a.m. (RICK WILSON, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

- A.1. Steve Labate - Presentation to Commissioner Bill Braswell on behalf of Lakeland Gold Star Parents.

Minutes: Steve Labate said he is here on behalf of the Fraternal Order of Police. He thanked Commissioner Braswell and the Commissioners for the proclamation they made for the Gold Star Mother's Day event. He said it was incredibly profound. He said this ensures that the sons and daughters lost in combat are not forgotten. He read a letter from Sue Sawyer, a Gold Star Mother and also a Blue Star Mother.

Ronda Smith said her son was Sergeant Keith Coe and was killed in action April 27, 2010. She said she appreciates that they are not forgotten. She said she thinks of him everyday. She thanked everyone.

Commissioner Braswell said it was an honor and privilege to be a part of this. He said this is the first time this has been done in Polk County. He said it was a great event and Commissioner Troutman was also there. He said a lot of people were there and there were six Gold Star families there that all had lost sons. He said we need to keep their memory alive and keep them in our hearts. He said it was a great ceremony and he

appreciates being there.

Mr. Labate said they wanted to present a plaque to the Board. He thanked Commissioner Braswell and the Commissioners and he said this is a small token of their appreciation.

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

C.1. Randy Wilkinson - Invitation to Evening with Gilbert King at Polk Theater, December 21. The Pulitzer Prize winner will discuss his expose' of the unjust Polk County conviction of Leo Schofield as told in Bone Valley, the worldwide #1 Crime Podcast.

Minutes: Randy Wilkinson wished everyone a Merry Christmas. He said justice is mentioned over 1,000 times in the Bible. He said this is the case of Leo Schofield who has missed 36 Christmases of freedom because of an injustice. He said the unwillingness to deal with our mistakes is a big problem. He said this Saturday night Gilbert King who did the podcast on this murder will be at the Polk Theater. He said they can go to Grady and then he can bring it before the Secretary of Agriculture of Florida or to the Cabinet and seek justice for this case.

C.2. Comments.

Minutes: Heather Sawtelle thanked everyone for all they have done for their neighborhood and for the community. She said they have a pump plan in place and she asked where does that leave them in the rebuilding process.

Chair Wilson said that is what we have and that is basically it. He said we have not had rain and the water level is down. He said they are talking about getting some grants and appropriations.

Ms. Sawtelle asked what are we going to do if the state does not approve this.

Chair Wilson said we are looking into it. He said we had an event that was unbelievable and he said there are a lot of areas in this county that got affected the same way. He said we are looking at a lot of things.

Ms. Sawtelle said water is still coming in.

Roads and Drainage Director Jay Jarvis said there is still flow coming through the basin and the watershed comes through there. He said the wetlands are still full, the ponds are full and there is groundwater seepage. He said it is probably going to continue for a while. He said the water levels are not rising and that is what they have been looking at. He said we have requested some appropriations for some funding for a permanent/long-term option and he said those take years to get in place.

Ms. Sawtelle said that the water is still there. She asked where does that leave them and what do they do.

Chair Wilson said he has seen this all around the county. He said there are structures that probably should not have been put in. He said to fix it all we cannot do that and we cannot make Polk County flood proof. He said we are trying to get appropriations and hoping the water goes down.

Ms. Sawtelle said that before the storm the water was high and new communities are coming in. She said this does not give them much hope.

Commissioner Troutman said if anyone was displaced for 30 days or more there is a process to get some relief on property taxes. She said the state put that in place and the information is available on the Property Appraiser's website.

Ms. Sawtelle said another concern is a road being built, and she said a road built up on the other side of her would be a pasture. She said that is something she wants them to think about.

Cassandra Richards thanked Chairman Wilson and Mr. Jarvis for attending their monthly community meeting. She said that they answered their questions. She said dump trucks are flying down the road and children are waiting for school buses. She said they need a light at Lewis Griffin Road.

Mark Becker said when his children moved down here there were orange groves. He discussed the growth and the traffic. He said US 27 is a zoo. He asked what are the plans and said people park in their subdivision to get to the school. He said his kids were told to go to the Haines City post office and they were told that they live in Davenport. He said their taxes are for Haines City and the mailing address is Davenport. He asked how can they get their mail correctly. He said that the US Postal Service cannot do anything.

Commissioner Scott there were some people in Four Corners who had a similar issue and the US Postal Service was able to help. He said to ask senior management at the Post Office.

County Attorney Randy Mink said they would have a Davenport mailing address because they are being serviced by the Davenport Post Office.

Commissioner Santiago said they also have that in the Poinciana area and they have different posts.

Commissioner Scott said to reach out to his office to help with the 911- Addressing.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Bill Braswell

AYE:	Troutman, Wilson, Braswell, Santiago, and Scott
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E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

E.1. Disbursements.

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

E.2. Minutes of Regular Board meeting held on December 3, 2024.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the contract with Central Florida Health Care, Inc. (CFHC) for the purchase of equipment. (Total amount not to exceed \$1,553,882.99)

Minutes: County Manager Bill Beasley discussed the contract with Central Florida Health Care, Inc., for the purchase of equipment. He recommended approval.

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

H.2. Approve the third amendment to the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health to provide behavioral health services. (Total amount not to exceed \$1,576,280 annually.)

Minutes: County Manager Bill Beasley discussed the third amendment to the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health providing behavioral health services. He recommended approval.

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

H.3. Approve the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health for site-based services to adults with mental health needs. (Total amount not to exceed \$470,000 annually.)

Minutes: County Manager Bill Beasley discussed the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health for site-based services for adults with mental health needs. He recommended approval.

Commissioner Santiago said it is good to see that items H.1, H.2 and H.3 is almost \$3.5 million being used from the Oversight Committee. She stated this is the money that is provided by our citizens being put back into the community for the needs of our citizens. She said this is a good thing for our county.

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

H.4. Approve the Florida Communities Trust Grant Agreement (F2407) made between Florida Department of Environmental Protection (FDEP) and Polk County (County) (one-time revenue of \$1,775,000).

Minutes: County Manager Bill Beasley discussed the Florida Communities Trust Grant Agreement (F2407) made between Florida Department of Environmental Protection and Polk County. He recommended approval.

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

H.5. North Ridge Trail Extension Infrastructure Agreement from Legacy Park Blvd. to Poitras #2 Road. (not to exceed a reimbursement cost of \$1,414,231.08).

Minutes: County Manager Bill Beasley discussed the North Ridge Trail Extension Infrastructure Agreement from Legacy Park Blvd. to Poitras #2 Road. He recommended approval.

Commissioner Santiago asked if we could add the word road to the North East Trail. She said there is a lot of confusion and people think it is a recreational trail. She said she has to explain that it is a road.

Mr. Beasley said many people have moved into the area thinking it is a paved trail. He said we can do a better job at communicating.

Commissioner Santiago said if we could put it in our documents.

Commissioner Troutman said this is our efforts to alleviate some of the congestion on US 27. She said it is a much needed project. She commended the county for looking at this through developer agreements and she believes it happens faster and for less revenue to get it done.

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

H.6. Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum No. 1 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF), Phase A dewatering and construction expansion. (\$44,644,133.00 one-time expense)

Minutes: County Manager Bill Beasley discussed the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum No. 1 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF), Phase A dewatering and construction expansion. He recommended approval.

Clerk and Comptroller Stacy Butterfield clarified that the contract amount is \$41,644,133.00.

Upon question, Mr. Beasley said he would be surprised if the total price is less than \$120 million.

Upon question, Utilities Director Tamara Richardson said it will be between \$120 million to \$150 million. She said it is for everything that should be in that service area. She said if the area develops or if they take additional areas they are planning for it eventually to go to 12 million gallons daily (mgd) just incase, but they do not expect it to go to 12 mgd. She said right now Haines City is covering their service area and we are covering ours. She said sometimes they do overlap but right now there is no agreement. She said we have master plans and we account for our area only and have not considered anything outside of our area. She said going from the Phase 2 to Phase 4 will make the project more efficient and cost effective.

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

I. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

I.1. Commissioner Troutman Comments.

Minutes: Commissioner Troutman said that Deputy Greg Maynard passed away. She said that our thoughts and prayers are with his family and the law enforcement officers. She said she was contacted by the owner of Leroy's Bike. She said he owns a business that is greatly impacted by use or lack of use of the Loyce Harpe Park. She asked when this park will be open for recreational use. She said it is having a financial impact on the business.

Director of Parks and Natural Resources Gaye Sharpe said they are working with Roads and Drainage on the debris site issue. She said they are looking at possibly being able to open it up for a few days and said they are in the tentative talking

moments. She said we hear the pressure, we hear the public and we are doing everything we can to come up with the tentative schedule. She said it is a possibility to open at night when the trucks are not coming in there but at night there are no lights. She said they can ride in an open area but they cannot ride the trail at night. She said we understand and they are trying to move forward and open as soon as it is safe.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell wished everyone a Merry Christmas. He said we all went to Florida Association of Counties (FAC). He said it was interesting and it always reinforces how good we have it in Polk County when he looks at other counties and how discombobulated and financially unstable they are. He said we are pretty fortunate. He said people are antsy about debris pick up and everyone seems to have forgotten that we had a hurricane and that this county is 2,000 square miles. He asked if we are holding the trucks here or are we starting to lose them again.

County Manager Bill Beasley said they have not lost any trucks but they did not gain as many as he thought they would get.

Upon question, Deputy County Manager John Bohde said it is a matter of assets and resources. He said with past storms we have had around 100 vehicles and we have had on average 20 for this storm. He said last week we got up to 25-26 and we got a lot of the smaller vehicles that cannot get as much material. He said we have ten debris management sites and have added an eleventh one on Dunson Road which means they can do shorter trips and then come back. He said they are running seven days a week and they are pushing on the haulers to get more assets in here. He said we are competing with other counties and states. He said they did get a 30 day extension on the 100% reimbursement and now it is February 10th. He said he would expect that we would be operating most of January. He said there are mom and pop companies and they need to be certified through the FEMA process.

Commissioner Scott said to include the new date in the press release. He said he does appreciate the counties efforts and it is a process. He said getting certified through FEMA is a 90-day process.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago wished everyone a Merry Christmas and a Happy New Year. She said she is still receiving emails about Grenelefe and boiling water notices. She said that this is privately owned but it keeps coming up. She asked to meet with County Manager Bill Beasley or Utilities Director Tamara Richardson and see how we can help the people in Grenelefe. She said she wants to see this resolved.

L. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

L.1. Commissioner Scott Comments.

Minutes: Commissioner Scott wished everyone a Merry Christmas and Happy New Year. He discussed the stormwater criteria and referred to Commissioner Wilson's comment about not flood proofing the county. He said we are actively looking at what we can do to make the county better moving forward. He said we will continue with that commitment.

M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIR)

M.1. Chair Wilson Comments.

Minutes: Chair Wilson wished everyone a Merry Christmas and a Happy New Year. He said next year will be a great year and we have a great team up here. He said we always say we are gonna get it done.

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

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

O.1. Public Hearing (LDCPAL-2024-1 Socrum Loop Rd PRESV CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 6.88+/- acres from Residential Low-X (RL-X) and Office Center-X (OCX) to Preservation-X (PRESVX) in the Green Swamp ACSC. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal discussed the land use amendment. He said that the Planning Commission and staff recommend approval. He said that there were no comments from Florida Commerce.

Upon question, Mr. Ziskal said there are buffering requirements when you have Office Center next to Residential. He said with this changing to Preservation the Office Center can develop as an Office Center and not have to buffer from Residential because it will be Preservation next to it.

The Chair opened a public hearing; no one spoke.

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

O.2. Public Hearing (LDCPAS-2024-21 Parkview Christian CPA) (Adoption Public Hearing) to consider the Future Land Use Change from Residential Suburban (RS) to Institutional (INST-1) on +/- 17.75 acres in the Suburban Development Area (SDA). (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal discussed the land use amendment. He said that the Planning Commission and staff recommend approval. He said that there were no comments from Florida Commerce.

The Chair opened a public hearing; no one spoke.

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

O.3. Public Hearing (LDCPAS-2024-20 Mt Pisgah Rd PM to ARR CPA Amendment) (Adoption Hearing) to consider the Future Land Use Change from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on +/- 15.54 acres in the Rural Development Area (RDA). (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal discussed the land use amendment. He said that the Planning Commission and staff recommend approval. He said that there were no comments from Florida Commerce.

Upon question, Chanda Bennett, Land Development, said if it was part of a mine plan in 1991 it got phosphate mining. She said it meant that they were going to mine it. She said the mining company did not purchase it until after 1991 and the current owner wants to change it.

Commissioner Braswell said this is an unnecessary burden to get it changed back to something it was never going to be.

Upon question, Ms. Bennett said this change could cost the owner \$2,500 to \$3,000.

The Chair opened a public hearing.

John Paris, applicant, said they are purchasing this from his parents to build a house. He said they did not realize they could not build a house if they have mining.

The Chair closed the public hearing.

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

O.4. Public Hearing (LDCPAL-2024-11 Mosaic Nichols PM CPA Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Agricultural/Residential-Rural (A/RR) to Phosphate Mining (PM) on +/- 420 acres. (No Fiscal Impact).

Minutes: Land Development Director Ben Ziskal discussed the land use amendment. He said that the Planning Commission and staff recommend approval of transmittal.

The Chair opened a public hearing; no one spoke.

Upon question, Mr. Ziskal said this is large scale comprehensive plan amendment and

it is a higher fee than the prior case.

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

- O.5. Public Hearing (LDCPAL-2024-12 North Prong IND CPA Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Phosphate Mining (PM) and Agricultural/Residential-Rural (A/RR) to Industrial (IND) on +/- 420 acres and to change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on certain areas of the site. (No Fiscal Impact).

Minutes: Land Development Director Ben Ziskal discussed the land use amendment. He said that the Planning Commission and staff recommend approval of transmittal.

The Chair opened a public hearing; no one spoke.

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

- O.6. Public Hearing (LDCT-2024-19 North Prong LDC Text Amendment) (Transmittal Hearing) to consider Change the text of the Land Development Code Appendix E, Section E105, to limit the intensity of the IND on certain areas of the property (No Fiscal Impact).

Minutes: Land Development Director Ben Ziskal discussed the text amendment. He said that the Planning Commission and staff recommend approval. He said this is the first reading.

The Chair opened a public hearing; no one spoke.

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCPAL-2023-13 Septic to Sewer Text Change CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to several elements of the Comprehensive Plan will be amended that address new septic tank limitations in areas with Basin Management Action Plans, a new overlay called Nutrient Restoration Plan Overlay (NRPO), and septic tank to sewer conversation in the NRP. This case is related to LDCT-2023-24. (No Fiscal Impact)

Minutes: Chanda Bennett, Land Development, presented this case with P. 2. She discussed House Bill 1379 and the water requirements. She said they are required to list the projects necessary to achieve pollutant load reductions. She discussed the installation of new septic systems within these B map areas. She said they are required

to have a waste water connection feasibility analysis for developments of 50 units or more with one septic tank per acre. She reviewed the Comprehensive Plan. She said they worked with other divisions and hired Dewberry Consultants to help analyze these communities.

Upon question, Mr. Beasley said there is one that is enhanced at the Mulberry Redlands Christian Academy.

Ms. Bennett said it is similar technology and is reducing the nitrogen.

Upon question, Utilities Director Tamara Richardson said instead of using septic it is using aerated and it is almost like a mini wastewater plant for each use. She said they make them in different sizes and it can be made for one home or for a whole subdivision.

Mr. Beasley said a collective system would raise the cost of the site development.

Commissioner Braswell said if each person has to buy their own unit it is not going to be cheap and he said if you have one master unit per ten units.

Upon question, Ms. Bennett said there are five sheets of the tables that they put in the Comprehensive Plan. She said we have a lot of communities in Unincorporated Polk County and a lot of utility service areas. She said they have been told that they have to work with the private utility companies.

The Chair opened a public hearing; no one spoke.

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

P.2. Public Hearing (LDCT-2023-24 Septic to Sewer) (Adoption Hearing) to consider the adoption of a County-initiated request to amend the Land Development Code to add the Nutrient Restoration Plan Overlay, restrictions on septic tanks, and definitions. This case is related to LDCPAL-2023-13. (No Fiscal Impact).

Minutes: This hearing was presented with the previous hearing.

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

P.3. Public Hearing to consider adoption of a resolution to vacate portions of platted, rights-of-way as shown on the Map of A. R. Highfield's Addition to the City of Crooked Lake and the Plat of Stephenson's Addition to Babson Park, Polk County, Florida. (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed vacation request.

He said that there are no objections to the request. He said that staff recommends approval.

The Chair opened a public hearing; no one spoke.

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

P.4. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, ALDI (Florida) L.L.C., and approval of a Performance Agreement with the company.

Minutes: Deputy County Attorney Sandra Howard reviewed the proposed ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, ALDI (Florida) L.L.C., and approval of a Performance Agreement with the company. She said that this meets the requirements of the program guidelines.

Upon question, Ms. Howard said the date of commencement for improvements on the application they put the fourth quarter of 2024. She confirmed that it is expected to be completed in 2027. She said if they want this exemption they cannot start any type of construction until this is approved.

The Chair opened a public hearing; no one spoke.

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

P.5. Public Hearing to consider adoption of a resolution providing notice of intent to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments.

Minutes: Deputy County Attorney Noah Milov discussed the resolution providing notice of intent to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments.

The Chair opened a public hearing; no one spoke.

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

ANNOUNCEMENTS

Minutes: Meeting adjourned at 10:35 a.m.