



Polk County Board of County Commissioners

Meeting Minutes - Final

January 09, 2024 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.

CALL TO ORDER - 9:00 a.m. (BILL BRASWELL, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

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

C.1. Comments.

Minutes: Stacy Hurst said they are having issues with roadway maintenance being maintained. She said she is on the board for the Redbridge Square HOA. She said they have been talking with Code Enforcement and was told that they are not here to beautify the road. She said it is a safety issue and they cannot see beyond the street signs and the poles. She said they are getting no where and the property management company wanted her to speak.

Charlie Perez said there is an intersection at FDC and Holly Hill where it is hard to see that there is a stop sign there.

Chris Peterson said he is here for an issue with the Florida Pace Funding Agency (FPFA) and the county. He discussed the judicial bond validation. He said that the Tax Collector advised them that they will not put this on the tax roll. He said they assume the courts and the legislature will resolve the preemption issue. He said the proposed solution is a curative IOA and a short term agreement to allow those projects to be

placed on the tax roll. He said the FPFA is not being harmed by this issue it is the property owners and the contractors.

County Attorney Randy Mink said there is a current litigation case and he advised no further comment. He said if there is a negotiated settlement they need to go through their attorneys and our office and they will negotiate in good faith when it is received.

Mr. Peterson said he does not know the number of owners and the dollar value.

Tashana True said there is a problem in Polk County Fire Administration. She said it started after Jerry Riner was fired after 28 years and now Battalion Chief Charlie True has been fired. She said there are so many problems going on. She said the City of Frostproof supports their fire fighters. She said the fire fighters will not volunteer any of their time under the current administration. She said they had exemplary records and saved many lives. She said to listen to the citizens and act on what is fair, right and what is best.

James Abercrombie discussed permits and said it is insurance. He said he has been through the Building and Inspection department and spoke to the County Attorney's office. He discussed his roof repair and said the permit is still on his wall. He said there is no signature on the permit and it will cost him more. He said he will be back and he wants conclusion on this. He said he wants all public records and wants it in writing.

Robert Goodman said he is here in support of the fire fighters. He asked if the fire fighters were notified in writing about the pay for working during an emergency. He asked if the county received FEMA funds. He said they were paid 100% for a conference for their hours and it does not seem logical to help with emergency after Hurricane Ian with 50% pay. He asked what was the insubordination that the battalion chief was fired for.

Mr. Mink said this is the discipline of an employee and is a personnel matter outside the purview of the Board. He said the individuals that are disciplined have due process rights under our handbook and the collective bargaining agreement. He asked the Board to not comment on a specific personnel matter at this time until it goes through the process.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

RESULT:	APPROVED
MOVER:	George Lindsey
SECONDER:	Rick Wilson
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 December 19, 2023.

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

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Adopt Resolution Initiating the Conflict Resolution Procedures under the Florida Governmental Conflict Resolution Act and Giving Notice of Competing Policy Goals and Plans for CRA Funds to the Lake Wales Community Redevelopment Agency (“CRA”) and the City of Lake Wales for the proposed expansion of the boundaries of the CRA.

Minutes: County Attorney Randy Mink discussed the Resolution Initiating the Conflict Resolution Procedures under the Florida Governmental Conflict Resolution Act and Giving Notice of Competing Policy Goals and Plans for CRA Funds to the Lake Wales Community Redevelopment Agency and the City of Lake Wales for the proposed expansion of the boundaries of the CRA. He recommended approval.

Upon question, Mr. Mink said it allows them to be put on notice and allows us to go through the process to negotiate if there is something they can agree upon.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Request Board approve 1) Accept and execute Modification No. One (1) to Contract # H0573 for Project # 4337-423-R, Polk County, FRS/EMS Protective Measures, Wind Retrofit for twenty-five (25) FRS/EMS Stations, between the Florida Division of Emergency Management FEMA HMGP and Polk County for the Federal Emergency Management Agency’s (FEMA) Hazard Mitigation Grant Program (HMGP) funding Agreement and 2) CIP amendment, Budget Resolution, and transfer from reserves to establish budget for the modification of the project budget.

Minutes: County Manager Bill Beasley discussed Modification No. One to Contract # H0573 for Project # 4337-423-R, Polk County, FRS/EMS Protective Measures, Wind Retrofit for twenty-five FRS/EMS Stations, between the Florida Division of Emergency

Management FEMA HMGP and Polk County for the Federal Emergency Management Agency's Hazard Mitigation Grant Program funding Agreement and CIP amendment, Budget Resolution, and transfer from reserves to establish a budget for the modification of the project budget. He recommended approval.

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

H.2. Request Board approve construction contracts with 1) Robert Binns Roofing, Inc. (\$696,780.00); 2) R.F. Lusa & Sons Sheet Metal, Inc. (\$1,125,864.00); and 3) Architectural Sheet Metal, Inc. (\$742,192.00) for the roof replacement of 21 Fire Rescue/Emergency Medical Services stations. (\$2,564,836.00 total one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contracts with Robert Binns Roofing, Inc., R.F. Lusa & Sons Sheet Metal, Inc., and Architectural Sheet Metal, Inc., for the roof replacement of 21 Fire Rescue/Emergency Medical Services stations. He recommended approval.

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

H.3. Request Board approve construction contract with FHS Industrial Constructors, LLC and Rodman Development, Inc., a Joint Venture, for the installation of replacement overhead doors at 23 Fire Rescue/Emergency Medical Services stations. (\$2,544,738.99 one-time expense).

Minutes: County Manager Bill Beasley discussed the construction contract with FHS Industrial Constructors, LLC, and Rodman Development, Inc., for the installation of replacement overhead doors at 23 Fire Rescue/Emergency Medical Services stations. He recommended approval.

Upon question, Mr. Beasley said each station has multiple doors.

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

H.4. Request Board approve construction contract with Bigfoot Construction, Inc. for the installation of replacement window shutter systems at 25 Fire Rescue/Emergency Medical Services stations. (\$680,723.00 one-time expense).

Minutes: County Manager Bill Beasley discussed the construction contract with Bigfoot Construction, Inc., for the installation of replacement window shutter systems at 25 Fire Rescue/Emergency Medical Services stations. He recommended approval.

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

H.5. Approve a Resolution to accept a grant award in the amount of \$1,000,000 and enter into a Grant Agreement for the Polk County FL Vision: Safer Roads FL [Safe Streets and Roads for All (SS4A) grant], as well as adopt a budget resolution to amend the FY 23/24 budget.

Minutes: County Manager Bill Beasley discussed the Resolution accepting a grant award in the amount of \$1,000,000 and enter into a Grant Agreement for the Polk County FL Vision: Safer Roads FL and adopt a budget resolution to amend the FY 23/24 budget. He recommended approval.

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

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Commissioner Lindsey Comments.

Minutes: Commissioner Lindsey discussed the recent passing of Brenda Taylor and said she was the first female county elected county commissioner in 1976. He said after her term in office she served the Polk County Economic Development Council and did a great job. He said they had 90 participants on the annual New Year's Day walk and said it was another success.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson said he wants to make sure we have all the information and details with what they are about to discuss. He said he wants to listen more than talk right now. He wished everyone a Happy New Year.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago wished everyone a Happy New Year.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee wished everyone a Happy New Year. He thanked

Commissioner Lindsey for mentioning Brenda Taylor and said she served honorably for a number of years. He said she also worked in right-of-way acquisitions. He said she was a classy lady and she will be missed by many people.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIR)

M.1. Chair Braswell Comments.

Minutes: Chair Braswell said a lot has happened and he does not have enough information to make any comments on this specific case. He said between the staff, county and the union there are procedures and processes in place to deal with these matters. He said we have a management problem in our fire department and it starts with Mr. Beasley. He said he has been here seven years and he has watched problem after problem come out of our fire department. He said it was easy to say it was rank and file for a long time but the fact remains we still have problems. He discussed the different leadership styles in the military and at Delta Airlines. He said it starts at the top. He said we need a top down audit of our management, procedures, policies how we run our fire department, and how we run personnel. He said there is something wrong here and the fire department has been the problem child since day one. He said if there is a problem in Code Enforcement and Planning no one is going to die or get hurt. He said they need to work together. He said he spoke to Stacy Butterfield and said there has to be an auditing/consulting group or an independent audit separate from fire because there has to be a problem there.

Commissioner Combee said the problem is systemic. He said nothing compares to the issues with fire and it has been going on for a long time and it is a top-down issue. He discussed how this happened years ago with the Water Management District. He discussed looking at the organizational structure and he said this needs to happen and it needs to happen quickly. He said lives depend on the work of the fire fighters, the paramedics, and EMT's. He said there is a problem and there may be more than one problem. He said he is not pro-union or anti-union that he is pro-right and pro-knowing from right and wrong. He said when you are dealing with the union people have to be treated equally and you have to have your policies in writing and you cannot make them up on the fly. He said it is up to those people at the top to make sure those policies are in place, equally enforced and published for all to see. He said that is what we need to look at. He said he is not sure about having those with no fire experience/knowledge.

Chair Braswell said he has no idea what is out there. He said he can work with Clerk Butterfield and see what they can find prior to the next agenda briefing and discuss it then.

Commissioner Combee said for the Water Management District it was shocking what they found and it was hard to defend what was going on. He said it has to be monitored and the sooner we get started the quicker we can solve the problem.

Commissioner Santiago said she has been here six years and she was hoping they would have the issues with Fire Rescue taken care of. She said she was disappointed to once again read about a situation. She said she does not have enough information and she approves of someone coming in and wants them to be objective and to not

have anything to do with any of the departments. She said we can take care of this and she approves moving forward on that.

Commissioner Wilson said when the woman passed away in the Kathleen area we brought in an outside firm to look at our organization. He said the first day he walked in here they were having problems in the fire department. He said there is always something that is going to happen good or bad. He said most of the people are wanting to see what the county is going to do. He said he wants to find out what went on and see what did happen. He said you have to have leadership to get the job done right. He said when it happens over and over something is not right. He said he wants to find out and he is not going to point fingers at anybody. He said sometimes it is people, human beings and egos. He said you will continue to have problems and it needs to change. He said he wants to hear both sides.

Commissioner Lindsey said he has complete confidence in the leadership and the manager's office. He said we are dealing with a unique work environment where people work 24 hours a day with time to talk and compare notes. He said he does not see any evidence that service has been compromised and when the bell rings everything is put aside and these professionals from top to bottom respond accordingly. He said we are dealing with personnel policy manuals and collective bargaining agreements and he said when all else fails read the instructions. He said that is why there are grievance procedures, grievance processes and adopted standards. He said he is not opposed to a fresh look and said he does not see this as a repudiation of leadership. He said it is a matter of codifying where the friction points might be.

Commissioner Santiago said that is why an objective entity would be best because they would be fair on both sides to see exactly what is going on.

Mr. Mink said the general policies can be provided to the Board by the County Manager's office. He said for this specific case they should allow it to go through the grievance process and the union will be involved with that. He said the Board will find out and that will become public.

Chair Braswell said they will have something at the next agenda review.

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 (LDCPAL 2023-5 Northeast Regional Park) (Adoption Hearing), a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Low-X (RLX) to Recreation and Open Space-X (ROSX) on ±80.26 acres and Institutional-X (INSTX) on ±1.95 acres to recognize an existing regional park and fire rescue station in the North U.S. Highway 27 Selected Area Plan.

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.

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

O.2. Public Hearing (LDCT-2023-18 Livestock and Fowl in Residential Neighborhoods) (First Reading), a County-initiated request to modify Section 222 to clarify the County’s code on nonresidential farm buildings and structures and allow variances to setback distances. (No Fiscal Impact).

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.

P. PUBLIC HEARINGS

P.1. Public Hearing to consider adoption of a Resolution to vacate portions of platted, unopened, and unmaintained rights-of-way shown on the map of the Town of Medulla which is a correction to the map entitled Henry Hays Map of Medulla. (No fiscal impact)

Minutes: Real Estate Service Administrator Wade Allen discussed the Resolution to vacate portions of platted, unopened, and unmaintained rights-of-way shown on the map of the Town of Medulla which is a correction to the map entitled Henry Hays Map of Medulla. He said there was an objection to the property owner to the east and said their primary access is not where this right-of-way is located. He said there are no other objections to the request. He recommended approval.

The Chair opened a public hearing; no one spoke.

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

ANNOUNCEMENTS

Minutes: Meeting adjourned at 10:06 a.m.