



Polk County Board of County Commissioners

Meeting Minutes - Final

March 07, 2023 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. (GEORGE LINDSEY, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. President's Volunteer Service Award - Lifetime Achievement (RSVP Polk Volunteers)

Minutes: Marcia Andresen, Health and Human Services Director, gave background information on the President's Volunteer Service Awards program. She said this award honors individuals whose service positively impacts communities in every corner of the nation and inspires those around them to take action too. She said the Lifetime Achievement Award is presented to those who have served over 4,000 hours with certifying organizations. She recognized Richard Fearnow, Charles Burdette, Bruno Migliorini, Donna Delf, and Lyndon Scherr with the Lifetime Achievement Award.

Chair Lindsey said citizen volunteers are very important to Polk County.

B. CEREMONIAL PROCLAMATIONS

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

C.1. Randy Wilkinson/Billy Townsend to share resolution for a new trial for Leo Schofield.

Minutes: Billy Townsend said he is a former Polk County School Board member. He said the jurors of Polk County made a terrible mistake in 1989 when Leo Schofield was sentenced to life in prison for a crime that another man committed. He said the jurors made this error because they were given bad information at the trial. He said a convicted murderer confessed to killing Michelle Schofield after Schofield's conviction. He discussed the evidence in this case. He encouraged everyone to listen to the Bone Valley pod cast about this case. He said he and Mr. Wilkinson are not part of Leo Schofield's defense team or acting on behalf of anyone's request. He said the Board represents the people of Polk County and they should use their voice to help correct this error with the new available information. He said he and Randy Wilkinson are very different people but they do agree that Leo Schofield is an innocent man who was wrongly convicted.

Randy Wilkinson discussed the death penalty being reinstated in Florida. He said 33 death row inmates have had their sentences overturned. He discussed Sheriff Judd's interview on the Bone Valley pod cast. He said the investigation into this case was very shoddy. He said the Innocent Project is involved in this case. He said he cannot say for sure that Leo Schofield did not kill his wife but there is a lot of doubt. He discussed the errors that were made in the Schofield trial. He said the main eyewitness was not reliable in this case. He said there is evidence that Leo Schofield did not commit this crime. He thanked the Board for their time and said he hopes the Board will recommend parole for Leo Schofield.

Chair Lindsey discussed Mr. Wilkinson's initial presentation. He said he has reviewed the court files and records in this case. He reviewed Mr. Schofield's appeal timeline and the evidentiary hearing. He said Judge Spoto denied the appeal and said it was also denied by the Second District Court of Appeals and they deferred to the findings in Circuit Court. He discussed Judge Spoto's multiple rulings and said he went into great detail about the facts, testimony and evidence in the case. He discussed Jeremy Scott's confession to Michelle Schofield's murder and other murders in Polk County. He said there is no doubt in his mind that there was no miscarriage of justice and the system worked the way it was supposed to work. He said this issue is far outside the Board's lane of responsibility and they have no standing to intervene in this matter.

Jacob Orr, Chief Assistant State Attorney, said he is here in response to the Schofield case being on the Agenda. He said this case has been reviewed by multiple prosecutors, judges and appellate courts. He said each review has been based on the actual evidence and testimony in the case. He said each of these reviews has determined that there is no reason to disturb this verdict. He invited anyone who has concerns about this case to come to the State Attorney's office to review the actual evidence and testimony. He thanked the Board for their time.

Commissioner Combee discussed his time as a member of the Legislature working with people who were sentenced under 10-20-Life. He said Mr. Wilkinson said it best when he said no one knows for sure if Leo Schofield is innocent. He said he respects Mr. Wilkinson and Mr. Townsend and said he has listened to the pod cast. He said this is not the place for these issues. He said Mr. Schofield does have a parole hearing

coming up soon. He said when you listen to the pod cast you are only hearing the defense's side of the case and not the prosecution's side. He wished them luck.

Commissioner Santiago thanked Mr. Wilkinson and Mr. Townsend for bringing this to their attention but said this request is outside the scope of the Board's responsibility.

Chair Lindsey said they will take no action on this matter.

C.2. Comments.

Minutes: Roger Harris discussed the air traffic control school in Polk County. He thanked the Board. He said the country has a national need for airline pilots, air traffic technicians, and mechanics. He discussed the financial barriers citizens of Florida face. He said working together they can unanimously support something special. He asked that they communicate with Florida Senators and Polk County's U.S. Congressional Delegation and encourage them to create and introduce a National Education and Workforce Development Tax Credit. He discussed how this tax credit would work. He discussed the CARES Act and said many Americans benefited from this. He said he was able to use this money and did not have to take out any student loans for his education. He encouraged the Board to support this.

Karen Winker said she is Chair of the CDD Supervisors. She said they are a community of approximately 1,200 residents in a gated community with a CDD. She said their roads are public but they are paying for the CDD and the bond. She said they have a guard house but no control over their roads. She said they have one means of egress and ingress for 1,200 homes. She said this community was not originally supposed to have 1,200 homes but the developer was granted the ability to expand the community. She discussed the traffic issues. She said most of their homes are short term rentals. She said they have a back entrance but the county said they could not use it due to the work that is needed. She said they were told the homeowner's would be responsible for that cost.

Chair Lindsey gave Ms. Winker additional time to speak for her group.

Ms. Winker discussed the issues with the short term rentals and house parties. She said this weekend a 19 year old was killed. She said they cannot deny access to the roads. She said they are paying for the roads but do not have any control over them.

Chair Lindsey said they do have recourse. He said the CDD Board is required to have citizen representation. He said they should review those records to find out when the citizen Board seat is made available to the residents.

Ms. Winker said three months ago the seat became available and the community has now taken over the CDD Board. She said the district manager and CDD attorney have told them they cannot deny access to anyone.

Chair Lindsey said that is probably true but they do have the authority to set rules and regulations. He said they have more latitude than they are being led to believe. He said they also have an HOA and they need to take control of that. He discussed the management companies that manage these properties and said they should meet with

each management company and establish rules and regulations to manage the community. He said they may need to hire temporary security guards. He said if they are not pleased with the CDD manager they can terminate them.

Commissioner Combee said this will not address the traffic issues and the back entrance. He discussed how far Solterra is from Ronald Reagan. He said Polk County permitted this development and they have a duty to provide some kind of relief on US 27. He said it does not need to be ignored that could compound the problem.

Chair Lindsey directed the group to meet with Roads and Drainage Director Jay Jarvis.

Connie Osner thanked the Board for listening to them and said this is the most positive information they have received. She discussed the safety risks and traffic issues. She discussed the expansion that is going on in Polk County. She said she does hold the Board partially responsible for allowing this massive amount of development without the proper infrastructure. She said their community was over developed. She said the infrastructure is insufficient. She discussed the traffic issues on Pine Tree Trail. She said she cannot be stuck in traffic for an hour trying to get into her development. She said she is the secretary of the CDD.

Commissioner Combee said Solterra was approved in 2005/06.

Robert Wells discussed the petition to vacate a right-of-way. He said he has attempted to get legal representation.

Chair Lindsey said Mr. Wells is here on item P.3 and it will be held during the Public Hearings. He said they will take up Mr. Wells' concerns at that time.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

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

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

E.1. Disbursements.

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

E.2. Minutes of Regular Board meeting held on February 21, 2023.

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

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Approve the Infrastructure and Impact Fee Credit Agreement between Jackstone Development LLC, GLK Real Estate LLC, Northeast Polk Land Investments LLC, CH-DEV LLC, JMBI Real Estate LLC; and Polk County for Powerline Road - Northern Extension Phase I (\$10,800,000.00 One Time Expense).

Minutes: County Manager Bill Beasley showed slides and discussed the Infrastructure and Impact Fee Credit Agreement between Jackstone Development LLC, GLK Real Estate LLC, Northeast Polk Land Investments LLC, CH-DEV LLC, JMBI Real Estate LLC, and Polk County for the Powerline Road - Northern Extension Phase I. He recommended approval.

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

- H.2. Approve Consultant Services Authorization (CSA) No. 22-084-01 with CONSOR Engineers, LLC (Consultant) to provide engineering services for the replacement of Rockridge Road Bridge No. 164138. (\$341,312.26 one-time expense)

Minutes: County Manager Bill Beasley discussed the Consultant Services Authorization No. 22-084-001 with CONSOR Engineers, LLC, to provide engineering services for the replacement of Rockridge Road Bridge No. 164138. He recommended approval.

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

- H.3. Approve Work Authorization No. 04 to Agreement 22-103 with Revere Control Systems, Inc. to provide Supervisory Control and Data Acquisition (SCADA) services for 10 existing Utilities lift stations. (\$743,728 lump sum expense)

Minutes: County Manager Bill Beasley discussed Work Authorization No. 04 to Agreement 22-103 with Revere Control System, Inc., to provide Supervisory Control and Data Acquisition services for 10 existing utilities lift stations. He recommended approval.

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

- H.4. Approve the Software as a Service Solutions Agreement (SaaS) and the Implementation Scope of Services for the Simplify i3 Software Solution with EPIC Engineering and Consulting Group, LLC. (\$248,260 lump sum one-time expense and approximately \$60,000 (4% escalator) recurring annual expense).

Minutes: County Manager Bill Beasley reviewed the Software as a Service Solutions Agreement and the Implementation Scope of Services for the Simplify i3 Software Solutions with EPIC Engineering and Consulting Group, LLC. He recommended approval.

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

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

- I.1. Appoint Edward Howell as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2022 through November 16, 2025.

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

- I.2. Commissioner Wilson Comments.

Minutes: Commissioner Wilson has no comments at this time.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

- J.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell had no comments at this time.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

- K.1. Appoint Linda M. Schultz as Alternate Member of the Polk County Planning Commission for the term January 3, 2023, to January 2, 2026.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Neil Combee

AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson
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K.2. Appoint Dr. Robert S. Hinds to serve as a member of the Housing Finance Authority for the remainder of the four-year term ending November 30, 2023.

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

K.3. Commissioner Santiago Comments.

Minutes: Commissioner Santiago had no comments at this time.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee had no comments at this time.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIR)

M.1. Chair Lindsey Comments.

Minutes: Chair Lindsey had no comments at this time.

N. LAY BOARD APPOINTMENTS

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

Minutes: County Attorney Randy Mink reminded the audience of the procedures of public hearings. He swore in those that plan on speaking today.

O.1. Public Hearing to consider the adoption of LDCT-2022-25, a County-initiated request for Reclaimed Reuse Systems and Section 932.B. The suggested hearings for a first reading on March 7, 2023, at 9:30 a.m. and the second reading on March 21, 2023, at 9:30 a.m.

Minutes: Land Development Director Ben Ziskal showed slides and discussed the county initiated request to authorize waivers of Reclaimed Reuse Systems in certain conditions. He said this is the first hearing and no action is required.

Chair Lindsey opened a public hearing; no one spoke.

O.2. A public hearing to consider the adoption of LDCT-2023-1, a County-initiated request for connection to an alternative wastewater treatment system for schools when central sanitary sewer (wastewater) is not available.

Minutes: Land Development Director Ben Ziskal showed slides and discussed the proposed county-initiated request which authorizes the use of distributed wastewater systems for schools located within the suburban development area and rural

development areas when central sanitary sewer is not available. He said this is the first reading and no action is required.

Chair Lindsey opened a public hearing; no one spoke.

- O.3. Public Hearing (LDCPAL 2022-21 Minute Maid Mixed Use US 27 RHX and TCCX) (Transmittal Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 27.19 +/- acres from 8.42 +/- acres of Employment Center-X (ECX) and 18.77 +/- acres of Tourist Commercial Center-X (TCCX) to 20.1 +/- acres of Residential High-X (RHX) and 7.09 +/- acres of Tourist Commercial Center-X (TCCX) in the North Ridge Selected Area Plan (SAP) and the Green Swamp Area of Critical State Concern.

Minutes: Land Development Director Ben Ziskal showed slides and discussed the proposed plan amendment. He said following the Planning Commission hearing there was an email in opposition received. He said this is a first reading and no action is required.

Chair Lindsey opened a public hearing; no one spoke.

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

P. PUBLIC HEARINGS

- P.1. Public Hearing to consider the adoption of LDCPAL 2022-25, a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.01 +/- acres from Residential Low-X (RLX) to Institutional INSTX) in the Urban Growth Area (UGA), Polk City Special Protection Area (SPA) within the Green Swamp Area of Critical State Concern. The suggested transmittal date is March 7, 2023, at 9:30 a.m. and the adoption hearing date is May 2, 2023, at 9:30 a.m.

Minutes: Erik Peterson, Land Development, showed slides and discussed the proposed Comprehensive Plan amendment. He said the Planning Commission voted for approval. He discussed the site location and the Seminole Indian Reservation. He said staff recommends approval. He said this is consistent with the Land Development Code and the Comprehensive Plan.

Chair Lindsey opened a public hearing; no one spoke.

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

- P.2. Public Hearing to consider adoption of a Resolution to vacate a portion of

Delbert Collins Road. Also accept a Warranty Deed for the replacement right-of-way for Delbert Collins Road, and authorize a County Deed for the conveyance of any interest the County may have in that portion of the vacated right-of-way lying outside the limits of the replacement right-of-way. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services, showed slides and reviewed the proposed vacation. He requested the acceptance of a Warranty Deed for the replacement right-of-way for Delbert Collins Road, and authorize a County Deed for the conveyance of any interest the County may have in that portion of the vacated right-of-way lying outside the limits of the replacement right-of-way. He said staff recommends approval.

Upon question, Mr. Allen discussed where the right-of-way is located.

Chair Lindsey opened a public hearing; no one spoke.

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

P.3. Public Hearing to consider adoption of a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the map of Florida Development Company Tract and the Replat of Prince Orange Manor, Davenport, Florida. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services, showed slides and discussed the proposed vacation. He said the developer has an infrastructure agreement with the county where they will construct a northerly extension of Powerline Road. He discussed the site location and said there is no objection to the vacation request. He said staff recommends approval.

Discussion followed as to which agenda item pertains to Mr. Wells.

Chair Lindsey opened a public hearing.

James Blanton discussed where his property is located and said they have been using this right-of-way his whole life. He said he does not oppose the vacation but he still wants to have access to his gate. He said the city of Davenport also uses this property and access for their fireworks and emergency vehicles. He said they use this gate frequently.

Mr. Allen said if the Board approves this vacation there are no conditions to a vacation. He said they will not be affecting the east to west access. He discussed where the flag lot is located. He said the driveway access was worked out with the developer previously.

Mr. Blanton said he does not disagree with Mr. Allen. He discussed the property he is concerned about and where the lake is located.

Mr. Allen said he is not certain where the road will be located. He said the City of Davenport has signed off on this vacation. He said there is a companion vacation that will be coming through the city.

Upon question, Mr. Allen said Mr. Blanton's property will touch the new right-of-way.

Commissioner Lindsey confirmed Mr. Blanton will have the ability to apply for driveway access to his property because his property fronts a public road.

Mr. Allen said he will have to meet the criteria for a driveway.

Upon question, Mr. Allen confirmed Mr. Blanton's property does touch the right-of-way today. He discussed where the pond possibly is located and said he is not sure if they can get an access road in the area.

Commissioner Combee said they are not sure what is going to go into this area.

Upon question, Mr. Allen said this item is time sensitive.

Jim Freeman, Jackstone Development, LLC, said there is a joint use pond between the road and the development to the north. He said the road was moved due to the Duke transmission line. He said part of the agreement is a negotiation with Duke Energy to allow the road to be built west of the transmission line and record a specific easement that would cover their transmission line. He discussed the flag parcel.

Chair Lindsey explained where Mr. Blanton wants to keep his gate access.

Mr. Freeman said if this right-of-way is vacated a portion of it would go to the property owner to the east and a portion will go to Jackstone Development in the west. He said the question will be with the Duke easement. He said they will sit down with Mr. Blanton and the City of Davenport and discuss the issues. He discussed the complex nature of the Duke easement and what the options could be.

Commissioner Combee said this has given him some comfort to know that they are not going to excavate under the powerline so it will be outside of the easement. He said it looks like Mr. Blanton will be fine but said no one can guarantee anything at this point.

Mr. Blanton said he is not concerned with what is happening on the west side of the line. He discussed the property that he sold to Jackstone Development previously. He asked that they give him an apron to access his gate.

Chair Lindsey said Mr. Blanton's concerns are well founded. He said once the existing right-of-way is vacated Mr. Blanton will have conveyed to him the eastern half of the right-of-way. He said the western half of the right-of-way will be conveyed to the other property owner which will be part of the new right-of-way. He said Mr. Blanton's property will still be contiguous to the new right-of-way.

Mr. Freeman said the complication is with the Duke easement and said that is what they will have to work out to make sure they do not run afoul of the restrictions.

Chair Lindsey confirmed that the easement does not prohibit ingress and egress under it.

Mr. Allen clarified that the county will not be conveying anything. He said the Property Appraiser's office will assemble the property.

William McKnight discussed his property location. He said he wants to make sure that he has access to his gate on the corner of Powerline Road and South Boulevard. He asked how wide the right-of-way is now.

Mr. Allen said the access will be preserved through the development. He said these plats are very old; he said they believe they have 30 feet of right-of-way. He said the Property Appraiser's office will handle the dividing of the property. Discussion followed.

Mr. McKnight discussed the parcels he owns and asked if he could get an easement to his property in case he wants to sell at a later date.

Chair Lindsey said Mr. McKnight will have the right to apply for a driveway permit under the standards in place at the time.

Upon question, Mr. Allen said they anticipate that Powerline Road will be the through movement.

Chair Lindsey said it is currently a two lane road but it will eventually be four lanes.

Mr. McKnight discussed the traffic issues in the area. He said they need to stop some of the development and let everything else catch up.

Chair Lindsey closed the public hearing.

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

P.4. Public Hearing to consider adoption of a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the map of Florida Development Company Tract. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services, showed slides and discussed the proposed vacation. He said Wells Florida Land Corporation has objected to the vacation request stating that side B is a legal access to their property. He said in response to this objection the petitioner has requested to amend the request to only include the vacation of rights-of-way A and C. He said the appropriate parties have received notification and have no objections to the vacation. He said staff recommends approval.

Upon question, Mr. Allen said rights-of-way A and C are to be vacated; he said

right-of-way B is not being considered today. He discussed the property owned by Wells Florida Land Corporation and said they currently have access on Huckleberry Road. He said there is a gap there that they have not been able to substantiate.

Chair Lindsey confirmed that A and C are still in the petition and B has been withdrawn.

Chair Lindsey opened a public hearing.

Robert Wells said he is here on behalf of Wells Florida Land Corporation. He said he has been trying to get an attorney. He asked who petitioned on behalf of them and who the attorney of record is.

Mr. Allen said no one has petitioned on their behalf; he said CEMEX is the applicant.

Chair Lindsey clarified that CEMEX is represented by Peterson and Meyers.

Mr. Wells said his concern is that they do not have a valid southern entrance. He discussed the issues with having only one entrance on 280 acres. He said he is currently doing a title search. He said he is concerned that they will be landlocked.

Chair Lindsey said that is not a matter to be determined here today but said that he should pursue that through his title work to confirm that. He said the application today is to vacate an old right-of-way of record. He said this no longer includes his property.

Mr. Wells said his belief is that if the northerly easement is connected they will not have access.

Upon question, Mr. Allen said it appears that right-of-way A or C does not access a public road. He discussed the easement on Powerline Road and the challenges in this area. He discussed the current access point and the width of the right-of-way. He said Mr. Wells does not have physical access now it is just legal. He said there are two other viable options that Mr. Wells can use that will get him to a maintained road.

Chair Lindsey suggested that Mr. Wells work on his easement to the south.

Upon question, Mr. Wade said everything out there is substandard and you would still need to cross Horseshoe Creek.

Shelton Rice, applicant, reviewed the proposed request. He said they are planning on mining to the south. He discussed the concerns from the Well's property with the vacation.

Upon question, Mr. Mink said this action does not improve or diminish Mr. Wells' access.

Upon question, Mr. Allen said the area south of area C is owned by Standard Sand.

Chad Priest discussed his property on Huckleberry Road. He said they are shutting down his easement.

Chair Lindsey said what they are doing here today does not change what Mr. Priest does or does not have.

Mr. Allen discussed the posting of these items. He said the area of the vacation request is an area he cannot reach so the advertisement is posted at the end of the roadway. He discussed the calls his office has received.

Chair Lindsey said they are not vacating anything on Huckleberry Road. He closed the public hearing.

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

P.5. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Avenue Q Northwest, Near Winter Haven. (estimated \$15,000.00 one-time expense)

Minutes: Amy Gregory, Roads and Drainage Traffic Manager, showed slides and discussed the installation of three traffic calming devices on Avenue Q Northwest, near Winter Haven. She said upon this request staff collected speed and volume data and crash history; she said Avenue Q Northwest met the Board's traffic calming policy criteria. She said they received the 80% favorable response for yes votes and non votes per the Board's policy. She said staff recommends approval.

Chair Lindsey opened a public hearing.

Savannah Desrochers submitted a letter on behalf of attorney Christopher Desrochers addressing his concerns. She said this road is the only access point for residents to access the Auburndale Health Clinic by pedestrian traffic. She said this area has open face drainage ditches; she said she has submitted requests to have sidewalks installed in this area but it was denied. She discussed her concerns with the speed humps not being ADA compliant. She asked that they find an alternative to this traffic calming device.

Upon question, Ms. Gregory said she will have to research ADA compliant speed humps. She said the speed humps go to the edge of the payment and there is no sidewalk.

Mr. Mink said they will have to look into the ADA compliant speed humps.

Robby Marsh said she is the longest residing resident on this street. She discussed her concerns with the placement of the speed humps and the ditches in the area. She said people do not stop at the four way stop and she wants to see the first speed hump placed closer to the four way stop. She said she is in favor of speed humps. She requested that the speed humps not be placed in front of her lots.

Lyndell Ryder discussed where his properties are located. He discussed the increased

traffic, speeding and placement of the speed humps. He said they have issues backing out of their driveway onto this road. He said the recent traffic has been using this road as a cut through. He said this will minimize the traffic. He thanked the Board.

Kenneth Aires said his house is in front of a drainage ditch. He discussed the issues with leaving his house onto this road. He said this is a highly dangerous road. He said there are speeding issues on this road and he is in favor of speed humps. He discussed the buses that use this road.

Discussion followed between the parties.

Chair Lindsey closed public hearing.

Upon question, Ms. Gregory said she has not heard anything today that would change her recommendation on the placement of the speed humps. She said they will look into ADA compliant speed humps.

Commissioner Combee discussed a previous request for ADA compliant speed humps in Wire Grass.

Mr. Beasley said at the request of a citizen they moved one of the speed hump locations so they could get into their mobile device at the end of the street.

Commissioner Combee discussed Attorney Desrochers letter and said this is something that they need to take seriously.

Mr. Mink said he will look into the facts of the case and he will work with Ms. Gregory to make sure they are in compliance.

Chair Lindsey said they do not have the latitude to ignore the rules so they will be in compliance with whatever the rules are.

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

P.6. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Duval Road, Near Winter Haven. (estimated \$15,000.00 one-time expense)

Minutes: Amy Gregory, Roads and Drainage Traffic Manager, requested this item be continued to April 18, 2023.

Chair Lindsey opened a public hearing.

Wayne Giddens discussed where his house is located. He said he supports the speed humps but he has concerns with the placement. He discussed the speeding issues in this area. He said the children play in the streets and said the roads are narrow. He said people are using this road as a cut through.

Ms. Gregory said each road is looked at separately.

Mr. Giddens said he would like to see the speed humps placed near the church. He thanked the Board for their public service. He discussed the growth in the county and said it is getting crowded.

Chair Lindsey said Mr. Giddens comments will be reflected at the April 18, 2023 Public Hearing.

Elizabeth Toomey said she drives these road all hours of the day and night. She discussed the kids that are playing in the streets and the posted speed limits. She asked why they are forcing people to slow down. She said speed humps are inconvenient, expensive and slows down emergency vehicles. She said she does not see a need for the speed humps. She said if people are concerned about their children they should make them play in the yard.

Chair Lindsey said Ms.Toomey's comments will be reflected at the April 18, 2023 Public Hearing.

RESULT:	CONTINUED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

P.7. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Forty-Third Street, Near Davenport. (estimated \$20,000.00 one-time expense)

Minutes: Amy Gregory, Roads and Drainage Traffic Manager, showed slides and discussed the installation of four traffic calming devices on Forty-Third Street, near Davenport. She said upon this request staff collected speed and volume data and crash history; she said Forty-Third Street met the Board's traffic calming policy criteria. She said they received the 80% favorable response for yes votes and non votes per the Board's policy. She said staff recommends approval.

Chair Lindsey opened a public hearing; no one spoke.

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

P.8. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Five Traffic Calming Devices (Speed Humps) on Hickory Road, Near Auburndale. (estimated \$25,000.00 one-time expense)

Minutes: Amy Gregory, Roads and Drainage Traffic Manager, showed slides and discussed the installation of five traffic calming devices on Hickory Road, near Auburndale. She said upon this request staff collected speed and volume data and

crash history; she said Hickory Road met the Board's traffic calming policy criteria. She said they received the 80% favorable response for yes votes and non votes per the Board's policy. She said staff recommends approval.

Chair Lindsey opened a public hearing; no one spoke.

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

P.9. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on James Street East, Near Davenport. (estimated \$10,000.00 one-time expense)

Minutes: Amy Gregory, Roads and Drainage Traffic Manager, showed slides and discussed the installation of two traffic calming devices on James Street, near Davenport. She said upon this request staff collected speed and volume data and crash history; she said James Street met the Board's traffic calming policy criteria. She said they received the 80% favorable responses for yes votes and non votes per the Board's policy. She said staff recommends approval.

Chair Lindsey opened a public hearing; no one spoke.

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

ANNOUNCEMENTS

Minutes: Chair Lindsey adjourned the meeting at 11:20 a.m.