



Polk County Board of County Commissioners

Meeting Minutes - Final

July 02, 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)

Rollcall

Present:	Commissioner George Lindsey Commissioner Bill Braswell Commissioner Neil Combee Commissioner Martha Santiago Commissioner Rick Wilson
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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: Jim Fogler said he was here on the first hearing on the public notices. He said he is against having the public notices just on governmental websites. He said it is important to continue giving citizens access. He said he is the Regional President for the USA Today Network and he is representing the Ledger and the newspapers throughout the state. He said if the Board is moving towards keeping them in local newspapers but adding them to the government websites; he said he is in support of that idea. He said the newspaper is where our readers have been getting these notices for decades. He said they also go on a statewide site called Floridapublicnotices.com.

He thanked the Board for all that they do and he said they do a great job.

Jessica Post asked why is there still a hearing today with the lawsuit group after the meeting on May 31st. She said that all the current places before June 1, 2024, were going to be grandfathered in or discussed. She said there was supposed to be a letter sent out by Randy Mink. She said we are continuing with another wasted hearing when we are waiting for an ordinance to be put in place. She asked when will this stop. She discussed tax breaks with money and money that could be brought in with River Ranch. She asked when this will be put in place.

Commissioner Combee said this is no easy matter to resolve and it has gone on for 50 years. He said it will get bigger and wider if we do not address this. He said he appreciates her research and maybe she should continue to research and find other properties who are paying zero taxes. He said they should be paying school and property tax and should be paying the same as everybody else. He said that is a goal of his.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	George Lindsey
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 June 18, 2024.

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

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Adopt Tentative Assessment Resolution and Assessment Roll for the 2024-25 Excessive Bulk Waste Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Resolution and Assessment Roll for the 2024-25 Excessive Bulk Waste Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. He recommended approval.

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

G.2. Adopt Tentative Assessment Resolution and Assessment Roll for the 2024-25 Nuisance Abatement Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Assessment Resolution and Assessment Roll for the 2024-25 Nuisance Abatement Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. He recommended approval.

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

G.3. Adopt Residential Waste Program Services Tentative Assessment Resolution setting the Estimated Assessment Rates for Fiscal Year 2024-25. (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Residential Waste Program Services Tentative Assessment Resolution setting the Estimated Assessment Rates for Fiscal Year 2024-25. He recommended approval.

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

G.4. Adopt Tentative Rate Resolution for the 2024-25 Fire Services Non-Ad Valorem Assessments.

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Fire Services Non-Ad Valorem Assessments. He recommended approval.

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

G.5. Adopt Tentative Rate Resolution for the 2024-25 Street Lighting Assessments.

(No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Street Lighting Assessments. He recommended approval.

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

G.6. Adopt Tentative Rate Resolution for the 2024-25 Central Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Central Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). He recommended approval.

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

G.7. Adopt Tentative Rate Resolution for the 2024-25 Southwest Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Southwest Inwood Street Lighting Municipal Service Benefit Unit. He recommended approval.

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

G.8. Adopt Tentative Rate Resolution for the 2024-25 East Bimini Bay Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 East Bimini Bay Utility Municipal Service Benefit Unit. He recommended approval.

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

G.9. Adopt Tentative Rate Resolution for the 2024-25 Island Club West Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Island Club West Utility Municipal Service Benefit Unit. He

recommended approval.

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

G.10. Adopt Tentative Rate Resolution for the 2024-25 Skyview Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

Minutes: Assistant County Attorney Noah Milov discussed the Tentative Rate Resolution for the 2024-25 Skyview Utility Municipal Service Benefit Unit. He recommended approval.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Request Board approve (1) construction contract with MidSouth, Inc. for the Deeson Road lift station and force main improvements project (\$2,307,365.50 one-time expense) and (2) CIP Amendment to the FY 23/24 Utilities Community Investment Program Expansion budget and a transfer from reserves in the amount of \$250,000.00. This project is partially funded through the American Rescue Plan through the United States Department of Treasury.

Minutes: County Manager Bill Beasley discussed the construction contract with MidSouth, Inc., for the Deeson Road lift station and force main improvements project, CIP Amendment to the FY 23/24 Utilities Community Investment Program Expansion budget, and a transfer from reserves in the amount of \$250,000.00. He recommended approval.

Upon question, Mr. Beasley said that they take a hard look at the low bids and have a conversation with the low bidder to make sure that nothing is left out. He said the good part is that we are seeing multiple bidders. He said the second lowest was only 5% above the first low bid.

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

H.2. Approve Subcontract Amendment thirteen between the Ounce of Prevention Fund of Florida and Polk County, for the provision of Healthy Families Polk Services for Fiscal Year 2024-2025 (\$1,585,843.75 One-time Revenue, \$400,000.00 Cash Match Contribution).

Minutes: County Manager Bill Beasley discussed the Subcontract Amendment thirteen

between the Ounce of Prevention Fund of Florida and Polk County, for the provision of Healthy Families Polk Services for Fiscal Year 2024-2025. He recommended approval.

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

H.3. Approve Lease Agreement between Ruthven Business Park II, LLC and Polk County. (\$236,000.04, initial estimated annual expense)

Minutes: County Manager Bill Beasley discussed the Lease Agreement with Ruthven Business Park II, LLC. He recommended approval.

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

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Appoint Merle H. Bishop, FAICP, CPM, as a member of the Polk County Planning Commission, for the three-year term, October 1, 2024 through September 30, 2027.

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

I.2. Commissioner Lindsey Comments.

Minutes: Commissioner Lindsey had no comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson wished everyone a Happy Fourth of July.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago wished all a happy and safe Fourth of July.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee wished everyone a Happy Independence Day. He said to remember that freedom is not free.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIR)

M.1. Chair Braswell Comments.

Minutes: Chair Braswell said that last week they had the Florida Association of Counties. He said he and Commissioner Wilson had the honor of awarding the Marlene Young Award to Mayor Demings of Orange County and he was much appreciative.

N. LAY BOARD APPOINTMENTS

N.1. Appoint Michael Phillips as a member of the Tourist Development Council for the four-year term, July 1, 2024, through June 30, 2028.

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

N.2. Appoint Zach Burek as a member of the Tourist Development Council for the four-year term, September 1, 2024, through August 31, 2028.

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

P. PUBLIC HEARINGS

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

P.1. PUBLIC HEARING to consider adopting an ordinance providing for publication of legal advertisements and public notices on a publicly accessible website in lieu of using a newspaper when newspaper publication is required by Polk County ordinance, resolution, code, board policy, or administrative order.

Minutes: County Attorney Randy Mink discussed the proposed ordinance providing for publication of legal advertisements and public notices on a publicly accessible website in lieu of using a newspaper when newspaper publication is required by Polk County ordinance, resolution, code, board policy, or administrative order. He said that they have a resolution on the Consent Agenda directing staff to publish advertisements in both the newspaper and online.

The Chair opened a public hearing; no one spoke.

Upon question, Mr. Mink confirmed that the ordinance is in lieu of the newspaper and the resolution allows both. He said this ordinance is a catch-all for the ordinances and resolutions that require publication. He said with this ordinance the notice that is published online is the controlling notice for hearings. He said the resolution is a direction to staff to publish both online and the newspaper.

Upon question, Clerk and Comptroller Stacy Butterfield, said this ordinance does not deal with or control the Clerk's requirements. She said that the Clerk's office follows Statutes for publication notices. She stated that there is a Statute that allows for online publication. She confirmed that it is in lieu of.

Mr. Mink said this ordinance only controls our ordinance. He said this does not apply to our Land Development Code and he said that is a separate matter that will be coming to the Board. He said it would not control anything that is required under Statute. He said for the budget Statutes require them to be published in the local newspaper and those are still required for the newspaper. He said that for the county everything will be available in print publications and online. He said the courts will publish based on the Statutes. He said that the county will publish online and the newspaper and there will be no cost savings. He said there are savings with the Sun publishing free of charge. He said there is a five-year agreement and it can be revisited.

Commissioner Combee said the Sheriff said he would utilize and benefit from online.

Chair Braswell said this is easy for him. He asked for everyone in the audience with a newspaper to raise it up and then those with a phone to raise it up.

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

P.2. PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, Publix Super Markets, Inc., and approval of a Performance Agreement with the company.

Minutes: Deputy County Attorney Sandra Howard discussed the ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, Publix Super Markets, Inc., and approval of a Performance Agreement with the company.

The Chair opened a public hearing; no one spoke.

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

P.3. PUBLIC HEARING (LDCT-2024-7 Water Star Text Amendment) (Adoption Hearing) to consider an amendment to the Land Development Code to add

Chapter 2, Section 212, Plumbing Fixtures and Appliances, and amend Chapter 2, Section 226, Irrigation Systems. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment. He said this is for water conservation efforts. He said numerous cities have adopted similar ordinances. He said that the Planning Commission and staff recommend approval.

The Chair opened a public hearing.

Cindy Rodriguez, South West Florida Water Management District, thanked the Board for their consideration. She said there will be a lot of beneficiaries. She discussed the savings for homeowners for homes built to Florida Water Star Standards. She said this is one of the tools to address water demands. She said they would be joining 14 municipalities in Polk that have implemented this. She said this provides consistency to builders and they are building to the same standards. She said she is looking for a favorable adoption.

Upon question, Mr. Ziskal said this is the standard. He said it will be a voluntary certification that the development community will do. He said this is not something that our staff will inspect and he said it will be an affidavit submitted to the Building Division. He said it is a standard for irrigation systems and plumbing fixtures during construction. He said they can only control what happens during construction and the installation of irrigation systems.

Upon question, Building Director Benjamin Dunn said that they would hold the Certificate of Occupancy if they were to find out that this did not occur.

The Chair closed the public hearing.

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

ANNOUNCEMENTS

Minutes: Meeting adjourned at 9:48 a.m.