



Polk County Board of County Commissioners

Meeting Minutes - Draft

November 05, 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)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

Minutes: The Board recognized Eddie Benton with Roads and Drainage, Nicole Walker with Cooperative Extension Services, and James Barnett with Roads and Drainage for their years of dedicated services.

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

C.1. Mr. Ryan Yeck - Flooding on Oakmont Lane

Minutes: Ryan Yeck was not present.

C.2. Mr. Wade Rogers - Flooding

Minutes: Wade Rogers was not present.

C.3. Comments.

Minutes: Jarrod Smith said he is representing people and said he is in south Lakeland off of Oakmont Lane. He said that there are about 20 people affected by flooding. He said they are asking for direction. He said some people have their insurance money and they do not know if they should rebuild or they do not know if the pumping will be a permanent solution. He discussed feasibility studies from the 1990's and early 2000's and he said the solutions have not been addressed. He discussed Clubhouse Road and the need for sidewalks and he said it took something tragic to happen before it was funded. He said they need direction on what the county's intention is and what they are proposing to do.

Commissioner Combee said the amount of rain from Hurricane Milton had not occurred anywhere in Florida since 1933 or 1934. He said we installed a pump in Lake Deeson and it failed. He said we have to change the concept of our regulations for standards on closed basins such as Oakmont or Lake Deeson. He said we cannot look at closed basins the same way we have knowing what happened. He said if there are 20 homes affected we have to put in a system of some sort.

Chair Braswell said we are working towards pumping the water out and will see what the cost benefit is to fix the problem. He said they are aware of it.

Tracy Boyette said they have lost everything. She said that they have had flooding for three weeks. She said the place where they felt safe they no longer feel safe. She said that they have begun the process of a cleanup. She said everyone they have reached out to has not responded. She said they have been visited by politicians and news crews and nothing has happened. She said the county has failed and they need action. She said they are left with nothing and the county never came out. She said they don't know what to do and they are looking at them for guidance.

Danny Boyette said their home stood in six inches of water for three weeks.

Chair Braswell said they will have to follow the process and file a claim with insurance.

Stacy Mickey thanked the county for implementing the pumping. She said for the last three weeks they have had trouble accessing their home. She said they had no garbage services or mail services. She said in the five years they have lived here they have had large quantities of rain and they have not seen the flooding. She asked do we rebuild, repair or remodel. She asked if they are going to allow the area to be a permanent flood basin.

Heather Sawtelle said her husband is a disabled veteran and is in the hospital now. She said they are testing him for e coli that is possibly from the water. She discussed concerns with an emergency exit and she said emergency services tried to come into their neighborhood and were not able to. She said they asked if they could use her truck to transport him and she said that is not feasible for a spinal cord patient. She said we do not like to say that we pumped the water in even though we have videos of water being pumped in from other neighborhoods. She said a lot of these houses were built in the 70's and she asked about the cost going back to the homeowners.

Roads and Drainage Director Jarvis said they have not made a decision on how much

they are going to pump out.

Bruce Davis said he has lived here for 28 years. He said it is getting worse every year. He said the problems are just going to get worse. He thanked Paul Womble, Phil Ervin, and Lon Locke for coming out. He said the water empties behind his property. He said there was 12 feet of water and now it is down to 6 feet. He said there is always water there. He thanked them for the porta johns.

Pamela Smith said they live on Lake Bonny and now they are homeless. She said they did a records request and she was told to ask the BoCC. She said the flood plain manager, Richard Benton, had no idea that this property has flooded. She said she has not gotten a response from her messages. She asked how are they not in a flood zone. She asked who designated them to be in Zone X. She said the City of Lakeland said to speak to the County Commissioners. She said they own a home that is no longer inhabitable and their insurance denied them.

Commissioner Combee said we do not create the flood maps the federal government does. He said if we wanted to create those maps we could not.

Chair Braswell said Zone X means moderate risk of flooding.

County Attorney Randy Mink will follow up with the records request.

Kevin Manuel discussed flooding and said he could not get emergency services if they wanted. He discussed sewage water from the flooding. He said all their neighbors left. He said he was told they will be flooded again and again. He asked what can we do to not be flooded. He said he does not appreciate being surrounded with this issue.

Vicki Manuel said they had to be rescued by boat. She said they lost everything and they made their home ADA for her husband and now they have nothing. She said they do not know where they are going and the floors are caving in. She said they are asking for help.

Mr. Manuel said they are looking for answers. He said that they are not happy with Roads and Drainage telling them they will flood again.

Ms. Manuel said when it floods it takes two weeks for the water to go down.

Diane Borders discussed road drainage in Highland Park Manor. She said it looks like they put one swale to one drain field. She asked when they have the equipment why not do more than one. She said on a regular basis there is a foot and a half of water in her driveway. She asked when they are coming back to finish.

Cassandra Richards said Commissioner Wilson has communicated with them. She thanked him publicly. She thanked the commissioners for doing the drain in front of her house. She said the hurricanes are getting stronger and the building needs to stop. She said her road is not a collector road.

Marian Ryan, Sierra Club, said she is here for their groups objection to the

amendments with the Green Swamp. She said the Green Swamp provides important flood storage and is a wildlife corridor. She said a better approach is to allow variances on a case by case basis. She said the county has continued to chip away at the settlement agreement. She said the long term picture must be transparent and the public must be involved.

Commissioner Lindsey said there is a protocol for FEMA. He asked what is the process, who do they contact, and what is a timeline for them to get an answer whether or not they are a candidate for condemnation.

Upon question, Emergency Management Director Paul Womble said the FEMA buyout is under the Hazard Mitigation Grant Program (HMGP). He said it is strapulated to eligible counties. He said they will get an estimate in five months, and you get twelve months lock-in and he said the lock-in can change. He said it will be at least a year before the HMGP funds come to the county. He said there has to be a partnership with the local government. He said they are still working on projects from Hurricane Irma. He said it is a very long process. He said it is a 75% federal share and 25% non-federal share. He said a buyout from the government will take years. He said he is not aware of an analysis on closed basins.

Michele Dean said they noticed development around their property a year after they bought their home. She said they noticed substantial flooding with the hurricane. She asked what is going to be done with the development on Banana Road. She asked if there will be a retaining wall built.

Dax Dean said this is generational land and it has never flooded. He said they got married, bought a home, built a business and he said it is all gone. He said it is not just them. He said they want to know what is next.

Commissioner Wilson said what has happened is bad and certain areas were impacted hard. He said when you get 14-18 inches of rain in a 12-24 hour period it is going to be tough. He said we are aware of this and we are doing everything we can across this whole county. He said he has instructed staff to look at all the places that flooded that never have flooded before. He said people forget when it dries up and put a house or subdivision on it. He said we understand what is going on. He said he lives on Peace River and he watches it everyday. He said we cannot control what is going on with mother nature and we never know what will happen. He said some places we cannot help. He said he will do everything he can to help and to keep this from happening.

Commissioner Combee said he agrees with Commissioner Wilson. He said the problem remains that we are not in charge of the flood maps. He said he does not know what we can do for those that have never previously flooded. He said to document and bring attention to FEMA and to those who do the maps. He said on his home he has paid \$1000 a year for 20 years for flood insurance. He said his house has never flooded and the map has him in a floodplain. He said he is sure there are others that wished they had flood insurance.

Leslie Quinn said don't they decide where development goes. She said at what point do they not have to take ownership.

Commissioner Combee said every person who lives here impacts it by being here.

Laura Coyle said she is opposed to adjusting the density requirements in the Green Swamp. She said this would open the door to more development. She said the Green Swamp is an Area of Critical State of Concern. She said our elected officials should be doing everything they can to protect this area. She discussed the importance of the Green Swamp. She asked them to not vote for this.

Commissioner Santiago said hearing all these stories and the catastrophic situations makes her pretty sad. She said she had her loss and she is still suffering. She said they are not removed from the situation. She thanked the neighbors and the churches that came out to help. She said where the government could not step out the people did. She said they will have to work with the municipalities to solve the problems. She said we are not as knee deep with flooding but we have had our fair share.

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

E.2. Minutes of Regular Board meeting held on October 15, 2024.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve 1) construction contract with Everett Whitehead & Son, Inc. dba Whitehead Construction for construction of a Polk County fire rescue training center in Bartow, FL. (\$15,576,045.00 one-time expense), and 2) CIP amendment and budget transfer in the amount of \$2,388,000.00 from General

Capital Improvement Fund Reserves.

Minutes: County Manager Bill Beasley discussed the construction contract with Everett Whitehead & Son, Inc., dba Whitehead Construction for construction of a Polk County fire rescue training center in Bartow. He recommended approval.

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

H.2. Approve 1) construction contract with Strickland Construction, Inc. for construction of a new sally port and demolition of the Lawrence W. Crow Building in Bartow, FL. (\$3,785,679.00 one-time expense), and 2) CIP amendment and budget transfer in the amount of \$1,572,000.00 from General Capital Improvement Fund Reserves.

Minutes: County Manager Bill Beasley discussed the construction contract with Strickland Construction, Inc., for construction of a new sally port and demolition of the Lawrence W. Crow Building in Bartow and CIP amendment and budget transfer in the amount of \$1,572,000.00 from General Capital Improvement Fund Reserves. He recognized Chief Judge Yancey, Public Defender Rex Dimmig and staff for being here.

Chief Judge Yancey thanked the Board for their continued support on this project. He said we will be expanding our courthouse by hopefully five judges by the end of next year. He thanked them and said we are all on board to provide judicial services for this county. He thanked Commissioners Combee and Lindsey for their services on the board.

Clerk and County Comptroller Stacy Butterfield said we have come to them collectively as the 10th Judicial Circuit and she said this includes an expansion of our staff. She said we have to add the staff and she thanked them for their support.

Mr. Beasley recommended approval.

Public Defender Rex Dimmig said he will also be leaving his current level of public service at the end of this year. He thanked Commissioners Lindsey and Combee for their service. He discussed working in the Hall of Justice, the Blue Metal Building and he said the time has come to move on. He said we have outgrown the space and this addition will continue with the group. He thanked the Board for all they do.

Commissioner Combee said these are low-bid projects. He said the county has changed back to a hard-bid and he thinks that is the better way to do this. He said he hopes the county will continue doing this.

Mr. Beasley said many of these bidders are local bidders.

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

H.3. Approve 1) construction contract with Henkelman Construction, Inc. for construction of the Polk County Sheriff's K-9 training facility in Bartow, FL. (\$2,696,800.00 one-time expense), and 2) CIP amendment and budget transfer in the amount of \$1,437,000.00 from General Capital Improvement Fund Reserves.

Minutes: County Manager Bill Beasley discussed the construction contract with Henkelman Construction, Inc., for construction of the Polk County Sheriff's K-9 training facility in Bartow. He recommended approval.

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

H.4. Approve construction contract with Strickland Construction, Inc. for expansion of the Lake Myrtle Sports Complex administration building. (\$1,585,363.00 one-time expense).

Minutes: County Manager Bill Beasley discussed the construction contract with Strickland Construction, Inc. for expansion of the Lake Myrtle Sports Complex administration building. He recommended approval.

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

H.5. Approve Agreement for Sale and Purchase between Alcoma Properties, LTD, UPCO, Inc. and Polk County in conjunction with the Environmental Lands Program, CLASAC Project EL-121-24 (Masterpiece Road). (\$24,071,000 total expense)

Minutes: County Manager Bill Beasley discussed the agreement for Sale and Purchase between Alcoma Properties, LTD, UPCO, Inc., and Polk County in conjunction with the Environmental Lands Program, CLASAC Project EL-121-24 for Masterpiece Road. He recommended approval.

Wade Allen, Real Estate Administrator, thanked the families of these corporations who have the insight to put this together and allow us to move forward. He thanked the CLASAC committee, Tabitha Biehl, and Gaye Sharpe. He confirmed that the closing is required to get the funding.

Commissioner Combee said it is two years to the day that the voters approved the CLASAC operation. He thanked Ms. Biehl and Ms. Sharpe. He thanked the tag folks and said most of them are volunteers. He said he thinks we are buying a subdivision that has not already been built.

RESULT:	APPROVED
MOVER:	Neil Combee

SECONDER:	Rick Wilson
AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson

H.6. Approve a Utility Infrastructure Agreement with Parcel K, LLC for the PARCEL K Project development (Not-To-Exceed cost of \$749,361.49).

Minutes: County Manager Bill Beasley discussed the Utility Infrastructure Agreement with Parcel K, LLC, for the PARCEL K Project development. He recommended approval.

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

H.7. Service Recognitions for Commissioners George Lindsey (District 1) & Neil Combee (District 5)

Minutes: Chair Braswell said he is pleased to recognize Commissioners Combee and Lindsey.

Chair Braswell said that Commissioner Combee was first elected as a commissioner in 1988 and served until 2004. He said Commissioner Combee was re-elected in 2020 and has been a county commissioner for 20 years. He thanked him for his commitment to Polk County. He said he has been appointed to the South West Florida Water Management District, served in the Florida House of Representatives, and appointed as State Executive Director for the United States Department of Agriculture. He discussed how he has improved the county for the residents. He thanked him for his commitment to Polk County. He wished him and his family the best.

Chair Braswell said Commissioner Lindsey was first elected as county commissioner in 2012 and served 12 consecutive years. He said Commissioner Lindsey served on the Charter Review Commission, the Polk County Cooperative Plan Committee, numerous other city and county committees and advisory boards, and as Chair of the Regional Water Cooperative. He said Commissioner Lindsey has worked to attract new employers and remove barriers to the expansion of existing businesses. He said he has worked to increase partnerships with the county and municipalities on planning, water quality and parks. He said he has been involved in many decisions that have positively impacted residents. He thanked him for his service and wished him the best.

Commissioner Combee said going back to 1988 everybody who served on the Board wore suits except Marlene Young. He thanked Jesus Christ for his life, family, and for the opportunity to serve the community. He thanked his wife and his family. He said there are not any easy answers for hard problems. He thanked all the county employees over the years. He thanked the voters for allowing him to serve. He thanked Jim Rhoden Jr., Judge Mark Carpanini, Lea Ann Thomas, Martha Bell, and all the members of the Board from past and present that he has served with. He thanked the Florida Legislature and his Legislative Assistant Barbara Blasingame. He said his focus has been the quality of life while holding down the cost of living. He thanked all who helped him succeed.

Commissioner Lindsey said it has been a privilege to serve on this Board and the numerous boards and committees that come along with it. He thanked all the staff he served with. He said nothing can get done with less than three votes and anything can get done with three votes. He said it takes a team and consensus. He said it is employees that make things happen and he said they are the glue that holds things together. He said he appreciates their service and dedication. He said this county is on solid financial footing and has reduced taxes for continuous fiscal years. He discussed the Holloway Trail, the expedited hearing process, creating the Sidewalk Committee, the continued commitment to public safety, establishment of the Polk Regional Water Cooperative, the Lakeland Area Mass Transit, opioid litigation settlement, and landfill technology. He said he is proud of how this Board handled the Covid crisis and he thanked Chair Braswell for giving strong leadership. He said he served three times on the Canvassing Board. He said of the thousands of votes that he has cast on this Board there is only one that he regrets and that is BS Ranch. He said he regrets not having the Transportation Surtax on the ballot and letting the people decide; he said time will prove that would have been the right decision. He said his parting advice is to read the instructions and stay in your lane.

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Commissioner Lindsey Comments.

Minutes: Commissioner Lindsey had no comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson had no comments at this time.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago wished Commissioner Combee and Lindsey a wonderful success in the future. She said please do not turn on the TVs to watch these or else they will be right back.

She thanked Polk County Tourism and Sports Marketing (PCTSM) staff, Avelo Airlines and the Lakeland airport. She said she participated on the first inaugural flight to Puerto Rico last week. She said they have wonderful work with the airlines and the people. She said PCTSM staff could not have done a better job. She said we need to use this airline and need to use it often and if not we are going to lose it. She said flying into Lakeland and being home in less than 30 minutes what a game changer. She said she enjoyed participating in the Sheriff's ribbon cutting for their training facility. She said it is about time and said it is great to see the agencies have top skills in training. She reminded everyone to vote today. She wished all the veterans a Happy Veterans Day and said she salutes all the past, present and future veterans.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee said that DOT was going to gift us the surplus property for the Old Florida Plantation. He said that is outstanding news and he wanted to see that property surplused for some use. He said there is a need to relocate Bartow's wastewater treatment plant and said we held up Lake Hancock longer than we should because of the plant. He said he asked for information on the Hampton tract and the ditch blocks that were placed in there. He said he suspects those ditch blocks on the Hampton tract had some impact on those in north Lakeland. He said someone said we need to upsize some culverts and he agrees but that is a monumental task. He discussed P-11 and the wastewater plant. He said Mike Scott will be an upgrade and he will try to get him to work on these things.

Commissioner Wilson said on P-11 the district did an amazing job with what they were up against. He said with the City of Bartow that is a problem as it stood. He said the other problem was by doing anything more then a lot more houses and places would have flooded. He said a lot can be done and he understands why that place was put there in the 50's and 60's. He said it is all downhill. He said we are all on board with doing what they can. He said the district did an unbelievable balancing act to keep everyone from not flooding downstream.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIR)

M.1. Chair Braswell Comments.

Minutes: Chair Braswell said he went to the ribbon cutting for the Sheriff's training center. He said we have the most accredited police force in the United States which translates to the world. He said there is 18,000 policing agencies in the US and less than one-half of 1% has any accreditation. He said our police force has ten. He said our Sheriff and his staff are committed to continuous training for our police officers. He said it was encouraging that 50% of the registered voters in Polk County had already voted before today.

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

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

O.1. Public Hearing (LDCPAL-2024-2 Wahneta Main Street Commercial CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change Section 2.134-A of the Wahneta Neighborhood Plan to allow for the establishment of the Main Street Commercial Overlay by adding new policies and mapping the Overlay on the Future Land Use Map. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

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

O.2. Public Hearing (LDCPAS-2024-22 Lake Blue Park CPA) (Adoption Hearing) to consider the adoption of a County-initiated Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation from Residential Medium (RM) to Recreation/Open Space (ROS) at the Lake Blue Park. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

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

O.3. Public Hearing (LDCPAS-2024-23 Lake Cannon Park CPA) (Adoption Hearing) to consider the adoption of a County-initiated Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation from Residential Low (RL) to Recreation/Open Space (ROS) at the Lake Cannon Park. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

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

O.4. Public Hearing (LDCPAS-2024-24 Lake Rosalie Park CPA) (Adoption Hearing) to consider the adoption of a County-initiated Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (LR) at the Lake Rosalie Park. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

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

O.5. Public Hearing (LDCPAL-2024-4 Spirit Lake Text CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change Future Land Use Element Policy 2.113-C3 in Objective 2.113-C Office Centers, to allow for the establishment of new Office Centers (OC) next to Commercial Enclaves (CE).

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

The Chair opened a public hearing; no one spoke.

Chair Braswell said we are still having trouble getting seven members to a Planning Commission meeting.

Mr. Ziskal said with the new policy they hope to eliminate that. He said the intent is to have seven members stay for the duration of the meeting. He said the alternate will also stay the duration of the meeting.

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

P. PUBLIC HEARINGS

P.1. Public Hearing (LDCPAL 2024-6 Grenelefe UEA Comp Plan Text CPA) (Transmittal Hearing) to consider a Large-Scale Comprehensive Plan Text Amendment to Section 2.130-E1 Grenelefe Utility Enclave Area (UEA) revising land use and development totals and related policies for property designated Residential Low-X (RLX), Residential Medium-X (RMX), Residential High-X (RHX), Tourist Commercial Center-X (TCCX), Development of Regional Impact-X (DRIX), add location criteria for Neighborhood Activity Center-X (NACX), and remove the requirement for a Planned Development. This case is related to a Comprehensive Plan map amended (LDCPAL-2024-5) on 526± acres. LDCT-2024-10 is a companion Land Development Code Text Amendment. (No Fiscal Impact)

Minutes: Chanda Bennett said she is presenting P.1, P.2 and P.3. She showed slides and said these are two text amendments and one map amendment. She submitted emails into the record. She reviewed the built out agreement and said there were over 1,300 units developed at that time. She discussed the land use maps. She said that Grenelefe had a Planned Development (PD) and it is now expired. She said there is school capacity and any new development will be subject to concurrency requirements. She reviewed the proposed policy changes. She discussed the traffic study requirements.

Upon question, Ms. Bennett said with the traffic study it will identify the improvements needed such as extra turn lanes. She said that is what they will figure out with the study.

Ms. Bennett said that staff recommends approval.

Upon question, Ms. Bennett said it allows for guest parking options.

The Chair opened a public hearing.

Bart Allen, applicant, showed slides and introduced his team with him. He thanked Chanda Bennett and Robert Bolton. He gave historical information on the site from the 1970's. He reviewed the proposed changes of 525 acres. He showed the proposed future land use map and said 90% of it is Residential Low. He said this reduces the intensity of what is approved today. He said they have taken the PD requirement and have built them in. He reviewed the proposed Land Development Code amendments. He showed a map of what the proposed development would look like. He discussed the utility analysis and said the existing facility has the ability to serve. He said there is a net reduction in transportation trips for this project. He discussed the amenities that will be implemented and said there will be over 25 acres of amenities.

Upon question, Mr. Allen said in location 7 there will be a dog park, walking trail, and splash pad. He said there is no ball field and it is based on the reactions of the residents. He said they do not have a planned soccer field.

Mr. Allen showed pictures of the amenities. He said that staff recommends approval.

Upon question, Mr. Allen said they are not aware of any flooding issues after the storm. He said the existing residents, Smokey Groves and this development would utilize the utilities.

Chair Braswell said his concern is with water, sewer and capacity. He said he has had people in his office under a boil water notice.

Mr. Allen said any new development will be under new utilities. He said ground saturation is why there were boil water notices. He said those systems will be separate and they will all end up at the same place. He said the utilities are still responsible for their utility lines. He said there is investments going into utilities based on the new developments. He confirmed that the withdrawal is regulated by the Water Management District.

Commissioner Santiago said it is not the capacity it is the age.

Glenn Lawhorn said Grenelefe was never intended to be anything other than a golf course. He said this will change this into an urban area. He asked why are we changing the lives of so many people for a developer. He said this is going to be a major impact to all the residents. He said it needs to be more fair for opposition having three minutes to speak and the applicant can have as much time. He discussed the surrounding area.

Dennis Leszczynski said their Board of Directors is in support of this. He said they are confident with the changes in place that they are fine.

Robert Lewis said he is in support. He said he has 70 signatures in support. He asked that this be amended. He said this reduces the density. He said the applicant has allowed them to have a voice. He said their visions have now merged. He said the density is compatible. He asked for a yes vote.

Mr. Allen spoke in response to public comment. He said there is significant investment going into utilities. He said if there are failures that it is Mr. House's responsibility to fix. He said this project has gotten better and better and less people are here in opposition.

Commissioner Combee said the plant is getting old and he said we have had bad experiences with private wastewater treatment plants. He said we do not hear about the good experiences and he is sure there are some.

Upon question, Mr. Allen said the package plants are with the mobile home parks. He said that is a package plant versus a utility system. He said the testing requirements are all met and there are no issues or notices of violations relating to the water and sewer plants.

Upon question, Keith Burge said there have been improvements in processes in the past 10-20 years. He said the system is regulated by FDEP, the Environmental Health Department and the rates are governed by Florida Public Service Commission. He said a report is filed each year to the Florida Public Service Commission for review. He said the facilities are visited by FDEP and the Health Department once a year to make sure it is in compliance. He said age is a consideration but Mr. House will put in whatever money is necessary.

Commissioner Santiago discussed the boil water issue and she said that was a concern. She said what was explained with the pipes she is looking forward to the upgrade. She said there are many promises made to the citizens. She said she wants to make sure this project is completed as promised.

Mr. Allen said they have implemented requirements that meet PD requirements and he said it is codified and the Land Development Code and Comprehensive Plan text amendments. He said there will be a CDD and the Board will see the CDD. He said it will be new piping for the new development and upgrades for the current system.

The Chair closed the public hearing.

Commissioner Combee said he remembers Grenelefe and it was a nice place at the time. He said the neighbors are like him and his neighbors and they are not interested in change. He said the idea that you can take this and rehabilitate this it is worth transmitting and seeing where it goes.

Chair Braswell said he hates seeing developments going in with homes where people paid a premium for golf courses. He said this is the definition of urban sprawl and there

is nothing out there to support it. He said what is going to happen if it is not approved it could only get worse and for that reason he will vote for a transmittal. He said there is not a good answer for this.

County Attorney Randy Mink confirmed that there is not anyone from the public wishing to speak on items P.2 and P.3.

P.2. Public Hearing (LDCT-2024-10 Grenelefe UEA LDC Text Amendment) (First Reading) amending Chapter 4, Special District, Section 402, Development of Regional Impact and Pre-Development of Regional Impact, and Utility Enclave Areas, revise introductory statements in Section 402, F. Grenelefe Utility Enclave Area (UEA), revise development standards for all land use districts in the Grenelefe UEA use Table 4.26, revise residential lot standards in Table 4.27, revise references to short term rentals, add a general land development plan, and other related changes. This case is a companion to Comprehensive Plan text amendment (LDCPAL-2024-6) and Comprehensive Plan map change (LDCPAL-2024-5). (No Fiscal Impact)

Minutes: This was presented with Item P. 1.

P.3. Public Hearing (LDCPAL-2024-5 Grenelefe DRI CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 526+/- acres from Tourism-Commercial Center-X (TCCX), and Development of Regional Impact-X (DRIX) to Residential Low-X (RLX), Residential Medium-X (RMX), and Neighborhood Activity Center-X (NACX) on 526± acres. This case is related to a Comprehensive Plan text amended (LDCPAL-2024-6). LDCT-2024-10 is a companion Land Development Code Text Amendment. (No Fiscal Impact)

Minutes: This was presented with Item P. 1.

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

P.4. Public Hearing (LDCPAL-2023-12 Green Swamp Density CPA Text) (Adoption Hearing) to change Section 2.132-D Rural Special Protection Area (Rural-SPA) and modifications of policy 2.132-D4 and policy 2.132-D5. (No Fiscal Impact)

Minutes: Erik Peterson, Land Development, showed slides and presented this with P.5. He reviewed the proposed text amendments. He reviewed the base density versus the wetland transfer density. He said the greatest impact is 432 additional properties in the A/RRX or 67 in the Corex. He said that staff recommends approval.

Upon question, Mr. Peterson said it is calculable. He said it is calculated by section, 164th for the 10 acre lots and 132nd for the 20 acre lots.

The Chair opened a public hearing.

Blair Quinn said the Green Swamp is the Green Swamp and she said we do not need

to be developing in it.

Commissioner Combee discussed density in the Core area. He said he wants to correct it and he said it has hurt people where they can't get anything because they miss it by that much. He said the recharge in the Green Swamp Area of Critical Concern is zero. He said it is false that there is recharge.

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

P.5. Public Hearing (LDCT-2024-13 Green Swamp Density Measurement Text Amendment) (Adoption Hearing) to consider a LDC Text amendment to Chapter 5, Section 502, Table 5.3, and Section 506 related to density and dimensional regulations within the Green Swamp Area of Critical State Concern. (No Fiscal Impact)

Minutes: This was presented with Item P. 5.

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

P.6. Public Hearing to consider adoption of a resolution to vacate a portion of maintained right-of-way for Holly Hill Grove Road 1. Also request the Board accept an Easement associated therewith. (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, showed slides and reviewed the proposed vacation request. He said the county has requested an easement. He said one of the data providers objected due to future needs. He said no other objections were received. He recommended approval.

Upon question, Mr. Lowery said subject signs have been placed in the area.

The Chair opened a public hearing.

Robert Volpe, representing the petitioner, said the Conditional Use went before the Planning Commission and Land Development with unanimous approval. He said this vacation is one of the conditions.

The Chair closed the public hearing.

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

P.7. Public Hearing to consider the adoption of an ordinance setting the yearly salary

of Commissioners in accordance with Section 2.5 of the Polk County Charter.

Minutes: County Attorney Randy Mink reviewed the ordinance setting the yearly salary of Commissioners in accordance with Section 2.5 of the Polk County Charter.

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 12:54 p.m.