



# Polk County Board of County Commissioners

## Meeting Minutes - Final

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### October 01, 2024 Regular BoCC meeting

In accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Communications Office not later than 48 hours prior to the proceeding. Their office is located in the County Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090 or TTY (863) 534-7777. If hearing impaired dial 7-1-1 for Florida Relay services or call (800) 955-8771 (TTY); dial (800) 955-1339 if you are using a computer.

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

Dr. William DeHart, Chaplain, Polk County Fire Rescue

### PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

### B. CEREMONIAL PROCLAMATIONS

#### B.1. Domestic Violence Awareness Month Proclamation

**Minutes:** County Attorney Randy Mink read the proclamation for Domestic Violence Awareness Month.

Clerk and County Comptroller Stacy Butterfield thanked the Board for the proclamation and for the time to recognize Domestic Violence Awareness Month. She said last year Polk County had more than 2,600 cases of domestic violence injunctions filed. She said there are five different types of injunctions for protection; she said the other types include stalking, dating, repeat and sexual violence. She said in all categories there were more than 4,600 cases filed last year. She said we have numerous resources available to assist domestic violence survivors. She said there is no cost for filing for an injunction for protection. She said there are DIY online tools that guide them through the step-by-step process. She said there is a new program that is effective today. She said legislation was passed to provide a Hope Card that is for survivors. She said it is a wallet size card or a digital card that provides all the details about the final injunction for protection. She discussed the Hope Card and said this makes it easier for law enforcement to assist survivors. She thanked all those in the community who help

provide the critical services. She thanked the agencies the provide critical services to survivors. She thanked the Director of Peace River Center Larry Williams, Court Administrator Nick Sudzina, and the Clerk's office that provides these services.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	George Lindsey
<b>SECONDER:</b>	Rick Wilson
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

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

C.1. Ms. Fawn Spacke - Discuss Land Use Section 222 (Livestock/Fowl)

**Minutes:** Fawn Spacke said she is in trouble for housing chickens on her property. She said 50 foot setbacks make it impossible to have chickens. She discussed other homes in her neighborhood that also have chickens. She asked if she has to be a part of the sanction exemption to house chickens. She discussed other city setback rules. She asked for them to review the setback rules. She said she is getting a variance and she is here to change the rules.

Commissioner Combee said he does not know why we are at 50 feet.

Chair Braswell said we will look into this.

Land Development Director Ben Ziskal will work on this and will bring something back to the Board.

C.2. Comments.

**Minutes:** There was no one else from the public wishing to speak.

**D. APPROVE CONSENT AGENDAS**

D.1. Approve Consent Agenda.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	George Lindsey
<b>SECONDER:</b>	Martha Santiago
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

**ELOISE COMMUNITY REDEVELOPMENT AGENCY**

D.2. Approve Eloise CRA Consent Agenda.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	George Lindsey
<b>SECONDER:</b>	Neil Combee
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

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

E.1. Disbursements.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Neil Combee
<b>SECONDER:</b>	Martha Santiago
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

E.2. Minutes of Regular Board meeting held on September 17, 2024, and Budget Public Hearings held on September 9, 2024, and September 16, 2024.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Neil Combee
<b>SECONDER:</b>	Martha Santiago
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

**H. COUNTY MANAGER (BILL BEASLEY)**

H.1. Approve an Interlocal Agreement with the City of Auburndale for Tourist Development Tax Funding for improvements to the Lake Myrtle Sports Complex and Auburndale Softball Complex. (\$26,901,740 estimated expense over 23 years)

**Minutes:** County Manager Bill Beasley discussed the interlocal agreement with the City of Auburndale for Tourist Development Tax Funding for improvements to the Lake Myrtle Sports Complex and Auburndale Softball Complex. He recommended approval.

Jeff Tillman, Auburndale City Manager, said this is a great partnership. He said the park is 250 acres and he said they are committed to the maintenance. He said the additional facilities will help them attract much larger events.

Upon question, Mr. Tillman said there were 1.1 million that visited in 2023.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	George Lindsey
<b>SECONDER:</b>	Rick Wilson
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

H.2. Approve Standard Grant Agreement No. QG010 between Polk County and State of Florida Department of Environmental Protection (FDEP) to fund the Wilson Ranch Reserve Hydrological Restoration Project. (one-time revenue \$7,500,000)

**Minutes:** County Manager Bill Beasley discussed the Standard Grant Agreement No. QG010 with the State of Florida Department of Environmental Protection to fund the Wilson Ranch Reserve Hydrological Restoration Project. He recommended approval.

Commissioner Wilson recused from voting.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Neil Combee
<b>SECONDER:</b>	George Lindsey
<b>AYE:</b>	Lindsey, Braswell, Combee, and Santiago
<b>Recused:</b>	Wilson

**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. Reappoint Eric Hinshaw as a Member (Seat 4) of the Industrial Development Authority, for the three-year term, November 7, 2024 through November 6, 2027.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Rick Wilson
<b>SECONDER:</b>	George Lindsey
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

J.2. Commissioner Wilson Comments.

**Minutes:** Commissioner Wilson had no comments.

**K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)**

K.1. Commissioner Santiago Comments.

**Minutes:** Commissioner Santiago had no comments.

**L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)**

L.1. Commissioner Combee Comments.

**Minutes:** Commissioner Combee had no comments.

**M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIR)**

M.1. Chair Braswell Comments.

**Minutes:** Chair Braswell said to County Manager Bill Beasley that they met about a month ago and he asked about the audit of HR.

Mr. Beasley said it was an efficiency study about technologies, staffing, and

organizational details. He said that study is complete and they are deciding which elements to implement.

Chair Braswell said he had two phone calls that the Supervisors of Elections' office in Bartow was broken into or there was a homeless person living in there.

Mr. Beasley said he has not heard anything and he will follow up.

Upon request, Waste and Recycling Director Dale Henderson said they have collaborated with Roads and Drainage and released a press release that explains to residents that if they have hurricane debris they can call customer service to be put on a list for it to be collected by Roads and Drainage. He said all other debris that is minor will be collected by Solid Waste crews. He said today we launched our new contracts with new equipment. He said a resident can retain their recycling cart and can put residential waste or yard waste in the cart or they can have the recycling container removed. He said waste and yard waste can be co-mingled. He said on Saturday they sent their first load of compressed natural gas. He said all the carts have Polk County on them.

Mr. Beasley said what is iconic today is that we are now in the frontline business in collecting garbage. He said 1/3 of the county is under our jurisdiction, trucks and employees.

Mr. Henderson said the trucks are 100% new.

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

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

O.1. Public Hearing (LDCPAL 2024-3 CR 640 Industrial Park CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Map Amendment on 380 +/- acres to change the Future Land Use from Phosphate Mining (PM) to Industrial (IND). (No Fiscal Impact)

**Minutes:** Land Development Director Ben Ziskal reviewed the proposed map amendment. He said that the Planning Commission and staff recommend approval. He said there were no comments from the Department of Commerce.

The Chair opened a public hearing.; no one spoke.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Martha Santiago
<b>SECONDER:</b>	Rick Wilson
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

O.2. Public Hearing (LDCT-2024-14 TCX Full-Service Car Wash Text Amendment) (Adoption Hearing) to modify Table 4.8, Use Table for US 27 Selected Area Plan. (No Fiscal Impact).

**Minutes:** Land Development Director Ben Ziskal reviewed the proposed text

amendment. He said that the Planning Commission and staff recommends approval. He said there are no comments from the Department of Commerce.

The Chair opened a public hearing; no one spoke.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Rick Wilson
<b>SECONDER:</b>	George Lindsey
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

**P. PUBLIC HEARINGS**

P.1. Public Hearing to consider approval of an Ordinance limiting code enforcement and/or building division action for certain Construction on property in unrecorded subdivisions.

**Minutes:** County Attorney Randy Mink discussed the ordinance limiting code enforcement and/or building division action for certain Construction on property in unrecorded subdivisions. He recommended approval.

The Chair opened a public hearing; no one spoke.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Neil Combee
<b>SECONDER:</b>	Martha Santiago
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

P.2. Approve a Resolution identifying unrecorded subdivisions where the Board of County Commissioners desires to limit code enforcement and/or building division action for certain Construction.

**Minutes:** County Attorney Randy Mink discussed the resolution identifying unrecorded subdivisions where the Board of County Commissioners desires to limit code enforcement and/or building division action for certain construction. He recommended approval.

Upon question, Mr. Mink said the pending litigation is independent of this. He said we do have counter-claims for code enforcement actions but this would help resolve those actions.

The Chair opened a public hearing; no one spoke.

<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	Rick Wilson
<b>SECONDER:</b>	Neil Combee
<b>AYE:</b>	Lindsey, Braswell, Combee, Santiago, and Wilson

**ANNOUNCEMENTS**

**Minutes:** Meeting adjourned at 9:39 a.m.

