



Polk County Board of County Commissioners

Meeting Minutes - Draft

June 18, 2024 Regular BoCC meeting

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If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

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

Minutes: Comments from County Attorney Randy Mink.

C.1. Comments.

Minutes: County Attorney Randy Mink said he would like to make sure that the record is clear from the comments he made at the last meeting about the gentleman who read the letter about litigation involving River Ranch. He said it was not his intent to assert that opposing counsel directed the individual to read the letter. He said that they have informed him that they did not direct the individual to read the letter. He said the letter was from opposing counsel and somehow the gentleman had gotten a copy of it and read it to the Board which concerned him.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

RESULT:	APPROVED
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MOVER:	Neil Combee
SECONDER:	Martha Santiago
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 4, 2024.

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

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Proposed Fiscal Year 2025 budgets for Highland Meadows, Highland Meadows II, Highland Meadows West, Lakeside Preserve, VillaMar and Yarborough Lane Community Development Districts.

Minutes: County Attorney Randy Mink discussed the budgets for Highland Meadows, Highland Meadows II, Highland Meadows West, Lakeside Preserve, VillaMar and Yarborough Lane Community Development Districts.

Commissioner Lindsey recused from voting.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Software-as-a-Service agreement with RapidDeploy for Next Generation 9-1-1 services \$1,564,000 over six years.

Minutes: County Manager Bill Beasley discussed the Software-as-a-Service agreement with RapidDeploy for Next Generation 9-1-1 services. He recommended approval.

Emergency Management Director Paul Womble said that they have had the capability

to text 911 if you cannot call. He said it will go to the appropriate call center based on your location and the dispatcher will interact over text.

Commissioner Combee said there is not any question on the emphasis the Board has on public safety. He said the Board deserves credit for that focus.

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

H.2. Request Board approve construction contract with Specialized Property Services, Inc. for exterior window restoration and door repairs at the Polk County History Center. (\$1,061,047.20 one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contract with Specialized Property Services, Inc., for exterior window restoration and door repairs at the Polk County History Center. He recommended approval.

Mr. Beasley said there were two bids and the second low bid was \$1,913,000.

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

H.3. Approve Agreement 22-103, Work Authorization No. 18 with Revere Control Systems, Inc. for the Southwest Regional Wastewater Treatment Facility (WWTF) Control Systems upgrade project. (\$404,015 one-time expense)

Minutes: County Manager Bill Beasley discussed the Agreement 22-103, Work Authorization No. 18 with Revere Control Systems, Inc., for the Southwest Regional Wastewater Treatment Facility Control Systems upgrade project. He recommended approval.

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

H.4. Request Board approve Amendment 6 to Contract 16-43 with The Kercher Group, Inc. (\$225,000.00 estimated expense)

Minutes: County Manager Bill Beasley discussed the Amendment 6 to Contract 16-43 with The Kercher Group, Inc., for asset management technology for the Roads and Drainage Division. He recommended approval.

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

Minutes: Commissioner Wilson had no comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Avelo Inaugural Flight Festivities

Minutes: Commissioner Santiago said she attended the Avelo Inaugural Flight Festivities. She said it was awesome. She said that Avelo is flying out and into Lakeland. She said it is a game changer for all of us. She said it took her 20 minutes to get to the airport.

Tourism and Sports Marketing Director Mark Jackson said this is huge news for Polk County. He showed slides and discussed Avelo. He discussed the destination with New Haven, Connecticut and the marketing/media snapshots for the flights. He said that the tickets sold exceeded their expectations. He said starting today and in July more routes will be announced. He showed videos of news clips of the airport and the flights.

Justin Laferriere, Tourism and Sports Marketing, discussed the marketing results. He said the first flight brought in 135 outbound and 133 inbound flights.

Chair Braswell said muy bueno.

Commissioner Santiago said this is a game changer and she wanted to make sure that everyone saw what took place.

Upon question, Mr. Jackson said that parking is free. He said this is a team effort and he cannot say enough about Mr. Beasley and Mr. Taylor. He said this is a business deal, we are making money for Polk County and hopefully creating jobs.

Commissioner Lindsey said his 10 day parking at Tampa International Airport was \$220.

Upon question, Mr. Jackson said the City of Lakeland handles the parking in regards to extended parking.

Commissioner Santiago said they will have all the details worked out down the road.

K.2. Commissioner Santiago Comments.

Minutes: Commissioner Santiago said that the Israel flag is from Commissioner Lindsey. She said that she is supportive of Israel also.

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 had no comments.

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

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

O.1. Public Hearing (LDCPAS-2023-33 Mediterranean Drive CPA) (Adoption Hearing) to consider the Future Land Use Map change from Development of Regional Impact (DRI) to Residential Low (RL-1X). (No Fiscal Impact)

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

Upon question, Mr. Ziskal said that the open space was designated in 1971 with the original Poinciana PUD.

The Chair opened a public hearing; no one spoke.

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

O.2. Public Hearing (LDCCD-2024-2 Mediterranean Drive Sub-District Change) (Adoption Hearing) to consider the Sub-District change from Residential Low (RL-1X) to Residential Low (RL-4X). (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed sub-district change. He said that the Planning Commission and staff recommend approval.

The Chair opened a public hearing.

Jean Reed asked why do we have to switch it to Residential 4. She asked if anyone has asked Poinciana to keep this open space. She said we already struggle to provide services.

Alejandro Bosch, engineer for this project, said the intent is to build 20 houses. He said they are expanding the water and sewer infrastructure. He said they are not proposing anything that is high in density or that will have a negative impact in the neighborhood.

The Chair closed the public hearing.

Upon question, Chanda Bennett said there is nothing permanent about the open space and it comes from the original plan. She said a lot of the open space is drainage patterns and as they deal with the drainage appropriately it can be developed. She said that when the legislature changed the Development of Regional Impact rules in 2016 they moved the responsibility of adjusting the development of Poinciana from the state to the county.

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

O.3. Public Hearing: (LDCT-2024-7 Water Star Text Amendment) (First Reading) 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 discussed the proposed text amendment. He said that this is the first reading. He said numerous cities have adopted similar ordinances. He said that staff and the Planning Commission recommend approval.

The Chair opened a public hearing.

Cindy Rodriguez, South West Florida Water Management District, said we have 14 of the 17 cities on board and builders are building to these standards. She said conservation is only one tool. She thanked the Board for their partnership with forming the Polk Regional Water Cooperative and addressing water supply. She said this is another tool that is making a difference. She said they are expecting 2.7 billion gallons a year in water savings. She said this is a great program for the district.

The Chair closed the public hearing.

P. PUBLIC HEARINGS

P.1. Public Hearing (LDCPAL-2023-13 Septic to Sewer Text Change CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to several elements of the Comprehensive Plan will be amended that address new septic tank limitations in areas with Basin Management Action Plans, a new overlay called Nutrient Restoration Plan Overlay (NRPO), and septic tank to sewer conversation in the NRP. This case is related to LDCT-2024-24. This case is requested to be continued to July 16, 2024. (No Fiscal Impact)

Minutes: County Attorney Randy Mink said staff is requesting to continue this and Item. P. 2 to July 16, 2024, at 9:15 a.m.

Continued to July 16, 2024, at 9:15 a.m.

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

P.2. Public Hearing (LDCT-2023-24 Septic to Sewer) (Adoption Hearing) to consider the adoption of a County-initiated request to amend the Land Development Code to add the Nutrient Restoration Plan Overlay, restrictions on septic tanks, and definitions. This case is requested to be continued to July 16, 2024. (No Fiscal Impact).

Continued to July 16, 2024, at 9:15 a.m.

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

P.3. Public Hearing (LDCPAL-2024-8 Smokey Groves Text Amendment CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to amend Policy 2.130-E1.1A in Section 2.130-E1 of the Comprehensive Plan to add “historic area of the” and replace “UEA” with “DRI” in the last sentence of the policy. (No Fiscal Impact)

Minutes: Chanda Bennett, Land Development, showed slides and reviewed the proposed text amendment. She showed the location of Grenelefe. She said the Planning Commission recommended approval 4/3. She explained what a Development of Regional Impact (DRI) is. She gave historical information and the timeline on the DRI. She said the maximum unit limit is 1,753 for the entirety of Grenelefe. She said that staff is proposing this additional language: Any development of the additional property that is either (1) in excess of four dwelling units per acre or (2) has lot widths less than 50 feet wide that cannot meet the requirements of Section 822.B of the Land Development Code (LDC), shall require a Planned Development (PD) approval. She said that this will allow this property to be equal to other R/L development in the unincorporated Polk County that have developed over the last 10-15 years. She said that staff recommends approval.

Upon question, Ms. Bennett confirmed that the acreage in yellow is 1,847 and there are 1,035 units currently.

Bart Allen, applicant, said 267 acres are in the red and half is preservation and half is R/L. He said they will call it 140 uplands, 425 units on there, and said we are about 3 units an acre on the uplands.

Upon question, Ms. Bennett said the DRI was approved for 1,935 units in 1973. She

said the 1,753 was added with the Comprehensive Plan in 2008. She said the 1,935 is a historical reference of what the DRI was for and is no longer valid. She stated the 1,753 is still the limitation for any new development anywhere within the Grenelefe Utility Enclave Area (UEA).

Mr. Allen announced the members here with him. He reviewed the proposed request. He said they are asking to remove a conflict with the Comprehensive Plan and the LDC. He said this only impacts the additional property and not the properties within Grenelefe, the golf course area, or any areas within the UEA. He said they are not asking for any more units. He said it allows the additional property to develop under the Comprehensive Plan and the LDC as it exists today. He said they are not asking for any modifications nor an increase in units. He said the original DRI was for 1,935 units that developed and was amended overtime. He said in 2008 with the build-out agreement, the Comp Plan was adopted creating the UEA they recognized that 1,359 units were existing and permitted at that time. He said the difference between the 1,935 and 1,359 never happened and he said it set the base at 1,359 and what it also recognized with the build-out agreement and the Comp Plan is that there would be an additional 1,753 units, 120 multi-family workforce housing, 300 unit hotel, additional convention space and other non-residential uses. He said over 3,000 units is allowed in the Grenelefe UEA. He showed the UEA area on a map. He said they are agreeable to staff's amendment. He said they have the availability of water and sewer to provide the services. He said they still have to meet concurrency through the Level 2 process and he said they are not asking for any deviation.

Upon question, Mr. Allen confirmed that ideally the two amendments could have been done at the same time as companion items. He said this is a clean-up to correct that issue. He said he does not represent the folks to the southeast. He said the 425 for the Smokey Groves comes out of the 1,753 for Grenelefe. He said it is 1,359 which is the current/existing and this is referred to as new development exclusive of the 1,359 existing. He confirmed that the hotel, convention center, multi-family housing is still part of the Comp Plan and LDC. He said a hotel would require a PD approval.

Mr. Allen reviewed the Grenelefe land use designations. He confirmed that total it will be over 3,000 units. He showed on a map where the development would occur.

Ms. Bennett discussed a PD approved in 2009 and she said it was not built and is no longer valid.

The Chair opened a public hearing.

Jarice Barbee said he is speaking for some of the residents. He said this text could be debated in several different fashions for the outcome of the future. He said there may need to be clarification on how the 1,753 will be developed and he asked if there are different numbers being added.

Don Fousek spoke in opposition. He discussed the permits not being done and he said that they expire today. He said they have done one of 35. He discussed a lawsuit and a judgment over \$100,000. He said there are big problems.

Glenn Lawhorn asked everyone in opposition to stand. He discussed traffic and said it will put 7,000 cars a day on the road. He said the schools are over capacity. He said the sewer system was built in 1973 and is over the maximum life expectancy. He said it is not if this is going to fail it is when and he said they will end up like Crooked Lake with sewage. He said if they deny this that problem goes away. He said the sewer plant has problems.

Theresa Soles discussed the houses to the east of the site. She said to consider three houses on 40 acres versus four to five houses per acre and she said there is quite a difference in the density.

Jeremy Knowles said today's decision would eliminate any Level 4 approvals if voted in favor. He said there would be no input from the public. He said the plant has a list of failed maintenance. He said there will be an increase of 80% on the plant. He said drinking water and waste water facilities are in danger of failing. He asked how can they approve this knowing they will have no more decision making on this. He asked for the Board to vote against this.

Luis Freire said Grenelefe is one of the most beautiful areas. He said most of the residents are over 80 years of age. He said there will be a problem with all the houses being built. He said there will be more traffic and accidents. He said there will be more problems with water resources. He discussed all the things that were promised to them.

A gentleman spoke and he said he researched Grenelefe and he discussed the plan for Grenelefe. He said a certain amount had to be used for recreation. He said the problem is that the DRI will allow multi uses and build it out. He said it should be preserved as residential.

Debra Spaulding asked that this be denied. She said they do not want a large scale development. She said their area is rural and they want to keep it that way. She said they do not want this to be a DRI that they are reserved for hotels and high development.

Robert Gravel spoke in support. He said this will provide long-term benefits and will be a safer environment with newer amenities. He said this makes sense for Grenelefe.

Ed Thayer said all he has seen is deterioration. He said we finally have someone that will make it better. He said if they build more, businesses will think about coming back out where they are. He said right now they have nothing and they lost everything that Grenelefe had. He said it is time to go forward instead of backwards.

Judy Torres said Grenelefe is evolving. She spoke in support and said she knows people who are looking for homes who want the amenities. She said the intent is to make a better place to live again. She said that change is coming and we need to embrace it.

Liazhira Rodriguez-Torres said she is excited and we should welcome these improvements. She said we have the opportunity to improve. She said we should welcome growth and it will bring new revenue. She said she was opposed and after

educating her self she supports this. She asked the Board to say yes.

Marilyn Crubaugh said she has a stack of water notices sent to the residents. She said they constantly have a strong odor of chlorine. She said the water is making them sick. She said her water was tested and it was four times the legal limit and there was a sewage spill.

Kathryn Tidwell said she agrees with the neighbors concerns with traffic. She said Grenelefe is deteriorating and needs upgrades. She said this will create additional habitats. She asked for support.

Jose Llavona said this will bring a lot of problems. He spoke in opposition.

Pablo Llavona said the guidelines are from the past and now we are trying to build on those guidelines. He said they are trying to put four homes per acre and he said the surrounding areas are larger.

Debra Kelly said there are gopher tortoises in Grenelefe. She discussed the laws protecting the gopher tortoises. She said there needs to be a permit for the endangered species. She spoke in opposition.

Robert Lewis said he is on the Grenelefe planning board and he is in support. He discussed the benefits and asked for a yes vote.

William Gibson said there is no plan to keep the residents off their property. He said he bought his property to play golf and now he cannot play golf. He said he rejects planning until they can have a golf course.

Jean Reed said this is going to change things and she does not know if they can figure out what works. She said anything more dense than three per acre needs to have a PD. She said with the wetlands we are limited with widening the road. She said there are no roads to the east or south. She cautioned the Board to not approve this.

Dennis Leszczynski said they would like to keep some of their privacy. He discussed the difference between the east and west side. He said they want more consideration on the west side. He said they have no green space on the west. He said they would like an opportunity for negotiation.

The Chair closed the public hearing.

Mr. Allen spoke in response to public comment. He said there is a defined term for additional property. He said there is nothing outside of the red box. He said the irrigation well serves multiple properties and he is confused about the ownership dispute. He said they have a binding letter of school capacity from the School Board saying that there is school capacity. He said there are no effective restrictions on any of these properties. He said they are aware of the gopher tortoise relocation rules and they are handling the environmental permitting.

Don Skelton discussed the traffic study and said this development would put 4,200

extra vehicles on the road daily and 481 during peak hours. He said we are not close to capacity and the roadway can handle everything. He said they are looking at a Level of Service C or B for the roads.

Keith Burge said this is not a package plant. He said the wastewater treatment plant is permitted for 340,000 gallons per day and currently the flows are at 125,000 gallons. He said it is permitted by the Florida Environment of Environmental Protection (FDEP) and they currently meet all rules and regulations and are operating within the parameters of FDEP. He said it is projected at 119,000 for Smokey Groves and they do have plenty of capacity. He said the water system is operating within the parameters, the chlorine is at acceptable levels and there are no issues currently with the water.

Mr. Allen said this only affects Smokey Groves and there will be a 150 acre buffer. He showed the area that will remain undisturbed. He said there is a staff recommendation of support. He said they are agreeable to the additional language that Ms. Bennett presented. He said this is an appropriate use for this and he requested approval for transmittal.

Commissioner Combee referred to Mr. Gravel's comments about saving the area and asked what is required and what is planned for amenities.

Mr. Allen responded and said the amenity center will be a result of the redevelopment of Smokey Groves, the money it will be contributing to infrastructure and then future development within Grenelefe. He said there will be additional development and amenities developed around the previous convention center. He said they will have to meet the amenity code and open space requirements. He said the primary amenity will be from the redevelopment in Grenelefe.

Commissioner Combee discussed the glory days and said they were short lived. He said if he was living east of Kokomo Road he would be looking for a lifeline and have someone throw a line and get them out of this. He said when you do not maintain a golf course you will get every invasive weed. He said he gets and understands the different types of lives on east and west. He said this goes back to 1973 and he thinks people are worried when it comes from a private waste water plant. He said that Mr. Burge said it is not true that it is not old and failing. He said that DEP has allowed package plants and small plants to operate that were not operating correctly. He said DEP has a dilemma if they shut them down so they try to find a way to work with the operators to keep them going. He said he hopes that is not the case here and that it is capable of serving. He said it is the county's best interest to monitor this and to know what the condition is of the plant. He said if they shut this down they have to do something. He discussed Skyview shutting down and working with the city of Lakeland for a solution. He discussed Crooked Lake and the Board using ARP funds and trying to solve the problem. He asked is there any valid reason for us not to do this and said he spent time with staff to figure out how this came about. He said he does not know if he has the ability to vote against it and that he does not think it is compatible. He said with today's view on compatibility, in the old days we had a transition and it has been gone for a number of years and he does not agree with it. He said we gave approval in 08/09 and he is not good pulling it out under them.

Upon question, Mr. Allen said this is only related to Smokey Groves. He said if not approved they could go forward with a PD, or looking at doing additional developments in Grenelefe, the 1,753 would still exist and they would pursue those rights. He said there are amenities for Smokey Groves. He said if denied they will go for evaluation of other items.

Commissioner Santiago referred to public comment and said she does not make her decisions based on the tax base but makes her decision on what is best for Polk County. She said most of the emails she receives from residents in the northeast area are to stop the growth. She said she is surprised to see residents here in support of growth. She said that is perplexing to her. She said she will wait until everyone talks before she says whether she approves or not.

Upon question, Ms. Bennett said she has not heard anything today that would change the recommendation for approval. She said that the second text amendment was not brought forward and had it been brought forward as a companion to the initial action they would not be here today. She said the sentence was added that at either the transmittal or adoption of the Comp Plan amendment could have been amended in 2009 when the LDC text was adopted. She confirmed that the current practice is to make those tandem so there is not disconnect as we have here.

Commissioner Lindsey said traffic and school currency is not within the purview of this Board. He said that the applicant is only responsible for the concurrency for traffic generated by that development and any deficiencies to that is not the property owner's responsibility. He said the same is for schools. He stated that the legislature does not allow schools to be built in anticipation of growth, only immediate growth. He said we all know that as soon as a school is built the next day we start building portables; he said this is not within the jurisdiction or purview of this Board. He said utility regulations are outside of our purview. He said that DEP is the agency responsible for managing the proper operation and regulation of waste water plants. He said the Health Department has that responsibility for water plants and water distribution systems. He said when those systems fail, the shortfalls are not the responsibilities of the tax payer or the rate payer of the existing system. He said those deficiencies become a special assessment on those specific customers and not the rest of the customer base. He said the wild life survey comes much later in the process and cannot be overlooked.

Commissioner Lindsey made a motion for transmittal; motion dies for lack of a second.

Commissioner Wilson said he gets both sides. He said something was done back in 2008, that made this maybe happen and puts us in a situation. He said he knows what is right and the property owner goes by what is there and he knows what people who live there feel like. He said he has been in Polk County all his life. He said he has seen this place explode and he does not like it but what is right is right. He said if Grenelefe was brought up for the first time today he could probably tell what would happen. He said this makes it tough and he sees both sides.

Chair Braswell said Grenelefe has been a disaster for a long time. He said without approving this he does not see a lifeline. He said he will support approval because it is

the only hope for Grenelefe and that area.

Commissioner Combee said too many developers are trying to see how much money they can make not how much they can spend. He said they quit maintaining it because they were losing money. He discussed Country Club Estates and said it had an old clubhouse then it failed. He said to remember the good and the bad. He said there will be some amenities and said he will have a hard time voting against this not that he likes it but does not like it. He said this is not a PD and we cannot put any conditions with parking on this.

Upon question, Ms. Bennett said the white box only applies only to Smokey Groves. She said the golf course remained DRI and to get anything other than recreation that would require a land use map amendment before the Board. She said the TCC would require a PD.

Commissioner Santiago said she is not willing to sacrifice Smokey Groves for what would take place in Grenelefe. She said it is either all or nothing and she will not be approving this.

Motion to Transmit and the motion includes the additional language in the white box regarding anything above four dwelling units per acre would require a PD.

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

P.4. Public Hearing (LDCPAL-2023-12 Green Swamp Density CPA Text) (Transmittal 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, discussed the proposed text amendment. He discussed base density versus wetland transfer density. He said they do not know the amount of wetlands until they measure and stake the wetlands. He said they did a maximum impact analysis.

Commissioner Combee said we are here for all those who own property within the Green Swamp. He discussed properties and said the lowest density in the Green Swamp is A/RR. He said they initially had 1 unit per ten acres. He said we are not talking about the core area and the core area was 1 per 20 where there is recharge. He said the recharge falls to zero. He said it does create a problem for people when they have 10 acres but they only have 9.9 acres of uplands. He said he will offer an amendment.

Mr. Peterson said it is consistent with the Comprehensive Plan and the Land Development Code. He said this will be transmitted to the Florida Department of Commerce.

The Chair opened a public hearing.

Tom Palmer said this is more helpful because they saw the maps. He asked why is it Polk's responsibility if someone makes a bad real estate investment. He said there has been no successor to review the Green Swamp and oversight of areas of critical state concern. He said growth in general has been almost invisible. He said if DCA objects they are free to ignore them.

Sue Nelson was sworn in by County Attorney Randy Mink. She said she is against this amendment. She said protecting the Green Swamp is vital. She said this is in an area of critical state of concern and should not have the same regulations as the rest of Polk County. She said this will create additional properties but they are not told the locations of the properties. She said there is not a map showing where these properties will be created.

Marian Ryan said she is a long time green swamp advocate. She said majority of green swamp property owners would oppose if they knew what was going on. She said the current policies and regulations have been in place for decades and they serve a purpose to protect the multiple ecosystems. She spoke in opposition and said we should do all we can to protect the Green Swamp.

The Chair closed the public hearing.

Commissioner Combee said the Green Swamp area of critical concern was created with a political boundary and said there is no other way around it. He discussed the surrounding areas. He said he does not want a whole lot of neighbors up there.

Mr. Peterson confirmed that this does not affect the core area.

Commissioner Combee said this is multi-generational ownership. He said when the Comp Plan was adopted it was one unit per acre and we worked it out to ten times that. He said for 20 years up until 2011 if you had 10 acres and met all the rules and regulations you could build with a permit. He said this amendment does nothing to jeopardize the Green Swamp. He said this will not have the same regulations the entire county does. He said the higher densities even though they are outside the critical area impact the Green Swamp and the rivers. He said his motion would be to transmit with a minimum of five acres of uplands determined by Polk County staff via the US Fish and Wildlife's wetlands mapper; motion dies for lack of a second.

Commissioner Lindsey asked if there are two issues here; one relating to the fractional calculation of 9.97 not being 10 and 4.99 not being 5 and the other issue is the density. He asked if we can bifurcate those.

Mr. Peterson said they could separate them but he does not know if they could do two separate ordinances. He said they could separate the Land Development Code into two separate ones.

Commissioner Lindsey said you consistently deny someone to divide their property and they cannot because it is two tracts less than 10 acres that seems to be arbitrary and

unfair. He said he would like to accommodate that fractional shortfall from the density issue.

Commissioner Combee said in the rules as they are written today you can have a 20 acre tract that can have 19 acres of wetlands and you can get a building permit on it. He said in the A/ARX you cannot get a building permit unless you have 10 acres of uplands. He said it is a terrible disparity.

Upon question, Mr. Peterson said you could put the lands together but you need road frontage. He said they do not issue a permit unless there is physical frontage on a public maintained road.

Commissioner Wilson said we are still going to have a problem when it is 4.98. He said we are just moving the bar and still have the same problems.

Mr. Peterson said they will have the map and bifurcate into separate ordinances.

Continue to July 16, 2024, at 9:15 a.m., and ask for staff to come back with a number or area of the land sales subdivisions, that as we speak right now, cannot based on our rules and regulations or this change get a building permit under any circumstances issued by Polk County.

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

P.5. Public Hearing: (LDCT-2024-13 Green Swamp Density Measurement Text Amendment) (First Reading) for a LDC Text amendment to amend Chapter 5, Section 502, Table 5.3, and Section 506. (No Fiscal Impact)

Continue to July 16, 2024, at 9:15 a.m.,and ask for staff to come back with a number or area of the land sales subdivisions, that as we speak right now, cannot based on our rules and regulations or this change get a building permit under any circumstances issued by Polk County.

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

P.6. Public Hearing to approve the vacation of portions of several plats associated with lands recently purchased by Polk County for conservation purposes.

Minutes: Assistant County Attorney Randall Vogel discussed the vacation of portions of several plats associated with lands recently purchased by Polk County for conservation purposes. He requested Board approval.

The Chair opened a public hearing; no one spoke.

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

P.7. Public Hearing to consider adoption of a Resolution to vacate platted, unopened, and unmaintained right-of-way (alley) as shown on the map of the Townsite of West Frostproof, Frostproof, Florida. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, showed slides and reviewed the vacation of a platted, unopened, and unmaintained right-of-way as shown on the map of the Townsite of West Frostproof. He said there are no objections to the proposed request.

Upon question, Mr. Allen said we have had some others closed out in this area. He said it takes 4-6 month time frame to do one of these. He said they reactively do these but they see how far they can move them to move them along. He said that some were partially closed.

The Chairman opened a public hearing; no one spoke.

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

P.8. Public Hearing to consider adoption of a Resolution to vacate platted, unopened, and unmaintained right-of-way as shown on the plat of Camp Lester, Lake Wales, Florida. (No fiscal impact.)

Minutes: Wade Allen, Real Estate Services Administrator, showed slides and reviewed the request vacating a platted, unopened, and unmaintained right-of-way as shown on the plat of Camp Lester, Lake Wales, Florida. He said there are no objections to the proposed request.

The Chair opened a public hearing; no one spoke.

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

P.9. Public Hearing to consider adoption of a resolution to vacate a portion of platted, unopened, and unmaintained right-of-way as shown on the maps of W.J. Howey Land Company and Starr Lake Florida, Lake Wales, Florida. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, showed slides and reviewed the proposed request vacating a portion of platted, unopened, and unmaintained right-of-way as shown on the maps of W.J. Howey Land Company and Starr Lake Florida, Lake Wales, Florida. He said there are no objections to the proposed request.

The Chair opened a public hearing; no one spoke.

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

ANNOUNCEMENTS

Minutes: Meeting recessed at 12:42 p.m.