



Polk County Board of County Commissioners

Meeting Minutes - Draft

October 17, 2023 Regular BoCC meeting

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Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

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

CALL TO ORDER - 9:00 a.m. (GEORGE LINDSEY, CHAIR)

INVOCATION

Minutes: A moment of silence was offered on behalf of Israeli victims of the terrorist attack.

Brian Lane, Polk County Fire Rescue Chaplain, gave the invocation.

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

Minutes: The Board recognized Kandis Baker-Buford from Equity and Human Resources, Daniel Egbert from Parks and Natural Resources and Michael Teate from Roads and Drainage for their years of service with the county.

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

C.1. Comments.

Minutes: Sarah Knight asked about the excess drainage from Imperial Lakes and she asked if there are going to be any roads going through Fuller Heights.

County Manager Bill Beasley said there will be no roadways cutting through Imperial Lakes to Fuller Heights. He said the drainage issues are more complicated but the

Fuller Heights community will not be impacted with any drainage improvements or roadway construction.

Joshua Nederveld said he has lived in his neighborhood for 11-12 years in Lake Thomas. He said his neighborhood is one of the quietest and it is humorous to him to add speed humps. He said they are not in need of speed humps and if there are accidents he is not aware of he would be in support.

Commissioner Combee said these are generated by the people who live there. He said the Board is not initiating this.

Chair Lindsey said Mr. Nederveld's comments are in reference to Agenda Item P. 6

D. APPROVE CONSENT AGENDAS

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

D.1. Approve Board of County Commissioners Consent Agenda.

ELOISE COMMUNITY REDEVELOPMENT AGENCY

D.2. Approve Eloise CRA Consent Agenda.

RESULT:	APPROVED
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 October 3, 2023.

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

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Comprehensive Services Agreement with HGS, LLC d/b/a RES ENVIRONMENTAL OPERATING COMPANY to design, permit, construct, monitor and maintain the Polk County Wilson Ranch Reserve Restoration Project. (No Fiscal Impact)

Minutes: Commissioner Wilson recused from voting on this item.

Deputy County Manager Ryan Taylor discussed the Comprehensive Services Agreement with HGS, LLC d/b/a RES Environmental Operating Company to design, permit, construct, monitor and maintain the Polk County Wilson Ranch Reserve Restoration Project. He recommended approval.

Upon question, Mr. Taylor said the county will be the final authority signing off on the restoration plan.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. To consider an Infrastructure and Impact Fee Credit Agreement for Power Line Road - Northern Expansion Phase 2 between Jackstone Development, LLC, GLK Real Estate, LLC, Northeast Polk Land Investments, LLC, Cassidy Holdings Group, LLC and Polk County

Minutes: County Manager Bill Beasley discussed the Infrastructure and Impact Fee Credit Agreement for Power Line Road - Northern Expansion Phase 2 between Jackstone Development, LLC, GLK Real Estate, LLC, Northeast Polk Land Investments, LLC, Cassidy Holdings Group, LLC and Polk County. He recommended approval.

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

H.2. Approve agreement with Alfred Benesch & Company for a comprehensive impact fee study and update. (\$215,125.00 one-time expense)

Minutes: County Manager Bill Beasley discussed the agreement with Alfred Benesch & Company for a comprehensive impact fee study and update. He recommended approval.

Chair Lindsey said they have spent six or eight months, got untold staff time, saving

\$75,000 on advertising in public newspapers, and it is \$115,000 more than Duncan who has done our work for the last 15 years. He said it seems excessive and he will be voting against the motion.

Commissioner Combee discussed concerns with impact fees for warehouses going almost to zero. He said anybody who rides around Polk County can see the impact these trucks are having on north Lakeland and the west side of the county. He said it was a major mistake reducing it.

County Attorney Randy Mink responded and said that they made this a material part of this agreement for that study.

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

H.3. Approve an Interlocal Agreement with the City of Winter Haven for Tourist Development Funding for improvements to the Chain of Lakes Complex. (Estimated \$13,023,000 from the Tourist Development Tax fund over a period of 20 years)

Minutes: County Manager Bill Beasley discussed the interlocal agreement with the City of Winter Haven for Tourist Development Funding for improvements to the Chain of Lakes Complex. He recommended approval.

Upon question, Mr. Beasley confirmed there is no O and M obligation going forward. He said typically on the 20-year bond there is a provision allowing for early pre-payment of the county's obligation. He said the funding for this is from the Tourist Development Tax from the bed tax. He said it is not a part of the county's general fund or any other fund and he said it is associated with the tourism that is generated.

Commissioner Combee said he does not know how this will work out in the future with construction prices. He said he was wondering on these projects that it may be something to look at; he said with the road projects we are not using CMAR we bid those.

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

H.4. Approve agreement with AECOM Technical Services, Inc. to provide professional engineering services for northeast Polk County minor road projects and a CIP Amendment and budget transfer. (\$2,647,882.00 one-time expense)

Minutes: County Manager Bill Beasley discussed the agreement with AECOM Technical Services, Inc., providing professional engineering services for northeast Polk County minor road projects and a CIP Amendment and budget transfer. He

recommended approval.

Commissioner Combee said half of this is engineered and allocated to Deen Still Road, North Ridge Trail Phase 4 and Waverly Barn Road. He said so much of the problems traffic wise were brought on by the distribution/logistics facilities. He said we got to find a way to pay for this and come up with an impact fee schedule. He said saying they are not impacting the roads is insane to him. He said this is an example of what we are facing for those looking at the impact fees.

Roads and Drainage Director Jay Jarvis said those three projects are in the \$30-\$40 million range plus engineering and right-of-way.

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

I.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson had no comments at this time.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell had no comments at this time.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago had no comments at this time.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee had no comments at this time.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIR)

M.1. Chair Lindsey Comments.

Minutes: Chair Lindsey had no comments at this time.

N. LAY BOARD APPOINTMENTS

N.1. Appoint Dexter Pagara as a member of the Tourist Development Council for the four-year term, September 1, 2023, through August 31, 2027.

RESULT:	APPROVED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson

AYE:	Lindsey, Braswell, Combee, Santiago, and Wilson
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O. EXPEDITED HEARINGS PURSUANT TO RESOLUTION NO. 2022-089

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

O.1. Public Hearing (LDCPAS-2023-12 Jemma Estates Land Use CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 1.66 +/- acres from Residential Low 2 (RL-2) to Residential Medium (RM) in the Urban Growth Area (UGA).

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

The Chair opened a public hearing; no one spoke.

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

O.2. Public Hearing (LDCPAS-2023-14 Poinciana Marigold Avenue Fire Station CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 9.83 +/- acres from Poinciana Pre-Development of Regional Impact (PRE DRI#) to Institutional (INST) in the Utility Enclave Area (UEA).

Minutes: Land Development Director Ben Ziskal reviewed the proposed land use change. He said that staff recommends approval.

The Chair opened a public hearing; no one spoke.

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

P. PUBLIC HEARINGS

P.1. Public Hearing to consider adoption of a Resolution to vacate platted and unmaintained rights-of-way as shown on the Revised Plat of Crooked Lake Subdivision, Lake Wales, Florida. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, showed slides and reviewed the proposed vacation request of rights-of-way. He said there are no objections to the request. He recommended approval.

The Chair opened a public hearing; no one spoke.

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

P.2. Public Hearing to consider adoption of a resolution to vacate a platted public drainage and utility easement as shown on the Plat of Poinciana Neighborhood 5 North Village 3, Poinciana, Florida. (No fiscal impact)

Minutes: Wade Allen, Real Estate Services Administrator, showed slides and reviewed the proposed vacation request for a drainage and utility easement. He said there are no objections to the request. He recommended approval.

The Chair opened a public hearing.

Marion Skilling said she is here on behalf of the property owner and is available for questions.

The Chair closed the public hearing.

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

P.3. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on Central Avenue Northwest, Near Kathleen. (estimated \$10,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, showed slides and reviewed the resolution allowing for the installation of two traffic calming devices on Central Avenue Northwest, near Kathleen. She said that they received the required 80% favorable votes. She recommended approval.

Upon question, Ms. Gregory confirmed that this is initiated by the residents. She said there are three properties along this stretch.

Commissioner Combee said he has gotten calls on this and said people look at this as the main road in Kathleen and it is like putting speed humps on South Florida Avenue.

Ms. Gregory said they got two yes votes and one did not respond. She said if they do not respond it is considered a yes vote. She said it is stipulated in the letter that if they do not respond it is a yes vote.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Martha Santiago
SECONDER:	Bill Braswell

AYE:	Lindsey, Braswell, Santiago, and Wilson
NAY:	Combee

P.4. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Colonial Avenue, Near Lakeland. (estimated \$20,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, showed slides and reviewed the resolution allowing for the installation of four traffic calming devices on Colonial Avenue, near Lakeland. She said that they received the required 80% favorable votes. She recommended approval.

The Chair opened a public hearing.

Christopher Jones said he and his wife initiated this request. He said since the roads were being repaved they asked that this be done. He discussed speaking to the neighbors and he said that this is used as a main road. He discussed speeding. He discussed the traffic from Southeastern University. He said he appreciates the Israeli flag on the dais. He said this road is a drag strip.

The Chair closed the public hearing.

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

P.5. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Seven Traffic Calming Devices (Speed Humps) on Ellerbe Way and Griffin Avenue, Near Lakeland. (estimated \$35,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, showed slides and reviewed the resolution allowing for the installation of seven traffic calming devices on Ellerbe Way and Griffin Avenue, near Lakeland. She said they received the required 80% favorable votes. She recommended approval.

The Chair opened a public hearing; no one spoke.

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

P.6. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Six Traffic Calming Devices (Speed Humps) on Lake Thomas Drive, Near Winter Haven. (estimated \$30,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, showed slides and reviewed the resolution allowing for the installation of six traffic calming devices on Lake Thomas Drive, near Winter Haven. She said that they received the required 80% favorable votes. She

recommended approval.

Upon question, Ms. Gregory said that she can get the Board the information on the number of applications that do not meet the criteria. She said the request came from a resident on the north side and there is a different traffic pattern on the south side. She said that there was not a request for the south side.

The Chair opened a public hearing.

Bob Hayes said the road is not a continuous loop and the south may not get the cut through traffic. He said there are 18 streets that intersect Lake Thomas Drive. He discussed people on their cell phones and not paying attention while driving. He said people do not slow down. He said to take this into consideration.

Ms. Gregory said 875 was the daily car traffic and the average speed was 40 m.p.h.

Dustin Bovill said they are for this. He said they have three small boys and the amount of traffic speeding is ridiculous. He said they are going past his house 30 - 40 m.p.h. He discussed his dog being hit by a car. He said this is always used as a cut-through.

Monica Caputo said she is in favor of this. She said that people do use this as a cut-through. She said people go 50 m.p.h. She said there is no sidewalk.

Lyle Herbst said he lives on the street and said he agrees with the two prior speakers. He said that people walk in the morning and there are no sidewalks. He said people jump into the lawns to avoid the cars. He asked for a sidewalk to be put in. He discussed the high speeding.

Darlene Baker said she lives where the humps are being put in. She said there are one or two people who go too fast. She said she always walks and it is a quiet community and she said this is not an everyday thing. She said she would like a sidewalk and that they need law enforcement to give tickets. She said the speed bump would be the last thing to do. She said they do need another stop sign.

Chair Lindsey said that we do have a Sidewalk Advisory Committee that makes recommendations to the Board to fund the sidewalk requests.

The Chair closed the public hearing.

Commissioner Combee said all of us up here feel their pain. He said all of us drive and we see what is going on here. He said he would love to see more enforcement.

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

P.7. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Nine Traffic Calming Devices (Speed Humps) on Wakulla Drive, Near Winter

Haven. (estimated \$45,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, showed slides and reviewed the resolution allowing for the installation of nine traffic calming devices on Wakulla Drive, near Winter Haven. She said that they received the required 80% favorable votes. She recommended approval.

The Chair opened a public hearing.

Frank Tilley said he is concerned about the water flow with the speed hump. He said he is the last one and the water comes into his driveway. He said he would like staff to take that into consideration.

Chair Lindsey said they will direct staff to take that into consideration.

Lindsey Walker said she started the petition. She said there are bus tops and when people are flying down the road they cut in people's yards. She said there are a lot of walkers and there are no street lights in the neighborhood. She said the road is narrow and there is no room for sidewalks. She said she is in favor of speed humps.

Travis Farnum said the last speed hump is on their property. He said no one uses any of the stop signs and he said someone did 60 m.p.h. by his house. He said he is for the speed humps that they would like consideration from the spacing. He said water comes from the driveway into the retention pond.

Roads and Drainage Director Jay Jarvis confirmed that they are looking at not impeding drainage flow with the speed humps

The Chair closed the public hearing.

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

ANNOUNCEMENTS

Minutes: Meeting adjourned at 10:19 a.m.