



Polk County Board of County Commissioners

Meeting Minutes - Final

November 07, 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

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

Minutes: The Board recognized Robert Richards from Information Technology and Lisa Smith from Fire Rescue for their years of service.

B. CEREMONIAL PROCLAMATIONS

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

C.1. Comments.

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

D. APPROVE CONSENT AGENDA

RESULT:	APPROVED
MOVER:	Martha Santiago

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

D.1. Approve Consent Agenda.

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 17, 2023.

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

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Conservation Land Acquisition Selection Advisory Committee (CLASAC) recommendations on the following sites nominated to the Environmental Lands Program are to pursue acquisition on EL-100-23, EL-101-23, EL-102-23, EL-104-23 and EL-105-23 and to not pursue acquisition of EL-103-23. (No Fiscal Impact)

Minutes: County Attorney Randy Mink discussed the Conservation Land Acquisition Selection Advisory Committee (CLASAC) recommendations on the following sites nominated to the Environmental Lands Program and to pursue acquisition on EL-100-23, EL-101-23, EL-102-23, EL-104-23 and EL-105-23 and to not pursue acquisition of EL-103-23.

Chair Lindsey recused from voting.

Gaye Sharpe, Parks and Natural Resources Director, showed slides and discussed the six sites nominated for acquisition. She showed a map of where the sites are located.

Tabitha Biehl, Parks and Natural Resources, discussed the properties and gave background information on the sites.

Commissioner Wilson said these are different properties across the board and are great conservation. He said we will see how many we can wind up with. He thanked everyone on CLASAC and our staff. He said this is hard work.

Upon question, Ms. Biehl said that they will be looking at partnerships and how quickly the seller wants to move forward. She said we are pursuing each of these as they move forward. She said they are in constant communication with the state and local partners, municipalities and non-profits.

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

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve Standard Grant Agreement #22FRP12 with the State of Florida Department of Environmental Protection (FDEP) to provide funding for the project: "Polk County Peace Creek Canal Basin Wetland Restoration" (\$7,050,000 one-time revenue).

Minutes: County Manager Bill Beasley discussed the Standard Grant Agreement #22FRP12 with the State of Florida Department of Environmental Protection (FDEP) to provide funding for the project Polk County Peace Creek Canal Basin Wetland Restoration. He recommended approval.

Tabitha Biehl, Parks and Natural Resources, said this is a watershed approach project. She gave an overview of the canal project for flood relief.

Mr. Beasley said this is a work in progress and is a multi-year initiative.

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

H.2. Request Board approve (1) construction contract with CenState Contractors, Inc. for the Jordan's Grove ground storage reservoir & high service pump station project (one-time expense of \$3,070,000.00 from American Rescue Plan Funds and \$1,599,350.00 from Utilities Operating Funds), and (2) CIP amendment to the FY 24/25 Utilities Community Investment Program Expansion budget from reserves in the amount of \$278,908.00.

Minutes: County Manager Bill Beasley discussed the construction contract with CenState Contractors, Inc., for the Jordan's Grove ground storage reservoir and high service pump station project, and CIP amendment to the Fiscal Year 2024/2025 Utilities Community Investment Program Expansion budget from reserves in the amount of \$278,908.00. He recommended approval.

RESULT:	APPROVED
MOVER:	Neil Combee

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

H.3. Approve Infrastructure Agreement with Pulte Home Company, LLC, (developer) for Wastewater Improvements serving Belle Haven (\$497,471.00 not-to-exceed cost).

Minutes: County Manager Bill Beasley discussed the Infrastructure Agreement with Pulte Home Company, LLC, for Wastewater Improvements serving Belle Haven. He recommended approval.

Upon question, Utilities Director Tamara Richardson said the cost came from the contractor for what they were billed. She said the lift station has been constructed and we are reimbursing them. She said that the contractor gives a price for what they require and they give the price for what we require and we pay the difference.

Mr. Beasley said we do ask for them to competitively quote this project. He said we review the line items for materials, labor and quantities. He said it meets the take-offs that they have calculated.

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

H.4. Approve the Infrastructure Agreement between Blackfin Champions, LLC. and Polk County for Hwy 27 and Four Corners Blvd Intersection (\$738,189.87 One Time Expense).

Minutes: County Manager Bill Beasley discussed the Infrastructure Agreement between Blackfin Champions, LLC., for Highway 27 and the Four Corners Boulevard Intersection. He recommended approval.

Commissioner Combee said almost twenty years ago he was involved in signaling the shopping center and it cost us more than that for the signal. He said it looks like a good deal to him.

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

H.5. Approve an Asset Purchase Agreement between Millennial Property Investments Corp., Blue Falcon Operations Corporation and Polk County for the sale of the Rohr Home (\$5,000,000 one-time revenue)

Minutes: County Manager Bill Beasley discussed the Asset Purchase Agreement between Millennial Property Investments Corp., Blue Falcon Operations Corporation and Polk County for the sale of the Rohr Home. He said it is a monumental time. He said he understands the relationship with the Rohr Home with the community. He said

these are the right people with the right corporation at the right time. He recommended approval.

Dan Jones, Blue Falcon Operations, discussed their qualifications. He said they do not want to change anything with the Rohr Home. He said they want to grow more and said they appreciate everything Polk County has given them.

Commissioner Wilson said he knows a lot of people that went through there. He said he did not want to see the county get out of this business. He said we were the only county in the state with a nursing home and then they went through Covid. He said he feels good about what is going on. He said he just wants the nursing home to carry on and it is one of the best there is. He said to keep doing what we are doing and to help people in the community.

Mr. Jones said the first admission after the closing is his grandmother.

Commissioner Braswell said this has a lot of history in Bartow. He said having a Bartow native running this will put everyone at ease. He said everyone should be happy with the results.

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

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 congratulated County Manager Bill Beasley on refereeing high school football games for 26 seasons. He said some people really like him, some want to kill him and he said to keep an eye out. He congratulated him.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Re-appoint Robert Sheffield to the Polk County Lakes Access Advisory Committee for the three-year term, November 17, 2023, to November 16, 2026.

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

K.2. Re-appoint Dr. Robert S. Hinds to serve as a member of the Housing Finance Authority for the four-year term, December 1, 2023, to November 30, 2027.

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

K.3. Commissioner Santiago Comments.

Minutes: Commissioner Santiago said she will let Chair Lindsey talk about the Cherry Hill ribbon cutting.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

Minutes: Commissioner Combee asked for a report from Mosaic on the tear. He said he does not know if there is something we should be doing. He said he wants the Board to be aware if we should be doing something.

He discussed the sun rail and said they took a vote with TPO that he voted against. He said we should not go down that track, we are going to spend lots of money and he does not think it is viable. He said we are not New York City or Chicago and he said it will not provide relief on I-4. He said there are so many people in this county that will be paying for it who will never be able to access or benefit from it because they are too far away from a station or I-4. He said he would like for the Board to say yay or nay on this. He asked at what cost and said that every dime we spend will be taken away from other projects for traffic.

Commissioner Braswell said this is expensive and a lot of us do not agree with it. He said to nip it in the bud sooner than later sounds like a good endeavor.

County Manager Bill Beasley said DOT is working at the request of TPO. He said the county has individual votes on TPO and the decision will not rest on the Board alone. He said it is TPO. He said it does not move forward well without the county's funding and support at the operational level.

Commissioner Braswell there has to be a number for the amount that the county will kick-in.

Mr. Beasley said as you get closer to the engineering studies that TPO authorized DEO to proceed with. He said with that you will get into the operational expenses, capital expenses and prop share of those operating expenses.

Commissioner Wilson said TPO has 23 votes and if the Board was against it, it will still be approved. He said if they move it on then at some point we need to say we are not for it.

Chair Lindsey said with the presentation their request was to allow the state to continue with their funding. He said as the price tag becomes more evident that is what will kill it. He said there is some enthusiasm from municipalities. He said they have asked and they have not turned over the cost and they have been capturing the cost and know where it is going. He said if a funding mechanism comes to pass that will transcend multi-jurisdictions and the county will be the heavy player in that decision. He said if we do not bludgeon the data to give us the answer we want then the data will make it impractical to operate.

Commissioner Santiago said DOT appropriated \$1.5 million to continue with the design and study of this. She said that is state appropriated money. She said majority of the commissioners voted no and what was proposed went through. She said they need to continue to voice their opinions. She said not everybody on the TPO committee is for the sun rail. She said she wants to see this moving forward and she wants to see the study completed. She said 20 years down the road we do not know how it will impact Polk County.

Commissioner Combee said at some point every dollar that is spent by DOT or anybody else is lost. He said he does not think the Board has much interest in funding the sun rail. He said the price tag is more than we can every justify based on how others perform and it is not going to be magic. He said he wants to get out while we can escape.

Chair Lindsey said people want it until they tell them how much. He said we will let it play out and see what happens.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIR)

M.1. Reappoint Kathryn E. Bevilacqua-Ely to the Early Learning Coalition of Polk County for the four-year term, May 6, 2022 through May 5, 2026.

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

M.2. Chair Lindsey Comments.

Minutes: Chair Lindsey reminded the audience to vote in the municipal elections today in Fort Meade, Winter Haven, Lakeland and Auburndale. He said enough has been said about Cherry Hill. He said it was a great event.

N. LAY BOARD APPOINTMENTS

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

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

- O.1. PUBLIC HEARING (LDCPAL 2023-5 Northeast Regional Park) (Transmittal Hearing), a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Low-X (RLX) to Recreation and Open Space-X (ROX) on ±80.26 acres and Institutional-X (INSTX) on ±1.95 acres to recognize an existing regional park and fire rescue station in the North U.S. Highway 27 Selected Area Plan.

Minutes: Land Development Director Ben Ziskal discussed the proposed amendment. He said that the Planning Commission recommends approval. He said that staff recommends approval for transmittal.

The Chair opened a public hearing; no one spoke.

Upon question, County Manager Bill Beasley said RussMatt is on the baseball fields and there is league play on some of the baseball, soccer and multi-purpose fields.

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

P. PUBLIC HEARINGS

- P.1. 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 discussed 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.

Commissioner Combee thanked the County Manager and the Clerk for providing him an option to decline but he is happy to vote for everybody else.

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

- P.2. PUBLIC HEARING to consider adoption of an ordinance prohibiting smoking and vaping in public parks within unincorporated Polk County.

Minutes: County Attorney Randy Mink discussed the ordinance prohibiting smoking and vaping in public parks within unincorporated Polk County.

The Chair opened a public hearing.

Troy Livingsone, President of the Students Working Against Tobacco (SWAT), discussed the dangers of second-hand smoke. He said 1.2 million non-smokers die each year from second-hand smoke.

Michel Pascual, Vice President SWAT, discussed how harmful cigarettes are to people and the environment.

Chair Lindsey thanked them for being here with us.

The Chair closed the public hearing.

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

ANNOUNCEMENTS

Minutes: Meeting adjourned at 10:00 a.m.