



Polk County Board of County Commissioners

Meeting Minutes - Draft

January 06, 2026 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.

Rollcall

Present:	Commissioner Becky Troutman Commissioner Rick Wilson Commissioner Bill Braswell Commissioner Martha Santiago Commissioner Michael Scott
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CALL TO ORDER - 9:00 a.m. (MARTHA SANTIAGO, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

Minutes: Chair Santiago thanked Chaplain Murphy Hanley for his dedication for being here at every Board meeting leading us in prayer. She said we appreciate that and they wanted him to know.

B. PUBLIC COMMENTS CONCERNING AGENDA ITEMS

B.1. Comments.

Minutes: Mark Bowne said he is here on behalf of Med Fleet Ambulance. He said he is opposed to the application for a COPCN with Panther Mountain Enterprises, LLC. He said their position is not driven by competition it is in patient safety, system stability and adherence to Florida law. He said the applicant is a newly formed entity established just over 100 days ago. He discussed concerns with the company.

County Attorney Randy Mink said that Fire Rescue and the County Attorney's office

reviewed the objection and they did not see any issues issuing the COPCN. He said we have had startup groups come into Polk and they have to meet all the state requirements before operating. He said before they start they have to have a COPCN and get the license from the state. He said there was a fictitious name for the Express Medical Transport that was confirmed that it was filed with the state. He said we are comfortable moving forward at this time. He stated if there is an issue they have the right to appeal it.

Upon question, Mr. Mink said that once they meet all the state requirements they can operate. He said right now they are getting the ability to operate in the county. He said they will have to show the license and file with Fire Rescue before operating. He clarified that the obligations were met and they did not find the objections valid at this time.

C. APPROVE CONSENT AGENDA

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C.1. Approve Consent Agenda.

RESULT:	APPROVED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

D. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

D.1. Disbursements.

RESULT:	APPROVED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

D.2. Minutes of Regular Board meeting held on December 16, 2025.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G. COUNTY MANAGER (BILL BEASLEY)

G.1. Approve agreement with WSB LLC for construction engineering and inspection (CEI) services for the County Road 557 widening project. (not-to-exceed one-time expense \$7,671,349.67)

Minutes: Chair Santiago wished County Manager Bill Beasley a Happy Birthday.

Mr. Beasley discussed the agreement with WSB LLC, for construction engineering and inspection services for the County Road 557 widening project. He recommended approval.

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.2. Approve Consultant Services Authorization (CSA) No. 2022-089-04 with Jacobs Engineering Group, Inc., (CONSULTANT) to provide professional design services for the development of full construction documents for the CR 542A/Galloway Road at Swindell Road intersections. (Total cost not to exceed \$495,095.89)

Minutes: County Manager Bill Beasley discussed Consultant Services Authorization (CSA) No. 2022-089-04 with Jacobs Engineering Group, Inc., providing professional design services for the development of full construction documents for the CR 542A/Galloway Road at Swindell Road intersections. He recommended approval.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.3. Utility infrastructure agreement with Clayton Properties Group, Inc. for the Myrtlebrook Development Lift Station Upsizing, Force Main upsizing, and Force Main and Potable Water Line abandonment. (\$313,838.72 One-time expense.)

Minutes: County Manager Bill Beasley discussed the utility infrastructure agreement with Clayton Properties Group, Inc., for the Myrtlebrook development lift station. He recommended approval.

Upon question, Mr. Beasley said the materials for the stormwater improvements are on site. He said the lift station is in a remote area and will look appropriate.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Rick Wilson
AYE:	Wilson, Braswell, Santiago, and Scott
Absent:	Troutman

G.4. Approve agreement with GISJane LLC to provide forecasting, detection, and mitigation of harmful algal blooms. (\$300,000.00 one-time expense)

Minutes: County Manager Bill Beasley reviewed the agreement with GISJane LLC, providing forecasting, detection, and mitigation of harmful algal blooms. He recommended approval.

RESULT:	APPROVED
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MOVER:	Rick Wilson
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

H. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

H.1. Commissioner Troutman Comments.

Minutes: Commissioner Troutman said we have a packed audience today, real life happens, and she had a daughter that swallowed a filling in the process. She said if they see her looking at a phone today, please know that she is attending and being a mom. She stated this is a new year and she looks forward to doing great things in Polk.

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

I.1. Reappoint Charles R. Walter, P.G. as a Member (Seat 1) of the Polk County Industrial Development Authority, for the three-year term, February 6, 2026 through February 5, 2029. (District 2 Appointment)

RESULT:	APPROVED
MOVER:	Rick Wilson
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

I.2. Commissioner Wilson Comments.

Minutes: Commissioner Wilson wished a Happy New Year to everybody. He wished a Happy Birthday to County Manager Bill Beasley.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell said every morning they get the email from the EOC. He stated with the rain we should reconsider the Burn Ban.

County Attorney Randy Mink said the Burn Ban is from the Fire Chief but the Board has some discretion. He said they will get with the Fire Chief.

County Manager Bill Beasley said the Board would ratify it after so that it can happen quicker.

Commissioner Braswell discussed the ability to exempt out of the ban.

K. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

K.1. Appoint Julie Jackson as a Member of the Polk County Planning Commission, for the remainder of the three-year term, January 6, 2026, to August 31, 2026.

RESULT:	APPROVED
MOVER:	Michael Scott
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

K.2. Commissioner Scott Comments.

Minutes: Commissioner Scott applauded the residents for adhering to the Burn Ban with fireworks being banned. He said as dry as we were he appreciates the citizens staying safe.

M. LAY BOARD APPOINTMENTS

M.1. Appoint KellyAnn Beach as a member of the Tourist Development Council to fulfill the remainder of Dexter Pagara four-year term which ends August 31, 2027.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

L. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

L.1. Chair Santiago Comments.

Minutes: Chair Santiago said they participated in the ribbon cutting for the Sheriff's command station in Poinciana. She said it was well attended and it was a great event. She stated we are excited to see the public funds being put where they need to be put to serve our communities.

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

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

N.1. Public Hearing (LDCPAL-2025-6 Poinciana Bayberry St CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on +/- 72.27 acres from Development of Regional Impact (DRI) to Institutional (INST) in Poinciana Master Plan. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

Commissioner Troutman said she appreciates the superintendent being here to

discuss this or answer any questions. She said it is important that our school system continues to be able to meet the needs.

Chair Santiago said she looks forward to this high school and it is well needed in this area.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

N.2. Public Hearing (LDCD-2025-10 Poinciana Bayberry St Sub-District Change) (Adoption Hearing) to consider the adoption of a Sub-District change on +/- 72.27 acres from Institutional (INST-1) to Institutional (INST-2) in the Utility Enclave Area (UEA). (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

N.3. Public Hearing (LDCT-2025-21 Lake Gibson Estates Text Amendment) (First Reading) to consider the adoption of a Land Development Code Text Amendment to add development conditions in Appendix E, Section E 105 to limit the allowable uses and density to only 16 units for the property subject to LDCPAS-2025-30 which is a small scale Future Land Use Map amendment from Residential Low (RL) to Residential Medium (RM) on +/- 2.55 acres. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment. He said that staff and the Planning Commission recommended approval. He said this is the first reading.

Commissioner Scott said he appreciates the applicant's willingness to strike some of the Conditional Use on a Level 1 or 2 Review. He said speaking with residents they feel they are getting worn down because it was denied before and it is coming back. He said this area has a mobile home park on 98. He understands they are trying to put in duplexes and he sees this needing to stay RL-3 and RM is not compatible.

Sarah Case, applicant, said there was a 7/0 approval with the Planning Commission. She said it seemed the concern was if it was straight RM there would be some leeway to develop it in any fashion allowable under the RM. She said they decided to do a companion text amendment that rules out all of the other things they can do in RM. She said they submitted a site plan to accompany this. She said in the ordinance everything that is underlined is prohibited and parcel specific. She said she appreciates

approval.

The Chair opened a public hearing; no one spoke.

Commissioner Scott said in speaking with the residents there is still concern. He said looking at the perception in that community they do not see RM as being compatible.

Commissioner Troutman confirmed that it clearly states that mobile homes are prohibited.

N.4. Public Hearing (LDCT-2025-23 Alcohol Separation Requirements & Hours LDC Text Amendment) (First Reading) to amend Chapter 2, Section 224 and Table 2.4, to change the method of distance measurement, reduce distance separations for different types of alcohol licenses from religious institutions and schools, and adjust Sunday hours of operation. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment regarding alcohol separation requirements and hours. He said that staff and the Planning Commission recommended approval. He said this is the first reading. He confirmed that information from surrounding counties and municipalities requirements were considered.

The Chair opened a public hearing; no one spoke.

Upon question, Mr. Ziskal said there was no feedback from the Sheriff.

N.5. Public Hearing (LDCT-2025-24 Powerline Landscape Buffers LDC Text Amendment) (First Reading) to modify landscaping requirements to include a Utility Buffer (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment for powerline landscape buffers. He said that staff and the Planning Commission recommended approval. He said this is the first reading.

The Chair opened a public hearing; no one spoke.

O. PUBLIC HEARINGS

O.1. Public Hearing to consider adoption of a resolution to vacate any public interest in a 30-foot strip of land lying south of Herndon Road and adjacent to the west of Parcel ID Number 273005-000000-011120. (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed vacation. He said there are no objections to the request. He recommended approval.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Becky Troutman
SECONDER:	Michael Scott
AYE:	Troutman, Braswell, Santiago, and Scott

Absent:	Wilson
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O.2. Public Hearing to request the Board, by its own motion, consider adoption of a resolution to vacate a portion of platted, unopened, and unmaintained right-of-way shown as Bryan Avenue on the Map of Jester Subdivision. Also, request Board declare surplus and authorize the private conveyance of the County's interest in Parcel ID Number 262728-493000-000260 to Dwann Bowers. (\$1,000, one-time revenue)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed vacation. He said there are no objections to the request. He recommended approval.

Upon question, Mr. Lowery said the Property Appraiser's office would assemble the right-of-way with the current property. He said for ours it will be a separate number unless they request it.

The Chair opened a public hearing; no one spoke.

RESULT:	APPROVED
MOVER:	Michael Scott
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

O.3. Public Hearing (LDPD-2025-9 Highlands Club PD) (De Novo Hearing) appealing the decision of the Planning Commission to approve a Planned Development for 747 single-family homes.

Minutes: County Attorney Randy Mink reviewed the De Novo hearing procedures. He swore in those who were not previously sworn in.

Erik Peterson, Land Development, showed slides and reviewed the proposed request for a Planned Development (PD) for 747 single-family homes. He said because they are investing in public infrastructure they are expecting a return on the investment as part of the plan. He said this is consistent with the School Board's plan. He said this is an urban area with urban services. He said the applicant qualifies for 5 units per acre and they are asking for 2.74 units per acre. He reviewed the setbacks and said the minimum lot size is 6,000 square feet. He said the amenity plan is above and beyond what is required and has over the 20% required open space. He showed aerial photos of the site and the surrounding areas. He discussed the Level 2 Review process and said that is where things get reviewed by experts in their field. He said today is based on the consistency with the Comp Plan, LDC and compatibility with the surrounding areas. He said that this is compatible with the surrounding areas and staff recommends approval. He said it meets and exceeds the PD standards. He stated it is consistent with the Comp Plan and the LDC.

Commissioner Troutman said she has had ex parte communications with the applicant, members of the community and had site visits.

All Board members confirmed that they are able to hear the case and base it on the contents of the evidence presented today in an impartial manner.

Bart Allen, applicant, introduced the members of their team. He said that the documents in his PowerPoint are in the record. He submitted a binder into the record. He gave a timeline of the project. He said that it was recommended for approval by the Planning Commission. He said these are the areas where development has occurred going back to the 70's. He said there is commercial and other uses mixed into this region. He reviewed the proposed request and said that only Area A will have access to Crews Lake Drive. He said that staff found this consistent with the Comp Plan, the Land Development Code and compatible with the area. He reviewed the Comp Plan and said the request is for 2.7 units per acre and that does not include the 27 acre lake. He said they have 3 times as many density points. He reviewed the criteria and said the project meets and exceeds all of the requirements. He said they have to get to final development plan approval before locking in concurrency. He said there is plenty of capacity and ample water and sewer. He reviewed the existing traffic and planned infrastructure improvements. He reviewed the concurrency timeline and said if they cannot meet concurrency for any of the items they cannot move forward. He said they have satisfied the pillars and he requested Board approval.

Upon question, County Manager Bill Beasley said that wastewater is from the southwest plant off of Shepherd Road and the water is from the Pollard Road site production facility.

Upon question, Mr. Allen said there is no road to the east. He said Yarborough Lane has a light at 540A. He said the traffic study will determine Crews Lake. He said the red X's on the map are signals.

Commissioner Scott said his concern is that they have had other communities and developments flood during Milton because of closed basin scenarios. He discussed the ditch coming into the site and he asked about the retention ponds.

Mr. Allen said they are conditioned to do a 100-year storm water pond. He said if the pond has to get moved that is something that gets moved during the Level 2. He said it would depend on which area was impacted and it would not be wise to speculate on what would happen.

Commissioner Scott stated that promoting how the site has an over abundance or exceeds the minimum requirements, while that is good, he said he would not want to see that trimmed back for the sake of needing more storm water.

Mr. Allen said the outfall falls to the south. He said the wetland lines have been delineated and that has been accepted by the Water Management District.

Motion to accept Bryan A. Hunter, P.E., as an expert witness.

RESULT:	ACCEPTED
MOVER:	Bill Braswell
SECONDER:	Rick Wilson
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

Minutes: Bryan Hunter, applicant, said the predominance of the site flows and drains from the south and southwest and southeast into Crews Lake Road and it is an enclosed basin. He said there is a bit of the land on the south that drops back off to the wetlands. He said most of the site drains to Crews Lake. He said Crews Lake Road is 10-12 feet higher in elevation than the 100-year flood plain of Crews Lake.

Commissioner Scott said he appreciates the willingness to have diligence and process but having gone through what we did as a county, the PE has liability insurance, the PE does not have homes that are representing millions of dollars of damages post a catastrophic event such as a closed basin flood scenario.

Mr. Hunter said he hears them and they know how to design to prevent those things.

Commissioner Scott said misinformation provided to the public at times can be deceptive. He said at that point of design to be mindful of that.

Richard Grosso, appellant, said his client Barbara Andrews has asked that he speak on her behalf. He said Sue Nelson and Max Forgey will be speaking during their presentation.

Max Forgey, appellant, discussed his qualifications.

Motion to accept Max Forgey as an expert witness.

RESULT:	ACCEPTED
MOVER:	Bill Braswell
SECONDER:	Michael Scott
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

Minutes: Mr. Forgey said he has presented an expert report to the Board. He discussed the criteria for approving PD's. He said to blend development with patterns that are already in place in the immediate neighborhoods; he said using mixed uses to reduce traffic is an example. He said his client is concerned with the external design and lives on a large horse farm and that is not compatible with this. He discussed how this is not compatible. He said he cannot dispute that the densities along Yarborough Lane are comparable. He said that he can dispute the density along Crews Lake Drive and McCall Road. He said these are significantly different densities. He said the applicant proposed an increase in density from 249 to 747 units. He said it would be incompatible with the character and lifestyle for Ms. Andrews. He referred to the Touchstone staff report in 2021 and said they have the same words of this report. He stated the Touchstone numbers have not been incorporated into this study. He discussed how this is not compatible and said this is infill development. He said this does not blend easily with existing land uses, especially the agricultural uses. He asked to deny this.

Upon question, Mr. Forgey said in regards to McCall Road he is talking about the northwest portion of the property.

Sue Nelson asked what factors do they look at when considering compatibility. She

discussed the factors that the Board must consider. She discussed the surrounding land use areas and the densities on the properties. She said this is a textbook example of incompatibility. She said this property will be isolated, duly burdened and encircled by this development. She discussed property owners crossing over two roads to access their property. She said there has been two fatalities on Crews Lake Drive. She discussed how there has been no roadway improvements. She discussed the traffic crash reports and said this development will generate 5,834 trips. She asked if this is compatible or safe. She said that she has two autopsy reports.

Mr. Allen said he would like a copy of the crash report.

Mr. Grosso said everything in the Comp Plan matters and it is about the human element and compatibility. He said there has to be balance. He said when you look at the staff report it is as if the other properties do not exist. He said this violates four parts of the Comp Plan and the Code. He discussed compatibility and said it must be compatible. He stated it is a huge impact with scale and density. He asked that this be denied without prejudice. He said compatibility requires traffic analysis and he said there is limited traffic compatibility. He asked if we are going to out the sheep farms and that way of life. He said they are asking to deny this amount of density. He said maybe a flood plain review will chip away a few units. He asked the concerns to be taken seriously. He said to find this incompatible and to deny without prejudice.

Commissioner Troutman referred to the staff report and said there is a table on page 9 that shows the comparison to all the properties. She said it is not as represented by his statement that other properties were not considered and that is clearly not the case if you look at the staff report.

Mr. Grosso responded and said there is no narrative or discussion. He said it is all about how suburbanized the other side of the property is. He stated it is not a fair balance.

Commissioner Scott referred to the staff report and said he has an issue with it being compatible with the statement that it will not adversely affect the citizens of the immediate surrounding area. He said he does not know how they make that statement in the staff report. He said if you look to the east it is compatible if you look to the west, north, and south there is nothing around this that is compatible.

The Chair opened a public hearing.

Ed Smith thanked the Commissioners for their time. He said he used to look forward to getting the Sunday newspaper and said they would stare at the pictures to see which one is not like the other. He said that is how he looks at compatibility. He said the roadways are not acceptable for the traffic and said there is not enough capacity. He said he lives in Treymont and he discussed the trucks and school buses and said there is not enough capacity. He said for Milton the retention pond overfilled and flowed into the street and he said he is concerned with the flooding.

James Commerford said they have to vote on the information given. He said the human element was not taken into consideration. He spoke in opposition and asked

that this be turned down.

John Sebring spoke in opposition and discussed concerns with the number of houses and the roads. He said this area is beautiful and a lot of it will go away with this development. He discussed concerns with flooding.

Jennifer Batts spoke in opposition and said this will increase traffic, noise and light pollution. She discussed concerns with bicyclist sharing the roads. She asked that this be denied or require the developer to reduce the scale. She said it is urban/suburban because they are letting it become that way.

Nicole Lane showed slides and said she is here because of the 747 houses. She said every time there is an approval the number of homes are going up. She said there is a visual impediment at Yarborough and Crews Lake Drive because there is a hill, tree and a fence. She asked for another exit at the back of the neighborhood.

Richard Lane showed a video of the sheep farm property adjacent to the development. He said they are not asking that the development go away they are asking that the residents be considered.

Daniel DeLange said he has lived there for 41 years. He discussed a road closing. He discussed the growth in the area and he said sports are being played late at night with no parking. He said the Loyce Harpe park has decrepit conditions with dirt and potholes.

Brenda Dryden Al-Mutawa showed a video of the surrounding properties.

Dr. Mark Lane discussed safety and said there are moms parked on the sides of the road because there are not sidewalks. He said adding traffic is not a good thing. He said this is not compatible and said to say no.

The Chair closed the public hearing.

Don Skelton discussed his qualifications.

Motion to accept Don Skelton as an expert witness.

RESULT:	ACCEPTED
MOVER:	Rick Wilson
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

Minutes: Don Skelton, applicant, responded to public comment. He discussed safety and discussed the 11 crashes. He said 55% of the crashes did not result in injury. He said crashes on Crews Lake were lower than the statewide average.

Upon question, Mr. Skelton said this excludes interstates. He said similar facilities would be two-lane undivided urban roadways.

Mr. Hunter said during the engineering process they will be required to establish clear visibility angles and ensure certain site distances. He said he is not concerned about it meeting the site visibility and they control the right-of-way on the south side.

Upon question, Mr. Skelton said there was one crash near Walkers Glen Drive and it was a no injury crash. He confirmed it is within five years.

Mr. Allen referred to an email from Roads and Drainage Director Jay Jarvis. He said it is disingenuous to insinuate that the county did not do their duty as it relates to safety in this area. He said the biggest issue he has heard today is focusing on the 50 foot lots.

Upon question, Mr. Allen stated this project assumed 747 p.m. peak hour trips. He said they have 500 from Touchstone included on top of what they are doing. He said all 747 do not access Crews Lake Drive. He said there are 69 lots in Area A so there is 69 of the p.m. peak hour trips accessing Crews Lake Drive and the balance is spread across three different access points on Yarborough Lane. He said Crews Lake Drive still operates at 30% of its p.m. peak hours. He said they have to go out through Yarborough and they cannot go through Area A. He said that is something that cannot change without coming back to a public hearing. He said there are 6-7 ways they can get out of there. He said the 60-acre horse farm is split by Crews Lake Drive and they live on like six acres in the upper corner. He said they are not adjacent to the horse nor sheep farm. He said on the video with the sheep farm there were homes in the background and that shows proof of compatibility. He said the cattle owner did not speak in opposition and he said that shows volumes. He said the growth has come to the area. He discussed the surrounding sites and lot sizes and said there is a transition of uses that all fit in together. He said that staff and the Planning Commission recommended approval. He said they would propose a condition to coordinate with the School Board for drop off coordination in relation to safety to students. He asked Mr. Peterson if after hearing the testimony if it does changes his opinion as it relates to the Comp Plan or compatibility.

Mr. Peterson stated no.

Commissioner Scott said he heard that in prior BoCC meetings and he would never ask staff to admit if they are wrong or right in front of a public audience. He said he finds that question to be a bit aggressive and he will never agree with it.

Commissioner Braswell said he has pointed it out when they are wrong.

County Attorney Randy Mink said it is asked because there is language in the staff report that says this staff report is made without the public hearing and evidence that may be presented at the hearing.

Commissioner Troutman said this is her district, we all work together and we realize how every decision affects everyone in Polk. She said she has read every e-mail and every point that has been raised and she sat at the intersections and the park. She said the park was used within the last two weeks. She said it is not the prettiest park but it is used and to make claims without the factual information is a disservice. She said the

park was closed and she inspected the trash to see an expiration date on a salad to judge when this park was last used. She stated she reached out to the Director of Parks and Natural Resources and that park is used on a scheduled basis. She said it is an ancillary park to support the other parks in the area, it is open and used by reservations, and does serve the residents of the community.

Chair Santiago said she does not have an issue with what Mr. Allen asked and she thinks that is important that information is publicly shared. She said they have been asked before and with them saying I've heard this testimony, I need to go back, she believes they would do that.

Commissioner Scott said his reference to that is meetings in the past had not had any where staff went back and said yes. He said if that has occurred in the past then that is great.

Commissioner Wilson said this has been brought up numerous times and he looks at it as did you hear something new. He stated he does not have a problem with it.

Upon question, Mr. Peterson said they used the most recent Transportation Planning Organization's roadway network database. He said if the numbers corresponded it is a coincidence. He said the capacity for Crews Lake Road increased. He stated a lot of the assumptions they have for the total capacity changes over time. He said if you added Touchstone and this project there is still ample capacity. He said there are many routes you have to enter and exit and there is plenty of capacity. He said they will see a more definitive staff report and there might be some intersection improvements that need to be made.

Commissioner Braswell made a motion for approval as is, the motion was seconded by Commissioner Troutman.

Commissioner Scott discussed compatibility and said having something on the west of the property for a transitional area or something not 50 foot lots adjacent to a cow pasture puts them looking at compatibility. He discussed the definition of compatibility and said he would do a denial without prejudice or an approval with conditions that would offset some of those impacts on the western side.

Commissioner Braswell said this is where Lakeland meets Bartow and it is going to continue to be developed. He said in his mind it is an urban area. He said there are 2,000 homes within a mile of this development and this is what he would call a normal outgrowth of a city. He said this is not urban sprawl, it is where the improvements have been made by the county, and it is where the water and sewer is. He said this is how growth needs to proceed in this county. He said he understands that they do not want change but it is theirs to do with. He stated it is a sensible way to grow.

Commissioner Troutman said this is her district and she has spent six years on the Planning Commission. She said we are talking about consistency and compatibility. She said the consistency is straight forward and we are consistent with the LDC and the Comp Plan. She said with compatibility that is where you have the thoughtful analysis. She said part of her thoughtful analysis included multiple drives down

Yarborough Lane and Crews Lake Drive looking at the neighborhoods. She said as she drove around what is being proposed is exactly the character in those neighborhoods. She stated they are coexisting. She said video showed cows with houses in the background. She said some of those who spoke are objecting to the exact type of neighborhood in which they are living now. She stated that is hard for her to understand. She said when we talk about roads and concurrency, state law is very clear on how concurrency is determined and how it is put into place. She said we are not here to debate whether we agree with it but there are mechanisms we are bound to. She said new development is not responsible for the sins of the past, whether the road needs to be changed or power poles need to be moved, but as some testified they want to hold new growth responsible for things already in place. She said legally we are not allowed to do that. She said the entirety of Crews Lake Drive is consistent with the entire area surrounding it. She said this plan places smaller lots with smaller lots and larger lots with larger lots. She said we talk about affordability, one big thing lacking in Polk is homes where we want to be able to bring doctors and CEO's having nicer estate homes which is what she thinks we will see around Crews Lake. She said her decision is based upon our code, the evidence presented, and the law we took an oath to uphold. She stated she considers consistency and compatibility and she believes this plan meets those two criteria.

Commissioner Wilson said he has listened to both sides and he knows that area very well.

Planning and Development Director Ben Dunn said for the 1 mile radius around this property there were over 3,000 addresses and over 2,000 rooftops.

Commissioner Scott said his concern was the open cow pasture and his concern is if the other open pasture is developed.

Chair Santiago thanked all the residents who took the time to email and said they appreciate that. She said they read every one of those. She said Commissioner Braswell answered her questions about the Phosphate Mining developing in the next couple of years. She said as she looks at the area she sees both high and low density. She stated what she appreciates about this development is that people have choices to select a big lot with a nice home on the lake or a smaller home that is more affordable. She said she does not like the number of 50 foot lots. She asked Mr. Allen if there is any way they can decrease the number of 50 foot lots.

Commissioner Troutman said she would not want to live on a 50 foot lot. She said with affordability that is a segment that is needed. She said there would be educators and first responders and maybe they are considered the starter home. She said that is a vital part of having a thriving housing market and community.

Chair Santiago said one of the plusses of this is that people will have a choice, they can get a luxury home or the 50 foot lot.

Mr. Allen showed on a map where the larger lots will be located. He said the applicant would agree that Area B would be no less than 70 foot lots. He said you would be seeing a transition in lot sizes from smaller to 70s and then larger lots. He said that

would be a condition of approval and that would be addressed at the Level 2 and the site plan.

Commissioner Scott said while the larger lots are nice and he asked about extending Area A south. He asked about any relief on having the 50 foot wide lots up against the cow pasture.

Mr. Allen said by virtue of what we have conceded that is more than adequate. He said we are adding a third type into the mix; you will have work force housing, a step up home with the 70 foot lot and then you will have an executive option. He said a project like this checks all the boxes and what his client has put on the table is a fair consideration.

Commissioner Braswell amended his motion for a minimum of 70 foot lots within Area B to be addressed at the Level 2.

The seconder of the motion, Commissioner Troutman, agreed with the amendment.

Commissioner Scott said it is a disservice to look at compatibility exerted from one side of the project.

Chair Santiago stated she wants Mr. Beasley to follow up about Crews Lake and the park.

Approve and amended with a minimum of 70 foot lots within Area B to be addressed at the Level 2.

RESULT:	APPROVED
MOVER:	Bill Braswell
SECONDER:	Becky Troutman
AYE:	Troutman, Braswell, and Santiago
NAY:	Wilson, and Scott

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

P.1. Comments.

Minutes: Chris Peterson said he is here to give an update the Florida Pace Funding Agency. He said there was a bond validation that allowed them to operate state wide that was challenged by several tax collectors. He said they lost that challenge and lost the appeal. He said it went to the Supreme Court and they did uphold the lower court ruling which means those assessments during that time period were valid. He said the Home Rule has been codified.

County Attorney Randy Mink said there is litigation and any communication needs to come to the County Attorney's office. He said he will direct his client to not respond to any of his questions.

Mr. Peterson said they are not doing any business here without Home Rule.

Debbie Hicks thanked the Board for what they do. She discussed Animal Control and said it is a mess. She asked for an advisory committee to review the animal situation. She said we need to have a committee for the animals.

Lazaro Castellon discussed his ministry serving addiction and homelessness. He said they opened their one acre home to a recovery home and everything they provide is free. He said they help distribute food to over 400 families. He discussed the services they provide to the community. He said that he is here for a violation for the bus. He said they receive no income from this vehicle, it is broken down and is actively being repaired. He said moving it or relocating it is not feasible. He asked to dismiss the fines and asked for permission to continue parking the bus on the property.

Mr. Mink said this is involved with a Code Enforcement case and there was a ruling made by the special magistrate. He said Mr. Castellon needs to work through the process with Code Enforcement and the Board does not have jurisdiction with the ruling.

Mr. Castellon said the problem is when he came to court he was doing everything and he did not have the chance to reply and the fines were assessed.

Code Enforcement Director Autumn Fenton said this is his third code enforcement case for this. She said on the second case they automatically impose a fine and they do not give time to correct. She said they have encouraged him to work through the process to get a special exemption to park the vehicle. She said they will try to get him through the process so he does not get the daily fine but the ordinance does state that it is an automatic repeat of the previous case if they have the same violation within five years.

Mr. Mink said the key is to work with Code Enforcement. He said our Land Development Code has definitions for vehicles.

Chair Santiago said there is nothing we can do because a decision has been made and to continue to work with Code Enforcement.

Ms. Fenton said there is a reduction process once the property is in compliance.

Cassandra Richards said she is officially a sub in the school system and she has been working. She said Commissioner Wilson has a fine son and grandson and they came out around Christmas to help and they spoke well of him. She said if people have animals they need to be registered, spayed and neutered. She said if the animal gets loose to get a warning and then a hefty fine and that would cover all the trap, neuter and release. She said something has to be done because it goes beyond the trap, neuter and release. She said she loves Grady and she agrees with what he is doing and that money needs to be spent with fighting crime.

James Abercrombie discussed a Planning Commission meeting and said that Bart Allen, applicant for the attorney, has his time for presentations and they talked about

traffic. He said Mr. Schmidt never implied that he was an attorney but stated multiple times he was an engineer but did state he was speaking to attorneys often. He said Mr. Allen acting like an attorney did what no one else did and tried to control the meeting. He said he got knocked off the committee and Mr. Schmidt was punished for what he volunteered for.

Commissioner Wilson responded and said he brought that up. He said all he does is come down here and argue and tell us what we do wrong. He said we appreciate it and we sit here and listen to him.

Mr. Abercrombie said it is prejudice.

Meeting adjourned at 1:04 p.m.