



Polk County Board of County Commissioners

Meeting Minutes - Final

December 16, 2025 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.

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: Murphy Hanley, Fire Rescue Chaplain, asked that we continue to keep firefighter/EMT Eryn Orduna and firefighter/paramedic John Parris in our prayers.

PLEDGE OF ALLEGIANCE (MARTHA SANTIAGO, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

B. PUBLIC COMMENTS CONCERNING AGENDA ITEMS

B.1. Comments.

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

C. APPROVE CONSENT AGENDA

C.1. Approve Consent Agenda.

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

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

D.1. Disbursements.

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

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

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

F. COUNTY ATTORNEY (RANDY MINK)

F.1. Discuss potential removal of Michael B. Schmidt as a member of the Polk County Planning Commission.

Minutes: County Attorney Randy Mink discussed the potential removal of Michael B. Schmidt as a member of the Polk County Planning Commission. He said the concern is the exchange involving the Saddlebag case with the Planning Commission. He said after their exchange with Mr. Schmidt and the applicant's attorney which involved statements from Mr. Schmidt and questioning at the very end he says, "I rest my case". He said he believes the concern is that this brings in question the ability to be impartial during cases. He said when you are dealing with conditional uses it is a quasi-judicial proceeding and one of the requirements is that the Board remains impartial and unbiased in those proceedings and makes their decision based on competent substantial evidence. He said when that comes into question that is an issue of due process. He said the hearing before that he had sent a letter to Commissioner Schmidt asking him to recuse himself based on some comments he had made on FaceBook regarding a conditional use approval involving the Polk Regional Water Cooperative. He said Commissioner Schmidt stated he had voted against the first 18 wells and that he could not state how he was going to vote on this case, but you could guess how he would vote. He said the question of being impartial was raised and he thinks there was the implication that he had already made a decision. He said it is important to be impartial and now he has his track record that could be raised in additional cases. He said this has been placed on the agenda to discuss the removal of Commissioner

Schmidt.

Commissioner Wilson said we do not need any problems with cases. He said there are procedures on what you can and cannot do and everybody knows that. He said he wanted to get Mr. Mink's opinion and that is why he brought it up.

Mr. Mink stated they do go through training and he did sit on Mr. Schmidt's training and they do emphasize that they need to be quasi-judicial and impartial because that is something easy to attack on the appeal process.

Commissioner Braswell said in the years he has been here nothing like this has happened. He said plenty of developments have been approved and denied without bringing the Commissioners into question. He said it is not a good idea to keep him on and we have other people waiting to replace him. He said we have heard from the attorney at the last hearing that this has opened a can of worms and we do not need that. He said they need to be cut and dry and we do not need speeches about what you are or are not going to do in the future. He said replacing him sounds like the right thing to do.

Commissioner Troutman said this is a great liability that we would create or continue to allow for the county.

Commissioner Scott said if we move forward with the removal he will move forward with a replacement. He said his effort would be to get someone in that seat prior to the January Planning Commission meeting.

Mr. Mink said it would be an appointment for the remainder of the term. He said part of the policy is there needs to be a resume and to be noticed. He said the next Board meeting is January 6th and the next Planning Commission meeting is on January 7th. He said they could get them trained on January 6th.

Chair Santiago said it is unfortunate that we have to do this. She said we cannot take our chances and liabilities with something one of our Planning Commissioners said being held against the county.

Approve removal of Michael B. Schmidt as a member of the Polk County Planning Commission effective today.

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

F.2. Approve Amendment #1 to Agreement 2025-015 with Geosyntec Consultants, Inc. for professional engineering services for the Southeast Landfill. (\$39,072.00 One-time expense)

Minutes: County Attorney Randy Mink discussed Amendment #1 to agreement 2025-015 with Geosyntec Consultants, Inc., for professional engineering services for the Southeast Landfill.

Commissioner Scott recused from voting.

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

G. COUNTY MANAGER (BILL BEASLEY)

G.1. Approve agreement with Eisman & Russo, Inc. for construction engineering and inspection (CEI) services for Thompson Nursery Road Phase I - Segment 1. (not-to-exceed one-time expense \$5,010,675.00)

Minutes: County Manager Bill Beasley discussed the agreement with Eisman & Russo, Inc., for construction engineering and inspection services for Thompson Nursery Road Phase I - Segment 1. He recommended approval.

Upon question, Mr. Beasley said this a not to exceed number and there is a small contingency amount, usually about 5%.

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

G.2. Approve construction contract with Kamminga & Roodvoets, Inc. for the Spirit Lake Road Roundabout project (\$4,991,838.82 one-time expense)

Minutes: County Manager Bill Beasley discussed the construction contract with Kamminga & Roodvoets, Inc., for the Spirit Lake Road Roundabout project. He recommended approval.

Upon question, Roads and Drainage Director Jay Jarvis said they will be shutting down Old Bartow Eagle Lake Road and Sheffield Road at various times but still allowing those connections. He said based on the design plans they are not closing Spirit Lake Road during the construction. He stated they are building half and half of the roundabout through the construction process.

Commissioner Wilson said it is going to be a nightmare and he does not know if it is something needed or not. He said even in the good days it is a nightmare.

Mr. Jarvis said they anticipate construction starting in February. He confirmed that communication will take place to let people know.

Commissioner Braswell said it is a busy road and the nightmare on this is the pricetag.

Mr. Jarvis said the upcoming projects are at Tenth and Galloway Road, Cypress Gardens Road at Lake Ned, and Gapway Road.

Mr. Beasley said there may be one or two that will be built as a part of 557.

Mr. Jarvis said there will be upcoming discussion on Masterpiece Road. He said the price evens out overtime along with safety.

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

G.3. Approve Land Purchase Agreement between Preservation of Natural Florida, Inc. and Polk County in conjunction with the Environmental Lands Program, CLASAC Project EL-113-24. (\$226,250 total expense)

Minutes: County Manager Bill Beasley discussed the Land Purchase Agreement between Preservation of Natural Florida, Inc., and Polk County in conjunction with the Environmental Lands Program, CLASAC Project EL-113-24. He recommended approval.

Commissioner Wilson said this is a prime example of the hard work that the CLASAC Board has done. He said we are moving forward and gathering property throughout this county that will be there for a long time. He said that is what this is intended to do and from the help of our great citizens that voted this in we are doing it with other partners in the state. He said this is what we like to see and he is very proud of our staff and the CLASAC Board.

Chair Santiago said she agrees with Commissioner Wilson and she stated this is great.

Parks and Natural Resources Director Tabitha Biehl showed the conservation areas on a map. She said it provides a wildlife corridor and makes these green corridors more sustainable.

Commissioner Wilson said this is a smaller piece and we have some pretty big pieces that we have completed.

Ms. Biehl said in total there is 29,000 acres that the Environmental Lands Program has protected.

RESULT:	APPROVED
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 wished everyone a Merry Christmas. She gave a special word of thanks for the support and the work of Fire Rescue. She said seeing

how they have come alongside and surrounded their own has really been meaningful and impactful to watch. She said we have a gentleman who has a long road of healing in front of him but she is thankful for his brothers, sisters and Fire Rescue that have been part of the support for him.

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

I.1. Commissioner Wilson Comments.

Minutes: Commissioner Wilson wished everyone a Merry Christmas and a Happy New Year. He said he is looking forward to next year and it is going to be a great year. He stated to be thankful everyday of what we have.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Appoint Adam W. Greenway, Ph.D., to replace Blair Updike on the Comprehensive Plan Advisory Committee (CPAC).

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

J.2. Appoint Jamie Richardson as a Member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2025 through November 16, 2028. (District 3 Appointment)

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

J.3. Commissioner Braswell Comments.

Minutes: Commissioner Braswell echoed the comments about Christmas and being thankful. He said he does not know why people go crazy during Christmas when it comes to driving. He said it seems like somebody is getting killed in Polk County almost daily on the highways when it is unnecessary. He said to pay attention, put the phone down, and he knows we are all in a hurry.

K. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

K.1. Commissioner Scott Comments.

Minutes: Commissioner Scott said they had a few calls regarding stormwater issues due to the heavy rainfall in the northern part of the county last week. He said we are working through Senate Bill 180 that has to go back through session to have modifications. He stated we do have stormwater improvements that are set up and in queue that will provide relief to some areas on new and existing developments. He said

to bear with the state process, we are aware and working on that. He said Highway 98 is under lane repair. He said the significant dip that is on 98 North prior to getting to Walmart will be repaired and he said it was a giant safety hazard. He stated he appreciates FDOT for hopping on that and getting it taken care of. He said when you look at traffic accidents, what we can do road safety wise is to prohibit an accident from happening. He said we have our Board Retreat next year and if there are any residents that have items for us to consider to reach out to the office. He wished everyone a Merry Christmas and a Happy New Year. He said it has been a great year.

L. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

L.1. Chair Santiago Comments.

Minutes: Chair Santiago wished everyone a Merry Christmas and a Happy New Year. She said the beginning of the year is going to start with a bang with our legislative session taking place with one of the things we will be following very closely will be the property taxes and what is going to come up with that. She encouraged everyone to keep an eye on that.

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

Minutes: County Attorney Randy Mink reminded the audience of the procedures for Public Hearings and Expedited Public Hearings. He swore in those who plan to speak.

N.1. Public Hearing (LDCPAL-2025-1 GPK Holly Hill Groves 2 CPA Amendment) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 14.6 acres from Employment Center - X (ECX) to Residential-High X (RHX). (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.

Upon question, Mr. Ziskal said they could redevelop with retail up to 30% and office could be commercial services. He said Walmart and Sams are allowable uses within the Employment Center. He said there is an entire list of commercial uses that could be placed on those properties today. He said the height allowed with the Residential High would be 75 feet and a maximum density of 15 units per acre. He said that staff finds that residential guarantees a transition buffer where Employment Center or commercial uses may not. He said the difference would be a Type C buffer with a 25 foot buffer between the non-residential and residential. He said it is the same buffering for ECX. He stated the green part on the map is an institutional land use designation that exists there.

The Chair opened a public hearing; no one spoke.

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

N.2. Public Hearing (LDCPAS-2025-25 Lake Marion Creek Dr and Pine CCX CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 1.58 +/- acres from Development of Regional Impact (DRI) to Convenience Center-X (CCX) 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.

Virgil Snipstad said he will give the Board a list of things that are important. He said he has issues with rezoning for commercial property. He said traffic and noise is an issue. He said he has a petition from people. He discussed the piled garbage and the smell. He said there is a school south of this and he said there will be an issue with the kids with the increased traffic.

Bart Allen, applicant, said he has spoken with Mr. Snipstad. He said this is a land use change and they do not have final site development plans. He said they do not have control of the property and the property was previously entitled under the pre-DRI for a church site and was always non-residential. He said the church has never developed and this is a replacement use. He said when you look at the additional landscaping requirements and the buffering requirements it will be focused towards Lake Marion Creek Drive and not towards the residential. He said they will continue the conversations and do a site visit with Mr. Snipstad. He requested Board approval.

The Chair closed the public hearing.

Upon question, Mr. Ziskal said the county owns the property across the street. He said the main entrance will be further north. He said currently on the DRI map it is designated as a church site. He said it does not have a standard land use because it predates the Comprehensive Plan. He said the pre-DRI map indicated commercial sites on the west side which is part of our nature conservation area. He said with all the conservation area staff viewed this as a swap but with a much smaller scale allowing the commercial designation to go on the east side.

Commissioner Scott said that the characteristics have changed from what was envisioned years ago. He said with a church you are not having the intensity of traffic, noise and everything else that goes on with convenience stores. He said a convenience store that could be opened 24/7 is a bit of a swing when you look at intensity.

Mr. Ziskal said the land use designation is a convenience center but a convenience store is not a permitted use. He said it allows a slew of uses from retail. He said the proposed change is from a church site to a commercial site. He said the most intense use would be financial institution, gas station, retail, personal services.

Commissioner Scott said that a convenience store is a gas station. He said he is not comfortable with it being a 24/7 operation. He said we have conservation across the street and to go to that intensity is not compatible.

Chair Santiago said one of the things she has heard from the citizens in this area is that there is not enough convenience stores or commercial. She said that there is a lot of residential in the area but no where to go shopping or to get something really quick. She said most of the people would have to go to the Osceola side and she thinks this is something that is needed in the area.

Commissioner Troutman said she supports this. She said with six years being on the Planning Commission they heard it time and time again about the need for services in that area. She said this is a support that is needed by the residents in this area and it is something that has been voiced by the residents.

Chair Santiago discussed the gas station and the dollar store and said the residents are looking for more commercial.

Mr. Ziskal showed on a map where the other convenience stores are located.

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

N.3. Public Hearing (LDCPAS-2025-27 Highway 542 East Property CPA Amendment) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 12.64 acres from Residential-Suburban (RS) to Business-Park Center (BPC). (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.

Upon question, Mr. Ziskal said to the west and northwest is salvage yard and auto and to the east is electrical substation.

Mark Bennett, Land Development, said there is one single-family residence immediately west of the site and then the salvage yard activity is to the west.

The Chair opened a public hearing; no one spoke.

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

N.4. Public Hearing (LDCD-2025-7 Highway 542 East Property District Change) (Adoption Hearing) to consider the adoption of a sub-district change from Business Park Center (BPC-1) to Business Park Center-2 (BPC-2) on 12.64 acres within in the Suburban Development Area (SDA). (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:	Michael Scott
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

N.5. Public Hearing (LDCT-2025-22 Recovery Residences) (Adoption Hearing) to consider the adoption of an ordinance amending the use tables in Chapter 2, Chapter 4, and Chapter 5, to add large group homes into residential future land use districts; amending chapter 10, definitions, to add recovery residences to conform with state statute. (No Fiscal Impact)

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

The Chair opened a public hearing; no one spoke.

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

O. PUBLIC HEARINGS

O.1. Public Hearing (LDCCD-2025-6 Hamilton Road Sub-district) (Adoption Hearing) to consider the adoption of a sub-district change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) to allow for outdoor storage. (No Fiscal Impact)

Minutes: Erik Peterson, Land Development, showed slides and reviewed the proposed land use change. He said that staff and the Planning Commission recommended approval. He said the applicant requested the land use change for outdoor storage. He showed a map of the surrounding area and said this is close to the Lakeland airport.

The Chair opened a public hearing.

Kevin Benedict said he is a pilot of 50 years. He said they must examine the impact of growth on aircraft operations. He suggested a lighting plan be included in the process with any airport within the traffic pattern of Lakeland Linder Airport. He said the areas around the airport have more risks. He stated that commercial lighting within the airport should point down at 90 degree angles and not horizontal. He said with better visual reference to other aircrafts it helps to avoid mid-air risk of collision. He discussed the traffic pattern and said the lighting will be directed into the left view of the runway. He showed a picture on lighting and he discussed the need for proper lighting.

The Chair closed the public hearing.

Bart Allen, applicant, responded to public comment. He said what Mr. Benedict is talking about has nothing to do with what is being discussed today. He said there has been a lot of discussion with the applicant, Lakeland Electric and Mr. Benedict. He showed a map and said there is no way this request will have any impact on Mr. Benedict as it is on the other side of two buildings. He said the outdoor storage will face Drane Field Road and a Lakeland Electric utility substation. He said it has been an ongoing conversation with Mr. Benedict and he requested a favorable vote.

Upon question, Mr. Allen said there are some provisions for down lighting. He said the Board will start to see dark sky lighting implemented in the Comprehensive Plan. He said a lot of the projects they already are working on implements dark sky lighting. He stated that they cannot control what Lakeland Electric wants and they are willing to engage in it.

Commissioner Scott said it would be beneficial from they county's perspective to work with Lakeland Electric. He discussed Highway 98 lighting and said it is a distraction.

Chair Santiago asked for Mr. Allen to help Mr. Benedict with communicating with Lakeland Electric.

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

O.2. Public Hearing (LDCPAS-2025-26 Natural Encounters CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 33 acres +/- parcel from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R)) in the Rural Development Area (RDA) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions as part of a LDC Text Amendment (LDCT-2025-18). (No Fiscal Impact)

Minutes: Chanda Bennett, Land Development, presented this with Public Hearing Item O.3. She reviewed the proposed map and text amendments. She showed the future land use map and site pictures. She said that staff and the Planning Commission recommended approval. She said this is compatible with the surrounding uses.

Upon question, Ms. Bennett said it is Recreational Camping and it would allow them to stay overnight if it is has public water and a central collection system for wastewater.

The Chair opened a public hearing.

Bart Allen, applicant, discussed the background information on the applicant and said they are world-renowned on training and rehabilitating animals. He gave an overview of the site. He said that staff and the Planning Commission recommended approval. He requested Board approval. He said they are not open to the public at this time to sell tickets; he said there are some classes and it is invitation only. He said the plan is to be

more open to the public. He said they will have more people on site.

Commissioner Scott said the facility is great and what they do is awesome. He thanked them for doing this inside this county.

Mr. Allen said the applicant was recognized as one of the top influencers for animal training. He said it is a nice asset for the county. He said it is operating today and future changes with adding an additional building will require approval.

The Chair closed the public hearing.

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

O.3. Public Hearing (LDCT-2025-18 Natural Encounters LDC Text Amendment) (Adoption Hearing) to add development conditions in Appendix E, Section E 105 to limit the allowable uses on property subject to the Small Scale Comprehensive Plan Map and Text amendment (LDCPAS-2025-25) from Agricultural Residential Rural (A/RR) to Leisure Recreation (L/R) on 33 +/- acres with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions. (No Fiscal Impact)

Minutes: This case was presented with the previous hearing.

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

O.4. Public Hearing (LDCPAS-2025-17 Braddock & Berkley Rd NAC CPA Amendment) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on ±7.95 acres from Residential Low (RL) to Neighborhood Activity Center (NAC) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions as part of a LDC Text Amendment (LDCT-2025-19) to Appendix E. (No Fiscal Impact).

Minutes: Chanda Bennett, Land Development, showed slides and presented this with Public Hearing Item O. 5. She showed aerial photos of the site. She discussed the road medians and said that a median is 850 feet to the north and they can get to a median opening where they can do a u-turn that including the distance she just mentioned is 1,850 feet to the north. She stated that driveway separations on urban collectors which would be Braddock Road is 280 feet. She showed a map of the future land use and discussed the allowable uses. She said the City of Auburndale sent a letter of opposition noting that it is not compatible with residential development. She reviewed

the buffering requirements and the development standards. She said it is compatible with the surrounding uses. She said that staff and the Planning Commission recommended approval.

Upon question, Ms. Bennett showed where the existing driveway is on the map. She said the idea is that there is cross access. She said it is broken into three pieces for the LDC text amendment. She said you could access Block A through Block B. She said the most intense use in Block C would be the conditional uses that require a Planning Commission hearing which includes bars, lounges, taverns, and sit-down restaurants. She clarified that drive-thrus are not permitted.

The Chair opened a public hearing.

Bart Allen, applicant, showed slides and reviewed the proposed land use change. He discussed the Neighborhood Activity Center (NAC) plan and said this is looking at the existing community. He said the demand is there for these types of uses. He said they have the letter from the City of Auburndale and have met it 85-90% of the way and he said that is a fair approach. He said they will be using the access on Braddock Road and will be adding an access point off Berkeley Road. He said there will be cross access among the blocks. He said they have external and internal landscaping and buffering and a six foot opaque fence. He said they are limiting hours of operation and when and where unloading can occur. He said they are implementing dark sky lighting and monument signage. He said that staff and the Planning Commission recommended approval. He requested Board approval.

Upon question, Mr. Allen said the monument sign would be on the ground and they are committed to the down-lighting for the entire property.

Commissioner Braswell said overall it does not look like a bad idea but then we get down to the inadequacies of the buffering requirements. He said you are going to have a house next to a lit up parking lot with ten feet and two trees over 100 feet. He said other states that have more restrictive buffering or where you can put a Walmart next to a development and not know that the Walmart is there, it is one of those places we fall short time and time again. He said this is going to be a stark difference of what is on the corner, what is on the west side, and what is on the north side. He said adequate buffering is what we require but it makes it incompatible from his standpoint. He said while this is sold as a development on a corner of two four-lane roads, Braddock Road if we did a traffic study this morning you would find that a dozen cars went down Braddock Road. He said Braddock Road is a four-laned divided highway because SunTrax needed a nice entrance coming off the parkway. He stated overall it is not a bad idea, it works for Lake Myrtle and what is going on down there. He said it will be a bright spot in the middle of a bunch of homes.

Mr. Allen said that there are limitations and they are limited to 24-foot high light sources if they are within 30 feet of existing residential property. He said they do have considerations for the height of lights and spillage. He said illumination shall be shielded and directional and any spill shall not exceed 0.5 foot candles and shall be consistent with dark sky lighting criteria. He said there are opacity requirements and they have to achieve 80% opacity and he said there is special criteria that is

incorporated. He said they still have to meet the additional criteria in Chapter 3 of the LDC. He said they are making sure that the development that occurs here meets all of the standards and is sensitive to the existing folks. He said he suspects that Auburndale's issue is with the gas station.

Commissioner Troutman said when she looks at this we see investment of public dollars in widening of roads for bringing other things closer to this. She said we are in the path of progress and it appears these were self-imposed limitations while thinking about the process of this. She said he will be the first in the area but it appears more growth is to come because of the investment of the public dollars.

Mr. Allen said this is the first of these in this area. He stated there is a tremendous amount of interest in this area. He said while there may not be a lot of traffic on Braddock Road there are a lot of cars on Berkeley Road. He said there are businesses that want to locate at the intersection of Braddock and Berkeley Road. He said you will see more folks moving here to get their businesses close to where they are living.

Commissioner Scott said the uses provided with Block B and Block C it allows a bar to come in with a Level 3 Review in the future. He said that does not go with the compatibility with the area with Block B and C being adjacent to residential and even without that you have the sit down restaurant. He said when these sites get developed because of different requirements on floor elevations and the use of the site they are elevating the site from inches to several feet.

Upon question, Mr. Allen stated he will discuss with the applicant if there will be any fill. He said the combination of height for lights but also the requirement that we cannot put off any more than a 0.5 foot candles off the site regardless of the height of a street light. He said they will have to submit a lighting plan that proves they are not in violation. He said he agrees and it is not uncommon for a site to get raised.

Dorothea Taylor Bogert thanked the Board for their services. She said she is here as a citizen on behalf of citizens. She said they will have to annex into Auburndale for utilities and she believes one of the reasons they are doing this now is that their NAC does not allow a gas station or drive-thru in this area because the citizens do not want it. She said to not preempt the city to make a decision for the citizens because this will become a part of Auburndale. She asked that this be denied and allow it go to the City Commission to make that decision because all of this will be annexed to the city.

Upon question, Ms. Bogert said the biggest difference with the NAC is the city does not allow drive-thrus or gas stations and she is not sure if convenience stores are a part of that. She said low density was the agreement and growth was expected but this was not something that was in the plan. She confirmed that if they want utilities they will have to come to Auburndale. She said the other gas station is on Berkeley Road. She said there is a little pocket of commercial in that area. She said the preference is that the Tourism and Sports Marketing visitors use the food vendors on site. She said the shell station that has a convenience store is about three minutes away and there is also the Dollar General store. She said further on 92 there is more food.

Mark Harris said he has no need for a drive-thru or a gas station and he said there are

plenty of options within miles of his home. He said he would like it to match aesthetically. He said he is concerned about light pollution on the lake and trail safety. He suggested a wall.

Travis Avery said the collaboration with the county and Auburndale should be in place. He said Auburndale does not allow for an opaque fence they ask for a solid wall. He said they ask for a wall for a multitude of reasons and this is next to residential. He requested that this go to the city and he would like to see collaboration with the county.

Mr. Allen spoke in response to public comment. He said the site is relatively flat and they do not anticipate a tremendous amount of fill. He said the JPA was executed in 2009 and has not changed in 16 years. He stated the JPA was a vision document and does not restrict the Board's authority for amendments. He said the JPA does not say that everything in the area needs to be residential. He said the disputes are whether or not there is a gas station or drive-thru and the opaque fence. He said they chose the fence over the wall and they would be happy to agree to the exterior fencing becoming a wall. He said the wall would be along the exterior boundary of the property.

Upon discussion, Mr. Allen stated they would not object to a seven foot wall.

Commissioner Scott stated that the shrubbery does not do anything for sound or lighting if you are standing outside of your house.

Commissioner Troutman said if the property owner immediately adjacent was objecting to any of this we would probably see or have heard from them. She said it is her understanding they have not. She said we can do the things to protect as much as we can but taking that into consideration to her is telling.

Commissioner Scott said he cannot speak to the homeowner if they wanted to be here or not. He recommended an eight foot masonry wall to shield them.

Upon question, Mr. Allen said the gas station is not annexed to Auburndale. He said water and sewer comes from the city. He said neither Denton nor Dixie is annexed.

Commissioner Braswell said the Shell station has been there before all this and with this situation they are going to have to annex.

Mr. Allen said they agree to an eight-foot masonry wall.

Mr. Beasley said we took over 559 and the state took over Berkley. He said Braddock is a county road.

The Chair closed the public hearing.

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

O.5. Public Hearing (LDCT-2025-19 Berkley & Braddock Text Amendment) (Adoption Hearing) to amend Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions on property subject to the Small Scale Comprehensive Plan Map and Text Amendment (LDCPAS-2025-17) from Residential Low (RL) to Neighborhood Activity Center (NAC) on 7.95 +/- acres with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions. (No Fiscal Impact)

Minutes: This case was presented with the previous hearing.

Motion for approval with the condition of an eight-foot masonry wall on the western and the northern exterior property boundary an eight-foot masonry wall will be in place of a six-foot opaque fence.

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

O.6. Public Hearing to consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Arizona Avenue, Near Lakeland. (estimated \$20,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, reviewed the proposed request for the installation of four traffic calming devices on Arizona Avenue, near Lakeland. She said that this meets the criteria for the traffic calming policy and meets the required approval votes. She said that staff recommends 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

O.7. Public Hearing to consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on Jamestown Avenue, Near Lakeland. (estimated \$20,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, reviewed the proposed request for the installation of four traffic calming devices on Jamestown Avenue, near Lakeland. She said that this meets the criteria for the traffic calming policy and meets the required approval votes. She said that staff recommends 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

O.8. Public Hearing to consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on Fox Creek Drive South, Near Mulberry. (estimated \$10,000.00 one-time expense)

Minutes: Amy Gregory, Traffic Manager, reviewed the proposed request for the installation of four traffic calming devices on Fox Creek Drive South, near Mulberry. She said that this meets the criteria for the traffic calming policy and meets the required approval votes. She said that staff recommends approval.

The Chair opened a public hearing; no one spoke.

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

O.9. Public Hearing to consider the sale of the Waverly Utility System (water and wastewater) to the City of Lake Wales (\$5,300,000.00 one-time revenue)

Minutes: Utilities Director Tamara Richardson showed slides and reviewed the sale of the Waverly Utility System to the City of Lake Wales. She reviewed the permitted and current use for the water and wastewater system. She discussed the sales purchase agreement.

Deena Drumgo, Lake Wales, Assistant City Manager, thanked the Board for the opportunity to partner on this project. She stated this is a mutually beneficial project for all parties. She said the City Commission will meet tonight for their public hearing for this. She said they are not expecting any opposition and she said this was heard last week at a workshop.

The Chair opened a public hearing; no one spoke.

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

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

P.1. Becky Bywater to discuss Polk County Budget.

Minutes: Becky Bywater read a letter to the editor she submitted to the Lakeland Ledger on the animal control facility. She asked why did the Sheriff return money back to the Commissioners that could have been used for animal control needs. She said there is no AC or heat in the facility and said it would be less than \$1 million for this. She asked for one of them to respond.

County Manager Bill Beasley said that it is typical that constitutions with unspent appropriations, money they did not spend or excess revenues, that they look collectively where the biggest and highest priorities are. He said allocations typically are in staffing, facility assets, equipment and training that those investments are made, but that is usually a constitutional offices' call.

Ms. Bywater said that she has been told that people from the jail are coming to work.

Mr. Beasley said that the Sheriff does use inmate labor resources effectively across all spectrums of county government.

Chair Santiago said when the money is given back it is because the Sheriff already knows how we will reinvest that money into the public safety. She said they are not giving it to us to utilize it. She said they already have improvement plans for safety.

P.2. Comments.

Minutes: Ailigh Vanderbush said we are the only voice for animals. She said they are invested in Natural Encounters and it is the opposite with the animal shelter. She said 14,500 animals come to animal control and half of them die. She said we can reduce the numbers without euthanasia. She said the governor is interested in spay and neuter and managing breeders. She said to pull animal control from the Sheriff.

Commissioner Troutman clarified that no way is this Board invested financially with Natural Encounters we simply heard a land use hearing with them today and we are not one of their investors.

Catherine Riddle read an email she sent to the Sheriff's office regarding the animal control facility.

Eve Salimbene said she is directing her comments to Randy Mink. She discussed cat colony caregivers and code enforcement. She discussed implementing TNVR and implementing humane animal processes.

Kay Bourque said we must stand up and speak up for a respectable animal welfare program. She said they are requesting to collaborate with the Board and the Sheriff for an animal welfare committee. She discussed the aspects the committee would focus on.

Reinier Muwguia discussed implications with TNR and diseases with cats. He said that cats continue to hunt when being fed. He asked who is responsible when a cat bites someone. He discussed concerns with TNR and said they have to look at different options.

Debbie Hicks said she is here for a new facility for animal control. She said everyday is a miracle and she said it will be a miracle that anything happens. She wished them a Merry Christmas and a Happy New Year and she looks forward to seeing them in January.

Sharon Garrett said she is here for the toll road. She said the state should not take property that has been in longtime family holdings to benefit people who are going to be here a short time. She discussed an alternative to the toll road. She said the state has a lot of land and they should not be taking her property. She said that they do have input with the toll authority. She said she has not shared the map with TPO.

Chair Santiago said for Mr. Beasley to share the map with TPO.

Shawna Davis said she is here for issues with a property that is behind her that has truck parking. She said they do not have their permits. She said it has affected everyone on their street and they are up all hours of the night with enclosed box trucks and wrecked vehicles. She said they are getting fined but they do not have a cease and desist.

Code Enforcement Director Autumn Fenton said they were brought to the hearing over the summer. She stated they have a \$35,000 lien imposed and a fine running of \$375 a day. She said they are working through a land development process for approvals and they have site plans they are working on. She confirmed that they are continuing to work without approval and are continuing to collect daily fines.

County Attorney Randy Mink said we can start looking at an injunction and they will work with Code Enforcement to see what additional steps they can take.

Commissioner Scott said to check with SWFWMD or DEP to see if there is environmental impacts to the wetlands.

James Abercrombie said they just had a meeting about Daughtery Road and there was not one elected official at that meeting. He said no one was there, no recording, no audio or visual. He said if he wants to take it to court and he has to get a complete video. He said he has no way to do this and it is public record. He said they are going to depend on what staff interprets what they talked about. He said the railroad is interfering with the red light at Kathleen Road and Lake Deeson. He said they are continuing to put development out there and there is no red light there.

Kristin Ahlberg said her heart is broken. She said she is reading a quote. She asked for everyone in the room to be watched over and also the cats and dogs. She asked for water, food, warmth, kindness and changes to be made. She said for 2026 to bring us together.

Betty Jean Ammarell discussed animal control and a volunteer program. She said she is willing to start the volunteer program.

Meeting adjourned at 12:23 p.m.